

For DPZ Office use only:  
 BA CASE NO. BA 17-014C  
 Date Submitted 6/30/17

**CONDITIONAL USE PETITION  
 TO THE HOWARD COUNTY HEARING AUTHORITY**  
 (This application will only be accepted after a pre-submission meeting. See attached info.)

**1. Conditional Use Request**

Conditional Use Category Communication Tower  
 Section 131.0.N. (14)

Specific Use Requested proposed 150' tall telecommunications monopole and accessory equipment cabinets and back-up generator, to be located in a fenced-in compound, as shown on the enclosed plans.

**2. Name of Petitioner** Vertical Bridge Development II, LLC.

Trading as (If applicable) c/o Network Building and Consulting, LLC.

Mailing Address 6095 Marshalee Dr., Suite 300, Elkridge, MD 21075

Phone Number(s) 410-712-7092

E-Mail Address hbernadzikowski@nballc.com

Name of Principal Contact (If different) Harold Bernadzikowski

**3. Counsel for Petitioner** n/a

Mailing Address n/a

Phone Number(s) n/a

E-Mail Address n/a

**4. Conditional Use Site Description**

Address/Street for Property 3075 Route 32, West Friendship, MD 21794

Tax Map 15 Grid 22 Parcel 36 Lot \_\_\_\_\_

Department of Assessments and Taxation Account No. 03-283178

Total Land Area of Property 23.66 (  Acres ) ( \_\_\_\_\_ Square Feet ) Check one.

Election District 3 Zoning of Property RR-DEO

Subdivision Name and Plat No. (If Applicable) n/a

Total Land Area of Use (If different than above) 0.14± (  Acres ) ( \_\_\_\_\_ Square Feet )

#### 4. Petitioner's Interest in Subject Property

OWNER (Including joint ownership)

OTHER (Described and give name and address of owner) = Lessee

Name of Owner William F. Gossage, Jr. and Mark B. Gossage

Mailing Address 3045 Route 32, West Friendship, MD 21794

If the Petitioner is not the owner, written authorization must be submitted from the owner.

#### 5. Conditional Use Plan Requirements

If the petition is approved, the Conditional Use plan will be made a part of the Decision and Order, subject to modifications and conditions required by the Hearing Authority. The Conditional Use plan must be drawn to scale and must include the items listed below:

- (a) Courses and distances of outline boundary lines and the size of the property
- (b) North arrow
- (c) Zoning of subject property and adjoining properties
- (d) Scale of plan
- (e) Existing and proposed uses, structures, natural features and landscaping
- (f) Location and surface material of existing and proposed parking spaces, driveways, and points of access; number of existing and proposed parking spaces
- (g) Same as (e) and (f) above, of adjoining properties
- (h) Location of existing and/or proposed well and private septic easement area, if property is to be served by private water and septic facilities
- (i) Election District in which the subject property is located
- (j) Tax Map and Parcel Number(s) of the subject property
- (k) Name of local community in which the subject property is located or name of nearby community
- (l) Name, mailing address, telephone number (and e-mail address, if any) of the Petitioner
- (m) Name, mailing address, telephone number (and e-mail address, if any) of Counsel
- (n) Name, mailing address, telephone number of property owner
- (o) Floor area and height of structures, setback distances from property lines, and other numerical values necessary for the examination of the petition
- (p) Location of subject property in relation, by approximate dimension, to the center line of nearest intersection of two public roads
- (q) Ownership of abutting roads, right-of-way width, and existing pavement width
- (r) Any other information as may be necessary for full and proper consideration of the petition

#### 7. Additional Information Requirements

- a. Information regarding noise, dust, fumes, odors, lighting, vibrations, hazards or other physical conditions resulting from the use.
- b. Supporting documentation, such as traffic studies, market studies, and noise studies as may be required by the Department of Planning and Zoning or by the Zoning Regulations.
- c. For expansions and enlargements, previous case number(s) and information regarding compliance with previous requirements and conditions.

8. Summary of Request

The following items should be answered by summary statements. If additional space is needed, please attach a Supplement to this petition.

a. The present use of the subject property - Vacant.

b. Details of the proposed use, including, **where applicable:** types of indoor and outdoor activities; hours of operation; number of employees, occupants, and/or customers; quantity and types of vehicles or equipment used; outdoor lighting to be used; quantities and capacities of materials stored; etc.

The proposed telecommunication facility will be unmanned and will typically visited only once a month for routine operation and maintenance checks.

The enclosed plans show the location and height of the tower, related equipment in the compound, and the access driveway.

c. Any additional information which will be useful in the evaluation of whether the Conditional Use complies with the specific criteria for the conditional use category within Section 131.0.N.

