

## **BOARD OF APPEALS**

**January 7, 2026**

**County Administration Building, 100 W. Washington St., Meeting Room 2000, Hagerstown, at 6:00 p.m.**

### **AGENDA**

**AP2025-030:** An appeal was filed by The Towers LLC, for a special exception for proposed commercial communication tower on property owned by Daniel Moeller and located at 4220 Chestnut Grove Road, Keedysville, Zoned Preservation District. - **GRANTED**

**AP2025-031:** An appeal was filed by The Towers LLC, for a special exception for proposed commercial communication tower on property owned by Ryan Keadle and located at 5404 Mondell Road, Sharpsburg, Zoned Preservation District. - **DENIED**

**AP2025-032:** Withdrawn by the Appellant

**AP2025-033:** An appeal was filed by The Meridian Group for a variance from the parking requirement of 1 parking space per 1,500 sq. ft. to 1 parking space per 2,000 sq. ft. for proposed warehouse on property owned by Interstate 70 Partners LLC and located at 18560 Colonel Henry K Dougals Drive, Hagerstown, Zoned Highway Interchange District. - **GRANTED**

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Pursuant to the Maryland Open Meetings Law, notice is hereby given that the deliberations of the Board of Zoning Appeals are open to the public. Furthermore, the Board, at its discretion, may render a decision as to some or all of the cases at the hearing described above or at a subsequent hearing, the date and time of which will be announced prior to the conclusion of the public hearing. Individuals requiring special accommodations are requested to contact Katie Rathvon at 240-313-2464 Voice, 240-313-2130 Voice/TDD no later than December 29, 2025. Any person desiring a stenographic transcript shall be responsible for supplying a competent stenographer.

The Board of Appeals reserves the right to vary the order in which the cases are called. Please take note of the Amended Rules of Procedure (Adopted July 5, 2006), Public Hearing, Section 4(d) which states:

Applicants shall have ten (10) minutes in which to present their request and may, upon request to and permission of the Board, receive an additional twenty (20) minutes for their presentation. Following the Applicant's case in chief, other individuals may receive three (3) minutes to testify, except in the circumstance where an individual is representing a group, in which case said individual shall be given eight (8) minutes to testify.

Those Applicants requesting the additional twenty (20) minutes shall have their case automatically moved to the end of the docket.

For extraordinary cause, the Board may extend any time period set forth herein, or otherwise modify or suspend these Rules, to uphold the spirit of the Ordinance and to do substantial justice.

Tracie Felker, Chairman

Board of Zoning Appeals



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

## ZONING APPEAL

**Property Owner:** Daniel Moeller  
4220 Chestnut Grove Road  
Keedysville MD 21756

**Appellant:** The Towers, LLC  
750 Park of Commerce Drive  
Suite 200  
Boca Raton FL 33487

**Property Location:** 4220 Chestnut Grove Road  
Keedysville, MD 21756

**Description Of Appeal:** Special exception for proposed commercial communication tower.

**Docket No:** AP2025-030  
**Tax ID No:** 08002789  
**Zoning:** P  
**RB Overlay:** No  
**Zoning Overlay:**

**Filed Date:** 12/03/2025  
**Hearing Date:** 01/07/2026

**Appellant's Legal Interest In Above Property:**

<b>Owner:</b>	No	<b>Contract to Rent/Lease:</b>	Yes
<b>Lessee:</b>	No	<b>Contract to Purchase:</b>	No
<b>Other:</b>			

**Previous Petition/Appeal Docket No(s):**

**Applicable Ordinance Sections:** Washington County Zoning Ordinance: Article 3. Table 3.3 (1), R. Utilities

**Reason For Hardship:**

**If Appeal of Ruling, Date Of Ruling:**

**Ruling Official/Agency:**

**Existing Use:** Residential

**Proposed Use:** Commercial Communication Tower

**Previous Use Ceased For At Least 6 Months:**

**Date Ceased:**

**Area Devoted To Non-Conforming Use -**

**Existing:**  
**Proposed:**

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 3 day of Dec., 2025.

Nov. 7, 2029

My Commission Expires

Notary Public





WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

## AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-030

State of Maryland Washington County, To Wit:

On 12/3/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared The Towers, LLC and made oath in due form of law as follows:

The Towers, LLC will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 01/07/2026, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 12/22/2025 and will remain until after the above hearing date.

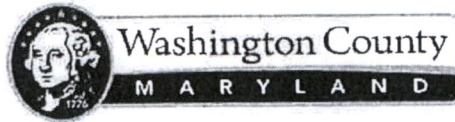
The Towers, LLC KBR

Sworn and subscribed before me the day and year first above written.

Notary Public

My Commission Expires

Seal



## BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | T: 240.313.2430 | F: 240.313.2461 | Hearing Department: 7-1-1

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### Appeal for Special Exception

Appeal is hereby made for a special exception under the Washington County Zoning Ordinance as follows:

Location 4220 Chestnut Grove Road, Keedysville, Maryland 21756

Appellant's present legal interest in above property: (Check One)

☐ Owner (Including Joint Ownership) ☐ Lessee ☒ Contract to rent/lease

☐ Contract to Purchase ☐ Other

Use Proposed: Telecommunications Facility with 199' monopole

Zoning Ordinance section and subsection(s) providing for proposed use:

Ordinance § 4.22(A)(2)

If filing functionally similar to a principal permitted use or special exception use, please list the use and describe the use similarities:

#### Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

☐ Yes ☒ No

If yes, give docket number(s):

Additional comments, if any: The proposed telecommunications facility will bring new and improved wireless services to Washington County. Verizon Wireless has committed to locating its antennas on the proposed monopole with co-location space provided for at least two additional wireless providers.

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

Signature of Appellant

Douglas.Sampson@saul.com

Email of Appellant

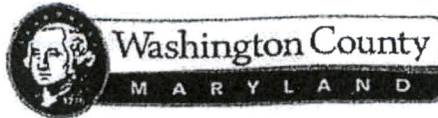
Saul Ewing LLP, 1001 Fleet Street, 9th Floor  
Baltimore, MD 21202

Address of Appellant

410-332-8661

Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.



## BOARD OF ZONING APPEALS

### OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Saul Ewing LLP and Site Link Wireless, LLC  
is authorized to file an appeal with the Washington County Board of Appeals for  
Special Exception to build a 199' telecommunications facility on property  
located at 4220 Chestnut Grove Road, Keedysville, Maryland 21756  
The said work is authorized by Daniel Moeller, the property owner  
the property owner in fee.

#### PROPERTY OWNER

Daniel Moeller  
Name  
4220 Chestnut Grove Road  
Address  
Keedysville, Maryland 21756  
City, State, Zip Code  
Daniel Moeller  
Owner's Signature

Sworn and subscribed before me this 8<sup>th</sup> day of November, 2025.

Tiffany Abrecht  
Notary Public

My Commission Expires: 3/6/2027

TIFFANY ABRECHT  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
My Commission Expires 3/6/2027

#### AUTHORIZED REPRESENTATIVE

Douglas A. Sampson, Saul Ewing LLP  
Name  
1001 Fleet Street, 9th Floor  
Address  
Baltimore, Maryland 21202  
City, State, Zip Code  
DAS  
Authorized Representative's Signature

Sworn and subscribed before me this 16<sup>th</sup> day of December, 2025.

Lynne Mello-Hickox  
Notary Public

My Commission Expires: 9/7/29

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Room



My Commission Expires 9/7/29



**Appeal for a Special Exception to Construct a 199' Monopole Telecommunications Facility  
at 4220 Chestnut Grove Rd., Keedysville, MD 21756**

**Adjacent Parcel Mailing List**

Owner(s)	Parcel ID	Mailing Address
Bonnard J. Morgan, trustee	08-005303	3812 Chestnut Grove Rd. Keedysville, MD 21756-1716
Thomas P. Quigley	08-007519	c/o Paul Carole Quigley 5703 Courtney Dr. Lothian, MD 20711-9301
Robyn L. Swartz Melissa A. Swartz	08-010099	4227 Chestnut Grove Rd. Keedysville, MD 21756-1615
Anthony W. Mikus Linda C. Mikus Life Estate	08-005869	4206 Chestnut Grove Rd. Keedysville, MD 21756-1614
Steven L. Hartle Andrea L. Hartle	08-017522	4124 Chestnut Grove Rd. Keedysville, MD 21756-1612
Gary Wayne Harmon	08-003467	4024 Chestnut Grove Rd. Keedysville, MD 21756-1610
Rudy Valladares	08-000042	4920 Shadywodd Dr. Jefferson, MD 21755
Rodney T. Metzger Toni Metzger	08-002517	P.O. Box 701328 Wabasso, FL 32970-1328

**Statement of Justification in support of an Appeal for a Special Exception  
to Construct a 199' Monopole Telecommunications Facility at  
4220 Chestnut Grove Rd., Keedysville, MD 21756**

Applicant: The Towers, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, Florida 33487  
561-948-6367

Property Owner: Daniel Moeller  
4220 Chestnut Grove Road  
Keedysville, Maryland 21756

Representatives: Douglas A. Sampson, Saul Ewing LLP  
1001 Fleet Street, 9<sup>th</sup> Floor  
Baltimore, MD 21202  
(410) 332-8661  
[Douglas.Sampson@saul.com](mailto:Douglas.Sampson@saul.com)

Renée Frustaci, Site Link Wireless, LLC  
(410) 299-4364  
[rfrustaci@sitelinkwireless.com](mailto:rfrustaci@sitelinkwireless.com)

Address: 4220 Chestnut Grove Road, Keedysville, Maryland 21756  
Jurisdiction: Washington County, Maryland  
Parcel Tax Acct #: 08-002789  
SDAT Property Info: Map 0081, Grid 0007, Parcel 0316  
Lot Size: 28.25 Acres  
Zoning: P (Preservation)  
Current Use: Agricultural  
Proposed Use: Agricultural with Commercial Telecommunications Facility  
Proposed Height: 199' (195' monopole, with 4' lightning rod)

Pursuant to the Washington County Zoning Ordinance (the "Ordinance") §§ 4.22 and 25.6, The Towers, LLC d/b/a Verticalbridge ("Applicant"), by its agents Saul Ewing LLP and Site Link Wireless, LLC, hereby requests approval for a new telecommunication facility that includes a 199' monopole (the "Facility") on a portion of property located at 4220 Chestnut Grove Road, Keedysville, Maryland 21756, Tax ID# 08002789 (the "Property"). A telecommunications facility is permitted in the P (Preservation) Zoning District with a Special Exception. *See* Ordinance, Table No. 3.3(1).

The Applicant respectfully requests a determination by the Washington County Board of Zoning Appeals that the Facility is in substantial compliance with the Ordinance and is authorized for a Special Exception. This document and attached Exhibits provide justification for the Facility, and a summary of how and why this proposal conforms with the Ordinance. This package and additional or clarifying evidence, to be presented at a public hearing, provide the legal and factual support to approve this Special Exception.



## **EXHIBITS**

- Exhibit 1: Verizon Wireless Letter of Intent
- Exhibit 2: Existing Verizon Wireless Coverage Map
- Exhibit 3: Proposed Verizon Coverage Map with Facility
- Exhibit 4: Photo Simulations of Proposed Monopole
- Exhibit 5: Map of Existing Verizon Facilities within Washington County
- Exhibit 6: Site Plans in 8.5" x 11"
- Exhibit 7: Engineering Certification Letter
- Exhibit 8: Affidavit of Co-Location

### **I. Verizon's Goals and the Need for Improved Wireless Services**

Verizon Wireless has committed to locate its telecommunications antennas on the proposed Facility. (*See Verizon Wireless Letter of Intent as **Exhibit 1***). Verizon Wireless is licensed by the Federal Communications Commission ("FCC") to provide wireless telecommunications services in Washington County, Maryland. The Facility will add and improve emergency and non-emergency wireless and broadband services in Washington County, without adverse impacts to the surrounding area.

Verizon Wireless has a significant need to improve the delivery of emergency and non-emergency wireless and broadband services to residents, businesses and commuters in this area of Washington County. (*See Existing Coverage Radio Frequency Propagation Map attached as **Exhibit 2***). The site of the proposed Facility was chosen to improve wireless services in Washington County, specifically south of Keedysville, west of Rohrsersville, and east of Antietam. The proposed facility will improve coverage between Route 67 (Rohrsersville Rd.) and Harpers Ferry Road. The proposed Facility will add and improve wireless and broadband services and ensure adequate overlapping coverage between and among existing coverage areas. (*See Proposed Verizon Coverage Map attached as **Exhibit 3***). The Facility will add and improve wireless broadband services and coverage capacity in this area of Washington County. (*See Exs. 2 & 3*). Ultimately, the proposed Facility will allow residents, visitors, businesses and emergency personnel of Washington County to experience adequate wireless services, better quality calls, and diminished dropped calls, and enhanced first responder services.

### **II. The Property and Current Use**

The Property is owned by Daniel Moeller, who has authorized the Applicant and its agents to pursue a Special Exception and any other zoning relief, building permits, or applications required for the Facility. The Property is over 28 acres in size and is used primarily for agricultural purposes. The Property is zoned Preservation (P). A telecommunications facility is permitted in the P Zoning District with a Special Exception. *See Ordinance, Table No. 3.3(1).*

The Property is an ideal location for the Facility given its location and zoning district. The Property is a large, non-residential use in the middle of an area of residential and agricultural zoning districts, predominantly composed of single-family homes and farmland. The Property is located in a ravine between higher elevation ridgelines to the east and west. The natural topography

makes it very difficult to bring wireless signals (which is a line of sight technology) into the area without a telecommunications facility in the ravine. The proposed Facility will fill existing coverage gaps between the higher elevation ridgelines to either side. Locating the Facility on the Property will bring new and improved wireless and broadband services to the area, without burdening a privately owned residential or agricultural property. (See Ex. 3, Proposed Coverage Map). The Property is in close proximity to nearby residential areas in need on new and improved emergency and non-emergency wireless services.

The Facility will be located to the interior of the 28 acre parcel, more than a thousand feet off of Chestnut Grove Road. The Facility will be located near a line of mature trees to the west, which will help screen the Facility from view. The adjacent properties to the west are uninhabited and heavily wooded parcels. Additional mature trees to the north and south, as well as rolling topography, further screen the Facility from view. The tree cover existing around the Property on adjacent properties will further minimize the need for additional screening.

On November 2, 2025, the Applicant conducted a visual impact survey, during which a large red balloon approximately 3 feet in diameter was raised to a height of 199 feet. (See Photo Simulations attached as Exhibit 4). A large balloon filled with helium was raised at the location of the proposed Facility to the proposed height of 199 feet. The technician drove around the surface streets surrounding the Property and took photos on the balloon from the most visible locations. Throughout most of the radius, the balloon was not visible. Photographs were taken from a total of twenty (20) separate vantage points in the areas immediately surrounding the Property. The proposed Facility would only be visible from five locations. It was not visible from the other 15 locations. (See Ex. 4). Based on the balloon fly and attached simulations, the Applicant determined the Facility will not have a significant visual impact on the surrounding area.

The Applicant and Verizon Wireless searched for existing towers or structures that could provide viable co-location for Verizon Wireless's antennas. Co-locations are preferred locations and are much less expensive to bring online. The Applicant determined, and Verizon Wireless confirmed, that there are no nearby existing telecommunications facilities, water tanks, utility distribution structures, or tall buildings suitable to co-locate telecommunications antennas and to meet Verizon's coverage needs. This area of Washington County is predominantly flat farmland, other agricultural uses, and single-family homes, making the availability of tall structures suitable for co-location of telecommunications antennas infeasible.

Verizon already has antennas located on the closest existing telecommunications tower, which can be seen to the north of the proposed Facility on the existing coverage map. (See Ex. 2; see also map of existing Verizon facilities within Washington County is attached as Exhibit 5). With no viable co-location opportunity, Verizon Wireless determined that a new tower was required. The Applicant determined that the Property was viable from a technical perspective (*i.e.*, radio frequency), a zoning perspective (*i.e.*, preferred use on an exempt commercial use in a heavily agricultural and residential area and compliant with all regulations), and from a landowner perspective (*i.e.* a land owner willing to lease space). Verizon Wireless further determined that 199 feet is the minimum height of the Facility to both meet Verizon Wireless's coverage objectives, and to provide viable co-location opportunities for other wireless providers. If the height of the monopole were to be reduced further, it would not allow Verizon Wireless to meet its coverage goals. (See Exs. 2 & 3). It would also be much less likely that other wireless providers



(such as AT&T and T-Mobile) would co-locate on the Facility, because the height of available co-location opportunities would be too low to be viable. If the height of the proposed Facility is reduced, other providers may need new towers – rather than co-locating on this Facility – to bring their own wireless and broadband coverage to this area.

### **III. The Proposed Telecommunications Facility**

The Facility consists of a 199' tall monopole (195' pole, with a 4' lightning rod) within a 50' x 50' (2,500 square feet) equipment compound surrounded by an 8' tall fence (7' chain link fence with barbed wire on top). (See Site Plan attached as Exhibit 6 at C-2). The monopole will allow Verizon Wireless to locate its antennas with a centerline of 190' above ground level (AGL) and will accommodate up to three future carriers to locate antennas at 178' AGL, 168' AGL, and 158' AGL. (See Ex. 6 at C-3). The Facility will be built accessed by extending an existing accessway (driveway) already existing on the Property. The accessway will be extended with a 12-foot wide gravel drive to the Facility, which will be accessed through a fenced gate. By extending the existing accessway, the new impervious area added to the parcel will be minimized. (See Ex. 6 at C-1).

The Facility meets all of the setback requirements set forth in Ordinance § 4.22(A)(1). The proposed monopole is set back from all adjacent property lines a distance equal to or greater than the height of the proposed monopole (199'). The proposed monopole is setback 328 feet from the nearest property line to the north; 1,016 feet from the property line to the east, 564 feet from the property line to the south, and 398 feet from the property line to the west. (See Ex. 6 at C-1). The properties to the north and west are undeveloped, uninhabited, and predominantly wooded.

The Applicant's engineer certified that the tower will be designed such, that in the unlikely case of a catastrophic failure, the tower would fall within a radius of 150 feet and would pose no risk to adjacent properties or nearby, inhabited buildings. (See Engineering Certification Letter attached as Exhibit 7). The Facility will be unmanned, free of public facilities, and only require occasional visits (about 1 visit per quarter) from a technician for routine inspections and maintenance. The Facility will have no impact on traffic. The Facility will have no adverse impact on the health, safety, or welfare of residents or workers in the area. The Facility will be free of odors, fumes, light, glare, and noise. The Facility will not be located within any airport or historic overlay districts.

### **IV. Compliance with Washington County Zoning Ordinance**

#### ***Section 4.22 Commercial Communication Towers***

*No permit to construct a tower may be issued unless the applicant demonstrates to the Planning Commission, or where applicable, to the Board of Zoning Appeals, need for the tower and that the applicant has exhausted all alternatives to constructing a tower. Applicants are required to prove need by:*

- a. *demonstrating via statement or other evidence that, in terms of location and construction, there are no existing towers, buildings, elevated tanks or other structures able to provide the antenna platform required.*

- **Applicant's Response:** Generally, it is much more efficient and less expansive to co-locate a telecommunications facility on an existing tower, building, or structure than to build a new tower or monopole. New builds are a last resort when no existing infrastructure will meet wireless coverage needs. The Property is located in the center of a significant gap in adequate wireless and broadband coverage. (*See Ex. 2*). There are no existing towers in the area on which Verizon is not already co-located. (*See Exs. 3 & 5*). There is an approved site in Rohrsersville that is being built, but will not fill the coverage gap targeted by the proposed Facility. This Facility will fill the coverage gap between "Rohrsersville" to the southeast and "Keedysville" to the North. (*See Ex. 5*). The Applicant conducted a search for any tall structures or buildings that could meet Verizon's coverage needs. However, this area of Washington County is not heavily developed with tall structures and is primarily rural farmland and land in the P (Preservation) district. The Applicant investigated the land within a mile radius and found no suitable structures for co-location. Absent such structures, it was determined a new tower or monopole was necessary to provide new and improved wireless coverage in this area.

b. *providing evidence, including coverage diagrams and technical reports, demonstrating that co-location on existing sites is not technically possible in order to serve the desired need.*

- **Applicant's Response:** There is a significant need for coverage in this portion of Washington County. (*See Ex. 2*). Verizon is already located on the closest existing tower to the proposed coverage area. (*See Ex. 5*). The proposed Facility will significantly improve wireless coverage and capacity in this area of Washington County. (*See Ex. 4*). The Applicant investigated the land within a mile radius and found no suitable structures for co-location. Absent such structures, it was determined a new tower or monopole was necessary to provide new and improved wireless coverage in this area.

A. *Design requirements*

*In addition to the applicable requirements for a site plan as specified in Section 4.11, the applicant shall provide the following information as part of the site plan submittal. These provisions shall apply to towers in all districts where permitted as a principal permitted or special exception use:*

1. *Subject to a minimum setback of a distance equaling the total height of the tower and equipment. The setback shall be measured from the base of the tower to the boundary line of the property owned, leased, or controlled by easement by the applicant.*

- **Applicant's Response:** The Facility meets the setback requirements. The proposed monopole is set back from all property lines a distance equal to or greater than the height of the proposed monopole (199'). The setbacks from adjacent property lines are as follows:
  - West: 398 feet



- North: 328 feet
  - East: 1,016 feet
  - South: 564 feet
2. *Subject to a minimum distance requirement of a distance equaling the height of the tower and equipment plus 200 feet from the RT, RS, RU, RM and RV districts or the nearest part of any existing dwelling, school, church, or institution for human care, in any other district.*
    - **Applicant's Response:** There are no RT, RS, RU, RM and RV districts, or any properties with dwellings, schools, churches, or institutions for human care which share a boarder with the Property. The proposed Facility meets all required setbacks under the Ordinance.
  3. *Subject to a minimum setback from all overhead transmission lines of a distance equaling two times the height of the tower and equipment.*
    - **Applicant's Response:** There are no overhead transmission lines in the immediate vicinity. The Facility is setback from all overhead transmission lines at least two times the height of the Facility (199').
  4. *Subject to a height not to exceed 200 feet. Measurement of tower height shall include the tower structure itself, the base pad, and any other equipment attached thereto which extends more than twenty (20) feet over the top of the tower structure itself. The tower height shall be measured from grade.*
    - **Applicant's Response:** The proposed monopole will not exceed 200 feet. The proposed height of the Facility is 199 feet, which includes a 195-foot monopole with a four (4) foot lightning rod. Verizon's antennas will be located at a height of 190 feet above ground level. Co-locations are available for at least three other wireless providers. (See Ex. 6 at C-3).
  5. *Proposed towers shall meet the following minimum separation requirements from existing towers or towers which have been issued a permit but are not yet constructed.*
    - (a) *Monopole towers shall be separated from all other towers, whether monopole, self-supporting lattice, or guyed, by a minimum of seven hundred and fifty (750) feet.*
    - **Applicant's Response:** The nearest tower or monopole is more than 750 feet away. (See Ex. 5).
  6. *All towers shall be designed for co-location, which shall mean the ability of the structure to allow for the placement of comparable equipment for other carriers. An application for a tower shall be accompanied by an affidavit from the applicant stating that one ten (10) foot space on the proposed tower will be specifically reserved for use*



*by the County, and that other spaces will be made available to other future users, when possible.*

- **Applicant's Response:** The Applicant has provided an affidavit of compliance with this provision. (*See Affidavit of FCC Compliance and Tower Co-Location attached as **Exhibit 8***). The Applicant will reserve one ten-foot space for use by the County and will have space to accommodate up to three additional wireless providers.

*7. Fencing shall be provided around the base of the tower and any associated equipment buildings.*

- **Applicant's Response:** The 50' x 50' compound will be surrounded by a 7-foot-high chain link fence topped with barbed wire as an anti-climbing device for a total height of 8 feet. (*See Ex. 6, Site Plans at C-2*).

*8. All sites shall be identified by means of a sign no larger than two square feet affixed to the fence identifying the entity using the site and shall provide the telephone number of a contact person in the event of an emergency.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision.

*9. Towers not requiring FAA painting or marking shall have an exterior finish which enhances compatibility with adjacent land uses, as approved by the Planning Commission or Board of Zoning Appeals. Towers shall not be lighted unless specifically required by the FAA.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision. The proposed monopole will be painted a matte gray to blend into the skyline. It will not be lit, and there are no FAA requirements for a tower below 200 feet to have any lighting.

*10. In order to protect the natural skyline, towers should be sited within areas of mature vegetation and should be located down slope from ridge lines, and toward the interior of the parcel whenever possible. Placement should only be considered elsewhere on the property when valid technical data supplied by the applicant indicates that there is no other suitable location.*

- **Applicant's Response:** The Facility is located in the center of the Property, maximizing its distance from Chest Grove Road and nearby homes. It will not be located on any ridgeline or slope. There are a significant number of mature trees on the Property and the properties to the north, west and south to provide screening. The area surrounding the parcel is not densely populated and has rolling topography which will assist in reducing visual impact in the area. (*See Ex. 4, Photo Simulations*).

*11. Towers proposed to be located within the Appalachian Trail corridor special planning area as identified in the adopted Comprehensive Plan for the County, any "AO" Antietam Overlay zoning district or "HP" Historic Preservation zoning district shall utilize stealth technology as defined in Article 28A to minimize visual impact.*

- **Applicant's Response:** The proposed Facility is not located in any of these areas.

12. (a) *A Commercial Communication Tower that is out of service for a continuous six (6) month period will be deemed to have been abandoned. The Zoning Administrator may issue a Notice of Abandonment to the Owner of the Tower that is deemed to be abandoned. The Owner shall have the right to respond in writing to the Notice of Abandonment setting forth the reasons for operation difficulty and providing a reasonable timeframe for correction action, within thirty (30) days from the date of the Notice. The Administrator shall withdraw the Notice of Abandonment and notify the Owner that the Notice has been withdrawn if the Owner provides information that demonstrates the Tower has not been abandoned.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision.

(b) *If the Tower is determined to be abandoned, the Owner of the Tower shall remove the Tower and all related equipment at the Owner's sole expense within three (3) months of the Date of Notice of Abandonment. If the Owner fails to remove the Tower and related equipment, the Administrator may pursue legal action to have the Tower removed at the Owner's expense.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision.

B. *Additional Provisions for Towers Permitted by Special Exception*

*In addition to the limitations, guides and standards enumerated in Section 25.6, the Board of Zoning Appeals shall consider the following provisions when considering a request for a special exception for a commercial communications tower.*

1. *In those cases where a proposed tower is part of a grid or network, the applicant shall provide a map indicating the location of any existing or proposed towers in the grid or network within Washington County and within one (1) mile of the County boundary.*

- **Applicant's Response:** The Applicant has provided the required map. (See Ex. 5).

2. *The tower shall be compatible with and shall not adversely impact the character and integrity of surrounding properties. Consideration shall be given to the view shed associated with scenic and historic areas and to the use of stealth technology to minimize the visibility of the proposed tower.*

- **Applicant's Response:** The Applicant located the Facility in the interior of the Property, using nearby mature trees and rolling topography to reduce the visual impact. (See Ex. 4). The monopole will be painted a matte gray color which will help it blend into the skyline from areas where it is visible.



3. *The applicant shall submit a visual analysis which may include, photo simulation, field mock-up, elevations or other visual or graphic illustrations to determine visual impact. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable towers in the area, and shall identify and include all feasible mitigation measures.*

- **Applicant's Response:** The Applicant provided photo simulations of the proposed Facility. (See Ex. 4). The technician drove around the surface streets surrounding the Property and took photos from locations where the balloon was most visible. Of 20 locations, the proposed Facility will only be visible or partially visible from five locations. Throughout most of the radius, the balloon was not visible. Based on the balloon fly and attached simulations, the Applicant determined the Facility will not have a significant visual impact on the surrounding area. (See Ex. 4). The existence of mature trees surrounding the Property and rolling topography will further reduce any visual impact.

