Tax Map/Block/Parcel
No. 76-5-241

Building Permit/Zoning
Certificate No. 98-2760

Case 4356

OFFICIAL DECISION
BOARD OF ZONING APPEALS
CARROLL COUNTY, MARYLAND

APPLICANT: GE American Communications, Inc.
Four Research Way
Princeton, NJ 08540-6684

ATTORNEY: William R. MacDonald
MacDonald & Hecker, P.A.
43 N. Court Street
Westminster, Maryland 21157

REQUEST: A request for the expansion of the nonconforming use by the addition of two communication antennas, one (1) 6.3 meters in diameter and one (1) 11 meters in diameter with supporting structures and improvements.

LOCATION: 2323 Grimville Road on property zoned "A" Agricultural District in Election District 14.

BASIS: Basis: Article 4, Section 4.3(a)(1); Ordinance 1E (The Carroll County Zoning Ordinance)

HEARING HELD: October 28, 1998

FINDINGS AND CONCLUSION

On October 28, 1998, the Board of Zoning Appeals (the Board) convened to hear the application for a request for the expansion of the nonconforming use by the addition of two communication antennas, one (1) 6.3 meters in diameter and one (1) 11 meters in diameter with supporting structures and improvements located at 2323 Grimville Road on property zoned "A" Agricultural District in Election District 14. The property is the subject of two previous decisions, Case 1787 signed March 22, 1982, and Case 4076 signed on February 12, 1996. Case 1987 authorized the establishment of a satellite microwave communication facility as a conditional use. Subsequently, such uses were deleted from the Zoning Ordinance rendering the use non-conforming. Case 4076 authorizes the enlargement of the non-conforming use by the addition of 2 antennas 9 meters in diameter. The antennas authorized were not constructed and the applicant now seeks to erect 2 different antennas.

The site was acquired by the applicant on December 18, 1996. Bill Bridgefort, Manager of Eastern Region Operations for GE American Communications, has been

managing the site since October, 1994. The site is in operation 24 hours a day. There are 15 - 18 employees working during the day, 8 employees working 4 p.m. to midnight, and from midnight to 8 a.m. there are 3 employees working. There are currently 14 antennas, ranging in size from 3.5 meters to 13 meters located on the site. Construction and operation of the two requested antennas will not generate more traffic at the facility. The purpose of the two antennas is to support a satellite which is scheduled for launch in June of 1999. There are two separate and distinct payloads on the satellite; one antenna will be used for C-Band communications payload and the second antenna will be used for K-Band communications payload.

There are approximately a dozen homes in the surrounding area and there have been no complaints or comments filed by neighbors concerning the site operations with the exception of one letter in 1996 expressing concern over the noise from the outside paging system speakers at the site used for communication with employees. The outside speakers are no longer used and have been replaced with handheld radios. There is security lighting used at the site at night.

The site comprises approximately 26 acres of land with approximately 6 acres developed for the use of the facility. The expansion will use an additional ½ acre. Mr. Stephen Hill, an architect and consultant to GE, testified the site's operations will be surrounded by a fence approximately 7' high with barbed-wire on the top. There will be a shelter building for electronic gear, two concrete pads with two antennas and satellite dishes, and a 1,000 gallon liquid propane tank, used for de-icing purposes, on a concrete pad. A site plan for the proposed activity has been prepared, and will need to be submitted for approval.

Mr. Riaz A. Siddiqui, Manager of Environmental, Health, and Safety and Facilities and Construction Engineering Department for GE American Communication, and a licensed professional engineer with a Master's Degree in Mechanical Engineering, testified the purpose of the antennas is to send and receive satellite messages. The satellites are located in space 22,300 miles above the Earth's surface. The antennas send electromagnetic signals to the satellites and receive signals back from them. The type of radiation from this type of communication is harmless, non-ionizing radiation as opposed to ionizing radiation which can affect human cells. Elevated levels of non-ionizing radiation could cause minor damage to human cells. The Federal Communications Commission (FCC) requires all operators of satellite dishes to stay within the FCC design limits. In addition to the requirements of the FCC, GE American takes precautions to ensure the site is safe at all times.

The Board finds the request to be appropriate according to Article 4, Section 4.3(a)(1) of Ordinance 1E. The request is similar to Case 4076 previously approved in February of 1996. The two antennas, the shelter building for electronic equipment, and the liquid propane tank are necessary to communicate with the new satellite. The improvements will not require significant enlargement of the premises and there was no evidence presented that the enlargement will adversely affect residents of the neighborhood or public interests. No individuals appeared in opposition to the request.

The Board hereby approves the request subject to site plan approval.

11/30/98
Date

Ronald Hoff
Ronald Hoff, Acting Chairman

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November 23, 1998