See enclosed justification statement (Exh. #2).

d. Will the Conditional Use generate any physical conditions such as noise, dust, fumes, odors, lighting, or vibrations which would be discernible from abutting and vicinal properties?

No - see enclosed justification statement (Exh. #1).

e. Will the number of parking spaces be appropriate to serve the use and will the parking areas, loading areas, driveways, and trash receptacle areas be appropriately located and buffered from public roads and residential areas?

Yes, see enclosed plans.

f. Will the ingress and egress driveway(s) provide safe access with adequate sight distance? \_\_\_\_\_  
Yes.

g. Are there any environmentally sensitive areas in the vicinity of the property and, if so, will the proposed use have any potential to affect such areas? \_\_\_\_\_  
No.

h. Are there any historic sites in the vicinity of the property and, if so, will the proposed use have any potential to diminish the character and significance of such sites? \_\_\_\_\_  
No.

**9. Prior Petitions**

Has any petition for the same, or substantially the same, conditional use as noted above for the subject property been denied by the Hearing Examiner within twenty four (24) months of the date of this petition?  
 Yes                       No

If yes, and six (6) months have elapsed since the last hearing, an affidavit must be attached which states the new and different grounds on which this re-submittal is based.

**10. Additional Materials, Fees, Posting and Advertising Requirements**

a. Supplemental pages may be attached to the petition. You must submit one original petition with original signatures, and one original of any other signed documents. The following number of sets including petitions, plans and supplemental pages must be submitted:

*If the subject property adjoins a State road- original and 20 copies (application & plans)*

- *If the subject property adjoins a County road- original and 18 copies (application & plans)*

b. The Petitioner signing below hereby agrees to furnish such additional plats, plans, reports or other materials as may be required by the Department of Planning and Zoning and/or the Hearing Authority in connection with this petition.

c. The Petitioner hereby agrees to pay all costs in accordance with the current schedule of fees.

d. The Petitioner hereby agrees to properly post the property at least thirty (30) days immediately prior to the Hearing Examiner public hearing; to maintain the public notice posters until the public hearing is concluded; and to submit an affidavit of posting at, or before the time of the initial public hearing. The Petitioner also hereby agrees to advertise the public hearing by means of legal notices as prepared and approved by the Department of Planning and Zoning to be published one (1) time in at least two (2) newspapers of general circulation in Howard County, at least thirty (30) days prior to the Hearing Examiner public hearing, and to pay for such advertising costs; and agrees to submit two (2) approved certificates of the text and publication date(s) of the advertisement at or before the time of the hearing.

**11. Signatures**

The Petitioner hereby affirms that he/she has read the instructions on this form, filing herewith all of the required accompanying information, and affirms that all of the statements and information contained in, or filed with, this petition are true and correct.

Harold Bernadzikowski      6/26/2017  
Signature of Petitioner      Date

Harold Bernadzikowski  
Print Name of Petitioner - for Vertical Bridge  
Dev. II, LLC.

\_\_\_\_\_  
Signature of Petitioner      Date

\_\_\_\_\_  
Print Name of Petitioner

\_\_\_\_\_  
Signature of Attorney      Date

\_\_\_\_\_  
Print Name of Attorney

## General Standards for Conditional Uses

All requests for conditional uses must meet the following general standards set forth in Section 131.0.B. of the Zoning Regulations for approval:

1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.
2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.
3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:
  - a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.
  - b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.
  - c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.
  - d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.
  - e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.
  - f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.


In addition to the specific requirements of the appropriate subsection within Section 131.0.N of the Zoning Regulations, Conditional Uses within residential developments in the R-ED, R-SC, R-SA-8, R-H-ED, R-APT, R-A-15, R-MH or R-VH districts are subject to the standards enumerated in Section 131.0.C.

PETITIONER Vertical Bridge Development II, LLC  
c/o Network Building and Consulting, LLC  
ADDRESS 6095 Marshalee Drive, Suite 300  
Elkridge, MD 21075

Affidavit made pursuant to the pertinent provisions of Title 22 of the Howard County Code as amended:

The person(s) signing below hereby declare(s) that no officer or employee of Howard County, whether elected or appointed, has received prior hereto or will receive subsequent hereto, any monetary or material consideration, any service or thing of value, directly or indirectly, upon more favorable terms than those granted to the public generally in connection with the submission, processing, issuance, grant or award of the attached petition to the Hearing Examiner for a conditional use as requested.

I, we, do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my, our, knowledge, information and belief.