4. *The Board may include conditions on the site where the tower is to be located if such conditions are necessary to preserve the character and integrity of the area affected by the proposed tower and mitigate any adverse impacts which arise in connection with approval of the special exception.*

- **Applicant's Response:** The Applicant acknowledges this provision.

#### ***Section 25.6 Limitations, Guides and Standards***

*the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:*

*(a) The number of people residing or working in the immediate area concerned.*

- **Applicant's Response:** The immediately surrounding area is not densely populated and is made up primarily of agricultural properties in the P district.

*(b) The orderly growth of a community.*

- **Applicant's Response:** The Facility is necessary for the growth of the community. There is insufficient emergency and non-emergency wireless and broadband coverage in this area. This can lead to issues for residents and commuters attempting to make calls or otherwise use their cellular devices – particularly in the case of an emergency when attempting to reach first responders.

*(c) Traffic conditions and facilities.*

- **Applicant's Response:** The Facility will be unmanned and will only be visited by technicians a few times per year. The Facility will have no impact on local traffic.

*(d) The effect of such use upon the peaceful enjoyment of people in their homes.*

- **Applicant's Response:** The Facility will have no effect on the peaceful enjoyment of people in their homes. In fact, it will enhance enjoyment in the homes of nearby residents who will have new and improved wireless and broadband coverage in their homes. The Facility is located in the center of the property and will have a minimal visual impact on the surrounding area. (*See Ex. 4*).

*(e) The conservation of property values.*

- **Applicant's Response:** The proposed Facility will not have any adverse impact on property values. Rather, new and improved wireless coverage in the area may make these properties more desirable from a use and enjoyment standpoint.

*(f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.*

- **Applicant's Response:** The Facility will be unmanned, free of public facilities, and only require occasional visits from a technician for routine inspections and maintenance. The Facility will be free of odors, dust, gas, smoke, fumes, vibrations, glare, and noise.

*(g) The most appropriate use of land and structure.*

- **Applicant's Response:** This Property is an ideal location for the proposed Facility. It is large parcel located in an area in need of emergency and non-emergency wireless coverage. The Facility will be located to the interior of the parcel, adjacent to uninhabited and undeveloped parcels to the north and west and maximizing its distance from the parcel to the south. With existing mature trees, the visual impact will be significantly minimized for the surrounding area, while providing reliable and consistent wireless services, including services for first responders.

*(h) Decision of the courts.*

- **Applicant's Response:** Other than existing case law establishing the standard of review for zoning applications (*e.g., Schultz v. Pritz*), the Applicant is not aware of any court decisions directly affecting this Property.

*(i) The purpose of these regulations as set forth herein.*

- **Applicant's Response:** The application is consistent with the letter and spirit of the Ordinance as it relates to telecommunications facilities. It brings necessary emergency and non-emergency wireless and broadband services to Washington County while limiting any adverse impacts on the surrounding community.

*(j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches and the like.*

- **Applicant's Response:** The Facility is unmanned and will not be a place for public gatherings. However, it will enhance the public use and enjoyment of the area. The Facility will provide new and improved wireless services for residents, businesses and commuters in the area.

## **VII. Conclusion**

The Applicant respectfully requests that the Washington County Board of Appeals grant the requested Special Exception. We look forward to presenting this and additional information as necessary at an upcoming hearing, and improving the wireless services for the residents, businesses, and visitors to Washington County. If you need further information, please contact our zoning attorney Doug Sampson at 410-332-8661 or [douglas.sampson@saul.com](mailto:douglas.sampson@saul.com).



# **EXHIBIT 1**

November 12, 2025

Zoning Administrator, Washington County, MD  
747 Northern Ave  
Hagerstown, MD 21742

**Re: Letter of Intent to Locate Antennas on Proposed Telecommunications Tower  
at 4220 Chestnut Grove Road, Keedysville, MD 21756**

To Whom it May Concern:

Verizon Wireless is working with Vertical Bridge to collocate its wireless antennas onto a new proposed telecommunications facility located at 4220 Chestnut Grove Road, Keedysville, MD 21756 (the "Property"). The proposed site will provide coverage and improve wireless services in the Keedysville area and enhance wireless coverage on Burnside Bridge Road, Chestnut Grove Road and Trego Mountain Road.

Please accept this letter as confirmation that Verizon Wireless intends to locate its wireless antennas on the proposed tower once the County approves the Special Exception and related permits, and the tower is fully constructed.

Should you or anyone with the County have any questions or concerns, please have them contact Vertical Bridge's representative Doug Sampson at 410-332-8661 or [Douglas.Sampson@saul.com](mailto:Douglas.Sampson@saul.com).

Sincerely,

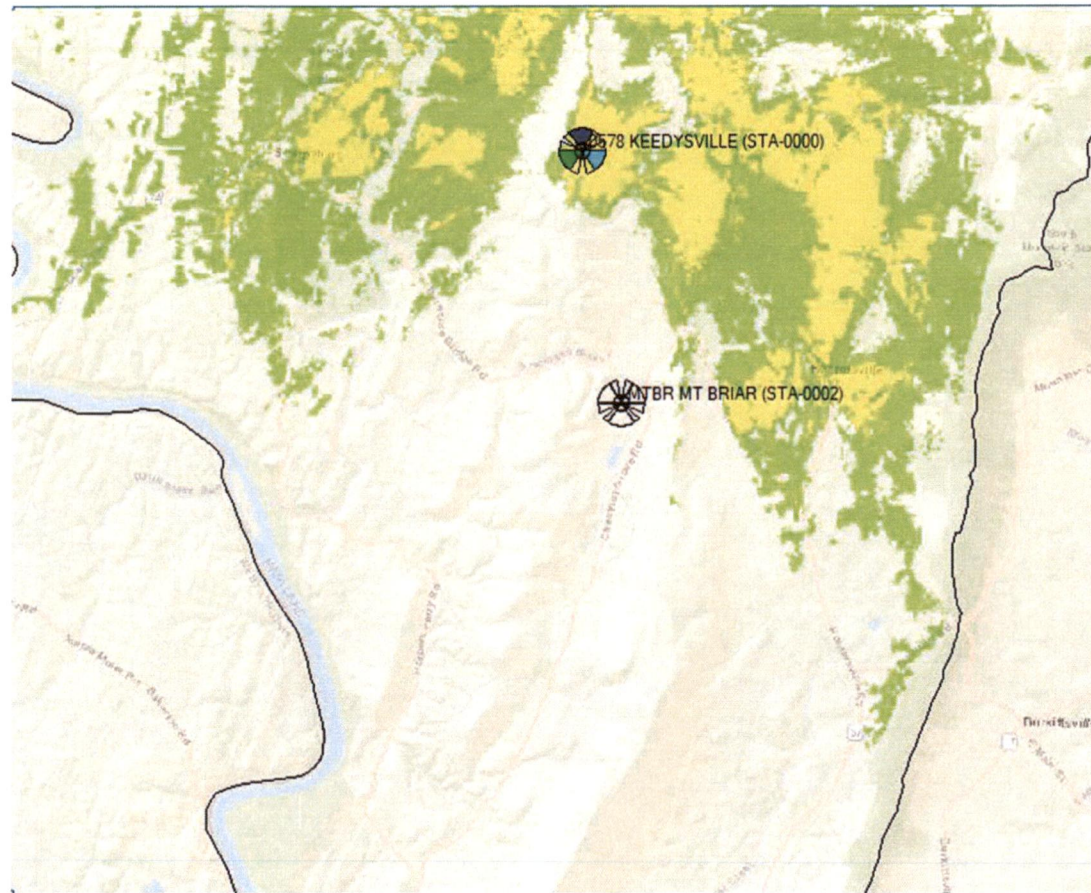
*David Reinauer*

---

Real Estate Manager  
Verizon Wireless

# **EXHIBIT 2**

### Existing 700 Coverage



LTE\_NW-Mobility\_RSRP-dBm (0) 0  
RSRP Level (DL) (dBm) >= -85  
RSRP Level (DL) (dBm) >= -95

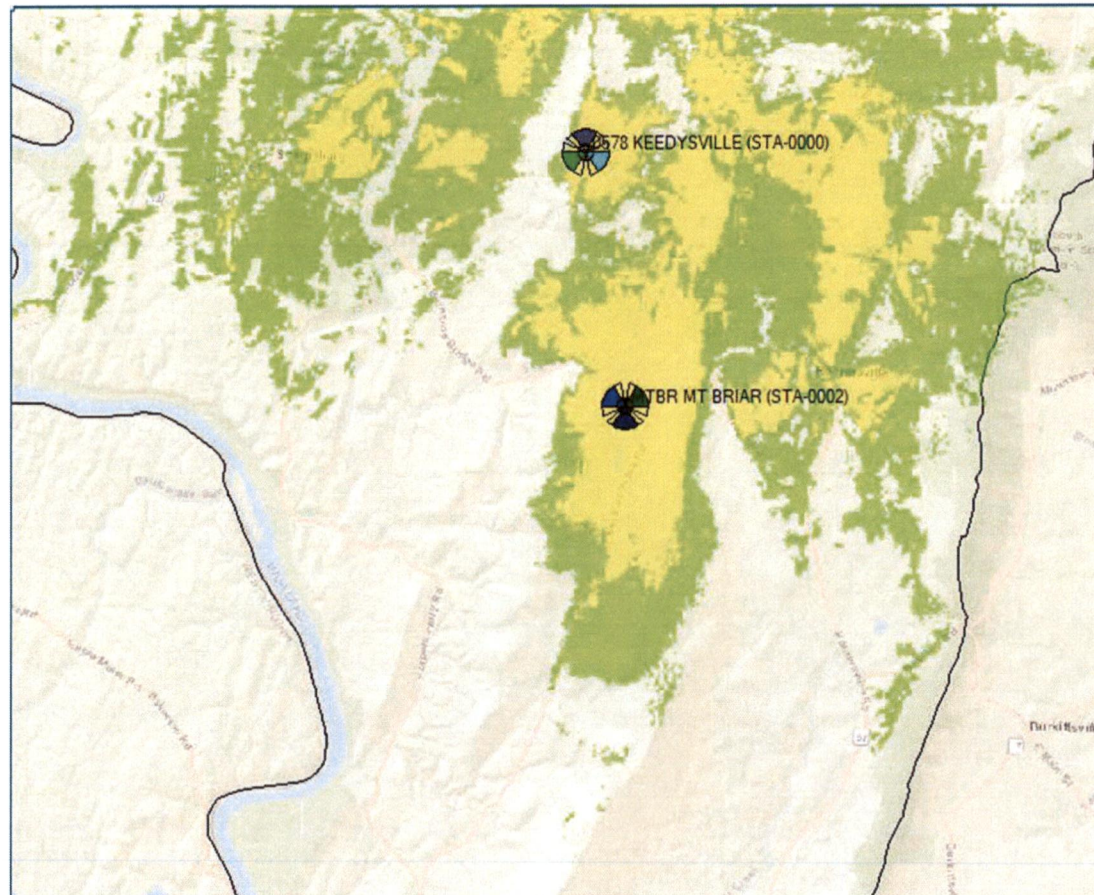


Confidential and proprietary materials for Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

# **EXHIBIT 3**



### Proposed 700 Coverage



LTE\_NW-Mobility\_RSRP-dBm (0) 0  
RSRP Level (DL) (dBm) >=-85  
RSRP Level (DL) (dBm) >=-95

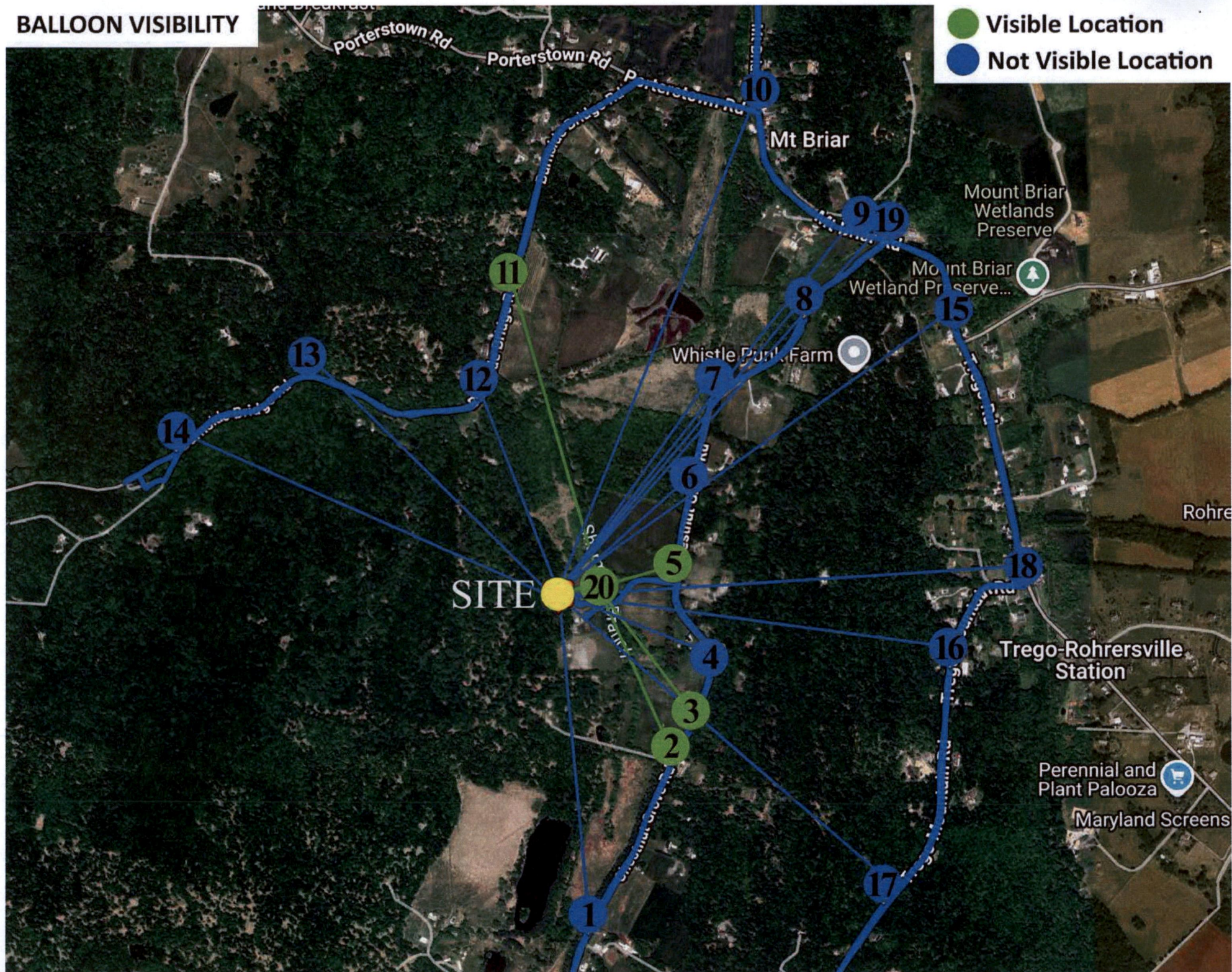


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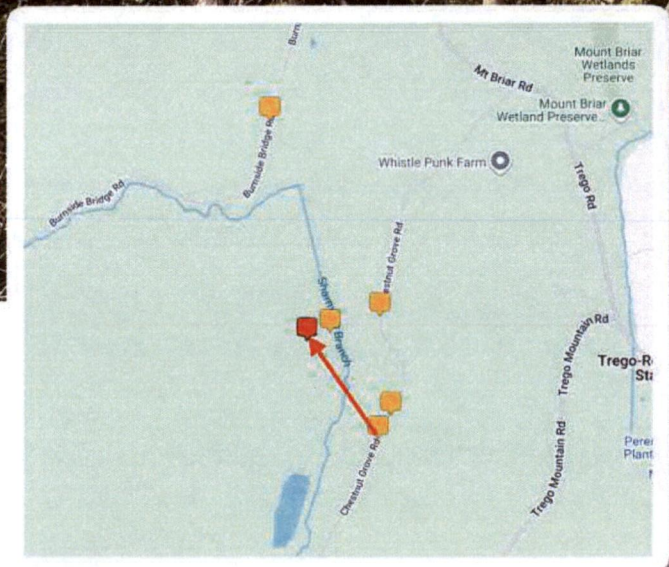
# **EXHIBIT 4**



# BALLOON VISIBILITY



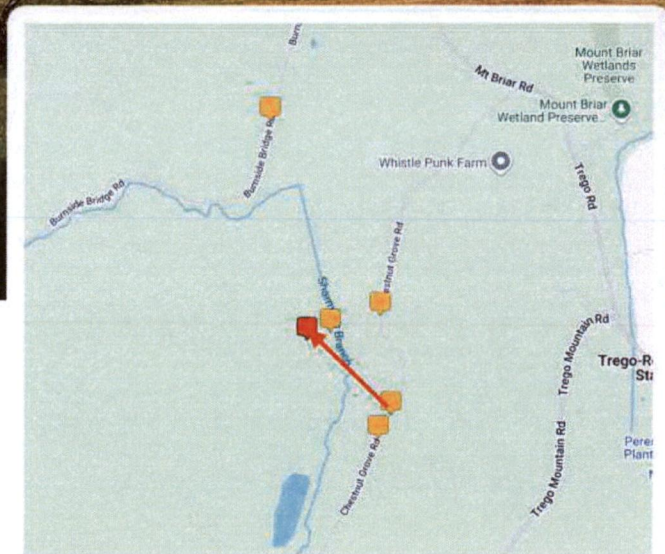
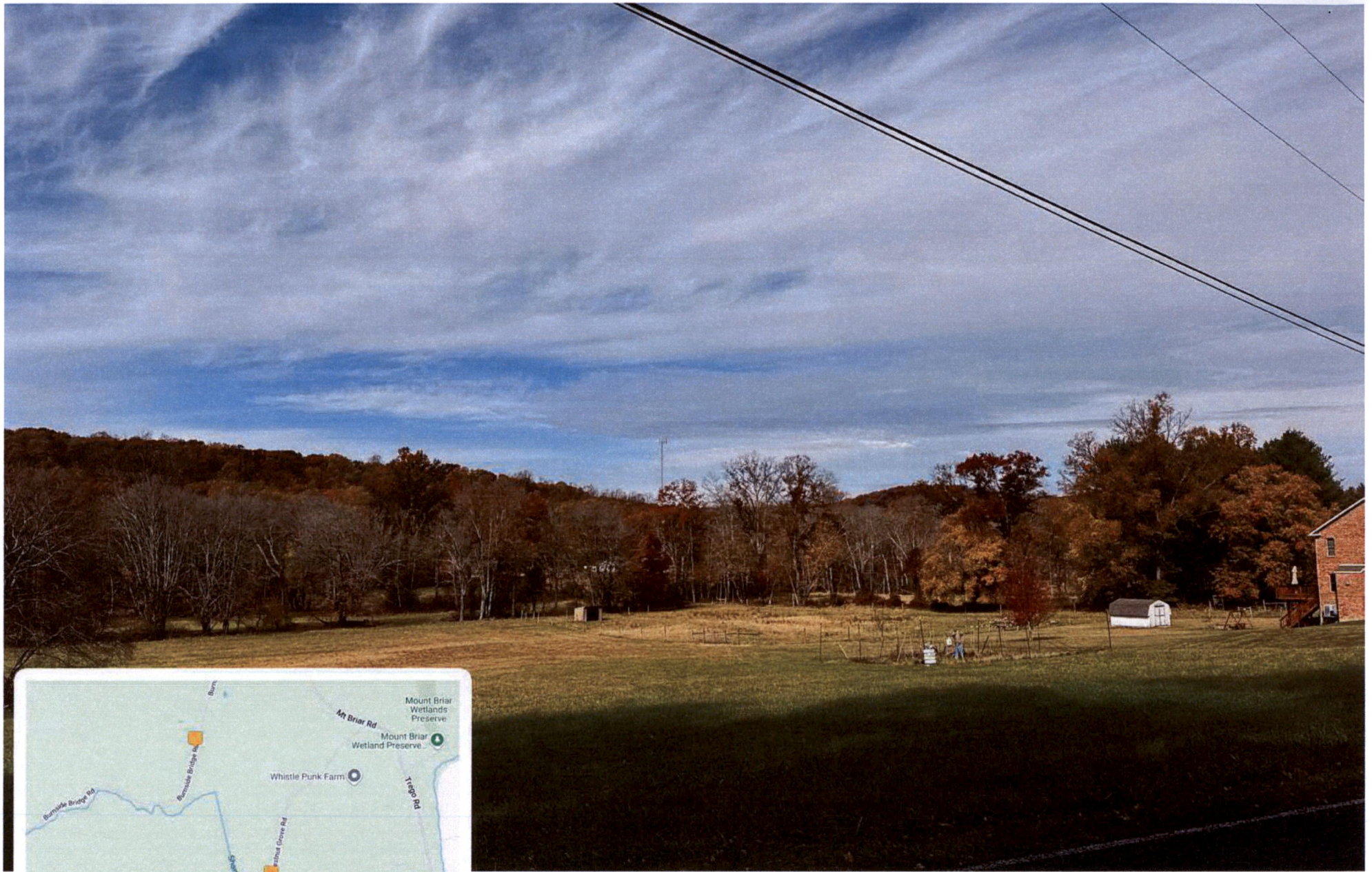




**PHOTOSIM #2**

**Mt. BRIAR  
PROPOSED MONOPOLE**





**PHOTOSIM #3**

**Mt. BRIAR  
PROPOSED MONOPOLE**

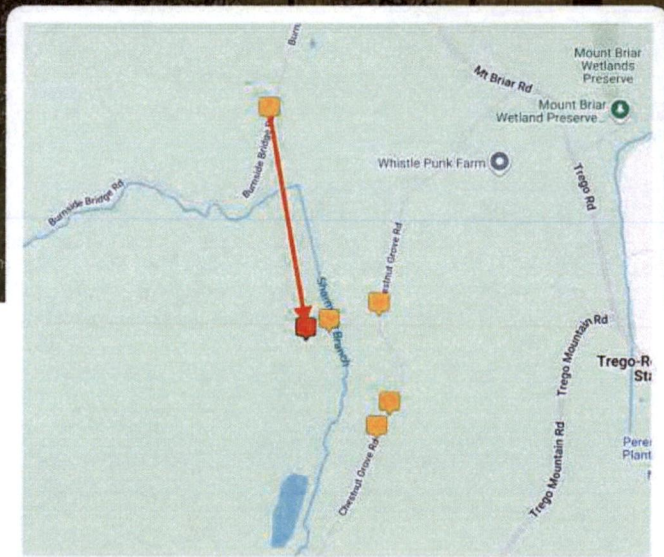




**PHOTOSIM #5**

**Mt. BRIAR  
PROPOSED MONOPOLE**





**PHOTOSIM #11**

**Mt. BRIAR  
PROPOSED MONOPOLE**





**PHOTOSIM #20**

**Mt. BRIAR  
PROPOSED MONOPOLE**

# **EXHIBIT 5**



# Washington County, MD - Verizon Site Plan



Confidential and proprietary materials for Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

# **EXHIBIT 6**

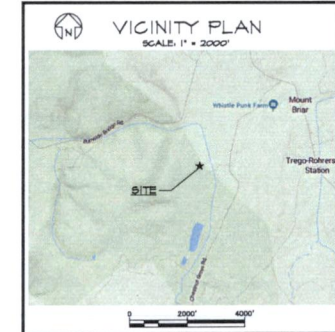


A B C D E F G H J K L M N P Q R

# WASHINGTON COUNTY NOTES

1. THESE PROJECT NOTES APPLY TO ALL OF THE CONTRACT DRAWINGS.
2. ALL BIDDERS ARE REQUIRED TO VISIT THE WORKSITE BEFORE PREPARING THEIR BIDS IN ORDER TO OBSERVE EXISTING CONDITIONS AND TO IDENTIFY POTENTIAL HAZARDS AND OBSTACLES WHICH MIGHT AFFECT THE PERFORMANCE OF CONTRACT WORK. BID PRICES SHALL TAKE INTO ACCOUNT THESE OBSERVATIONS.
3. CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND SERVICES NECESSARY TO SUCCESSFULLY COMPLETE ALL WORK INDICATED OR SPECIFIED ON THE CONTRACT DRAWINGS. ALL WORK SHOWN ON THE DRAWINGS IS HEREBY SPECIFICALLY NOTED AS EXISTING. SUCCESSFUL COMPLETION OF ALL WORK MEANS THAT ALL INSTALLED SYSTEMS SHALL BE COMPLETE AND READY FOR OPERATION.
4. ALL WORK (MATERIALS, LABOR AND EQUIPMENT) SHALL BE MAINTAINED FOR A PERIOD OF ONE YEAR COMMENCING WITH THE DATE OF ACCEPTANCE OF ALL WORK BY THE OWNER.
5. ALL NEW PRODUCTS (MATERIALS AND EQUIPMENT) FURNISHED SHALL BE NEW AND UNUSED FIRST-QUALITY PRODUCTS OF REPUTABLE MANUFACTURERS REGULARLY ENGAGED IN THE MANUFACTURE OF SUCH PRODUCTS. ALL DEMOLITION, INSTALLATION, TESTING AND COMMISSIONING WORK SHALL BE PERFORMED IN A FIRST CLASS WORKMANLIKE MANNER BY PERSONNEL SKILLED AND REGULARLY ENGAGED IN THE PERFORMANCE OF SUCH WORK.
6. ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE LATEST EDITIONS OF OSHA AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
7. CONTRACTOR SHALL ADHERE AT ALL TIMES TO ALL SAFETY REGULATIONS AND PROCEDURES REQUIRED BY THE OWNER. ALL CONTRACTOR PERSONNEL WORKING ON SITE SHALL FIRST COMPLETE THE NECESSARY SAFETY TRAINING SESSION CONDUCTED BY THE OWNER.
8. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND CLEARANCES PRIOR TO FABRICATION OR INSTALLATION OF ANY WORK.
9. DUE TO THE SMALL SCALE OF THE DRAWINGS, NOT ALL OFFSETS, FITTINGS OR ACCESSORIES THAT MAY BE REQUIRED ARE INDICATED. CONTRACTOR SHALL CAREFULLY INVESTIGATE ALL CONDITIONS THAT WILL AFFECT THE WORK TO BE PERFORMED AND SHALL ARRANGE FOR SUCH WORK ACCORDINGLY, FURNISHING ALL MATERIAL AND LABOR REQUIRED FOR COMPLETE AND WORKABLE SYSTEMS AS NOTED ABOVE.
10. THE OWNER OR HIS REPRESENTATIVE SHALL HAVE THE FINAL DETERMINATION IN CLARIFICATIONS AND INTERPRETATIONS REGARDING THE REQUIREMENTS OF THE CONTRACT DRAWINGS. ANY DEVIATIONS FROM THE DRAWINGS MUST BE APPROVED IN WRITING BY THE OWNER OR HIS REPRESENTATIVE.
11. CONTRACTOR SHALL NOT DISCONNECT ANY EXISTING MECHANICAL OR ELECTRICAL SYSTEMS AND SHALL NOT CUT ANY EXISTING STRUCTURAL MEMBERS WITHOUT WRITTEN APPROVAL FROM THE OWNER OR HIS REPRESENTATIVE.
12. NORMAL OPERATIONS MAY BE CONDUCTED BY THE OWNER'S PERSONNEL IN WORK AREAS INVOLVING CONTRACT WORK DURING THE EXECUTION OF THIS CONTRACT. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITH THE OWNER OR HIS REPRESENTATIVE TO MINIMIZE OPERATIONAL DISRUPTIONS.
13. THE CONTRACTOR SHALL KEEP THE WORK SITE AND SURROUNDING AREA FREE FROM ACCUMULATION OF WASTE MATERIALS GENERATED BY WORK PERFORMED UNDER THIS CONTRACT. SUCH DEBRIS SHALL BE REMOVED FROM THE WORK SITE, Hauled OFF THE PREMISES, AND DISPOSED OF IN A LEGAL MANNER ON A DAILY BASIS.
14. ALL EQUIPMENT AND MATERIALS WHICH ARE INDICATED TO BE RELOCATED OR REUSED SHALL BE STORED AND PROTECTED BY THE CONTRACTOR AFTER REMOVAL. CONTRACTOR SHALL ALSO PROTECT EXISTING WORK TO REMAIN. ANY EXISTING WORK TO BE RELOCATED OR TO REMAIN WHICH IS DAMAGED DUE TO CONTRACTOR'S WORK SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.
15. PROVIDE ALL REQUIRED CUTTING AND PATCHING. CUT EXISTING WORK WHERE INDICATED FOR REMOVALS AND PATCH ALL OPENINGS, CRACKS AND DEPRESSIONS REMAINING AFTER REMOVALS TO MATCH ADJACENT WORK.
16. BEFORE EXCAVATING, CONTRACTOR MUST LOCATE AND VERIFY ALL EXISTING UNDERGROUND UTILITIES. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING ALL UNDERGROUND UTILITIES WITHIN THE PROPOSED WORK AREA PRIOR TO EXCAVATING AND MUST NOT DAMAGE ANY UNDERGROUND UTILITIES DURING CONSTRUCTION.
17. THE PROPOSED VERIZON WIRELESS GENERATOR IS AN OPTIONAL STAND-BY UNIT AND DOES NOT SUPPLY LIFE SAFETY EQUIPMENT. THE GENERATOR IS USED TO BACKUP THE TELEPHONE EXCHANGE EQUIPMENT IN ORDER TO KEEP THE CELL SITE IN FULL OPERATION IN THE EVENT OF A NORMAL UTILITY POWER FAIL. THEREFORE, NFPA 110 DOES NOT APPLY.
18. ALL GRADINGS FOR THIS PROJECT SHALL BE THE FULL RESPONSIBILITY OF THE PROPERTY OWNER.
19. NO PERMANENT STRUCTURES (E.G., FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE EASEMENT ON THIS PROPERTY.
20. A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR, OR OTHER REPRESENTATIVE OF WASHINGTON COUNTY DIVISION OF PUBLIC WORKS.
21. THE OWNER SHALL RESERVE ONE CONTIGUOUS TEN FOOT (10') AREA OF VERTICAL SPACE ON THE TOWER SPECIFICALLY FOR FUTURE EMERGENCY COMMUNICATIONS USE BY WASHINGTON COUNTY, AS REQUIRED UNDER SECTION 4.22(A)(6) OF THE ZONING ORDINANCE, AS AMENDED AUGUST 4, 2004. ALL PROPOSED CO-LOCATIONS, INCLUDING THOSE BY WASHINGTON COUNTY, SHALL BE IN ACCORDANCE WITH THE LIBERTY TOWERS CO-LOCATION POLICY AND THE REQUEST FOR ANY CO-LOCATION SHALL NOT EXCEED THE DESIGN SPECIFICATION OF THE TOWER STRUCTURE.
22. TOWER WILL BE REMOVED WITHIN THREE MONTHS AFTER ABANDONMENT.
23. PER ARTICLE 5.3.1, PUBLIC UTILITY, SITE IS EXEMPT FROM FOREST CONSERVATION.
24. IF THE PROPOSED DRIVEWAY IS CONSTRUCTED AT A DIFFERENT LOCATION THAN SHOWN ON THIS PLAN, THIS ADDRESS IS VOID, AND THE OWNER/DEVELOPER OF THE PROPERTY MUST REPLY TO WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING FOR A NEW ADDRESS ASSIGNMENT.

# verticalbridge US-MD-5131 MT BRIAR 4220 CHESTNUT GROVE RD KEEDYSVILLE, MD 21756 WASHINGTON COUNTY



- DIRECTIONS TO SITE:**
- FROM ANNAPOLIS JUNCTION:
  - HEAD EAST
  - TURN LEFT TOWARD HENKELS LN
  - CONTINUE ONTO HENKELS LN
  - SLIGHT RIGHT TOWARD DORSEY RUN RD
  - MERGE ONTO DORSEY RUN RD
  - USE LEFT LANE TO MERGE ONTO MD-82 N
  - MERGE ONTO MD-82 N
  - TAKE EXIT 8 FROM TELEGRAPH RD/ MD-170
  - TURN LEFT ONTO MD-170 N/ TELEGRAPH RD
  - TURN RIGHT ONTO OLD HILL RD
  - TURN LEFT ONTO BURNS CROSSINGS RD
  - TURN RIGHT ONTO MAPLE TREE RD
  - TURN RIGHT ONTO LOCUST HOOD RD
  - TURN LEFT ONTO EVERGREEN RD
  - TURN LEFT ONTO CHESTNUT GROVE RD

SHEET INDEX	
SHEET NO.	SHEET NAME
1 (C-1)	COVER SHEET
2 (C-2)	SITE PLAN
3 (C-3)	SITE DETAILS
4 (C-4)	ANTENNA DETAILS AND ELEVATION

**PROJECT DESCRIPTION**

THE PROPOSED FACILITIES WILL CONSIST OF CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT WITHIN A 50'x50' FENCED COMPOUND. NO ANTENNAS SHALL BE MOUNTED ON A PROPOSED MD-0' MONOPOLE WITH A RAD CENTER ELEVATION OF 101'-0" ABOVE GRADE FOR THE RECEPTION OF VERIZON WIRELESS COMMUNICATIONS.

WASHINGTON COUNTY DIVISION OF PLANNING APPROVAL

BY \_\_\_\_\_ DATE \_\_\_\_\_

CODE ANALYSIS	
APPLICABLE BUILDING CODE:	IBC 2021
USE GROUP:	UTILITY (U)
CONSTRUCTION TYPE:	50 NONCOMBUSTIBLE



**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THE DOCUMENTS HEREIN WERE PREPARED OR APPROVED BY ME AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 0150702028.

US-MD-5131  
MT BRIAR  
4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
WASHINGTON COUNTY

verticalbridge  
THE TOWERS, LLC

**REVISIONS:**

NO.	DESCRIPTION	DATE

DESIGNED BY: BEB  
DRAWN BY: CJB  
REVIEWED BY: BEB  
PROJECT NO: 16041.020  
DATE: 07/16/2025

TITLE:

Cover Sheet

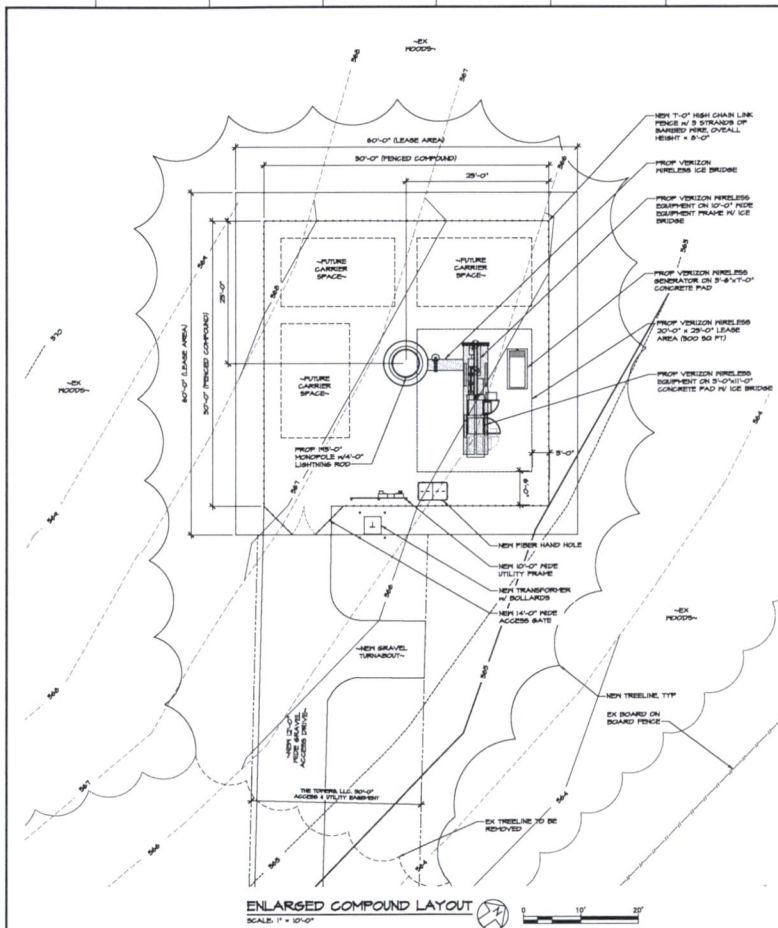
SHEET:

CS-1

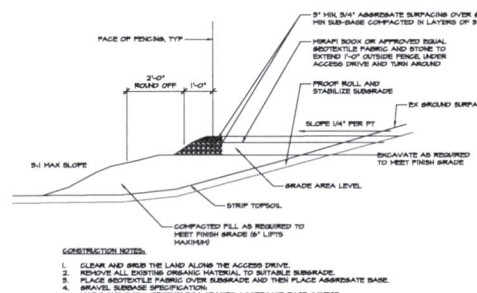




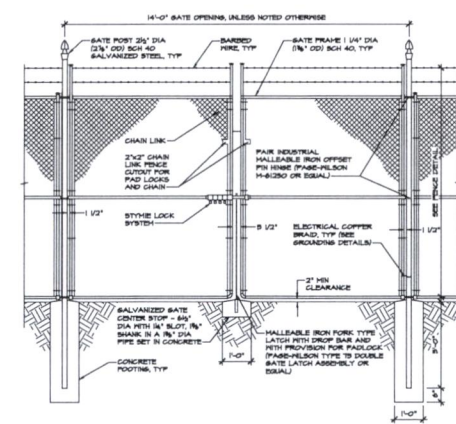
A B C D E F G H J K L M N P Q R



ENLARGED COMPOUND LAYOUT  
SCALE: 1" = 10'-0"

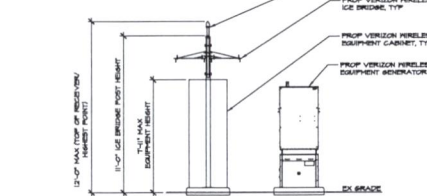


LEASE AREA, ACCESS DRIVE & TURN AROUND AREA SURFACING  
SCALE: 1/4" = 1'-0"

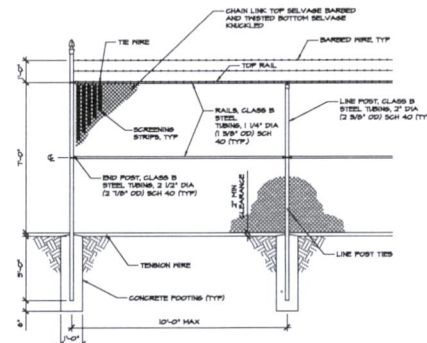


- TYPICAL DOUBLE SWING GATE NOTES**
1. BATE POST: CORNER, TERMINAL OR FULL POST 2 1/2" DIA (2 1/8" ODI) SCHEDULE 40 FOR BATE POSTS UP TO 10' AND 1 1/2" DIA (1 1/8" ODI) SCHEDULE 40 FOR BATE POSTS OVER 10'.
  2. LINE POST: 2" DIA (2 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
  3. BATE FRAME: 1 1/4" DIA (1 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
  4. TOP RAIL & BRACE RAIL: 1 1/4" DIA (1 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
  5. FENCING: 4 BA CORN FENCE WITH 2" HIGH CORNERS TO ASTH-F108.
  6. TIE RING: HIRSHAM 1 BA GALVANIZED STEEL AT POSTS AND RAILS, A SINGLE WRAP OF FENCING TIE AND AT TENSION RING 8" FOR RINGS SPACED MAX 30' INTERVALS.
  7. TENSION RING: 1 BA GALVANIZED STEEL.
  8. BARRED WIRE: DOUBLE STRAND (2 1/2 1/2" ODI) THREADED RING TO MATCH WITH FENCING, 14 BA, 4 FT BARS SPACED ON APPROXIMATELY 4" CENTERS.
  9. BATE LATCH: 1/2" DIA (1/2" ODI) PLUMBER ROD WITH HIRSHAM TYPE CATCH AND LOCK, KEYS ALIKE FOR ALL SITES IN A GIVEN AREA.
  10. LOCAL ORDINANCE OF BARRED WIRE FENCE REQUIREMENT SHALL BE COMPLIED WITH IF REQUIRED.

14'-0" DOUBLE SWING GATE  
SCALE: 1/2" = 1'-0"



CONCRETE PAD ELEVATION W/ DIESEL GENERATOR  
SCALE: 1/4" = 1'-0"



CHAIN LINK FENCE DETAIL  
SCALE: 1/4" = 1'-0"

- TYPICAL CHAIN LINK FENCE NOTES**
1. BATE POST: CORNER, TERMINAL OR FULL POST 2 1/2" DIA (2 1/8" ODI) SCHEDULE 40 FOR BATE POSTS UP TO 10' AND 1 1/2" DIA (1 1/8" ODI) SCHEDULE 40 FOR BATE POSTS OVER 10'.
  2. LINE POST: 2" DIA (2 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
  3. BATE FRAME: 1 1/4" DIA (1 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
  4. TOP RAIL & BRACE RAIL: 1 1/4" DIA (1 1/8" ODI) SCHEDULE 40 PIPE PER ASTH-F108.
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  9. BATE LATCH: 1/2" DIA (1/2" ODI) PLUMBER ROD WITH HIRSHAM TYPE CATCH AND LOCK, KEYS ALIKE FOR ALL SITES IN A GIVEN AREA.
  10. LOCAL ORDINANCE OF BARRED WIRE FENCE REQUIREMENT SHALL BE COMPLIED WITH IF REQUIRED.

**MORRIS & RITCHIE ASSOCIATES, INC.**  
Civil/Structural Engineers  
1000 North State St., Suite 200  
Therm, Maryland 20688  
(301) 555-1100  
FAX (301) 555-1101

PROFESSIONAL ENGINEER  
1. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
2. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
3. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
4. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
5. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
6. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
7. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
8. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
9. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
10. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS  
11. MEMBER OF THE STATE BOARD OF PROFESSIONAL ENGINEERS

US-MD-5131  
**MT BRAR**  
4320 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
WASHINGTON COUNTY

**verticalbridge**  
THE TOWERS, LLC

**REVISIONS:**  
NO. DESCRIPTION DATE

1	DESIGNED BY: <b>DEB</b>
2	DRAWN BY: <b>CJS</b>
3	REVIEWED BY: <b>DEB</b>
4	PROJECT NO: <b>1041.020</b>
5	DATE: <b>07/16/2025</b>
6	TITLE:
7	Site Details
8	SHEET:
9	<b>C-2</b>

CASE 1 (01-01-001)



Know what's below.  
Call before you dig.

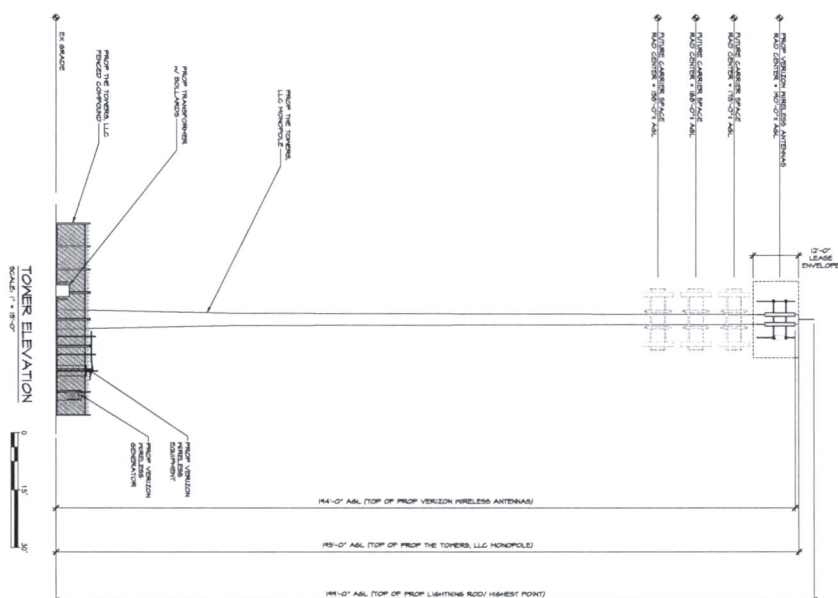
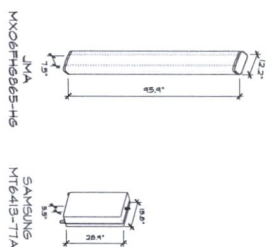
PROTECT YOURSELF AND OTHERS  
BEFORE YOU DIG. CALL 811  
TO GET THE LOCATION OF ALL  
UNDERGROUND UTILITIES.  
IT'S THE RIGHT WAY TO  
KEEP YOUR PROJECT ON TRACK.



**Know what's below.  
Call before you dig.**

THIS DRAWING DOES NOT INCLUDE NECESSARY  
CONNECTIONS FOR CONSTRUCTION SAFETY. ALL  
CONNECTIONS MUST BE DONE IN COMPLIANCE  
WITH THE OCCUPATIONAL SAFETY AND HEALTH  
ACT OF 1970 AND ALL RULES AND REGULATIONS  
HEREIN TO PARTICIPANT.

## VERIZON WIRELESS ANTENNA DETAILS





# **EXHIBIT 7**

# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,  
AND LANDSCAPE ARCHITECTS



November 17, 2025

Ms. Laura Hughes  
The Towers, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487-3650

Re: US-MD-5131 – Mt Briar  
4220 Chestnut Grove Road  
Keedysville, MD 21756 (Washington Co)  
Latitude: 39.4307° Longitude: -77.6925°  
MRA Job No: 19847.020

Dear Laura:

The purpose of this letter is to certify that the proposed 195'-0" monopole structure will be designed by the manufacturer to meet the requirements of the 2021 International Building Code (2021 IBC) and the ANSI/TIA-222-H Standard.

Per the TIA-222-H Standard, ASCE 7-16, and 2021 IBC requirements, the monopole shall be designed under the following minimum loading conditions:

TIA-222-H: 112 mph Wind (3-second gust) + No Ice  
TIA-222-H: 41 mph Wind (3-second gust) + 1" Radial Ice

Note: The monopole shall also be designed to resist seismic loading per TIA-222-H in conjunction with site specific soil parameters determined from a geotechnical investigation.

In addition to the minimum loading conditions above, we note that the monopole shall also be designed by the manufacturer such that should failure of the monopole occur under extreme weather conditions, the maximum "fall zone" radius will not exceed **150'-0"** from the center of the monopole's base. While failure is extremely rare in any kind of tower, it is especially so for monopoles. The proposed monopole shall be designed by the manufacturer such that if failure were to occur, it would occur in a specific portion of the monopole to meet the maximum "fall zone" radius requirement previously defined.

We also note that in addition to the above, the monopole will be designed to support a maximum of four (4) wireless carriers.

1220-B East Joppa Road, Suite 400K, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 [www.mragta.com](http://www.mragta.com)

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC  
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103

The Towers, LLC  
Re: US-MD-5131 – Mt Briar  
November 17, 2025  
Page 2

Monopole design documents shall be submitted from the manufacturer as part of the Building Permit submission. If you should have any questions or require any additional information, please do not hesitate to call our office.

Sincerely,  
MORRIS & RITCHIE ASSOCIATES, INC.



Brian E. Siverling, PE  
Principal



# **EXHIBIT 8**

November 6, 2025

Washington County  
Board of Zoning Appeals  
80 West Baltimore Street  
Hagerstown, MD 21740  
240-313-2460

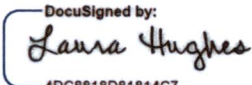
**Appeal for Special Exception for 199' Telecommunications Monopole at  
4220 Chestnut Grove Road, Keedysville, Maryland 21756**

**AFFIDAVIT OF FCC COMPLIANCE AND TOWER CO-LOCATION**

Pursuant to Washington County Zoning Ordinance 4.22(A)(6) the undersigned does hereby declare and affirm under the penalties of perjury, and agrees on behalf of The Towers, LLC d/b/a Vertical Bridge ("Applicant"), concerning the Appeal for a Special Exception to build a new telecommunications facility (the "Facility") on a portion of the property located at 4220 Chestnut Grove Road, Keedysville, Maryland 21756 (the "Property") as follows:

1. The Undersigned is a duly appointed agent of the Applicant, and as such is authorized to give this Affidavit and bind the Applicant to this Agreement.
2. The Facility, will at all times, comply with applicable Federal Communications Commission ("FCC") standards and requirements to provide the proposed services. The antennas, as proposed and designed for this Facility, comply with all applicable FCC requirements.
3. Pursuant to Washington County Zoning Ordinance 4.22(A)(6), the Applicant certifies that it will reserve one ten (10) foot space on the proposed tower specifically for use by the County and that the Facility will have space to accommodate up to three additional wireless carriers. Cellco Partnership d/b/a Verizon Wireless has already agreed to locate its antennas on the Facility at a height of 190 feet above ground level.

The Towers, LLC d/b/a Vertical Bridge

By:  (SEAL)  
Laura Hughes  
Project Manager



WASHINGTON COUNTY NOTES

1. THESE PROJECT NOTES APPLY TO ALL OF THE CONTRACT DRAWINGS.

2. ALL BIDDERS ARE REQUIRED TO VISIT THE WORKSITE BEFORE PREPARING THEIR BIDS IN ORDER TO OBSERVE EXISTING CONDITIONS AND TO IDENTIFY POTENTIAL HAZARDS AND OBSTACLES WHICH MIGHT AFFECT THE PERFORMANCE OF CONTRACT WORK. BID PRICES SHALL TAKE INTO ACCOUNT THESE OBSERVATIONS.

3. CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND SERVICES NECESSARY TO SUCCESSFULLY COMPLETE ALL WORK INDICATED OR SPECIFIED ON THE CONTRACT DRAWINGS. ALL WORK SHOWN ON THE DRAWINGS IS NEW UNLESS SPECIFICALLY NOTED AS EXISTING. SUCCESSFUL COMPLETION OF ALL WORK MEANS THAT ALL INSTALLED SYSTEMS SHALL BE COMPLETE AND READY FOR OPERATION.

4. ALL WORK (MATERIALS, LABOR AND EQUIPMENT) SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR COMMENCING WITH THE DATE OF ACCEPTANCE OF ALL WORK BY THE OWNER.

5. ALL NEW PRODUCTS (MATERIALS AND EQUIPMENT) FURNISHED SHALL BE NEW AND UNUSED FIRST-QUALITY PRODUCTS OF REPUTABLE MANUFACTURERS REGULARLY ENGAGED IN THE MANUFACTURE OF SUCH PRODUCTS. ALL DEMOLITION, INSTALLATION, TESTING AND COMMISSIONING WORK SHALL BE PERFORMED IN A FIRST CLASS, WORKMANLIKE MANNER BY PERSONNEL SKILLED AND REGULARLY ENGAGED IN THE PERFORMANCE OF SUCH WORK.

6. ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE LATEST EDITIONS OF OSHA AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.

7. CONTRACTOR SHALL ADHERE AT ALL TIMES TO ALL SAFETY REGULATIONS AND PROCEDURES REQUIRED BY THE OWNER. ALL CONTRACTOR PERSONNEL WORKING ON SITE SHALL FIRST COMPLETE THE NECESSARY SAFETY TRAINING SESSION CONDUCTED BY THE OWNER .

8. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND CLEARANCES PRIOR TO FABRICATION OR INSTALLATION OF ANY WORK.

9. DUE TO THE SMALL SCALE OF THE DRAWINGS, NOT ALL OFFSETS, FITTINGS OR ACCESSORIES THAT MAY BE REQUIRED ARE INDICATED. CONTRACTOR SHALL CAREFULLY INVESTIGATE ALL CONDITIONS THAT WILL AFFECT THE WORK TO BE PERFORMED AND SHALL ARRANGE FOR SUCH WORK ACCORDINGLY, FURNISHING ALL MATERIAL AND LABOR REQUIRED FOR COMPLETE AND WORKABLE SYSTEMS AS NOTED ABOVE.

10. THE OWNER OR HIS REPRESENTATIVE SHALL HAVE THE FINAL DETERMINATION IN CLARIFICATIONS AND INTERPRETATIONS REGARDING THE REQUIREMENTS OF THE CONTRACT DRAWINGS. ANY DEVIATIONS FROM THE DRAWINGS MUST BE APPROVED IN WRITING BY THE OWNER OR HIS REPRESENTATIVE.

11. CONTRACTOR SHALL NOT DISCONNECT ANY EXISTING MECHANICAL OR ELECTRICAL SYSTEMS AND SHALL NOT CUT ANY EXISTING STRUCTURAL MEMBERS WITHOUT WRITTEN APPROVAL FROM THE OWNER OR HIS REPRESENTATIVE.

12. NORMAL OPERATIONS MAY BE CONDUCTED BY THE OWNER'S PERSONNEL IN WORK AREAS INVOLVING CONTRACT WORK DURING THE EXECUTION OF THIS CONTRACT. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITH THE OWNER OR HIS REPRESENTATIVE TO MINIMIZE OPERATIONAL DISRUPTIONS.

13. THE CONTRACTOR SHALL KEEP THE WORK SITE AND SURROUNDING AREA FREE FROM ACCUMULATION OF WASTE MATERIALS GENERATED BY WORK PERFORMED UNDER THIS CONTRACT. SUCH DEBRIS SHALL BE REMOVED FROM THE WORK SITE, HAULED OFF THE PREMISES, AND DISPOSED OF IN A LEGAL MANNER ON A DAILY BASIS.

14. ALL EQUIPMENT AND MATERIALS WHICH ARE INDICATED TO BE RELOCATED OR REUSED SHALL BE STORED AND PROTECTED BY THE CONTRACTOR AFTER REMOVAL. CONTRACTOR SHALL ALSO PROTECT EXISTING WORK TO REMAIN. ANY EXISTING WORK TO BE RELOCATED OR TO REMAIN WHICH IS DAMAGED DUE TO CONTRACTOR'S WORK SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.

15. PROVIDE ALL REQUIRED CUTTING AND PATCHING, CUT EXISTING WORK WHERE INDICATED FOR REMOVALS AND PATCH ALL OPENINGS, CRACKS AND DEPRESSIONS REMAINING AFTER REMOVALS TO MATCH ADJACENT WORK.

16. BEFORE EXCAVATING, CONTRACTOR MUST LOCATE AND VERIFY ALL EXISTING UNDERGROUND UTILITIES. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING ALL UNDERGROUND UTILITIES WITHIN THE PROPOSED WORK AREA PRIOR TO EXCAVATING AND MUST NOT DAMAGE ANY UNDERGROUND UTILITIES DURING CONSTRUCTION.

17. THE PROPOSED VERIZON WIRELESS GENERATOR IS AN OPTIONAL STAND-BY UNIT AND DOES NOT SUPPLY LIFE SAFETY EQUIPMENT. THE GENERATOR IS USED TO BACKUP THE TELEPHONE EXCHANGE EQUIPMENT IN ORDER TO KEEP THE CELL SITE IN FULL OPERATION IN THE EVENT OF A NORMAL UTILITY POWER FAIL. THEREFORE, NFPA 110 DOES NOT APPLY.