  
Witness

Harold Bernadzikowski  
Signature

6/26/2017  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature Date

\*\*\*\*\*

Application Fee: \$500.00      Poster Fee: \$25.00 per sign/poster

Make check payable to: Director of Finance.

<b>For DPZ use only:</b>	Hearing fee: \$ _____
	Poster fee: \$ _____
	Total: \$ _____
Receipt No. _____	

County Website: [www.howardcountymd.gov](http://www.howardcountymd.gov)

PLEASE CALL 410-313-2350 FOR AN APPOINTMENT TO SUBMIT YOUR APPLICATION.

Howard County  
Department of Planning and Zoning

RE: Vertical Bridge #US-MD-5045  
Verizon Wireless "Triadelphia"  
Tax Map 15, Grid 22, Parcel 36  
3075 Route 32  
West Friendship, MD 21794

The undersigned property owner does hereby authorize Verizon Wireless, and/or their agents, to submit applications to the Howard County Department of Planning and Zoning, or any other applicable regulatory agency, for any and all necessary zoning and permitting approvals required by the County related to the telecommunications facility at the referenced property.

Name: William F. Gossage Jr.

Signature: 

Address: 3045 RT. 32

West Friendship MD 21794

Telephone: 443-695-2934

**Vertical Bridge US-MD-5045; Verizon Wireless "Triadelphia"****3075 Route 32, West Friendship, MD 21794****Justification Statement**

## SECTION 131.0.N

14. **Communication Towers**

- a. A Conditional Use may be granted for commercial communication towers in the following districts (provisions for permitted commercial communication antennas are in Section 128.0.E):

- (1) In the RC, RR, R-ED, R-20, R-12, R-SC, R-SA-8, R-H-ED, R-A-15, R-APT, R-MH, or PGCC Districts, except that antennas meeting the requirements of Section 128.0.E.4., and commercial communication towers located on government property, excluding School Board property, and with a height of less than 200 feet measured from ground level, are permitted as a matter of right.

*The subject property is located in the RR-DEO zone. An application for a Conditional Use has been submitted herewith, requesting approval for the proposed facility.*

- (2) In the POR, PEC, B-1, B-2, SC, BR and CE Districts for towers with a height of 200 feet or greater (including antennas) measured from ground level.

*N/A.*

- b. Conditional Use Criteria:

- (1) An applicant for a new communication tower shall demonstrate that a diligent effort has been made to locate the proposed communication facilities on a government structure or, on an existing structure or within a non-residential zoning district, and that due to valid considerations, including physical constraints, and economic or technological feasibility, no appropriate location is available. The information submitted by the applicant shall include a map of the area to be served by the tower, its relationship to other antenna sites in the area and, an evaluation of all existing structures taller than 50 feet, within one mile of the proposed tower.

*In this area of Howard County, most of which is zoned RR-DEO or RC-DEO, and particularly within a half mile of the subject property, there are no existing tall structures such as transmission towers, water tanks, or buildings, on which Verizon Wireless could attach their proposed antennas.*

*Enclosed is a list of structures registered with the FCC as "antenna structures", towers or monopoles, within 2 miles of the subject parcel. The listing has been marked up to indicate structures on which Verizon Wireless already has antennas and equipment. This proposed tower is needed to provide coverage and capacity for this geographic area, which is not or cannot be achieved by any of those existing facilities. The applicant has provided a series of propagation maps showing the existing (without the proposed tower) and proposed (with) coverage levels. Maps have been provided at the proposed tower height of 150' as well as at 120' to show that difference (reduction) in the level of service that would be provided if a shorter tower were to be utilized instead of the proposed 150' height.*

- (2) New communication towers shall be designed to accommodate antennas for more than one user, unless the applicant demonstrates why such design is not feasible for economic, technical or physical reasons. Unless collocation has been demonstrated to be infeasible, the Conditional Use plan shall delineate an area

near the base of the tower to be used for the placement of additional equipment buildings and cabinets for other users.

*The proposed tower will be designed to accommodate additional wireless carriers on it, as well space in the compound for accessory equipment.*

- (3) Ground level equipment and buildings and the tower base shall be screened from public streets and residentially-zoned properties.

*Although there is extensive forest areas on the subject parcel, between the compound area and the property lines in all directions, some additional landscape plantings are proposed to be installed along the front and south side of the compound (facing toward Route 32). Please refer to the enclosed plans.*

- (4) Communication towers shall be grey or a similar color that minimizes visibility, unless a different color is required by the Federal Communications Commission or the Federal Aviation Administration.