18. ALL GRADING FOR THIS PROJECT SHALL BE THE FULL RESPONSIBILITY OF THE PROPERTY OWNER.

19. NO PERMANENT STRUCTURES (E.G., FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE EASEMENT ON THIS PROPERTY.

20. A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR, OR OTHER REPRESENTATIVE OF WASHINGTON COUNTY DIVISION OF PUBLIC WORKS.

21. THE OWNER SHALL RESERVE ONE CONTIGUOUS TEN FOOT (10) AREA OF VERTICAL SPACE ON THE TOWER SPECIFICALLY FOR FUTURE EMERGENCY COMMUNICATIONS USE BY WASHINGTON COUNTY, AS REQUIRED UNDER SECTION 4.22(A)(6) OF THE ZONING ORDINANCE, AS AMENDED AUGUST 4, 2009. ALL PROPOSED CO-LOCATIONS, INCLUDING THOSE BY WASHINGTON COUNTY, SHALL BE IN ACCORDANCE WITH THE LIBERTY TOWERS CO-LOCATION POLICY AND THE REQUEST FOR ANY CO-LOCATION SHALL NOT EXCEED THE DESIGN SPECIFICATION OF THE TOWER STRUCTURE.

22. TOWER WILL BE REMOVED WITHIN THREE MONTHS AFTER ABANDONMENT.

23. PER ARTICLE 3.2J, PUBLIC UTILITY, SITE IS EXEMPT FROM FOREST CONSERVATION.

24. IF THE PROPOSED DRIVEWAY IS CONSTRUCTED AT A DIFFERENT LOCATION THAN SHOWN ON THIS PLAN, THIS ADDRESS IS VOID, AND THE OWNER/DEVELOPER OF THE PROPERTY MUST REAPPLY TO WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING FOR A NEW ADDRESS ASSIGNMENT.

SHEET INDEX	
SHEET NO.	SHEET NAME
1 (CS-1)	COVER SHEET
2 (C-1)	SITE PLAN
3 (C-2)	SITE DETAILS
4 (C-3)	ANTENNA DETAILS AND ELEVATION

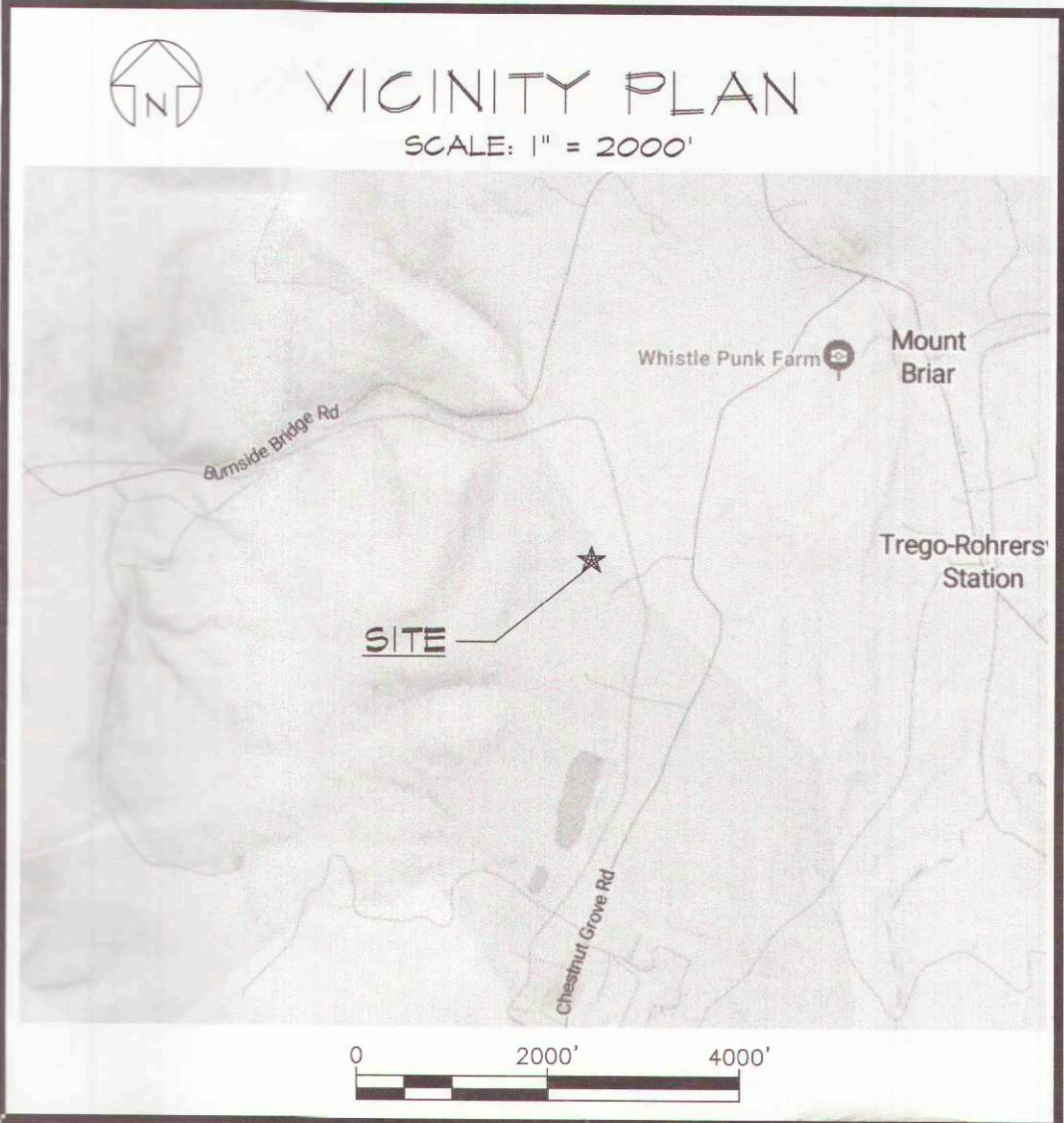
CODE ANALYSIS	
APPLICABLE BUILDING CODE:	IBC 2021
USE GROUP:	UTILITY (U)
CONSTRUCTION TYPE:	5B NONCOMBUSTIBLE

PROJECT DESCRIPTION

THE PROPOSED FACILITIES WILL CONSIST OF CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT WITHIN A 50'x50' FENCED COMPOUND. NINE (9) ANTENNAS SHALL BE MOUNTED ON A PROPOSED 145'-0" MONOPOLE WITH A RAD CENTER ELEVATION OF 190'-0" ABOVE GRADE FOR THE RECEPTION OF VERIZON WIRELESS COMMUNICATIONS.

WASHINGTON COUNTY DIVISION OF PLANNING APPROVAL

BY \_\_\_\_\_ DATE \_\_\_\_\_



DIRECTIONS TO SITE:

FROM ANNAPOLIS JUNCTION:

- HEAD EAST
- TURN LEFT TOWARD HENKELS LN
- CONTINUE ONTO HENKELS LN
- SLIGHT RIGHT TOWARD DORSEY RUN RD
- MERGE ONTO DORSEY RUN RD
- USE LEFT LANE TO MERGE ONTO MD-32 W
- MERGE ONTO MD-32 W
- TAKE EXIT 5 FOR TELEGRAPH RD/ MD-170
- TURN LEFT ONTO MD-170 N/ TELEGRAPH RD
- TURN RIGHT ONTO OLD MILL RD
- TURN LEFT ONTO BURNS CROSSING RD
- TURN RIGHT ONTO WB&A RD
- TURN RIGHT ONTO MAPLE TREE RD
- TURN RIGHT ONTO LOCUST WOOD RD
- TURN LEFT ONTO EVERGREEN RD
- TURN LEFT ONTO CHESTNUT GROVE RD

verticalbridge

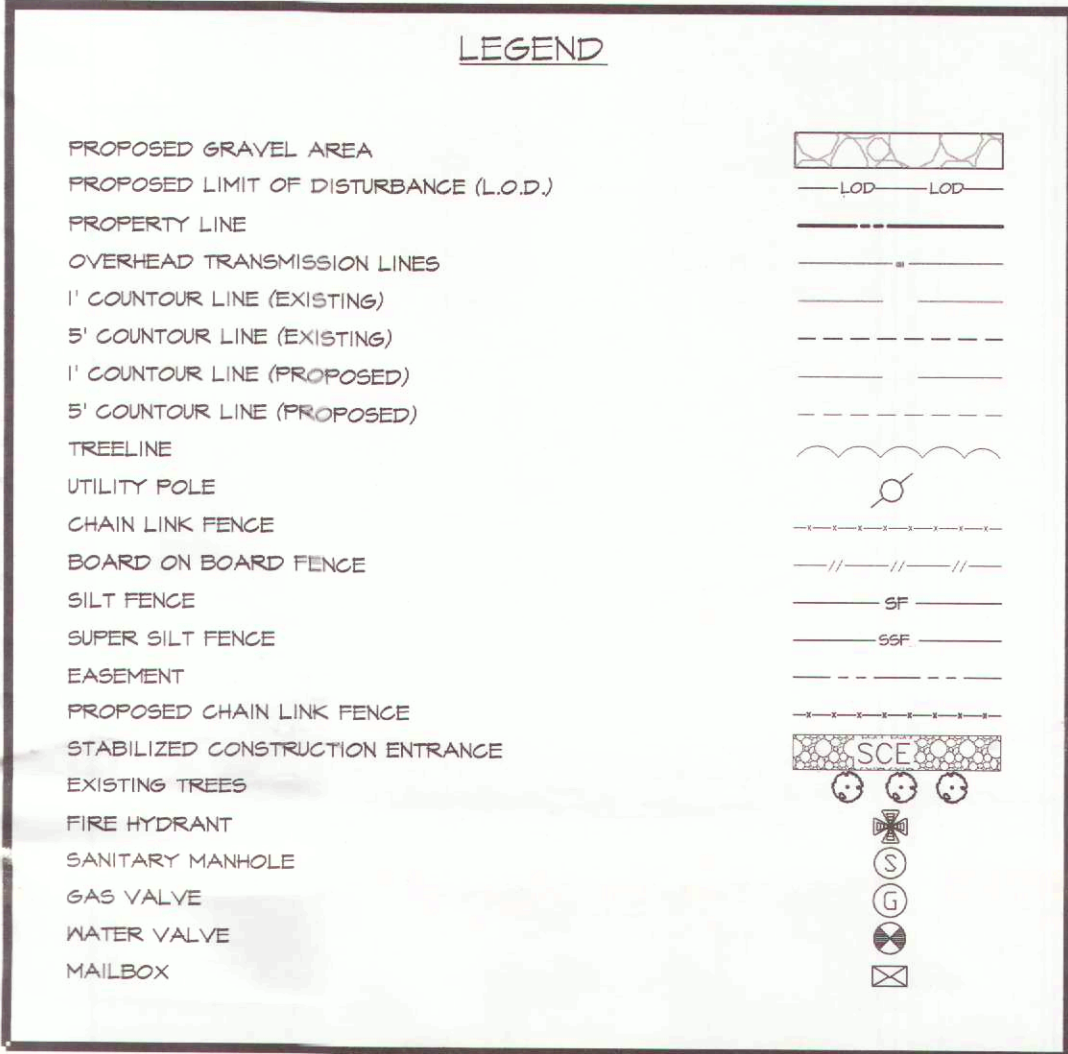
US-MD-5131

MT BRIAR

4220 CHESTNUT GROVE RD

KEEDYSVILLE, MD 21756

WASHINGTON COUNTY



**MRA**

**MORRIS & RITCHIE ASSOCIATES, INC.**

Civil / Structural Engineers

1230-B East Joppa Rd, Suite 400K

Towson, Maryland 21286

410-581-1690

410-581-1745 Fax



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. 23809, EXPIRATION DATE: 07/07/2026.

US-MD-5131

verticalbridge

MT BRIAR

4220 CHESTNUT GROVE ROAD

KEEDYSVILLE, MARYLAND 21756

WASHINGTON COUNTY

verticalbridge

THE TOWERS, LLC

REVISIONS:		
NO.	DESCRIPTION	DATE

DESIGNED BY: BES

DRAWN BY: CJS

REVIEWED BY: BES

PROJECT NO: 18047.020

DATE: 07/16/2025

TITLE:

Cover Sheet

SHEET:

CS-1



## ABBREVIATIONS

AC	ACRES
ASL	ABOVE GRADE LEVEL
ANSL	ABOVE MEAN SEA LEVEL
G	CENTERLINE
GLR	CLEAR
D	DIAMETER
DMS	DRAINING
EX	EXISTING
ETC	ETCETERA
FT	FEET
LBS	POUNDS
MAX	MAXIMUM
MIN	MINIMUM
NTS	NOT TO SCALE
R / #	NUMBER
RTM	RIGHT OF WAY
SF	SQUARE FEET
TP	TYPICAL
N	NORTH

SOIL TYPES PRESENT IN DISTURBED AREA	
MAP UNIT SYMBOL	MAP UNIT NAME
ThB	HAZEL CHANNERY SILT LOAM, 5 TO 8 PERCENT SLOPES
BaD	BAGTOWN COBBLY LOAM, 15 TO 25 PERCENT SLOPES, EXTREMELY STONEY

**LEGEND**

PROPOSED GRAVEL AREA

FLOOD LIMIT - ZONE A

PROPOSED MAXIMUM DISTURBANCE (L.O.D.)

PROPERTY LINE

OVERHEAD TRANSMISSION LINES

1' CONTOUR LINE (EXISTING)

3' CONTOUR LINE (EXISTING)

1' CONTOUR LINE (PROPOSED)

5' CONTOUR LINE (PROPOSED)

TREELINE

UTILITY POLE

CHAIN LINK FENCE

BOARD ON BOARD FENCE

SILT FENCE

SUPER SILT FENCE

EASEMENT

PROPOSED CHAIN LINK FENCE

STABILIZED CONSTRUCTION ENTRANCE

EXISTING TREES

FIRE HYDRANT

SANITARY MANHOLE

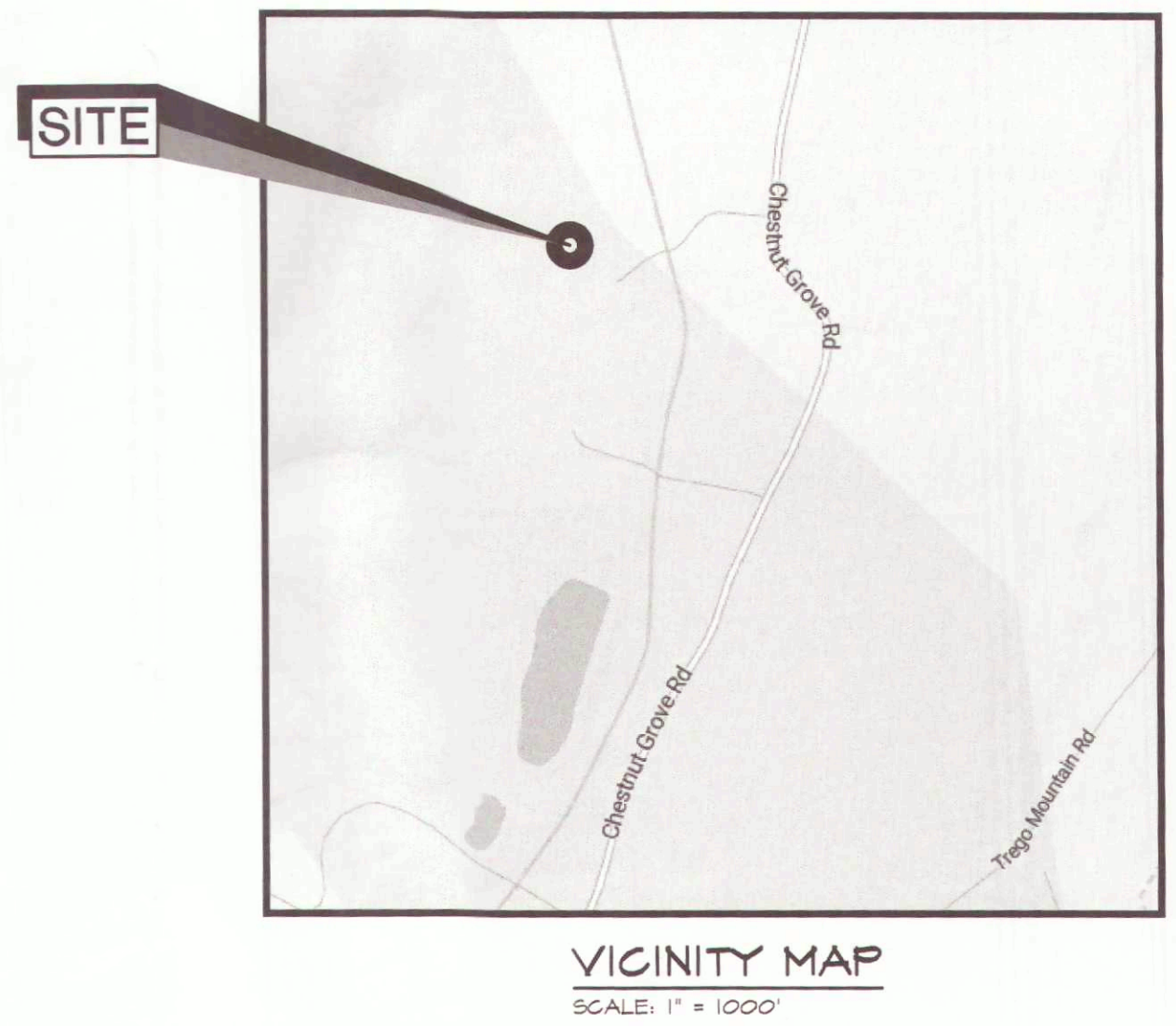
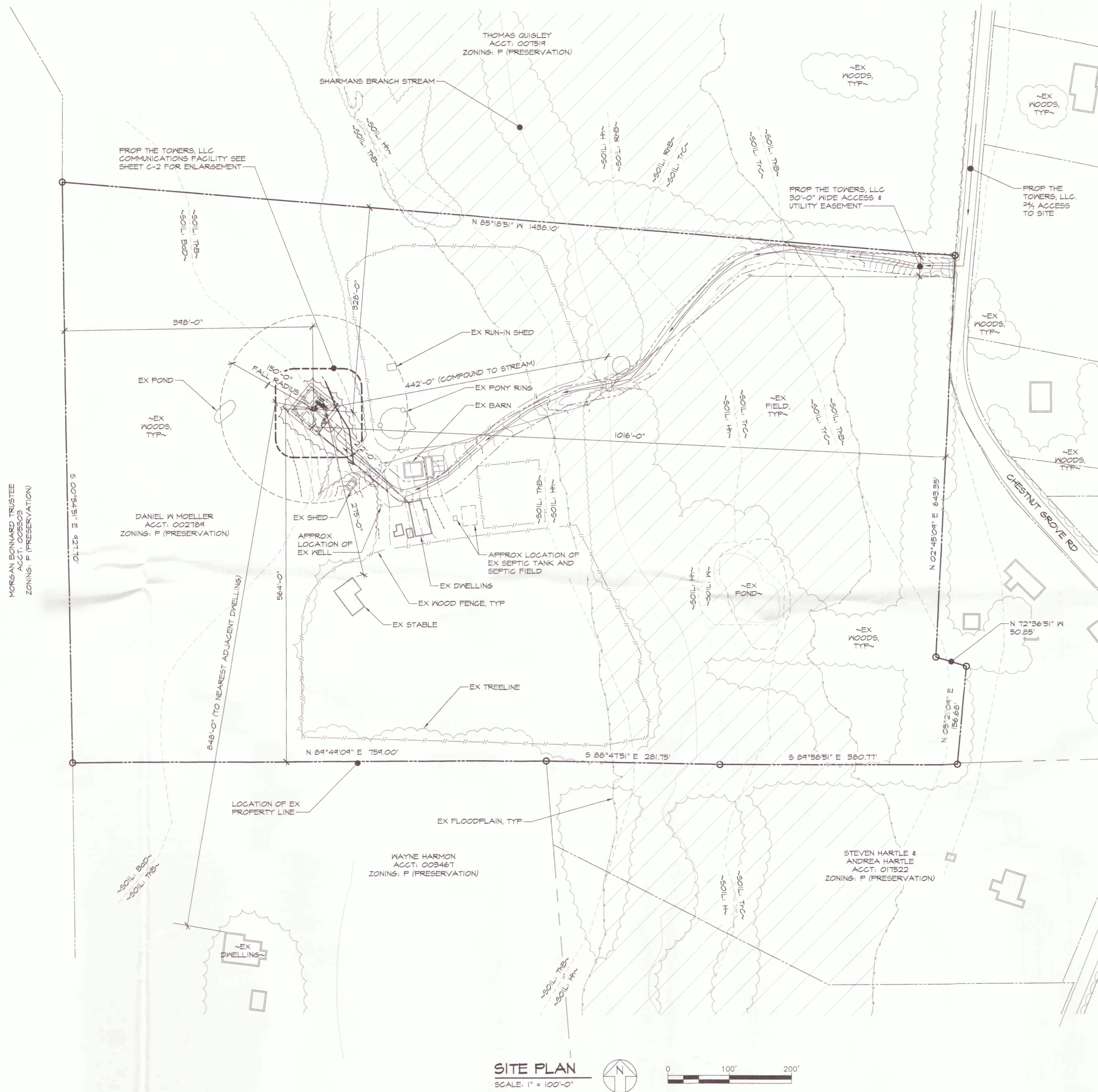
GAS VALVE

WATER VALVE

MAILBOX

The legend defines the following symbols and line styles:

- PROPOSED GRAVEL AREA:** A rectangular area with a diagonal hatching pattern.
- FLOOD LIMIT - ZONE A:** A rectangular area with a wavy, irregular border.
- PROPOSED MAXIMUM DISTURBANCE (L.O.D.):** A rectangular area with a diagonal hatching pattern, similar to the gravel area but with a different orientation.
- PROPERTY LINE:** A solid black line.
- OVERHEAD TRANSMISSION LINES:** A series of horizontal lines with small circles representing poles.
- 1' CONTOUR LINE (EXISTING):** A solid black line.
- 3' CONTOUR LINE (EXISTING):** A dashed black line.
- 1' CONTOUR LINE (PROPOSED):** A solid black line.
- 5' CONTOUR LINE (PROPOSED):** A dashed black line.
- TREELINE:** A wavy, irregular line representing the edge of a wooded area.
- UTILITY POLE:** A circle with a cross inside.
- CHAIN LINK FENCE:** A line with a repeating diamond pattern.
- BOARD ON BOARD FENCE:** A line with a repeating rectangular pattern.
- SILT FENCE:** A line with a repeating 'S' or zigzag pattern.
- SUPER SILT FENCE:** A line with a repeating 'S' or zigzag pattern, similar to the silt fence but with a different orientation.
- EASEMENT:** A line with a repeating 'S' or zigzag pattern, similar to the silt fence but with a different orientation.
- PROPOSED CHAIN LINK FENCE:** A line with a repeating diamond pattern.
- STABILIZED CONSTRUCTION ENTRANCE:** A rectangular area with a cross-hatching pattern.
- EXISTING TREES:** A circle with a cross inside.
- FIRE HYDRANT:** A circle with a cross inside.
- SANITARY MANHOLE:** A circle with a cross inside.
- GAS VALVE:** A circle with a cross inside.
- WATER VALVE:** A circle with a cross inside.
- MAILBOX:** A rectangle with a cross inside.



- SITE NOTES:**
- 1. APPLICANT:** THE TOWERS, LLC  
750 PARK OF COMMERCE DRIVE, SUITE 200  
BOCA RATON, FLORIDA  
TEL. (561) 946-6901
  - TENANT:** VERIZON WIRELESS  
1010 JUNCTION DRIVE, STE 300  
ANNAPOLIS, JUNCTION, MD 20701  
TEL. (301) 812-2000  
FAX (301) 812-2186
  - 2. PROPERTY OWNER:** DANIEL MOELLER  
4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756
  - 3. SITE DATA:** MAP: 0081, GRID: 0007, PARCEL: 0916  
DEED BOOK 00711, PAGE 00755  
PARCEL 17, 000718A  
TRACT AREA: 28.25 ACRES  
DISTRICT: CB  
ADDRESS: 4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
EXISTING USE: AGRICULTURAL
  - 4. ZONING:** P (PRESERVATION)
  - 5. HORIZONTAL AND VERTICAL CONTROL:** SHOWN HEREON IS BASED ON A PREPARED BY MORRIS & RITCHE ASSOCIATES, INC., DATED OCTOBER 6, 2025.  
LATITUDE: N84° 25' 50.57" (34.43071°)      GROUND ELEVATION (AMSL): 566.9' AMSL  
LONGITUDE: W71° 41' 32.44" (-71.6925°)      PROPOSED MONOPOLE HEIGHT: 195.0' ASL  
TOP OF LIGHTNING ROD (HIGHEST POINT): 199.0' ASL  
TOTAL ELEVATION (AMSL): 761.9' AMSL
  - 6. TOTAL DISTURBED AREA = 10.656 SF**
  - 7. THE PROPOSED FACILITIES WILL CONSIST OF CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT WITHIN A 50'x50' FENCE. SHARP ANGLE ANTENNAS SHALL BE MOUNTED ON A PROPOSED 195'-0" MONOPOLE WITH A RAD CENTER ELEVATION OF 190'-0" ABOVE GRADE FOR THE RECEPTION OF VERIZON WIRELESS COMMUNICATIONS.**
  - 8. THE STRUCTURE WILL NOT SUPPORT LIGHTS OR SIGNS UNLESS REQUIRED FOR AIRCRAFT WARNING OR OTHER SAFETY RECORDS.**
  - 9. THE APPLICANT WILL PROVIDE A CERTIFICATION FROM A REGISTERED ENGINEER THAT THE STRUCTURE WILL MEET THE APPLICABLE DESIGN AND STANDARD FOR WIND LOADS PER THE REQUIREMENTS OF THE TELECOMMUNICATIONS INDUSTRY ASSOCIATION.**
  - 10. IF THE ANTENNAS ARE NO LONGER USED FOR TELECOMMUNICATIONS PURPOSES FOR A CONTINUOUS PERIOD OF ONE (1) YEAR, THEY SHALL BE REMOVED BY THE ANTENNA OWNER AT OWNER'S EXPENSE.**
  - 11. NO WATER OR SANITARY UTILITIES ARE REQUIRED FOR THE OPERATION OF THIS FACILITY.**
  - 12. STORMWATER MANAGEMENT NOTE: STORMWATER MANAGEMENT IS REQUIRED FOR THIS SITE.**
  - 13. BOUNDARY SHOWN PER COUNTY RECORDS. EXISTING SITE FEATURES SHOWN PER SURVEY BY MORRIS & RITCHE ASSOCIATES, SEPTEMBER 2025.**
  - 14. ALL DETAILS SHOWN ARE "STANDARD" OR "TYPICAL" FOR REFERENCE ONLY. FOR ACTUAL DETAILS, SEE ARCHITECTURAL, STRUCTURAL, OR CONSTRUCTION PLANS BY OTHERS.**
  - 15. STRUCTURAL ANALYSIS/DESIGN TO BE PERFORMED BY OTHERS AT CLIENT AND/OR OWNER'S DISCRETION PRIOR TO COMMENCEMENT OF ANY WORK.**
  - 16. THE COMMUNICATION SITE SHALL BE UNMANNED, WITH INFREQUENT VISITS (FOUR OR FEWER PER YEAR) BY MAINTENANCE PERSONNEL WITH A MAXIMUM OF NO PARKING FOR NO MORE THAN ONE VEHICLE. THE PROPOSED FACILITY IS NOT FOR HUMAN HABITATION AND THEREFORE HANDICAP ACCESS IS NOT REQUIRED.**
  - 17. THE PROPOSED COMMUNICATIONS CONCRETE PAD, ANTENNAS AND RELATED MOUNTING DEVICES DO NOT EXCEED TWELVE (12) FEET IN TOTAL HEIGHT.**
  - 18. WIRELESS TRANSMITTING DEVICES MUST COMPLY WITH ANSI STANDARD C35-1482.**
  - 19. PER FEMA MAP 2049-000940D, THE PROPOSED TELECOMMUNICATION SITE IS NOT LOCATED WITHIN A FLOODPLAIN. HOWEVER, THE PROPERTY CONTAINS A ZONE 'A' FLOODPLAIN.**
  - 20. THE SHARMANS BRANCH STREAM IS WITHIN 442'-0" OF THIS SITE.**
  - 21. VERTICAL BRIDGE SHALL BE RESPONSIBLE FOR MAINTAINING THE ACCESS ROAD TO THE SITE AS NEEDED.**
  - 22. THE PROPOSED TOWER SHALL BE DESIGNED WITH A FALL RADIUS OF 150' OR LESS.**

<u>SETBACK &amp; SITING REQUIREMENTS TABLE</u>		
<u>LOCATION</u>	<u>PROVIDED</u>	<u>REQUIRED</u>
<u>NEAREST DWELLING ON ADJACENT PROPERTY</u>	545'-0"	344'-0"
<u>SETBACK FROM SHARMANS BRANCH STREAM</u>	3124'-0"	344'-0"
<u>SETBACKS TO ADJACENT PROPERTIES</u>		
<u>NORTH PROPERTY</u>	326'-0"	144'-0"
<u>EAST PROPERTY</u>	1016'-0"	144'-0"
<u>SOUTH PROPERTY</u>	564'-0"	144'-0"
<u>WEST PROPERTY</u>	388'-0"	144'-0"



**MORRIS & RITCHIE  
ASSOCIATES, INC.**  
*Civil / Structural Engineers*  
220-B East Joppa Rd, Suite 400K  
Towson, Maryland 21286  
410-821-1690  
410-821-1748 Fax



PROFESSIONAL CERTIFICATION  
 I HEREBY CERTIFY THAT THESE  
 DOCUMENTS WERE PREPARED  
 AND APPROVED BY ME, AND  
 THAT I AM A DULY LICENSED  
 PROFESSIONAL ENGINEER  
 UNDER THE LAWS OF THE STATE  
 OF MARYLAND, LICENSE NO.  
 3309, EXPIRATION DATE:  
 1/07/2026.

US-MD-5131  
MT BRIAR  
4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
WASHINGTON COUNTY



verticalbridge  
THE TOWERS, LLC

[illegible]

DESIGNED BY:	BES
DRAWN BY:	CJS
REVIEWED BY:	BES
PROJECT NO:	19847.020
DATE:	07/16/2025

# Site Plan

SHEET:

# C-1

CASE # (##-##-####)

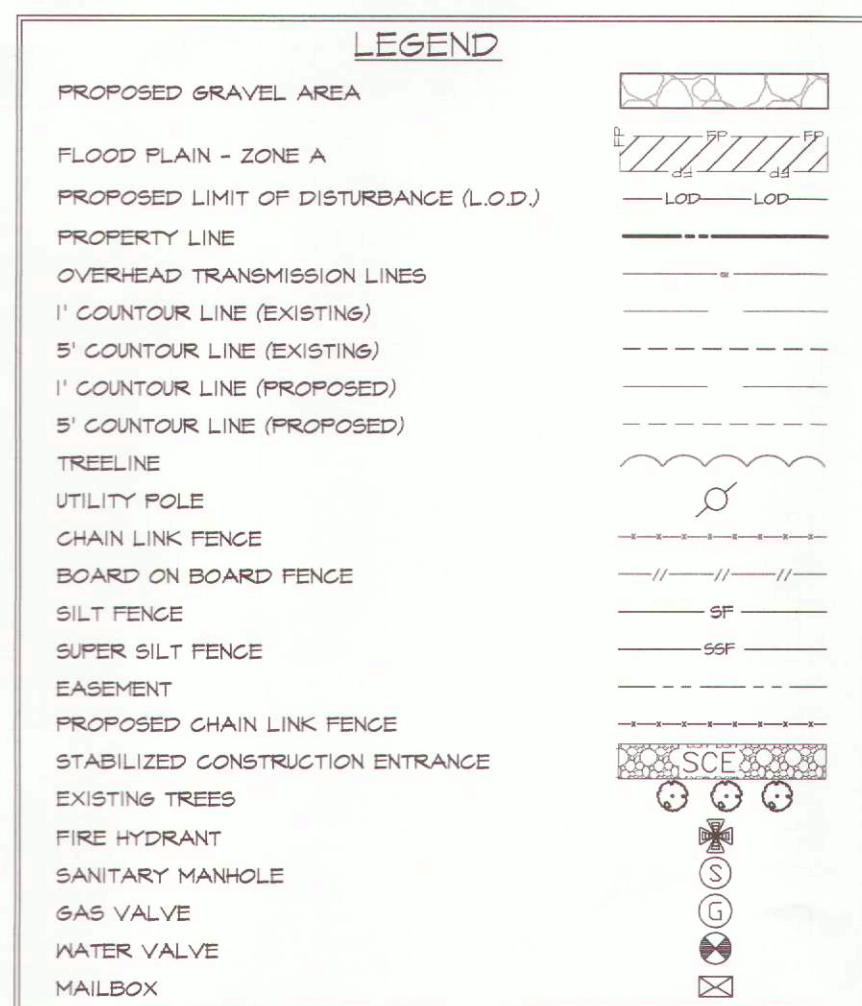
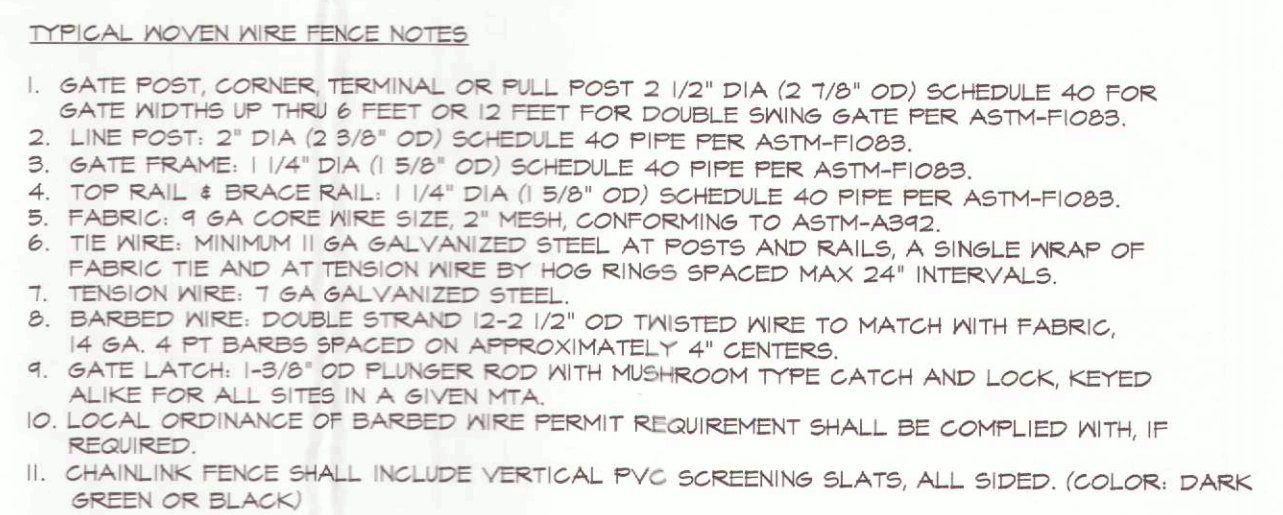
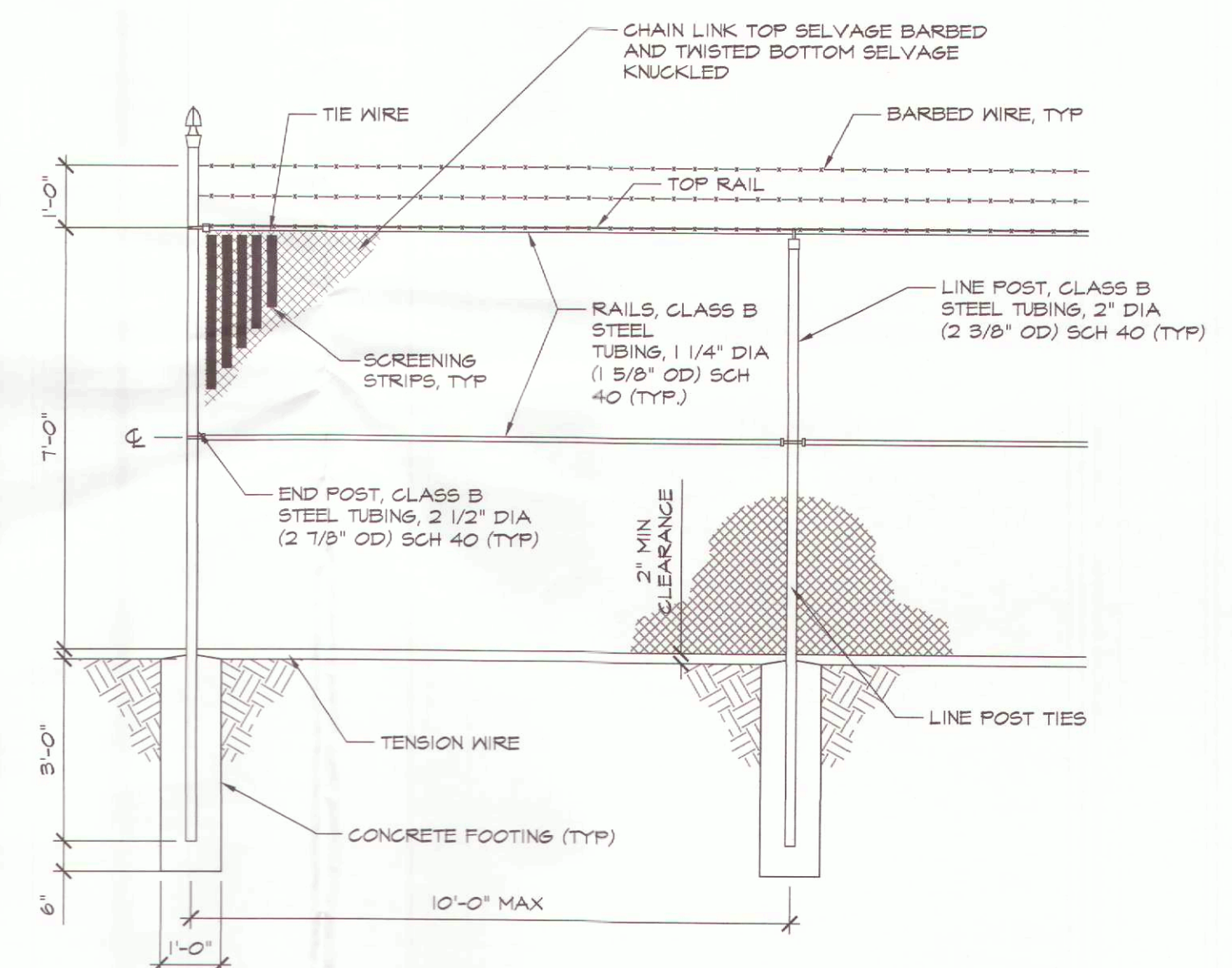
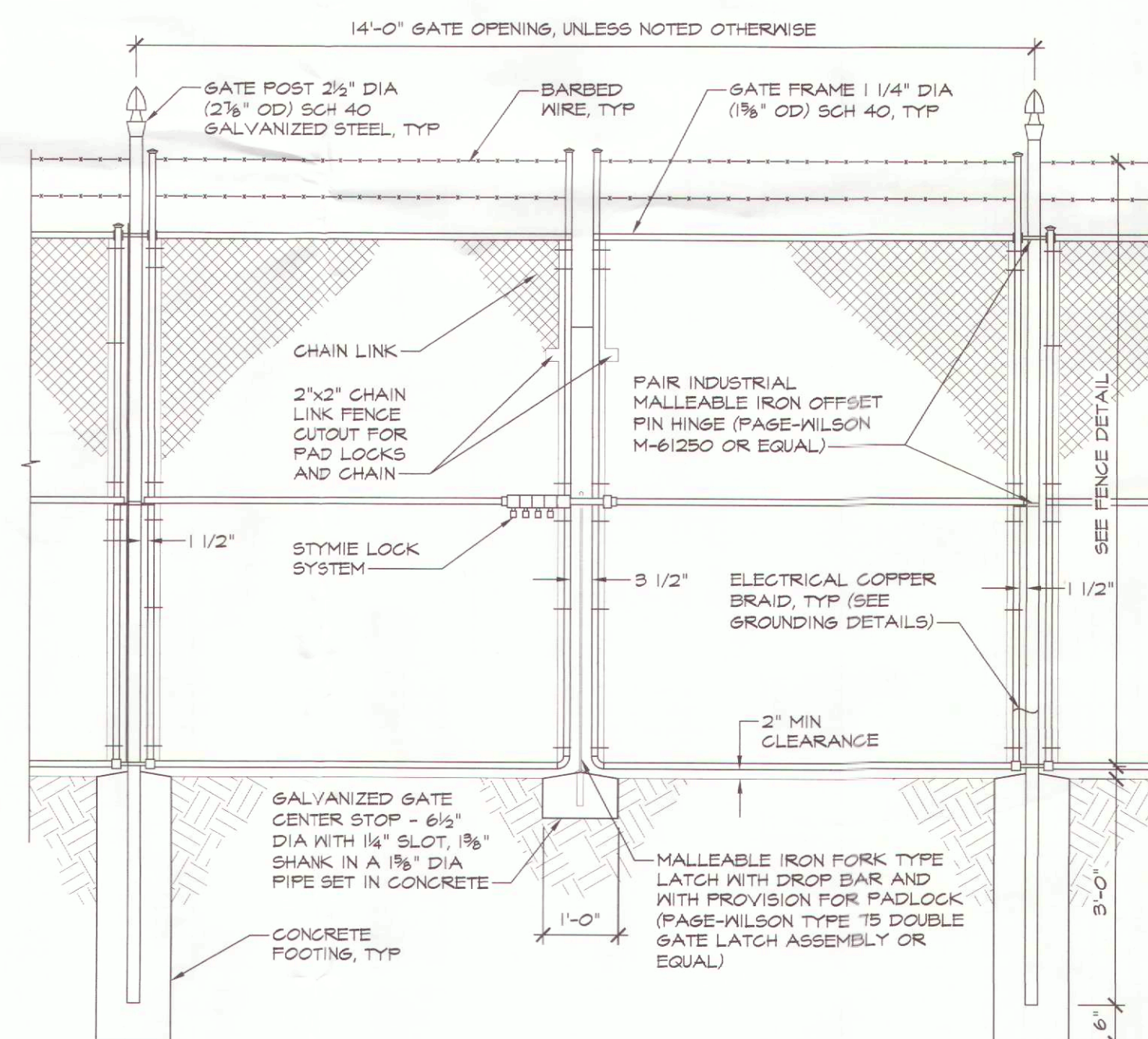
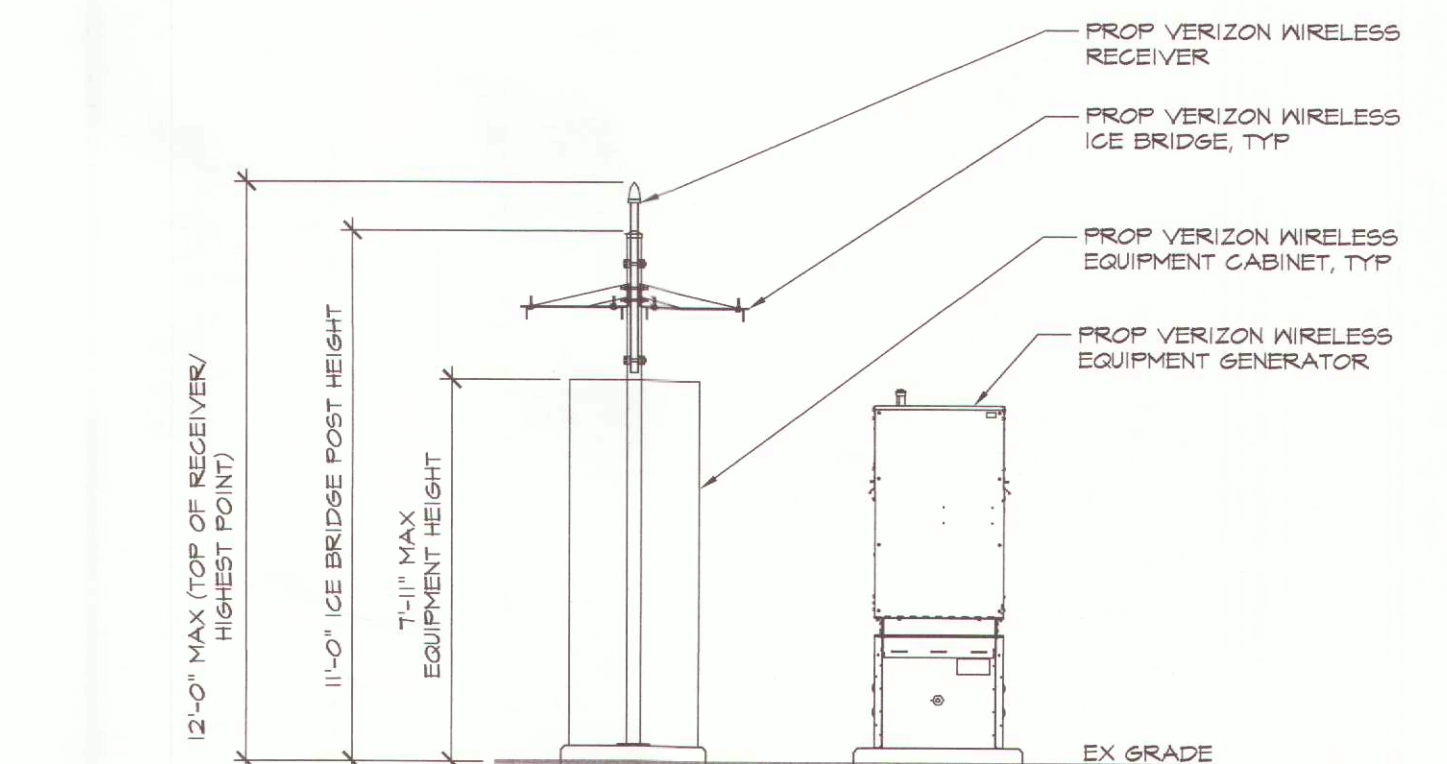
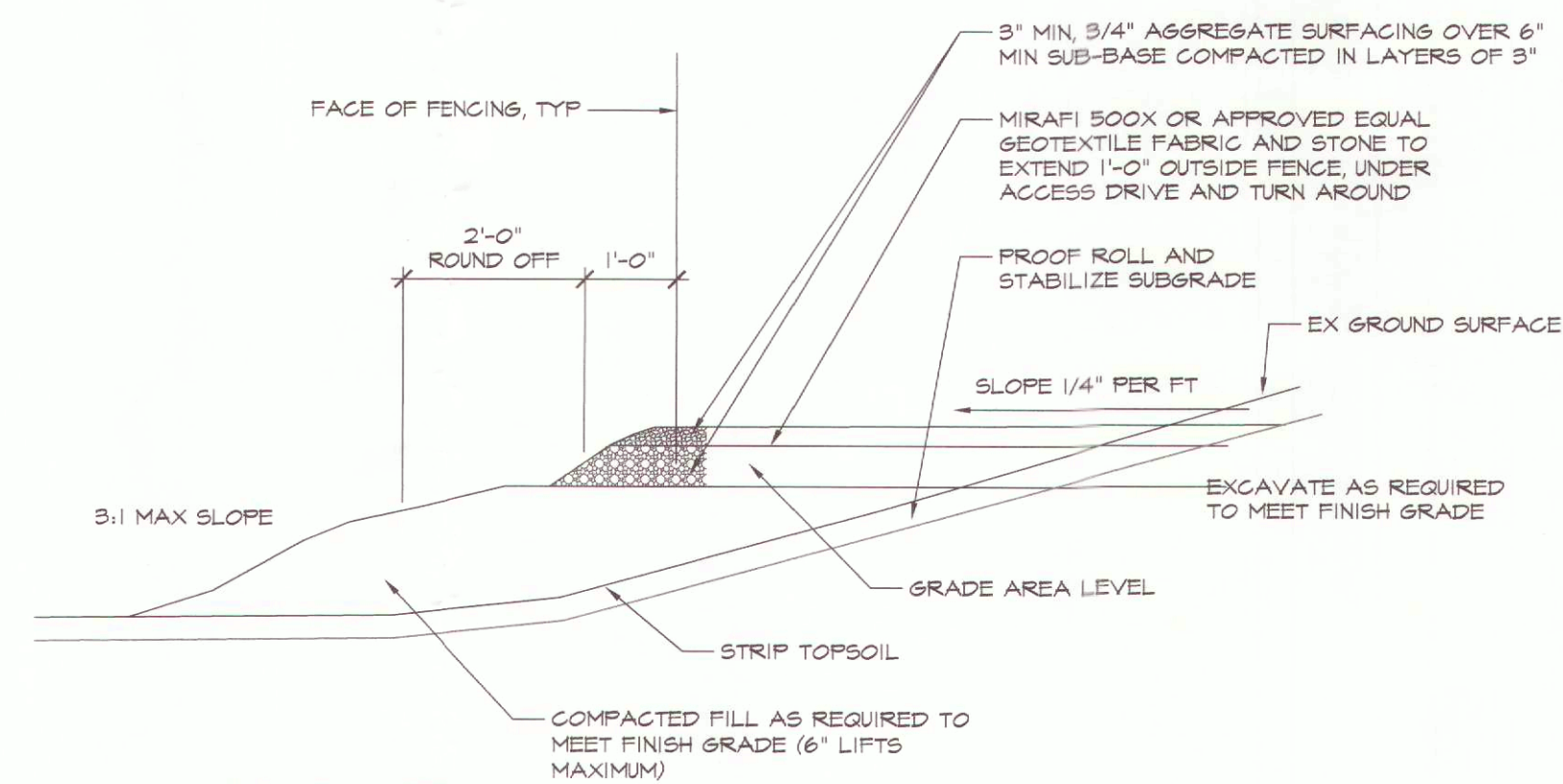
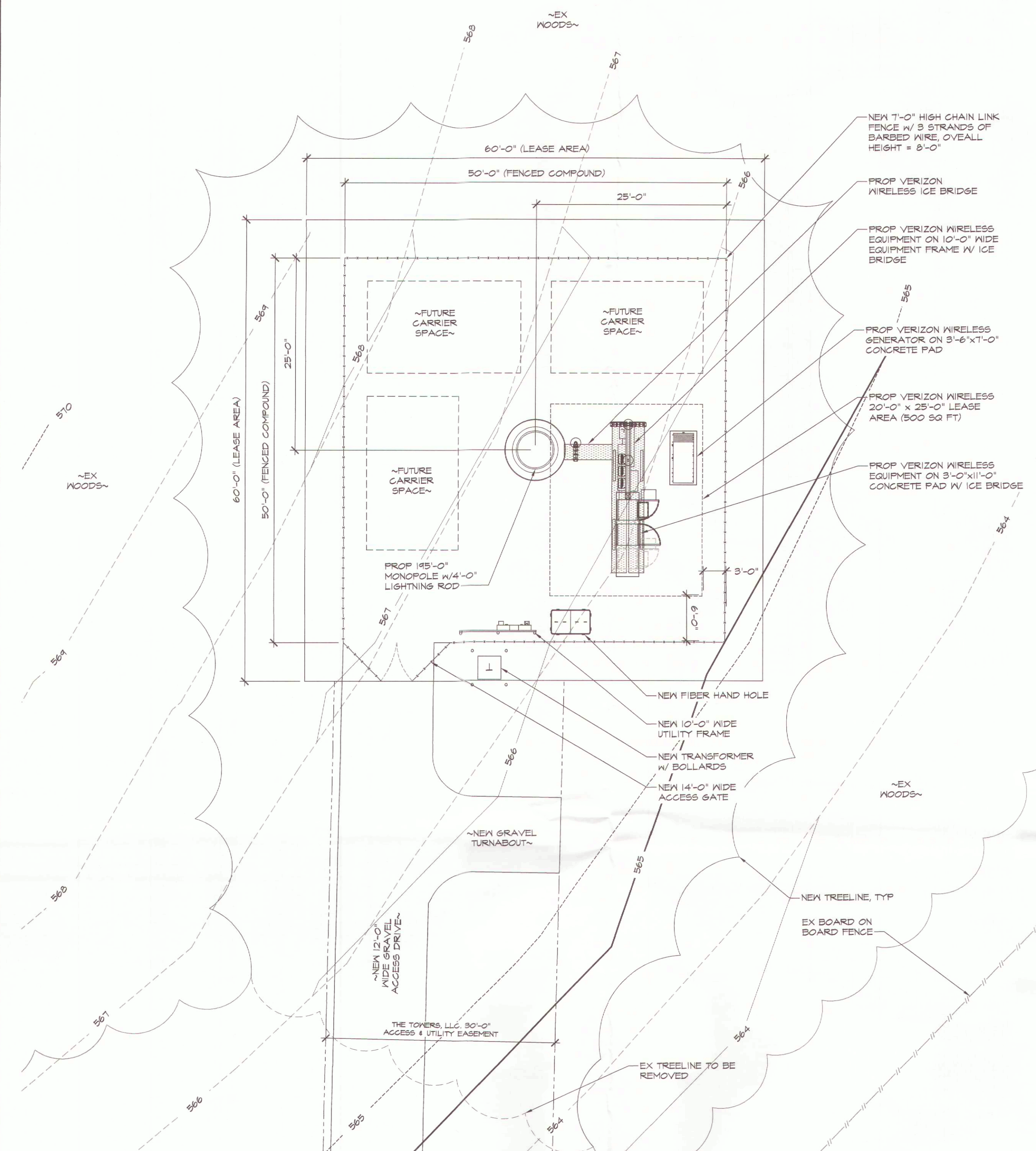


**Know what's below.  
Call before you dig.**

PROTECT YOURSELF, GIVE THREE  
WORKING DAYS NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY. ALL  
CONSTRUCTION MUST BE DONE IN COMPLIANCE  
WITH THE OCCUPATIONAL SAFETY AND HEALTH  
ACT OF 1970 AND ALL RULES AND REGULATIONS  
THERE TO APPURTENANT.

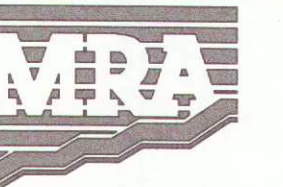




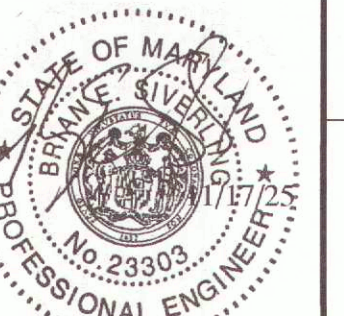
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**MORRIS & RITCHIE  
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*Oil / Structural Engineers*  
100-B East Joppa Rd, Suite 400K  
Baltimore, Maryland 21286  
-821-1690  
-821-1748 Fax



PROFESSIONAL CERTIFICATION  
 I HEREBY CERTIFY THAT THESE  
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 AND APPROVED BY ME, AND  
 THAT I AM A DULY LICENSED  
 PROFESSIONAL ENGINEER  
 UNDER THE LAWS OF THE STATE  
 OF MARYLAND, LICENSE NO.  
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 07/2026.