*The proposed tower will be neutral gray in color. However, the landlord (Gossage) and the tower owner (Vertical Bridge) have an agreement in their lease that should the landlord desire to use an alternative color (light blue or brown) to make the tower less visible, then he can exercise that option.*

*Additionally, some of the adjacent and vicinal home owners that attended the community meeting, expressed the possible desire to have the tower painted, but did not specifically request it since the color cannot guarantee that the tower would be made visually undetectable.*

- (5) No signals or lights shall be permitted on a tower unless required by the Federal Communications Commission or the Federal Aviation Administration.

*The FAA determination for this proposed tower is that it does not need to be lighted. Therefore, no lighting is proposed for the tower.*

- (6) A communication tower that is no longer used shall be removed from the site within one year of the date that the use ceases.

*Acknowledged.*

- (7) The communication tower shall comply with the setbacks for such structures as specified in Section 128.0.E.

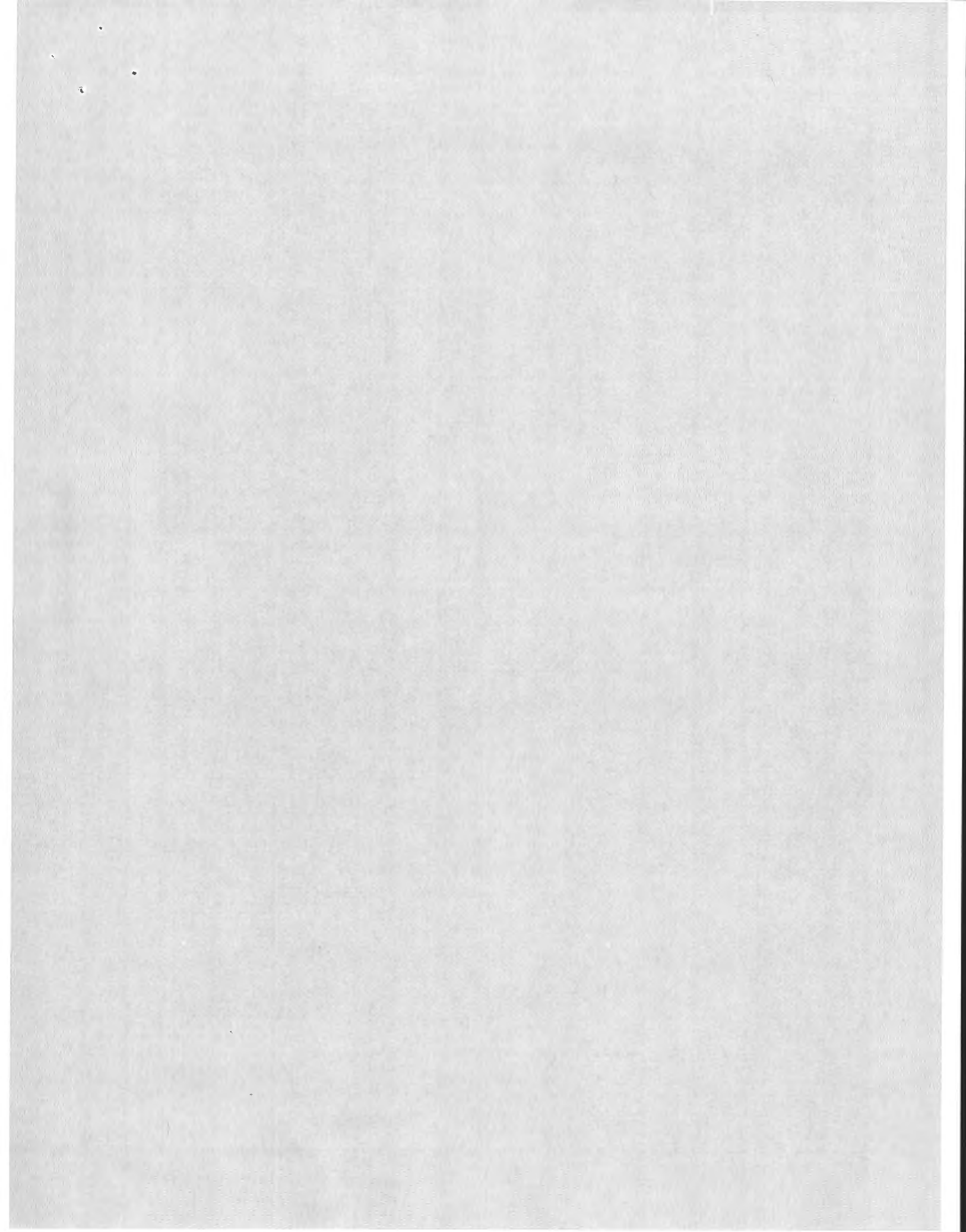
*The proposed tower meets or exceeds the required setbacks. A separate justification statement addressing the requirements of Section 128.0.E is also enclosed with this application.*

- (8) On an ALPP purchased easement property, the use is not permitted except as a release of one acre for a public interest use per Section 15.516 of the Howard County Code.

*The subject property is not subject to an ALPP purchased easement.*

- (9) On an ALPP dedicated easement property, the use is permitted, provided that the use shall not interfere with farming operations or limit future farming production, shall operate within a specified area, which shall be no larger than necessary for the tower and the ground mounted equipment structures, and the parking shall be within this same area. The tower, the ground mounted equipment and parking shall count towards the cumulative use cap of 2% of the easement.

*The subject property is not subject to an ALPP dedicated easement.*



**Vertical Bridge US-VA-5045**  
**Verizon Wireless – “Triadelphia”**  
**Conditional Use Application – Exhibit List**

1. Justification Statement for General C.U. criteria (Section 131.O.B).
2. Justification Statement for Specific C.U. criteria for Communication Towers (Section 131.O.N.14).
3. Justification Statement for Supplemental Regulations for Communication Towers and Antennas (Section 128.E.2).
4. Community Meeting Minutes and Attendance List.
5. Certification letter of community meeting notification and minutes.
6. Propagation Maps – existing and proposed coverage for proposed height of 150’ as well as 120’ height for comparative purposes.
7. Map Exhibit – FCC Antenna Structure Registration – Existing towers and existing Verizon facilities.
8. Photosimulations of the Proposed Telecommunication Facility.
9. Zoning Drawings.

Exh. 1

**Vertical Bridge US-MD-5045; Verizon Wireless "Triadelphia"****3075 Route 32, West Friendship, MD 21794****Justification Statement**

## SECTION 131.0: - Conditional Uses

**B. General Standards Required for Approval**

The Hearing Authority shall have the power to permit Conditional Uses, provided the following general standards are met:

1. The proposed Conditional Use plan will be in harmony with the land uses and policies in the Howard County General Plan which can be related to the proposed use.

*There are few direct references to telecommunication facilities in PlanHoward2030. In section 5 (Economic Development), Implementation Policy 5.2.b Infrastructure Capacity states:*

*"Define broadband, mobile communication and utility infrastructure requirements and ensure that service capacity and quality are available."*

*Section 8, Public Facilities and Services, Policy 8.17 (Other Community Needs, Technology and Communications) provides a general statement regarding strengthening and expanding new technology and communication throughout Central Maryland.*

*The proposed telecommunication facility use will be in harmony with the policies in the General Plan relating to this type of use.*

2. The nature and intensity of the use, the size of the site in relation to the use, and the location of the site with respect to streets giving access to the site are such that the overall intensity and scale of the use(s) are appropriate for the site.

*The proposed telecommunication facility is for a 50' x 50' compound in which the tower and related equipment will be placed. The compound will be accessed by a driveway extension, coming off of the existing driveway on the parcel, which used to serve a former residence on the parcel, but which was demolished some years ago. The parcel itself is approximately 23.66 acres in size. The proposed use will utilize less than 1% of the land area of the parcel.*

*The facility is unmanned, and there will typically be only 1 vehicular trip to the site per month, for routine maintenance checks or repairs. Therefore, the overall intensity of the proposed use should be considered appropriate for the site.*

3. The proposed use at the proposed location will not have adverse effects on vicinal properties above and beyond those ordinarily associated with such uses. In evaluating the proposed use under this standard, the Hearing Authority shall consider whether or not:

- a. The impact of adverse effects such as, but not limited to, noise, dust, fumes, odors, intensity of lighting, vibrations, hazards or other physical conditions will be greater at the proposed site than it would generally be elsewhere in the same zoning district or other similar zoning districts.

*The proposed tower is not tall enough to require lighting by the FAA, and tower owner and tenant (Verizon Wireless) will not install any lighting on the tower unless required to do so by the FAA.*

*The proposed equipment includes a backup generator, which is a mandatory requirement by the FCC. The generator will be tested weekly, for about half an hour during the day time. Otherwise, the generator will not operate unless necessary due to*

a power outage. The generator location will be more than 310' from the nearest property line, and approximately over 450' from the nearest adjacent residential dwelling. That distance is further enhanced by extensive forest areas. Any noise caused by the generator will comply with Howard County noise regulations, and will not have any greater effect on vicinal properties than if it were located elsewhere in this zoning district.