US-MD-5151  
MT BR|AR  
4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
WASHINGTON COUNTY

verticalbridge  
THE TOWERS, LLC

[illegible]

DESIGNED BY:	BES
DRAWN BY:	CJS
CHECKED BY:	BES
SUBJECT NO:	19847.020
DATE:	07/16/2025
TIME:	

## Site Details

ET:

C-2

ASF # (##-##-###)



A B C D E F G H J K L M N P Q R



**MORRIS & RITCHIE ASSOCIATES, INC.**  
Civil / Structural Engineers  
1220-B East Joppa Rd, Suite 400K  
Towson, Maryland 21286  
410-821-1690  
410-821-1746 Fax



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. 23303, EXPIRATION DATE: 07/07/2026.

US-MD-5131  
**MT BRIAR**  
4220 CHESTNUT GROVE ROAD  
KEEDYSVILLE, MARYLAND 21756  
WASHINGTON COUNTY

**verticalbridge**  
THE TOWERS, LLC

REVISIONS:		
NO.	DESCRIPTION	DATE

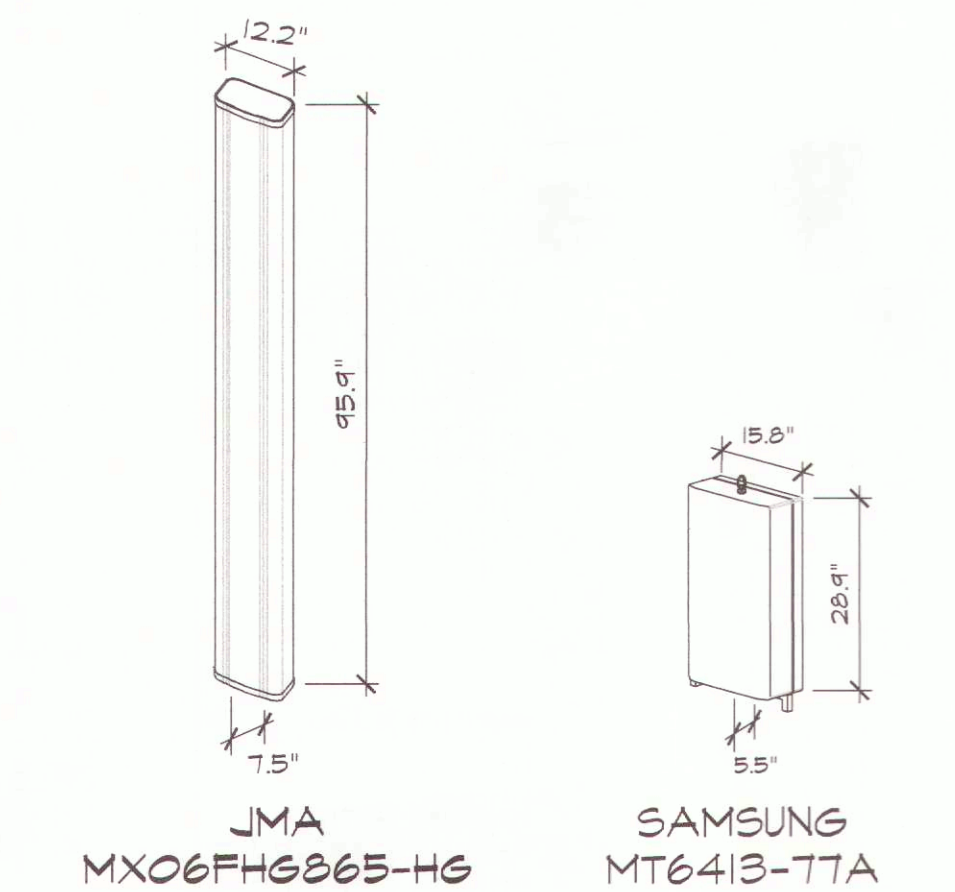
DESIGNED BY: BES  
DRAWN BY: CJS  
REVIEWED BY: BES  
PROJECT NO: 19847.020  
DATE: 07/16/2025

TITLE:  
**Antenna  
Details &  
Elevation**

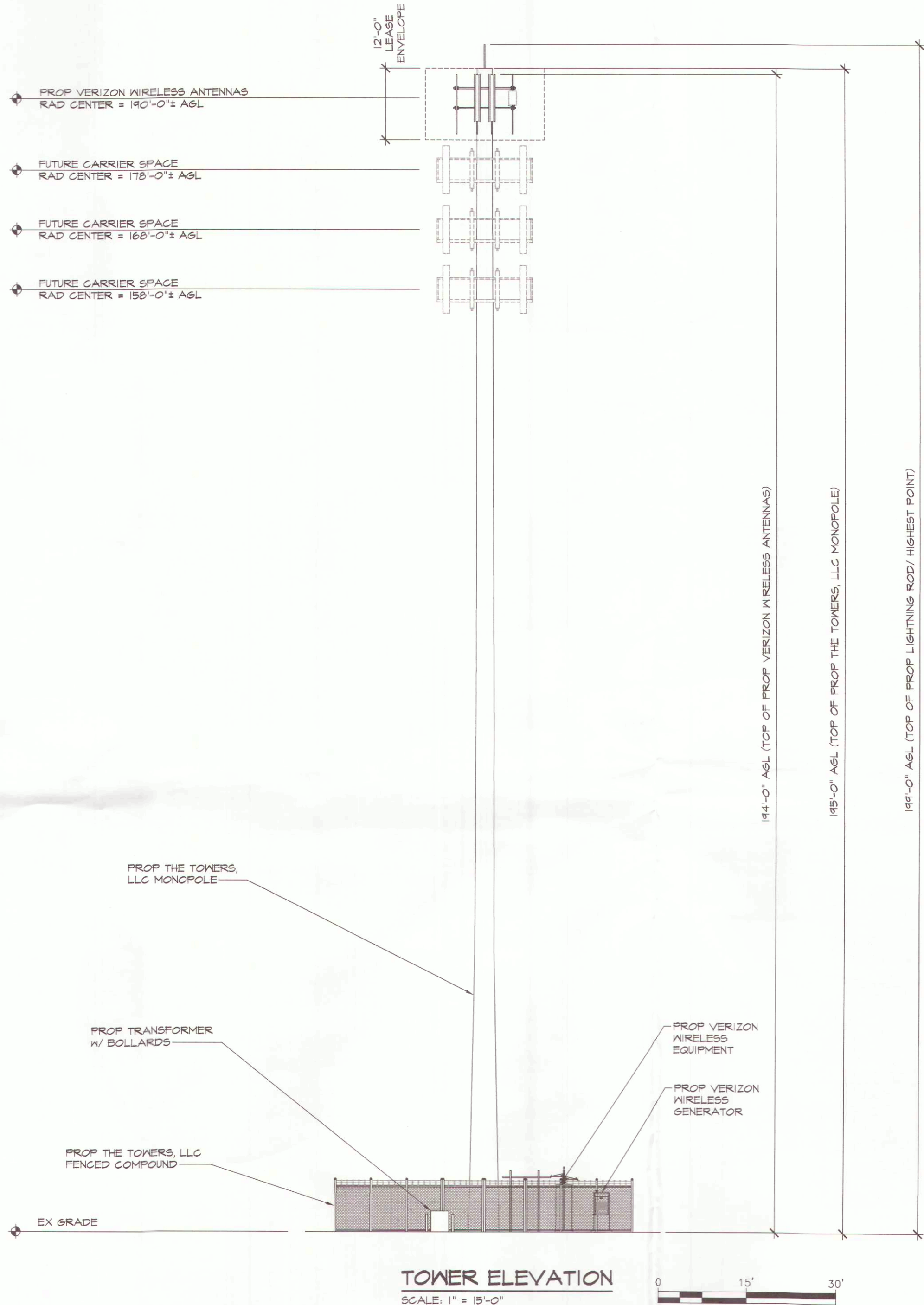
SHEET:

**C-3**

CASE # (##-##-###)



**VERIZON WIRELESS ANTENNA DETAILS**  
NOT TO SCALE



**Know what's below.  
Call before you dig.**

PROTECT YOURSELF. GIVE THREE WORKING DAYS NOTICE.  
THIS DRAWING DOES NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THERE TO APPURTENANT.



**BEFORE THE BOARD OF APPEALS  
FOR WASHINGTON COUNTY, MARYLAND**

**THE TOWERS, LLC**

\* **Appeal No.: AP2025-030**

**Applicant**

\*

\*

\*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*   \*

**OPINION**

The Towers, LLC (hereinafter “Applicant”) requests a special exception for a proposed commercial communication tower at the subject property. The subject property is located at 4220 Chestnut Grove Road, Keedysville, Maryland 21756 and is zoned Preservation. The Board held a public hearing in this matter on January 7, 2026.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required. Kathryn Rathvon provided the Staff Report indicating that proper notice of the hearing was given to adjacent property owners by letter, publication was made in the newspaper, and the subject property was properly posted.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Applicant is The Towers, LLC, a developer that has been authorized to pursue this appeal by the owner of the subject property.
2. Daniel Moeller is the owner of the subject property located at 4220 Chestnut Grove Road, Keedysville, Maryland 21756. The subject property is zoned Preservation.
3. The subject property consists of approximately 28 acres situated in a valley between higher elevations to the east and west and is primarily used for agricultural purposes. The surrounding properties are largely rural residences and agricultural uses



as well.

4. Applicant proposes to construct a 199-foot commercial communications tower, of which 195 feet will be the tower and 4 feet will comprise the lightning rod. Applicant proposes to locate the tower and facility approximately 1,000 feet from Chestnut Grove Road, near a line of mature trees that will be used as screening.

5. The proposed commercial communications tower will be unmanned but will require a technician to visit a few times per year for service and as needed for repairs. The tower will not produce any light, odor, dust, noise, gas, fumes or smoke.

6. Applicant obtained a certification from its engineer that in the event of a failure, the tower would be designed to fall within a radius of 150 feet, posing no danger to adjacent properties or nearby buildings.

7. Applicant searched the area for existing towers or structures that would provide an opportunity for co-location, however none could be identified.

8. Verizon has confirmed that there is a gap in service in the area surrounding the subject property and intends to close the gap by constructing the proposed commercial communication tower.

9. The Washington County Health Department indicated its approval for the proposed project. The Engineering Department noted that site design must comply with the Floodplain Ordinance and the entrance to the property will need to be modified for sight distance. There were no other comments received from other agencies or departments.

10. The Board received one (1) letter in opposition to the special exception request.<sup>1</sup> There was opposition testimony presented at the hearing by three (3) witnesses.

### **Rationale**

A commercial communication tower is permitted by special exception, requiring Board approval, in the Preservation zoning district. See Article 3, Table 3.3 of the Zoning

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<sup>1</sup> Initially, Ms. Rathvon reported that the Board had not received any letters regarding this application. It was subsequently discovered that Deborah Parr had submitted a letter in opposition which was added to the record.



Ordinance. The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as “a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood.” Article 28A. In addition, Section 25.6 sets forth the limitations, guides, and standards in exercise of the board’s duties and provides:

Where in these regulations certain powers are conferred upon the Board or the approval of the Board is required before a permit may be issued, or the Board is called upon to decide certain issues, the Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the permit. However, the application for a permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would adversely affect the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:

- (a) The number of people residing or working in the immediate area concerned.
- (b) The orderly growth of a community.
- (c) Traffic conditions and facilities
- (d) The effect of such use upon the peaceful enjoyment of people in their homes.
- (e) The conservation of property values.
- (f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.
- (g) The most appropriate use of the land and structure.
- (h) Decision of the courts.
- (i) The purpose of these regulations as set forth herein.
- (j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

For the reasons set forth herein, the Board concludes that the special exception should be granted.

Applicant presented testimony in support of its request and was able to appropriately address the Board’s questions and concerns. Although not enumerated among the criteria for this special exception request, Applicant nonetheless presented testimony to support the need for a commercial communication tower at this location.



Applicant acknowledged that the tower will be part of the viewshed for the surrounding properties, but changes in topography and the existing trees should create natural screening for neighboring properties. Aside from being able to see the tower, Applicant presented testimony that the tower will not produce any effects that would impact the area. In addition, Applicant provided testimony that the proposed tower will use the existing energy infrastructure and will not produce any adverse health effects.

The Board heard testimony from nearby residents Chris Parr<sup>2</sup>, Robin Swartz and Pamela Shaw, all of whom opposed the proposed project. All of the opposition witnesses believed that another communication tower was not necessary and reported that they have sufficient cellular service in the area. They were concerned about having to view the tower and the effect it may have on property values. Ms. Shaw questioned the appropriateness of a commercial communication tower among residences and farms and testified that it was unfair to residents. There were also questions about the amount of energy necessary to power the facility and whether it was safe.

Applicants expect traffic to be unaffected by the proposed commercial communication tower. There will not be regular traffic to the subject property. Applicant presented testimony that a technician would visit a few times each year for maintenance and updates. There may be additional visits if repairs are required for any reason. The Board finds that the proposed use will not create dangerous traffic or other safety concerns within the surrounding area.

The Board finds no cause for concern regarding the number of people residing or working in the area or the impact on nearby public gatherings. The Board recognizes the objections by neighboring property owners and understands that most people would not

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<sup>2</sup> Mr. Parr's wife, Deborah Parr submitted a letter in opposition to the special exception request. She subsequently raised concerns that it had not been considered by the Board during the hearing because the staff report indicated that no letters had been received. However, staff found her letter and made it a part of the official record. Moreover, Mr. Parr made reference to her letter and testified regarding the concerns that were raised in the letter. The issues were presented to the Board at the hearing and included in the Board's consideration of the evidence and its decision.



want to look at a commercial communication tower from their property. However, such widespread sentiment also means that the proposed use is likely to be opposed no matter where it is located. Thus, its impact on the surrounding properties would be no different at the subject property than at another similarly situated property which is zoned the same.

The nature of the use will not produce any noise, odor, gas, smoke, fumes, or vibrations upon the surrounding properties. There was no evidence presented that the proposed use would have any effect on the peace and enjoyment of nearby homes. Although the opposition raised concerns about the effect on nearby property values, there was no evidence presented that the proposed project would have such an effect.

The Board finds that the proposed use is an appropriate use of land and/or structure. The Board recognizes there may be other appropriate uses for the property, but the proposed use is permitted by special exception. There is an inherent appropriateness to such use as deemed by the Board of County Commissioners, subject to review of the criteria to evaluate the impact on surrounding properties.

Notwithstanding the analysis pursuant to *Schultz v. Pritts* and the related appellate opinions, there are no judicial decisions directly affecting the subject property.

The proposed project is consistent with the orderly growth of the community. Given the ever-increasing demand for data and communications capacity, it is logical for Applicant to be making efforts to resolve gaps in service in the surrounding community. The proposed use does not require any variances for setback requirements. Thus, the proposed project can be completed and still maintain the other requirements of the Ordinance. The Board finds that the proposed use is consistent with the purpose and vision of the Ordinance.

Having considered the testimony and evidence presented and having further considered the criteria set forth in the Ordinance, the Board finds that the proposed use at the subject property will have no greater “adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within



the zone.” *Schultz v. Pritts*, 291 Md. 1, 15 (1981). Any impact resulting from the proposed use would be the same regardless of the location in the zoning district and thus it is not unique to the subject property. For all these reasons, we conclude that this appeal meets the criteria for a special exception, and Applicant’s request should be granted.

Accordingly, the request for a special exception for a proposed commercial communication tower at the subject property is hereby GRANTED, by a vote of 4 to 1. The special exception is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: February 5, 2026**

Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.



WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P: 240.313.2430 | F: 240.313.2431 | Hearing Impaired: 7-1-1

## ZONING APPEAL

**Property Owner:** Ryan Keadle  
5404 Mondell Road  
Sharpsburg MD 21782

**Appellant:** The Towers, LLC  
750 Park of Commerce Drive  
Suite 200  
Boca Raton FL 33487

**Property Location:** 5404 Mondell Road  
Sharpsburg, MD 21782

**Description Of Appeal:** Special exception for proposed commercial communication tower.

**Docket No:** AP2025-031  
**Tax ID No:** 01015850  
**Zoning:** P  
**RB Overlay:** No  
**Zoning Overlay:**

**Filed Date:** 12/03/2025  
**Hearing Date:** 01/07/2026

**Appellant's Legal Interest In Above Property:**

<b>Owner:</b>	No	<b>Contract to Rent/Lease:</b>	Yes
<b>Lessee:</b>	No	<b>Contract to Purchase:</b>	No
<b>Other:</b>			

**Previous Petition/Appeal Docket No(s):**

**Applicable Ordinance Sections:**

Washington County Zoning Ordinance: Article 3 Table 3.3 (1), R. Utilities

**Reason For Hardship:**

**If Appeal of Ruling, Date Of Ruling:**

**Ruling Official/Agency:**

**Existing Use:** Residential

**Proposed Use:** Commercial Communication Tower

**Previous Use Ceased For At Least 6 Months:**

**Date Ceased:**

**Area Devoted To Non-Conforming Use -**

**Existing:**  
**Proposed:**

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 3 day of Dec, 2025.

Nov. 7, 2029

My Commission Expires

Notary Public







WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

## AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

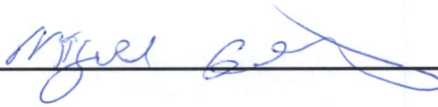
Docket No: AP2025-031

State of Maryland Washington County, To Wit:

On 12/3/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared The Towers, LLC and made oath in due form of law as follows:


The Towers, LLC will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 01/07/2026, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 12/22/2025 and will remain until after the above hearing date.

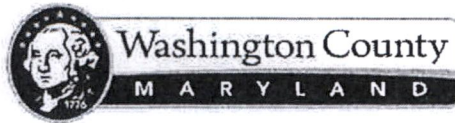
  
\_\_\_\_\_  
The Towers, LLC *KBR*

Sworn and subscribed before me the day and year first above written.

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
My Commission Expires

Seal



## BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing hours: 7-1-1

WWW.WASHCO-MD.NET

### Appeal for Special Exception

Appeal is hereby made for a special exception under the Washington County Zoning Ordinance as follows:

Location 5404 Mondell Road, Sharpsburg, Maryland 21782

Appellant's present legal interest in above property: (Check One)

☐ Owner (Including Joint Ownership) ☐ Lessee ☒ Contract to rent/lease

☐ Contract to Purchase ☐ Other

Use Proposed: Telecommunications Facility with 199' monopole

Zoning Ordinance section and subsection(s) providing for proposed use:

Ordinance § 4.22(A)(2)

If filing functionally similar to a principal permitted use or special exception use, please list the use and describe the use similarities:

#### Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

☐ Yes ☒ No

If yes, give docket number(s):

Additional comments, if any: The proposed telecommunications facility will bring new and improved wireless services to Washington County. Verizon Wireless has committed to locating its antennas on the proposed monopole with co-location space provided for at least two additional wireless providers.

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

  
Signature of Appellant

Douglas.Sampson@saul.com  
Email of Appellant

Saul Ewing LLP, 1001 Fleet Street, 9th Floor  
Baltimore, MD 21202

Address of Appellant

410-332-8661  
Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.





# Washington County MARYLAND

## BOARD OF ZONING APPEALS

### OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Saul Ewing LLP and Site Link Wireless LLC  
is authorized to file an appeal with the Washington County Board of Appeals for  
a special exception to build a 199' telecommunications facility \_\_\_\_\_ on property  
located at 5404 Mondell Road, Sharpsburg, Maryland 21782.  
The said work is authorized by Ryan Keadle, property owner  
the property owner in fee.

#### PROPERTY OWNER

Ryan Keadle

Name

5404 Mondell Road

Address

Sharpsburg, Maryland 21782

City, State, Zip Code

Owner's Signature

RONDA M FLUKER  
NOTARY PUBLIC  
WASHINGTON COUNTY  
MARYLAND  
COMMISSION EXPIRES 06/14/2026

Sworn and subscribed before me this 13 day of November, 202025

Notary Public

My Commission Expires: 06/14/2026

#### AUTHORIZED REPRESENTATIVE

Douglas A. Sampson, Saul Ewing LLP

Name

1001 Fleet Street, 9th Floor

Address

Baltimore, Maryland 21202

City, State, Zip Code

Authorized Representative's Signature

Sworn and subscribed before me this 1st day of December, 2025

Notary Public



My Commission Expires: 9/7/29

747 Northern Avenue : Hagerstown, MD 21742 : 240.313.2430 : 240.313.2461

My Commission Expires 9/7/29  
7-1-1

**Appeal for a Special Exception to Construct a 199' Monopole Telecommunications Facility  
at 5404 Mondell Road, Sharpsburg, Maryland 21783**

**Adjacent Parcel Mailing List**

Owner(s)	Parcel ID	Mailing Address
John Lee Section III Luanne H. Sexton	01-006428	6424 Appleton Road Boonsboro, MD 21713
Bowman North LLC	01-010824	10228 Governor Lane Blvd. Williamsport, MD 21795
Bowman North LLC	01-010808	10228 Governor Lane Blvd. Williamsport, MD 21795
Jessica L. Frey Kenneth J. Frey	01-007890	193 N. Hall Street Sharpsburg, MD 21782-0000
Random Real Estate LLC	01-000195	4908 Summerfield Dr. Sharpsburg, MD 21782
Erin E. Moshier	01-000284	5329 Mondell Rd. P.O. Box 69 Sharpsburg, MD 21782-0069
Civil War Preservation Trust	01-002767	1030 15 <sup>th</sup> Street NW Suite 900 East Washington, D.C. 20005
Jennifer L. Hineman	01-065459	5402 Mondell Rd. Sharpsburg, MD 21782



**Statement of Justification in support of application for a Special Exception  
to Construct a 199' Monopole Telecommunications Facility  
at 5404 Mondell Road, Sharpsburg, Maryland 21783**

Applicant: The Towers, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, Florida 33487  
561-948-6367

Property Owner: Ryan A. Keadle  
5404 Mondell Road,  
Sharpsburg, Maryland 21783

Representatives: Douglas A. Sampson, Saul Ewing LLP  
1001 Fleet Street, 9<sup>th</sup> Floor  
Baltimore, MD 21202  
(410) 332-8661  
[Douglas.Sampson@saul.com](mailto:Douglas.Sampson@saul.com)

Renée Frustaci, Site Link Wireless, LLC  
(410) 299-4364  
[rfrustaci@sitelinkwireless.com](mailto:rfrustaci@sitelinkwireless.com)

Address: 5404 Mondell Road, Sharpsburg, Maryland 21783  
Jurisdiction: Washington County, Maryland  
Parcel Tax Acct #: 01-015850  
SDAT Property Info: Map 0076, Grid 0007, Parcel 0273  
Lot Size: 20.2 Acres  
Zoning: P (Preservation)  
Current Use: Agricultural  
Proposed Use: Agricultural with Telecommunications Tower

Pursuant to the Washington County Zoning Ordinance (the "Ordinance") §§ 4.22 and 25.6, The Towers, LLC d/b/a Veritcalbridge ("Applicant"), by its agents Saul Ewing LLP and Site Link Wireless, LLC, hereby requests approval for a new telecommunication facility that includes a 199' monopole (the "Facility") on a portion of property located at 5404 Mondell Road, Sharpsburg, Maryland 21783, Tax ID# 01-015850 (the "Property"). A telecommunications facility is permitted in the P (Preservation) Zoning District with a Special Exception. *See* Ordinance, Table No. 3.3(1).

The Applicant respectfully requests a determination by the Washington County Board of Zoning Appeals that the Facility is in substantial compliance with the Ordinance and is authorized for a Special Exception. This document and attached Exhibits provide justification for the Facility, and a summary of how and why this proposal conforms with the Ordinance. This package and additional or clarifying evidence, to be presented at a public hearing, provide the legal and factual support to approve this Special Exception.

## **EXHIBITS**

- Exhibit 1: Verizon Wireless Letter of Intent
- Exhibit 2: Existing Verizon Wireless Coverage Map
- Exhibit 3: Site Selection and Performance Standards Engineering Letter
- Exhibit 4: Proposed Verizon Coverage Map with Facility
- Exhibit 5: Photo Simulations of Proposed Monopole
- Exhibit 6: Map of Existing Verizon Facilities within Washington County
- Exhibit 7: Site Plans in 8.5" x 11"
- Exhibit 8: Engineering Certification Letter
- Exhibit 9: Affidavit of Co-Location

### **I. Verizon's Goals and the Need for Improved Wireless Services**

Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") has committed to locate its telecommunications antennas on the proposed Facility. (See Verizon Wireless Letter of Intent as **Exhibit 1**). Verizon Wireless is licensed by the Federal Communications Commission ("FCC") to provide wireless telecommunications services in Washington County, Maryland. The Facility will add and improve emergency and non-emergency wireless and broadband services in Washington County, without adverse impacts to the surrounding area.

Verizon Wireless has a significant need to improve the delivery of emergency and non-emergency wireless and broadband services to residents, businesses and commuters in this area of Washington County. (See Existing Coverage Radio Frequency Propagation Map attached as **Exhibit 2**). The site of the proposed Facility was chosen to improve wireless services in Sharpsburg, Maryland, with the main coverage objective to bridge coverage around the Sharpsburg. Additionally, the site will provide additional capacity improving in-building coverage for nearby residences and businesses. (See Site Selection and Performance Standards Engineering Letter attached as **Exhibit 3**). The proposed Facility will add and improve wireless and broadband services and ensure adequate overlapping coverage between and among existing coverage areas. (See Proposed Verizon Coverage Map attached as **Exhibit 4**). The Facility will add and improve wireless broadband services and coverage capacity in and around Sharpsburg, Md, particularly along Snyders Landing Road and Mondell Road. (See Exs. 3 & 4). Ultimately, the proposed Facility will allow residents, visitors, businesses and emergency personnel of Washington County to experience adequate wireless services, better quality calls, and diminished dropped calls, and enhanced first responder services.

### **II. The Property and Current Use**

The Property is owned by Ryan A. Keedle, who has authorized the Applicant and its agents to pursue a Special Exception and any other zoning relief, building permits, or applications required for the Facility. The Property is over 20 acres in size and is used primarily for agricultural purposes. The Property is zoned Preservation (P). A telecommunications facility is permitted in the P Zoning District with a Special Exception. *See Ordinance, Table No. 3.3(1).*



The Property is an ideal location for the Facility given its location and zoning district. The Property is a non-residential use in the middle of an area of residential and agricultural zoning districts, predominantly composed of single-family homes and farmland. Locating the Facility on the Property will bring new and improved wireless and broadband services to the area, without burdening a privately owned residential or agricultural property. (See Ex. 4, Proposed Coverage Map). The Property is in close proximity to nearby residential areas in need on new and improved emergency and non-emergency wireless services.

The Facility will be located to the interior of the 20 acre parcel, nearly 600 feet off of Mondell Road. The Facility will be located at the interior of the property, near uninhabited and undeveloped farm land to the west. Existing mature trees to the south and east and a rolling topography in the area will help screen the Facility from view. The tree cover existing around the Property on adjacent properties will further minimize the need for additional screening.

On November 22, 2025, the Applicant conducted a visual impact survey, during which a large red balloon approximately 3 feet in diameter was raised to a height of 199 feet. (See Photo Simulations attached as Exhibit 5). A large balloon filled with helium was raised at the location of the proposed Facility to the proposed height of 199 feet. The technician drove around the surface streets surrounding the Property and took photos of the balloon from the most visible locations. Throughout most of the radius, the balloon was not visible. Photographs were taken from a total of thirty-five (35) separate vantage points in the areas immediately surrounding the Property. The proposed Facility would only be visible or partially visible from twelve (12) locations. It was not visible from the other 23 locations. (See Ex. 5). Based on the balloon fly and attached simulations, the Applicant determined the Facility will not have a significant visual impact on the surrounding area. Particular attention was paid to the historic Antietam Battlefields located over a mile to the northeast. Photographs were taken from the three locations near the battlefields where the balloon was most visible. The photo simulations demonstrate that the proposed Facility is only partially and minimally visible, and will not have any significant impact on historic resources. (See Ex. 5 at Photos 28-30).

The Applicant and Verizon Wireless searched for existing towers or structures that could provide viable co-location for Verizon Wireless's antennas. Co-locations are preferred locations and are much less expensive to bring online. The Applicant determined, and Verizon Wireless confirmed, that there are no nearby existing telecommunications facilities, water tanks, utility distribution structures, or tall buildings suitable to co-locate telecommunications antennas and to meet Verizon's coverage needs. This area of Washington County is predominantly flat farmland, other agricultural uses, and single-family homes, making the availability of tall structures suitable for co-location of telecommunications antennas infeasible.

Verizon already has antennas located on the closest existing telecommunications facility, which can be seen to the east on the existing coverage map. (See Ex. 2; see also map of existing Verizon facilities within Washington County is attached as Exhibit 6). With no viable co-location opportunity, Verizon Wireless determined that a new tower was required. The Applicant determined that the Property was viable from a technical perspective (*i.e.*, radio frequency), a zoning perspective (*i.e.*, preferred use on an exempt commercial use in a heavily agricultural and residential area and compliant with all regulations), and from a landowner perspective (*i.e.* a land owner willing to lease space). Verizon Wireless further determined that 199 feet is the minimum

height of the Facility to both meet Verizon Wireless's coverage objectives, and to provide viable co-location opportunities for other wireless providers. If the height of the monopole were to be reduced further, it would not allow Verizon Wireless to meet its coverage goals. (See Exs. 2 & 4). It would also be much less likely that other wireless providers (such as AT&T and T-Mobile) would co-locate on the Facility, because the height of available co-location opportunities would be too low to be viable.

### **III. The Proposed Telecommunications Facility**

The Facility consists of a 199' tall monopole (195' pole, with a 4' lightning rod) within a 50' x 50' (2,500 square feet) equipment compound surrounded by an 8' tall fence (7' chain link fence with barbed wire on top). (See Site Plan attached as Exhibit 7 at C-2 and C-3). The monopole will allow Verizon Wireless to locate its antennas with a centerline of 190' above ground level (AGL) and will accommodate up to three future carriers to locate antennas at 178' AGL, 168' AGL, and 158' AGL. (See Ex. 7 at C-3). The Facility will be built accessed by extending an existing accessway (driveway) already existing on the Property. The accessway will be extended with a 12-foot wide gravel drive to the Facility, which will be accessed through a fenced gate. By extending the existing accessway, the new impervious area added to the parcel will be minimized. (See Ex. 7 at C-1).

The Facility meets all of the setback requirements set forth in Ordinance § 4.22(A)(1). The proposed monopole is set back from all adjacent property lines a distance equal to or greater than the height of the proposed monopole (199'). The proposed monopole is setback 614' from the nearest property line to the north; 569' 9" from the property line to the east, 199' from the property line to the south, 269' 7" from the property line to the southwest and 678' from the property line to the northwest. The nearest dwelling on an adjacent property is located 563' 8" to the southeast. (See Ex. 7 at C-1). The properties west are undeveloped and uninhabited.

The Applicant's engineer certified that the tower will be designed such, that in the unlikely case of a catastrophic failure, the tower would fall within a radius of 150 feet and would pose no risk to adjacent properties or buildings. (See Engineering Certification Letter attached as Exhibit 8). The Facility will be unmanned, free of public facilities, and only require occasional visits (about 1 visit per quarter) from a technician for routine inspections and maintenance. The Facility will have no impact on traffic. The Facility will have no adverse impact on the health, safety, or welfare of residents or workers in the area. The Facility will be free of odors, fumes, light, glare, and noise.

### **IV. Compliance with Washington County Zoning Ordinance**

#### ***Section 4.22 Commercial Communication Towers***

*No permit to construct a tower may be issued unless the applicant demonstrates to the Planning Commission, or where applicable, to the Board of Zoning Appeals, need for the tower and that the applicant has exhausted all alternatives to constructing a tower. Applicants are required to prove need by:*



a. *demonstrating via statement or other evidence that, in terms of location and construction, there are no existing towers, buildings, elevated tanks or other structures able to provide the antenna platform required.*

- **Applicant's Response:** Generally, it is much more efficient and less expensive to co-locate a telecommunications facility on an existing tower, building, or structure than to build a new tower or monopole. New builds are a last resort when no existing infrastructure will meet wireless coverage needs. The Property is located in a significant gap in adequate wireless and broadband coverage. (*See Ex. 2*). There are no existing towers in the area on which Verizon is not already co-located. (*See Ex. 6*). The Applicant conducted a search for any tall structures or buildings that could meet Verizon's coverage needs. However, this area of Washington County is not heavily developed with tall structures and is primarily rural farmland and land in the P (Preservation) district. The Applicant investigated the land within a mile radius and found no suitable structures for co-location. Absent such structures, it was determined a new tower or monopole was necessary to provide new and improved wireless coverage in this area.

b. *providing evidence, including coverage diagrams and technical reports, demonstrating that co-location on existing sites is not technically possible in order to serve the desired need.*

- **Applicant's Response:** There is a significant need for coverage in this portion of Washington County. (*See Exs. 2 & 3*). Verizon is already located on the closest existing telecommunications facility. (*See Exs. 4 & 6*). The proposed Facility will significantly improve wireless coverage and capacity in this area of Washington County. (*See Ex. 4*). The Applicant investigated the land within a mile radius and found no suitable structures for co-location. Absent such structures, it was determined a new tower or monopole was necessary to provide new and improved wireless coverage in this area.

A. *Design requirements*

*In addition to the applicable requirements for a site plan as specified in Section 4.11, the applicant shall provide the following information as part of the site plan submittal. These provisions shall apply to towers in all districts where permitted as a principal permitted or special exception use:*

1. *Subject to a minimum setback of a distance equaling the total height of the tower and equipment. The setback shall be measured from the base of the tower to the boundary line of the property owned, leased, or controlled by easement by the applicant.*

- **Applicant's Response:** The Facility meets the setback requirements). The proposed monopole is set back from all property lines a distance equal to or greater than the height of the proposed monopole (199'). The setbacks from adjacent property lines are as follows:

- Northwest: 563' 8"
- North: 614'
- East: 569' 9"
- South: 199'
- Southwest: 269' 7"

2. *Subject to a minimum distance requirement of a distance equaling the height of the tower and equipment plus 200 feet from the RT, RS, RU, RM and RV districts or the nearest part of any existing dwelling, school, church, or institution for human care, in any other district.*

- **Applicant's Response:** There are no RT, RS, RU, RM and RV districts adjacent to the Property. The nearest dwelling adjacent to the Property is located 563' 8" away. Therefore the setback of 199' plus an additional 200 feet from any dwelling is met.

3. *Subject to a minimum setback from all overhead transmission lines of a distance equaling two times the height of the tower and equipment.*

- **Applicant's Response:** There are no overhead transmission lines in the immediate vicinity. The Facility is setback from all overhead transmission lines at least two times the height of the Facility (199').

4. *Subject to a height not to exceed 200 feet. Measurement of tower height shall include the tower structure itself, the base pad, and any other equipment attached thereto which extends more than twenty (20) feet over the top of the tower structure itself. The tower height shall be measured from grade.*

- **Applicant's Response:** The total height of the Facility will be 199 feet, which includes a 195-foot monopole with a four (4) foot lightning rod. Verizon's antennas will be located at a height of 190 feet above ground level. There will be space for at least three additional wireless carriers.

5. *Proposed towers shall meet the following minimum separation requirements from existing towers or towers which have been issued a permit but are not yet constructed.*

*(a) Monopole towers shall be separated from all other towers, whether monopole, self-supporting lattice, or guyed, by a minimum of seven hundred and fifty (750) feet.*

- **Applicant's Response:** The nearest tower or monopole is more than 750 feet away. (See Ex. 6).

6. *All towers shall be designed for co-location, which shall mean the ability of the structure to allow for the placement of comparable equipment for other carriers. An application for a tower shall be accompanied by an affidavit from the applicant stating*



*that one ten (10) foot space on the proposed tower will be specifically reserved for use by the County, and that other spaces will be made available to other future users, when possible.*

- **Applicant's Response:** The Applicant has provided an affidavit of compliance with this provision. (See Affidavit of FCC Compliance and Tower Co-Location attached as **Exhibit 9**). The Applicant will reserve one ten-foot space for use by the County and will have space to accommodate up to three additional wireless providers.

*7. Fencing shall be provided around the base of the tower and any associated equipment buildings.*

- **Applicant's Response:** The 50' x 50' compound will be surrounded by a 7-foot-high chain link fence topped with barbed wire as an anti-climbing device for a total height of 8 feet. (See Ex. 7, Site Plans at C-2).

*8. All sites shall be identified by means of a sign no larger than two square feet affixed to the fence identifying the entity using the site and shall provide the telephone number of a contact person in the event of an emergency.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision.

*9. Towers not requiring FAA painting or marking shall have an exterior finish which enhances compatibility with adjacent land uses, as approved by the Planning Commission or Board of Zoning Appeals. Towers shall not be lighted unless specifically required by the FAA.*

- **Applicant's Response:** The Applicant acknowledges and will comply with this provision. The proposed monopole will be painted a matte gray to blend into the skyline. It will not be lit.

*10. In order to protect the natural skyline, towers should be sited within areas of mature vegetation and should be located down slope from ridge lines, and toward the interior of the parcel whenever possible. Placement should only be considered elsewhere on the property when valid technical data supplied by the applicant indicates that there is no other suitable location.*

- **Applicant's Response:** The Facility is located in the center of the Property and is not near any ridgelines. The Facility was specifically located to the west of the parcel to maximize its distance to nearby homes. It was also located to the west side of the Property because adjacent parcels to the west are undeveloped and uninhabited. The area surrounding the parcel is not densely populated and has rolling topography which will assist in reducing visual impact in the area. (See Ex. 5, Photo Simulations).

*11. Towers proposed to be located within the Appalachian Trail corridor special planning area as identified in the adopted Comprehensive Plan for the County, any "AO"*

*Antietam Overlay zoning district or “HP” Historic Preservation zoning district shall utilize stealth technology as defined in Article 28A to minimize visual impact.*

- **Applicant’s Response:** The proposed Facility is not located in any of these areas.

12. *(a) A Commercial Communication Tower that is out of service for a continuous six (6) month period will be deemed to have been abandoned. The Zoning Administrator may issue a Notice of Abandonment to the Owner of the Tower that is deemed to be abandoned. The Owner shall have the right to respond in writing to the Notice of Abandonment setting forth the reasons for operation difficulty and providing a reasonable timeframe for correction action, within thirty (30) days from the date of the Notice. The Administrator shall withdraw the Notice of Abandonment and notify the Owner that the Notice has been withdrawn if the Owner provides information that demonstrates the Tower has not been abandoned.*

- **Applicant’s Response:** The Applicant acknowledges and will comply with this provision.

*(b) If the Tower is determined to be abandoned, the Owner of the Tower shall remove the Tower and all related equipment at the Owner's sole expensed within three (3) months of the Date of Notice of Abandonment. If the Owner fails to remove the Tower and related equipment, the Administrator may pursue legal action to have the Tower removed at the Owner's expense.*

- **Applicant’s Response:** The Applicant acknowledges and will comply with this provision.

*B. Additional Provisions for Towers Permitted by Special Exception*

*In addition to the limitations, guides and standards enumerated in Section 25.6, the Board of Zoning Appeals shall consider the following provisions when considering a request for a special exception for a commercial communications tower.*

1. *In those cases where a proposed tower is part of a grid or network, the applicant shall provide a map indicating the location of any existing or proposed towers in the grid or network within Washington County and within one (1) mile of the County boundary.*

- **Applicant’s Response:** The Applicant has provided the required map. (See Ex. 6).

2. *The tower shall be compatible with and shall not adversely impact the character and integrity of surrounding properties. Consideration shall be given to the view shed associated with scenic and historic areas and to the use of stealth technology to minimize the visibility of the proposed tower.*

- **Applicant’s Response:** The Applicant located the Facility in the interior of the Property, using nearby mature trees and rolling topography to reduce the visual impact. (See Ex. 5).



Photographs were taken from a total of thirty-five (35) separate vantage points in the areas immediately surrounding the Property. The proposed Facility would only be visible or partially visible from twelve (12) locations. It was not visible from the other 23 locations. The monopole will be painted a matte gray color which will help it blend into the skyline from areas where it is visible. The photo simulations demonstrate there will be minimal visual impact on the historic Antietam Battlefields to the northeast.

3. *The applicant shall submit a visual analysis which may include, photo simulation, field mock-up, elevations or other visual or graphic illustrations to determine visual impact. Consideration shall be given to views from public areas as well as from private residences. The analysis shall assess the cumulative impacts of the proposed facility and other existing and foreseeable towers in the area, and shall identify and include all feasible mitigation measures.*

- **Applicant's Response:** The Applicant provided photo simulations of the proposed Facility. (*See Ex. 5*). The technician drove around the surface streets surrounding the Property and took photos from locations where the balloon was most visible. Throughout most of the radius, the balloon was not visible. Based on the balloon fly and attached simulations, the Applicant determined the Facility will not have a significant visual impact on the surrounding area. (*See Ex. 5*). The existence of mature trees surrounding the Property and rolling topography will further reduce any visual impact.

4. *The Board may include conditions on the site where the tower is to be located if such conditions are necessary to preserve the character and integrity of the area affected by the proposed tower and mitigate any adverse impacts which arise in connection with approval of the special exception.*

- **Applicant's Response:** The Applicant acknowledges this provision.

#### ***Section 25.6 Limitations, Guides and Standards***

*the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:*

*(a) The number of people residing or working in the immediate area concerned.*

- **Applicant's Response:** The immediately surrounding area is not densely populated and is made up primarily of residential and agricultural properties in the P district.

*(b) The orderly growth of a community.*

- **Applicant's Response:** The Facility is necessary for the growth of the community. There is insufficient emergency and non-emergency wireless and broadband coverage in this area. This can lead to issues for residents and commuters attempting to make calls or otherwise use their cellular devices – particularly in the case of an emergency when attempting to reach first responders.

*(c) Traffic conditions and facilities.*

- **Applicant's Response:** The Facility will be unmanned and will only be visited by technicians a few times per year. The Facility will have no impact on local traffic.

*(d) The effect of such use upon the peaceful enjoyment of people in their homes.*

- **Applicant's Response:** The Facility will have no effect on the peaceful enjoyment of people in their homes. In fact, it will enhance enjoyment in the homes of nearby residents who will have new and improved wireless and broadband coverage in their homes. (*See Ex. 5*). The Facility is located in the center of the property and will have a minimal visual impact on the surrounding area. (*See Ex. 5*).

*(e) The conservation of property values.*

- **Applicant's Response:** The proposed Facility will not have any adverse impact on property values. Rather, new and improved wireless coverage in the area may make these properties more desirable from a use and enjoyment standpoint.

*(f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.*

- **Applicant's Response:** The Facility will be unmanned, free of public facilities, and only require occasional visits from a technician for routine inspections and maintenance. The Facility will be free of odors, dust, gas, smoke, fumes, vibrations, glare, and noise.

*(g) The most appropriate use of land and structure.*

- **Applicant's Response:** This Property is an ideal location for the proposed Facility. It is large parcel located in an area in need of emergency and non-emergency wireless coverage. The Facility will be located to the interior of the parcel, adjacent to uninhabited and undeveloped parcels to the west and maximizing its distance from the parcel to the south. With existing mature trees, the visual impact will be significantly minimized for the surrounding area, while providing reliable and consistent wireless services, including services for first responders.

*(h) Decision of the courts.*

- **Applicant's Response:** Other than existing case law establishing the standard of review for zoning applications (*e.g., Schultz v. Pritz*), the Applicant is not aware of any court decisions directly affecting this Property.

*(i) The purpose of these regulations as set forth herein.*



- **Applicant's Response:** The application is consistent with the letter and spirit of the Ordinance as it relates to telecommunications facilities. It brings necessary emergency and non-emergency wireless and broadband services to Washington County while limiting any adverse impacts on the surrounding community. The Facility will be located on a large, non-residential use parcel.

*(j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches and the like.*

- **Applicant's Response:** The Facility is unmanned and will not be a place for public gatherings. However, it will enhance the public use and enjoyment of the area. The Facility will provide new and improved wireless services for residents, businesses, and commuters in and around Sharpsburg, Maryland.

## **VII. Conclusion**

The Applicant respectfully requests that the Washington County Board of Appeals grant the requested Special Exception. We look forward to presenting this and additional information as necessary at an upcoming hearing, and improving the wireless services for the residents, businesses, and visitors to Washington County. If you need further information, please contact our zoning attorney Doug Sampson at 410-332-8661 or [douglas.sampson@saul.com](mailto:douglas.sampson@saul.com).

# **EXHIBIT 1**



November 14, 2025

Zoning Administrator, Washington County, MD  
747 Northern Ave  
Hagerstown, MD 21742

**Re: Letter of Intent to Locate Antennas on Proposed Telecommunications Tower  
at 5404 Mondell Road, Sharpsburg, Maryland 21782**

To Whom it May Concern:

Verizon Wireless is working with Vertical Bridge to collocate its wireless antennas onto a new proposed telecommunications facility located at 5404 Mondell Road, Sharpsburg, Maryland 21782 (the "Property"). The proposed site will bridge the coverage gap around Sharpsburg area and enhance wireless coverage on Snyders Landing Road and Mondell Road.

Please accept this letter as confirmation that Verizon Wireless intends to locate its wireless antennas on the proposed tower once the County approves the Special Exception and related permits, and the tower is fully constructed.

Should you or anyone with the County have any questions or concerns, please have them contact Vertical Bridge's representative Doug Sampson at 410-332-8661 or [Douglas.Sampson@saul.com](mailto:Douglas.Sampson@saul.com).

Sincerely,

*David Reinauer*

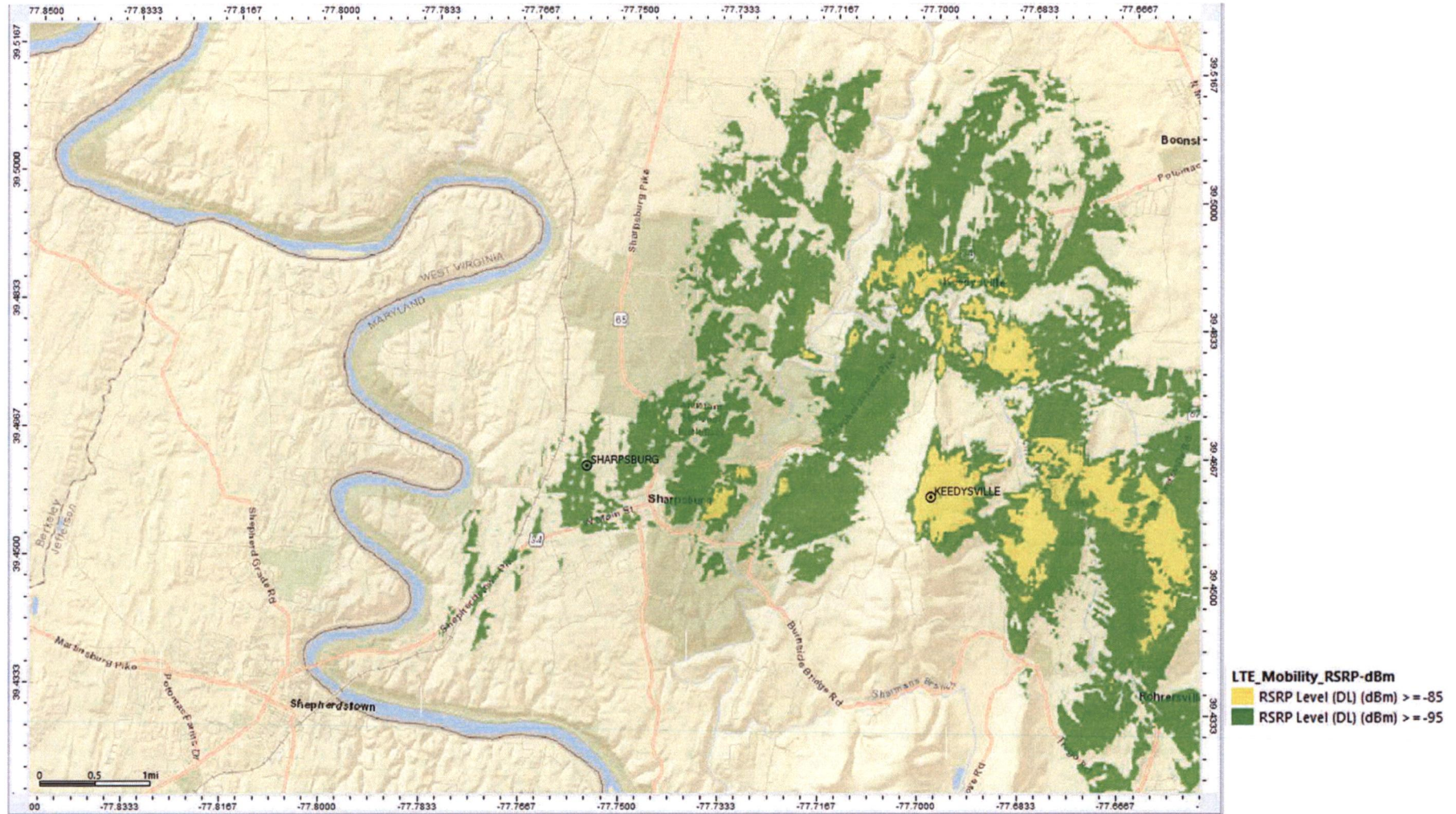
---

Real Estate Manager  
Verizon Wireless

# **EXHIBIT 2**



## EXISTING 700MHz COVERAGE



# **EXHIBIT 3**





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November 5, 2025

**Statement of Certified Engineer  
Site Selection and Performance Standards**

Site Name: Sharpsburg

Site Address: 5404 Mondell Road, Sharpsburg MD 21782

Latitude: 39.463597

Longitude: -77.756778

The proposed communications tower was selected by Verizon Wireless (VZW) to improve wireless coverage in Sharpsburg, MD.

The main coverage objective is to bridge the coverage gap around Sharpsburg area and enhance wireless coverage on Snyders Landing Rd and Mondell Rd. In addition, the site will help offload existing VZW sites in the area which will in turn improve in-building coverage for residents and businesses in the area. Verizon Wireless is committed to providing state of the art wireless services that benefit your community.

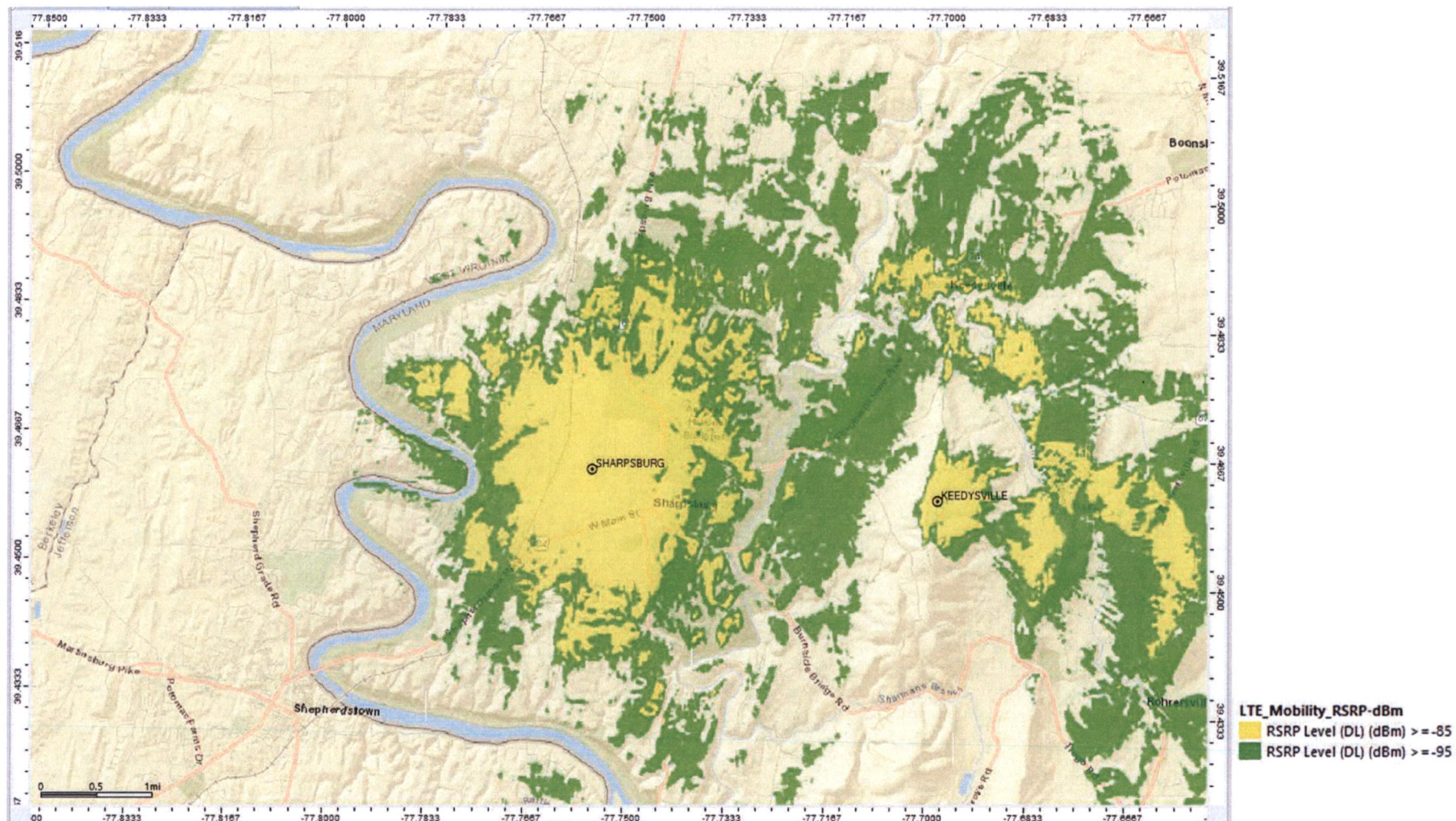
Sincerely

Uzoma Ugoh  
RF Engineer – Washington/Baltimore/Virginia  
10170 Junction Drive  
Annapolis Junction, MD 20701