The facility itself will not create any noise, dust, fumes, or vibrations which would create or cause a hazard at this site, nor have a greater impact or effect on vicinal properties than a similar facility located elsewhere in this zoning district (RR-DEO).

- b. The location, nature and height of structures, walls or fences, and the nature and extent of the existing and/or proposed landscaping on the site are such that the use will not hinder or discourage the development and/or use of adjacent land and structures more at the subject site than it would generally elsewhere in the same zoning district or other similar zoning districts.

The proposed tower would be 150' tall. This height is necessary in order for the telecommunication antennas on the tower to transmit and receive wireless signals properly as part of Verizon Wireless' wireless network. The propagation maps provided as part of this application demonstrate the need for the proposed height.

Although the tower height is much greater than the allowed height for a main dwelling structure in the RR-DEO zone, the required setbacks for it also exceed the setbacks for a dwelling. The zoning regulations require that the tower be setback from the property lines of any residential zone at a distance equal to the tower height. The provided setbacks for the proposed tower are: 170' (front), 312' (south side), 832' (rear), and 779' (north side). The front setback is the setback from Route 32, not another dwelling. The majority of the parcel is covered with mature forest, with trees ranging from 20' up to 80' in height. The extensive forest coverage provides an excellent visual buffer from adjacent houses to the south, east, and north, and even from further vicinal houses or communities. A balloon fly was conducted by the applicant in the Fall of 2016, and photosimulations were created to provide an approximate visual detail of the tower from various locations in the vicinity. There were very few locations from which the balloon (tower) were visible to the photographer – refer to the location map legend included with the photosimulations submitted with this Conditional Use application. Although the photographer did visually detect the balloon while driving along Rosemary Lane, the view was through dense trees on the subject parcel, as well as trees in the rear yards of the houses along Rosemary Lane. The top of the tower will not be visible above the tree tops from that direction (to the south/southeast).

Although the tower will be visible along Route 32, and from some locations to the northwest and southwest, the mere visibility of the tower will not hinder or discourage the use of those properties, nor the potential development of them, and certainly not to any extent greater than if this tower were located elsewhere in the same or similar zoning districts.

- c. The number of parking spaces will be appropriate to serve the particular use. Parking areas, loading areas, driveways and refuse areas will be appropriately located and buffered or screened from public roads and residential uses to minimize adverse impacts on adjacent properties.

The proposed facility includes an access driveway with a turn-around space for 1 vehicle. There are no day to day employees for the facility, so the 1 space is adequate for a single maintenance vehicle that will typically check the facility once a month. There are no proposed refuse/dumpster facilities for this project. The driveway is located more than 300' from the nearest adjacent property line (sides and rear) and the existing trees on the parcel will provide adequate visual screening from adjacent properties.

- d. The ingress and egress drives will provide safe access with adequate sight distance, based on actual conditions, and with adequate acceleration and deceleration lanes where appropriate. For proposed Conditional Use sites which have driveway access that is shared with other residential properties, the proposed Conditional Use will not adversely impact the convenience or safety of shared use of the driveway.

*The proposed access driveway will provide sufficient means of ingress and egress since the facility is unmanned and will typically only require 1 visit per month for routine maintenance checks or repairs. The State Highway Administration has indicated that they will not need/require any road improvements or acceleration/deceleration lane for this facility.*

- e. The proposed use will not have a greater potential for adversely impacting environmentally sensitive areas in the vicinity than elsewhere.

*The proposed facility does not impact any sensitive environmental areas such as streams, wetlands, or floodplains.*

- f. The proposed use will not have a greater potential for diminishing the character and significance of historic sites in the vicinity than elsewhere.

*The applicant has completed a standard Section 106 NEPA/SHPO evaluation and determined that the proposed facility will not have a negative impact on any vicinal historic site within the area of potential effect.*

Exh. 2

Exh. 3

**Vertical Bridge US-MD-5045; Verizon Wireless "Triadelphia"****3075 Route 32, West Friendship, MD 21794****Justification Statement****SECTION 128.E - Communication Towers and Antennas****2. Supplementary Regulations for Communication Towers**

The following requirements are in addition to the requirements of the applicable zoning districts. The setback requirements given below are subject to the provisions of these Regulations for variances and administrative adjustments.

**a. Setbacks for communication towers in residential districts:**

- (1) From public street rights-of-way and other residentially-zoned lots: a minimum distance equal to the tower height (including antennas) measured from ground level.

*The proposed tower complies with these setback requirements. The front setback provided is approximately 170'; the right (south) side setback provided is approximately 312', the left (north) side setback provided is approximately 779', and the rear setback provided is approximately 832'.*

- (2) From non-residentially-zoned lots: a minimum distance equal to 50 feet or one-third of the tower height (including antennas) measured from ground level, whichever is greater.

N/A.

**b. Setbacks for communication towers in the POR, PEC, CCT, B-1, B-2, SC, I, BRX, BR, M-1, M-2, and CE Districts, and in employment land use areas of the PGCC and MXD Districts:**

- (1) From residential districts: a minimum distance equal to half the tower height (including antennas) measured from ground level.

N/A.

- (2) From public street rights-of-way: a minimum distance equal to 50 feet or one-third of the tower height (including antennas) measured from ground level, whichever is greater.

N/A.

**3. Additional Requirements for Communication Towers Permitted as a Matter of Right**

- a. Communication towers shall be gray or a similar color that minimizes visibility, unless a different color is required by the Federal Communications Commission or the Federal Aviation Administration.

*Although not technically applicable, because the subject tower requires a Conditional Use application, the tower will be neutral gray in color unless the landlord and vicinal residents desire an alternative color (light blue or brown) to make the tower less visible.*

- b. No signals or lights shall be permitted on towers unless required by the Federal Communications Commission or the Federal Aviation Administration.

*Acknowledged.*

- c. A communication tower that is no longer used shall be removed from the site within one-year of the date that the use ceases.

*Acknowledged.*

Exh. 4

**Vertical Bridge US-MD-5045; Verizon Wireless "Triadelphia"  
Proposed Telecommunication Facility  
3075 Route 32, West Friendship, MD  
Tax Map 15, Block 22, Parcel 36 (Gossage Property)  
PreApplication Community Meeting #C-18**

#### **MEETING MINUTES April 26, 2017**

The meeting was started at 7:07 p.m. Vertical Bridge and Verizon Wireless were represented by Harold Bernadzikowski, Zoning Manager (ZM). A list of attendees is attached.

The ZM provided a summary of the site selection process for this project; how the Verizon RF engineers analyze their network and determine when there is a significant gap in coverage or capacity for a particular area, and when that is determined, a "search ring" is created. In this case, the search ring is located along Route 32, south of Frederick Road, and north of Rosemary Lane. VB/VZW initially looked at Nixon's Farm as a candidate but that location did not work out due to the extensive development activity on that parcel for the solar farm. VB/VZW approached the owner (Gossage) of the subject parcel (Parcel 36), which is a large parcel and mostly wooded, which in VB/VZW's evaluation makes it a very good candidate. Eventually, the parties entered into a lease agreement.


A copy of the proposed plans, showing the site and the proposed monopole and compound were provided to the meeting attendees, along with several photosimulations of the tower, and a handout on the Conditional Use process (provided by the County DPZ).

The ZM then opened the meeting to questions from the attendees. The following is a general summary of the questions and issues raised by the attendees:

- Impact on property values.
  - The ZM addressed this by indicating that because the tower is very far from the property lines, and visually buffered by trees, that the visual impact should be not significant, so there should not be negative impact on property value.
- RF emissions and health impacts.
  - The ZM first explained that this issue is not grounds for denial, based on federal law and FCC rulings.
  - The ZM then went on to explain about the RF safety training class he is required to take every year and provided a general explanation how the antennas work, the difference between ionizing radiation and non-ionizing radiation, and how the height of the antennas above ground plus horizontal distance from their property lines and homes means that there is no impact to them.
  - The ZM also stated that the facility has to comply with FCC limitations of RF emissions.
- FAA confirmation that the tower will NOT need to be lighted.
  - The ZM indicated that he will provide the attendees with a copy of the FAA determination.
- Questions about the "need" for the tower. Several attendees expressed that they have "4 bars" on their phones, and don't experience dropped calls.
  - The ZM provided an explanation about "coverage" versus "capacity" factors. Just because someone's phone has 4 bars at some time during any given day does not mean that the entire geographic area has complete "coverage". The ZM explained that the propagation maps that will be submitted with the application will show the coverage

- need. Additionally, because “smart phones” utilize much more power and bandwidth in the network, during peak usage times, there can be “capacity” issues, which lead to slow signalization or dropped calls.
  - The ZM also noted that in all cases where a search ring is created, the first objective is to find an existing structure on which to collocate. In this geographic area, there are no tall buildings, water tanks, or transmission towers on which to collocate. A carrier would not want to go through the long zoning process nor incur the significant costs to construct a tower facility, if it weren’t truly needed by the carrier in order to provide a viable network.
- Camouflaging.
  - Mostly talked about painting the monopole. The ZM opined that painting can have some benefit, but is limited since the color of the sky is not static.
  - No indication that anybody wants a monopine.
  - One attendee asked about doing a slick stick (flagpole) which houses the antennas inside the structure. The ZM explained that those are very limiting because one carrier ends up having to use 3 or 4 rad center heights; so these make collocation less viable. Also, because the antennas are housed internally, the pole itself has to be significantly larger in diameter than a typical monopole with antennas on the outside.
- Can the tower be lowered a little bit, but kept in the same location?
  - The ZM explained that VB/VZW are sensitive to fact that there are nearby houses, and that the proposed height did take that into consideration – in essence the carrier is not looking to build a tower that is taller than needed. In addition, the County requires new towers to allow for collocation on them, which means that the tower height also has to take into consideration the lowest height that could still clear the trees, and topographic factors for this particular area. However, the ZM said he would present the concerns of the attendees to VB/VZW and discuss the height with the Verizon RF engineer.
- 2<sup>nd</sup> balloon fly so they can observe it from their homes and/or neighborhood.
  - The ZM indicated that he would coordinate with VB/VZW and set it up for a Sat./Sun. for 3-4 hours. Notification will be sent to the meeting attendees once it is scheduled.
- Sound from the backup generator.
  - The ZM explained that given the distance from the property lines, through trees, this will not be an issue (will not violate County sound regulations).
- Permanently cap the height at 150’ (or lower) so that no carrier can request a height extension in the future.
  - This came from a homeowner in the Fox Valley community about ¾ a mile down the road. The ZM explained that he doesn’t think there is a way that the County could impose this condition on an approval, because it predetermines that there could not be a “need” for taller height at some point in the future. The ZM explained to him that any request for taller height would trigger NEW hearings, and notifications, etc. The owner thinks we could voluntarily restrict any additional height – VB could somehow “agree” to this in the application. Mr. Gossage spoke up and said he wouldn’t allow a taller tower – he only wants 150’ – and that to go taller would trigger a new lease, which he wouldn’t do.

The meeting was ended at approximately 8:40 p.m.

Prepared by: Harold Bernadzikowski, Zoning Manager 

Vertical Bridge - April 26, 2017

NAME	MAILING ADDRESS	EMAIL ADDRESS
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(P)

Exh. 5

# Department of Planning & Zoning

HOWARD COUNTY, MARYLAND GOVERNMENT

1-20 Court House Drive, Clifton City, Maryland 21114 410-313-2030

Val Lazdins, Director

[www.howardcountymd.gov](http://www.howardcountymd.gov)

FAX: 410-313-3467

TDD: 410-313-2323

## Certification of Applicant

Advisory Comment – In accordance with Section 16.1103 of Subtitle 11, "Adequate Public Facilities Ordinance" (APFO), all residential subdivisions or site development plans (if subdivision is not required) are required to pass the tests for adequate public school facilities as a condition of approval, except those listed as exemptions under Section 16.1107.

I hereby certify that the information supplied herewith is correct and complete and authorize such periodic on-site inspections by the Department of Planning and Zoning and the Subdivision Review Committee agencies as may be necessary to review this application and any waiver petitions filed in connection herewith and to enforce the Subdivision Regulations and other applicable laws. This right-of-entry shall continue until all administrative appeals pertaining to the property have been exhausted. **\*If the applicant is the owner's agent, written documentation from the property owner granting that authority is required.**

Harold Bernadzikowski      Harold Bernadzikowski      6/26/2017  
 (Signature of Property Owner/Agent)\*      (Print Name of Owner/Agent)      (Date)

hbernadzikowski@nbcllc.com  
 (Property Owner's Email Address)

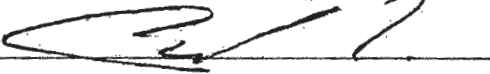
90 Network Building and Consulting, LLC  
6095 Marshalee Dr., Ste. 300      Elkridge, MD. 21075  
 (Property Owner's Address)      (State and Zip Code)

410-712-4056  
 (Property Owner's Fax Number)\*

Howard County  
Department of Planning and Zoning

RE: Vertical Bridge #US-MD-5045  
Verizon Wireless "Triadelphia"  
Tax Map 15, Grid 22, Parcel 36  
3075 Route 32  
West Friendship, MD 21794

The undersigned property owner does hereby authorize Verizon Wireless, and/or their agents, to submit applications to the Howard County Department of Planning and Zoning, or any other applicable regulatory agency, for any and all necessary zoning and permitting approvals required by the County related to the telecommunications facility at the referenced property.

Name: William F. Gossett Jr.  
Signature:   
Address: 3045 RT. 32  
West Friendship MD 21794  
Telephone: 443-695-2934