# **EXHIBIT 4**



## PROPOSED 700MHz COVERAGE

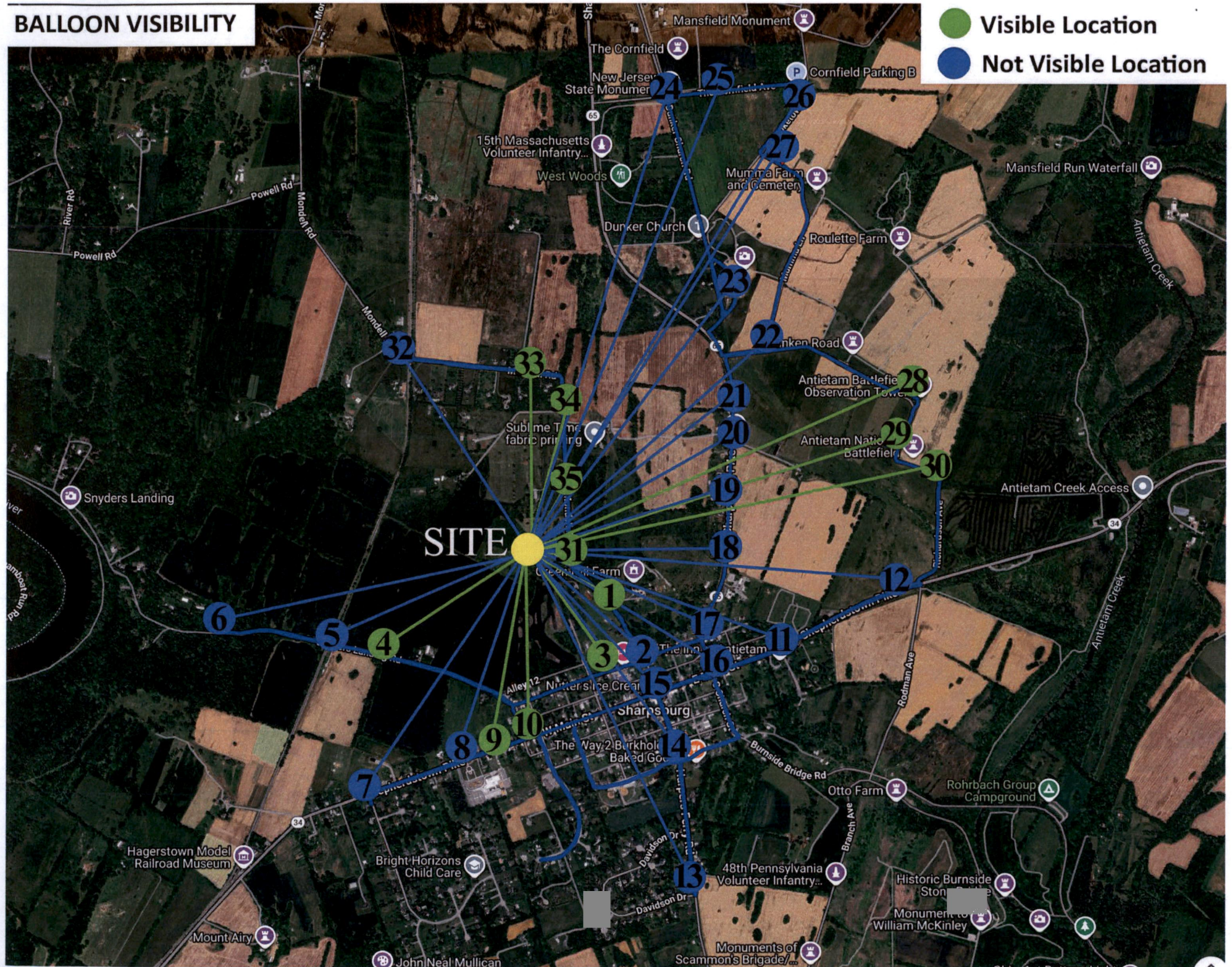


# **EXHIBIT 5**

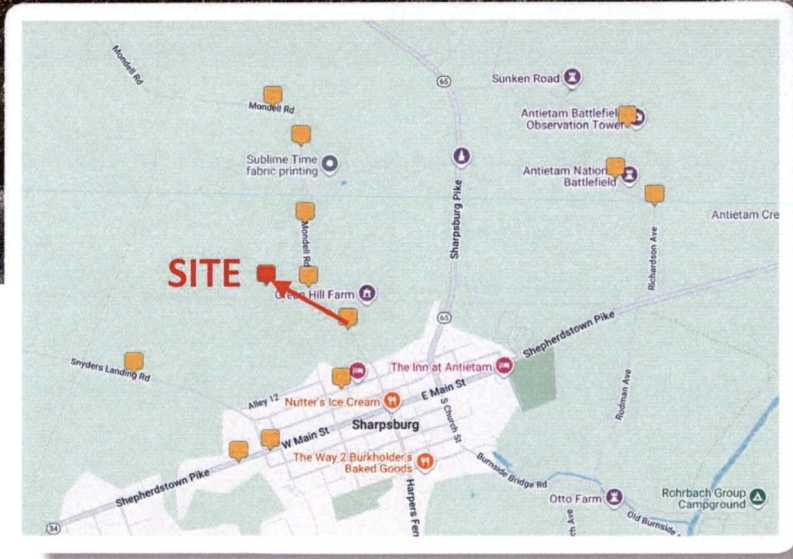


# BALLOON VISIBILITY

- Visible Location
- Not Visible Location







**PHOTO #1**

## **SHARPSBURG PROPOSED MONOPOLE**





**PHOTO #3**

**SHARPSBURG  
PROPOSED MONOPOLE**





**PHOTO #4**

**SHARPSBURG  
PROPOSED MONOPOLE**





**PHOTO #9**

## **SHARPSBURG PROPOSED MONOPOLE**



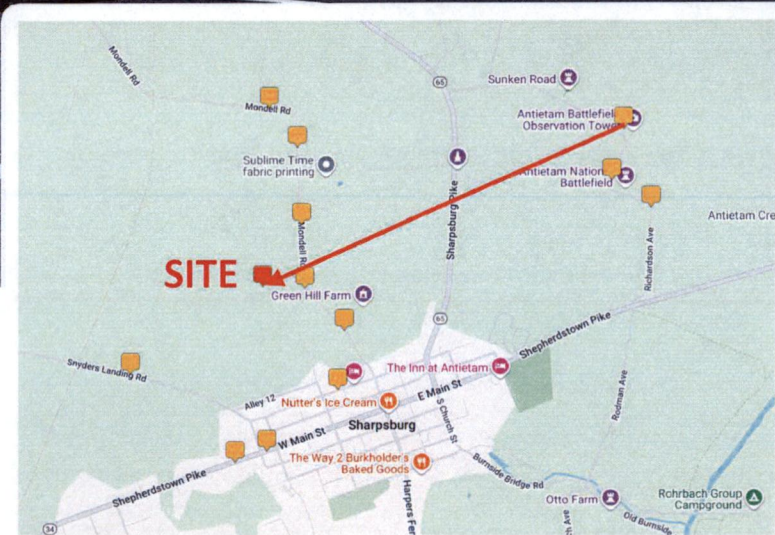


PHOTO #10

SHARPSBURG  
PROPOSED MONOPOLE







**PHOTO #28**

## **SHARPSBURG PROPOSED MONOPOLE**





**PHOTO #29**

**SHARPSBURG  
PROPOSED MONOPOLE**



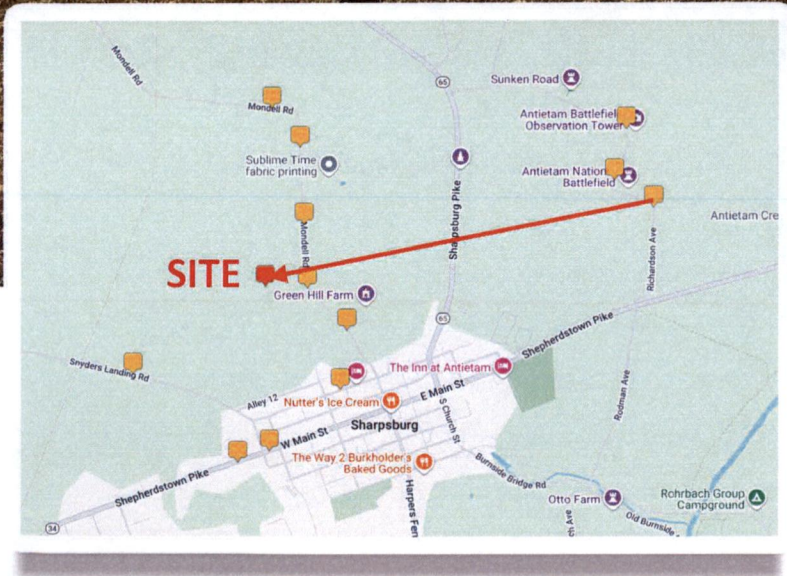


PHOTO #30

## SHARPSBURG PROPOSED MONOPOLE





**PHOTO #31**

**SHARPSBURG  
PROPOSED MONOPOLE**





**PHOTO #33**

## **SHARPSBURG PROPOSED MONOPOLE**





PHOTO #34

## SHARPSBURG PROPOSED MONOPOLE





**PHOTO #35**

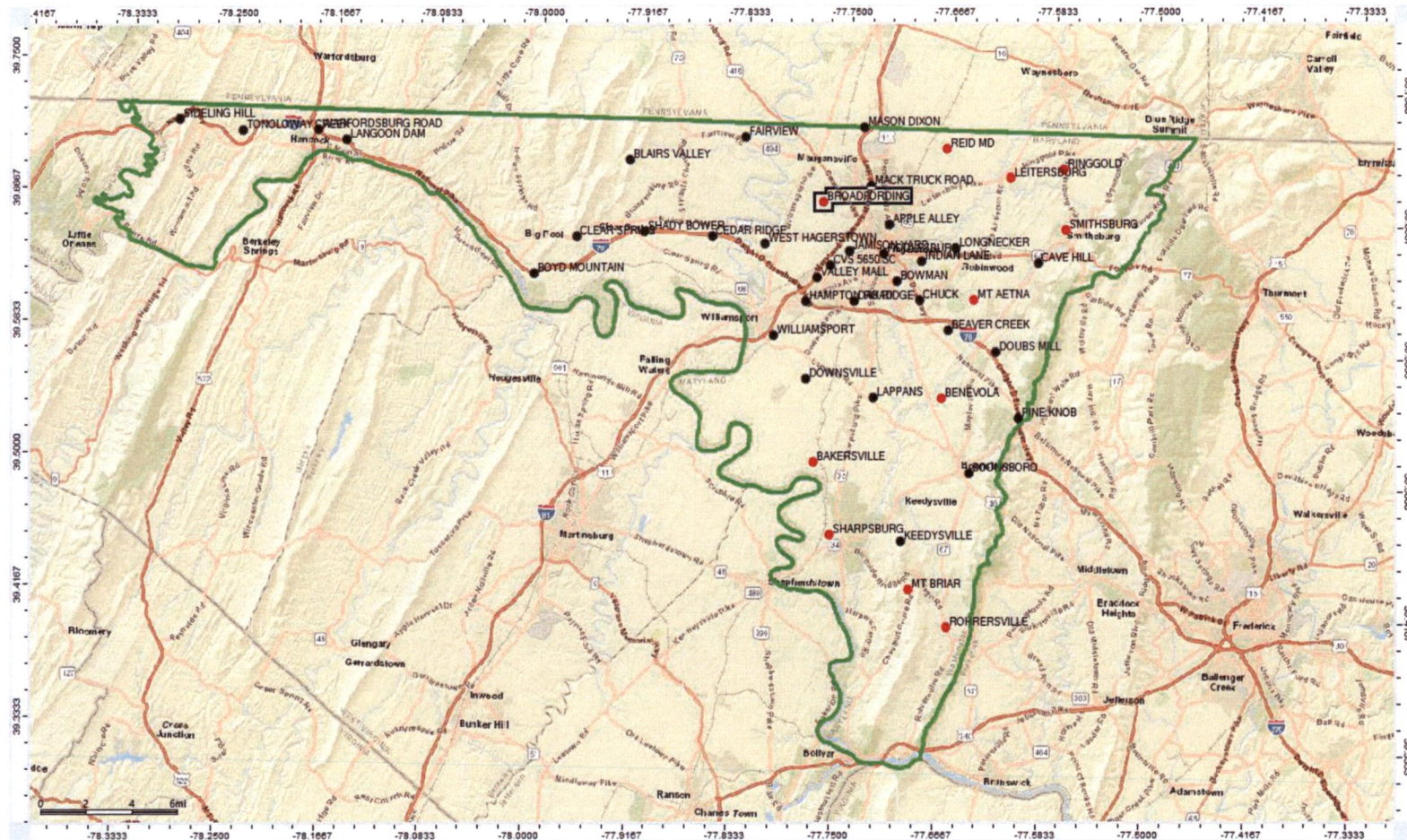
## **SHARPSBURG PROPOSED MONOPOLE**



# **EXHIBIT 6**



## Washington County, MD – Verizon Site Plan



- Existing Sites
- Planned Macros
- County Line



Confidential and proprietary materials for Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.



# **EXHIBIT 7**



A B C D E F G H J K L M N P Q R

# WASHINGTON COUNTY NOTES

- THESE PROJECT NOTES APPLY TO ALL OF THE CONTRACT DRAWINGS.
- ALL BIDDERS ARE REQUIRED TO VISIT THE WORKSITE BEFORE PREPARING THEIR BIDS IN ORDER TO OBSERVE EXISTING CONDITIONS AND TO IDENTIFY POTENTIAL HAZARDS AND OBSTACLES WHICH MIGHT AFFECT THE PERFORMANCE OF CONTRACT WORK. BID PRICES SHALL TAKE INTO ACCOUNT THESE OBSERVATIONS.
- CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND SERVICES NECESSARY TO SUCCESSFULLY COMPLETE ALL WORK INDICATED OR SPECIFIED ON THE CONTRACT DRAWINGS. ALL WORK SHOWN ON THE DRAWINGS IS NEW UNLESS SPECIFICALLY NOTED AS EXISTING. SUCCESSFUL COMPLETION OF ALL WORK MEANS THAT ALL INSTALLED SYSTEMS SHALL BE COMPLETE AND READY FOR OPERATION.
- ALL WORK (MATERIALS, LABOR AND EQUIPMENT) SHALL BE MAINTAINED FOR A PERIOD OF ONE YEAR COMMENCING WITH THE DATE OF ACCEPTANCE OF ALL WORK BY THE OWNER.
- ALL NEW PRODUCTS (MATERIALS AND EQUIPMENT) FURNISHED SHALL BE NEW AND UNLESS FIRST-QUALITY PRODUCTS OF REPUTABLE MANUFACTURERS REGULARLY ENGAGED IN THE MANUFACTURE OF SUCH PRODUCTS, ALL DEMOLITION, INSTALLATION, TESTING AND COMMISSIONING WORK SHALL BE PERFORMED IN A FIRST CLASS, WORKMANLIKE MANNER BY PERSONNEL SKILLED AND REGULARLY ENGAGED IN THE PERFORMANCE OF SUCH WORK.
- ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE LATEST EDITIONS OF OSHA AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
- CONTRACTOR SHALL ADHERE AT ALL TIMES TO ALL SAFETY REGULATIONS AND PROCEDURES REQUIRED BY THE OWNER. ALL CONTRACTOR PERSONNEL WORKING ON SITE SHALL FIRST COMPLETE THE NECESSARY SAFETY TRAINING SESSION CONDUCTED BY THE OWNER.
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND CLEARANCES PRIOR TO FABRICATION OR INSTALLATION OF ANY WORK.
- DUE TO THE SMALL SCALE OF THE DRAWINGS, NOT ALL OFFSETS, FITTINGS OR ACCESSORIES THAT MAY BE REQUIRED ARE INDICATED. CONTRACTOR SHALL CAREFULLY INVESTIGATE ALL CONDITIONS THAT WILL AFFECT THE WORK TO BE PERFORMED AND SHALL ARRANGE FOR SUCH WORK ACCORDINGLY. FURNISHING ALL MATERIAL AND LABOR REQUIRED FOR COMPLETE AND WORKABLE SYSTEMS AS NOTED ABOVE.
- THE OWNER OR HIS REPRESENTATIVE SHALL HAVE THE FINAL DETERMINATION IN CLARIFICATIONS AND INTERPRETATIONS REGARDING THE REQUIREMENTS OF THE CONTRACT DRAWINGS. ANY DEVIATIONS FROM THE DRAWINGS MUST BE APPROVED IN WRITING BY THE OWNER OR HIS REPRESENTATIVE.
- CONTRACTOR SHALL NOT DISCONNECT ANY EXISTING MECHANICAL OR ELECTRICAL SYSTEMS AND SHALL NOT CUT ANY EXISTING STRUCTURAL MEMBERS WITHOUT WRITTEN APPROVAL FROM THE OWNER OR HIS REPRESENTATIVE.
- NORMAL OPERATIONS MAY BE CONDUCTED BY THE OWNER'S PERSONNEL IN WORK AREAS INVOLVING CONTRACT WORK DURING THE EXECUTION OF THIS CONTRACT. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITH THE OWNER OR HIS REPRESENTATIVE TO MINIMIZE OPERATIONAL DISRUPTIONS.
- THE CONTRACTOR SHALL KEEP THE WORK SITE AND SURROUNDING AREA FREE FROM ACCUMULATION OF WASTE MATERIALS GENERATED BY WORK PERFORMED UNDER THIS CONTRACT. SUCH DEBRIS SHALL BE REMOVED FROM THE WORK SITE, HAULED OFF THE PREMISES, AND DISPOSED OF IN A LEGAL MANNER ON A DAILY BASIS.
- ALL EQUIPMENT AND MATERIALS WHICH ARE INDICATED TO BE RELOCATED OR REMOVED SHALL BE STORED AND PROTECTED BY THE CONTRACTOR AFTER REMOVAL. CONTRACTOR SHALL ALSO PROTECT EXISTING WORK TO REMAIN. ANY EXISTING WORK TO BE RELOCATED OR TO REMAIN WHICH IS DAMAGED DUE TO CONTRACTOR'S WORK SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.
- PROVIDE ALL REQUIRED CUTTING AND PATCHING, CUT EXISTING WORK WHERE INDICATED FOR REMOVALS AND PATCH ALL OPENINGS, CRACKS AND DEPRESSIONS REMAINING AFTER REMOVALS TO MATCH ADJACENT WORK.
- BEFORE EXCAVATING, CONTRACTOR MUST LOCATE AND VERIFY ALL EXISTING UNDERGROUND UTILITIES. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING ALL UNDERGROUND UTILITIES WITHIN THE PROPOSED WORK AREA PRIOR TO EXCAVATING AND MUST NOT DAMAGE ANY UNDERGROUND UTILITIES DURING CONSTRUCTION.
- THE PROPOSED VERIZON WIRELESS GENERATOR IS AN OPTIONAL STAND-BY UNIT AND DOES NOT SUPPLY LIFE SAFETY EQUIPMENT. THE GENERATOR IS USED TO BACKUP THE TELEPHONE EXCHANGE EQUIPMENT IN ORDER TO KEEP THE CELL SITE IN FULL OPERATION IN THE EVENT OF A NORMAL UTILITY POWER FAIL. THEREFORE, NFPA 10 DOES NOT APPLY.
- ALL GRADING FOR THIS PROJECT SHALL BE THE FULL RESPONSIBILITY OF THE PROPERTY OWNER.
- NO PERMANENT STRUCTURES (E.G., FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE BASEMENT ON THIS PROPERTY.
- A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR OR OTHER REPRESENTATIVE OF WASHINGTON COUNTY DIVISION OF PUBLIC WORKS.
- THE OWNER SHALL RESERVE ONE CONTIGUOUS TEN FOOT (10) AREA OF VERTICAL SPACE ON THE TOWER SPECIFICALLY FOR FUTURE EMERGENCY COMMUNICATIONS USE BY WASHINGTON COUNTY, AS REQUIRED UNDER SECTION 4.22(A)(6) OF THE ZONING ORDINANCE, AS AMENDED AUGUST 4, 2006. ALL PROPOSED CO-LOCATIONS, INCLUDING THOSE BY WASHINGTON COUNTY, SHALL BE IN ACCORDANCE WITH THE LIBERTY TOWERS CO-LOCATION POLICY AND THE REQUEST FOR PROPOSAL DOCUMENT SHALL NOT EXCEED THE DESIGN SPECIFICATION OF THE TOWER STRUCTURE.
- TOWER WILL BE REMOVED WITHIN THREE MONTHS AFTER ABANDONMENT.
- PER ARTICLE 9.2.1 PUBLIC UTILITY, SITE IS EXEMPT FROM FOREST CONSERVATION.
- IF THE PROPOSED DRIVEWAY IS CONSTRUCTED AT A DIFFERENT LOCATION THAN SHOWN ON THIS PLAN, THIS ADDRESS IS VOID, AND THE OWNER/DEVELOPER OF THE PROPERTY MUST REAPPLY TO WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING FOR A NEW ADDRESS ASSIGNMENT.

# verticalbridge US-MD-5102 SHARPSBURG 5404 MONDELL ROAD SHARPSBURG, MARYLAND 21782 WASHINGTON COUNTY



- DIRECTIONS TO SITE**
- FROM ANNAPOLIS JUNCTION:
- HEAD EAST
  - TURN LEFT TOWARD HENCKELS LN
  - CONTINUE ONTO HENCKELS LN
  - SLIGHT RIGHT TOWARD DORSEY RUN RD
  - MERGE ONTO DORSEY RUN RD
  - USE LEFT LANE TO MERGE ONTO MD-82 N
  - MERGE ONTO MD-82 N
  - MERGE ONTO I-70 N
  - TAKE EXIT 82 TO MERGE ONTO US-18/ US-540 N
  - EXIT ONTO MD-81
  - MERGE ONTO MD-81 N
  - TURN LEFT ONTO TREASCO RD
  - CONTINUE ONTO MT BELAIR RD
  - TURN LEFT ONTO PORTERSTOWN RD
  - TURN LEFT ONTO MD-548
  - TURN RIGHT ONTO N MECHANIC ST
  - CONTINUE ONTO MONDELL RD

SHEET INDEX	
SHEET NO.	SHEET NAME
1 (C-1)	COVER SHEET
2 (C-2)	SITE PLAN
3 (C-3)	SITE DETAILS
4 (C-4)	ANTENNA DETAILS AND ELEVATION

CODE ANALYSIS	
APPLICABLE BUILDING CODE:	IBC 2021
USE GROUP:	UTILITY (U)
CONSTRUCTION TYPE:	SB NONCOMBUSTIBLE

**PROJECT DESCRIPTION**

THE PROPOSED FACILITY WILL CONSIST OF EXTENDING AN EXISTING GRAVE, DRIVE TO A PROPOSED 30'-0" X 50'-0" FENCED COMPOUND. A 18'-0" TALL STEEL MONOPOLE CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT SHALL BE INSTALLED WITHIN THE FENCED COMPOUND. NINE (9) ANTENNAS SHALL BE MOUNTED ON THE MONOPOLE WITH A RAD CENTER ELEVATION OF 102'-0" ABOVE GRADE.

WASHINGTON COUNTY DIVISION OF PLANNING APPROVAL

BY \_\_\_\_\_ DATE \_\_\_\_\_

**MORRIS & RITCHIE ARCHITECTS, INC.**  
Civil/Structural Engineers  
200 S. Bush Avenue, Suite 100  
Bowie, Maryland 21040  
(410) 326-1100  
www.mra-inc.com

WASHINGTON COUNTY, MARYLAND  
OFFICIAL SEAL  
JANUARY 18, 1791

**PROFESSIONAL CERTIFICATION**

I, the undersigned, being a duly Licensed Professional Engineer, hereby certify that I am a duly Licensed Professional Engineer, and that I am the author of the design and drawings herein, and that I am a duly Licensed Professional Engineer, and that I am the author of the design and drawings herein, and that I am a duly Licensed Professional Engineer, and that I am the author of the design and drawings herein.

**US-MD-5102 SHARPSBURG**  
5404 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782  
(WASHINGTON COUNTY)

**verticalbridge**  
THE TOWERS, LLC

**REVISIONS:**

NO.	DESCRIPTION	DATE

DESIGNED BY: **BES**  
DRAWN BY: **C.B.**  
REVIEWED BY: **BES**  
PROJECT NO: 14041.014  
DATE: 10/15/2020

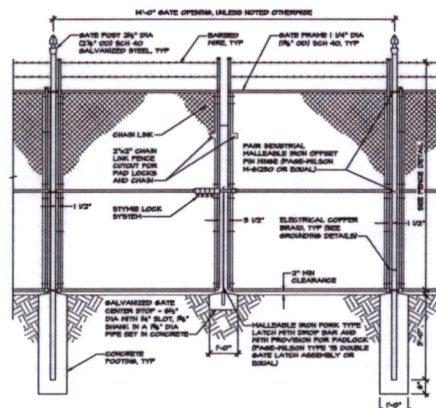
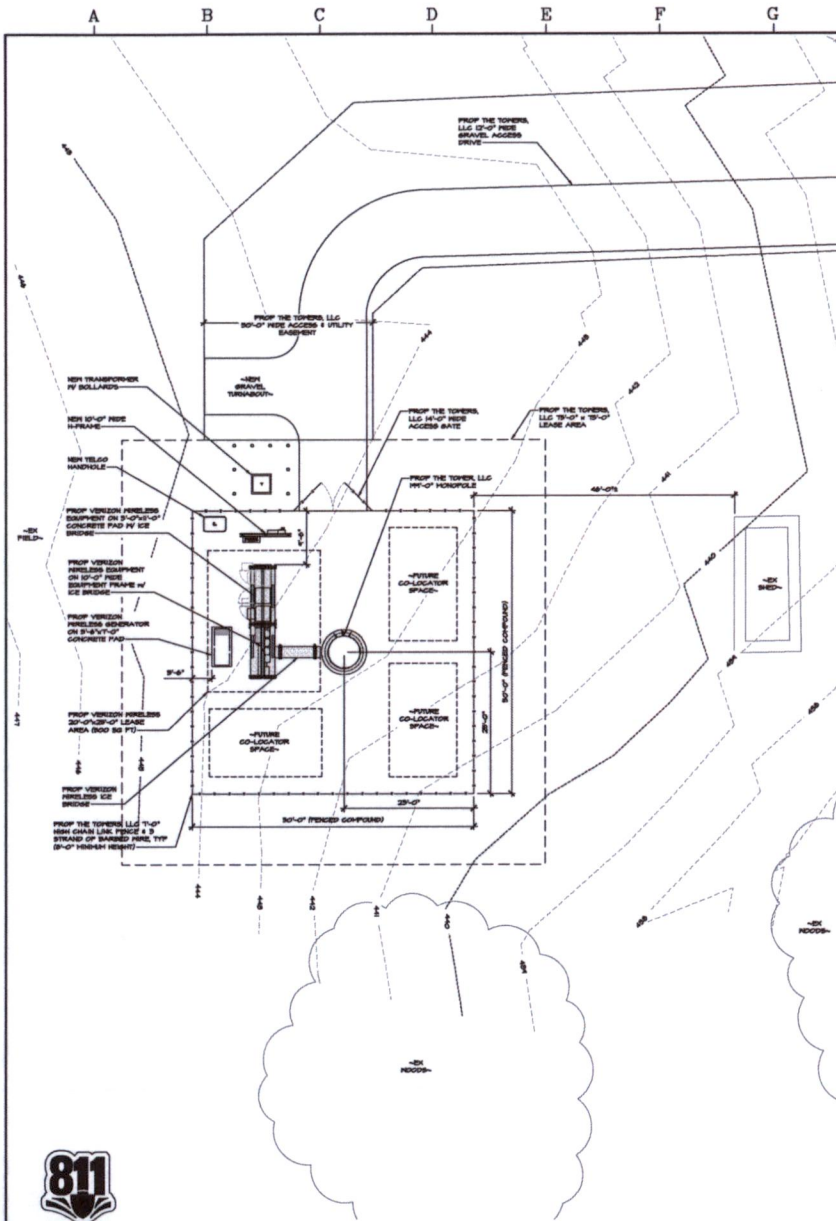
**Cover Sheet**

**SHEET:**  
**CS-1**

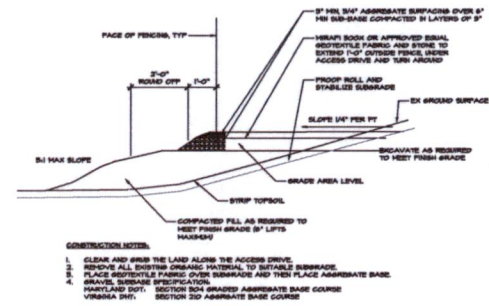
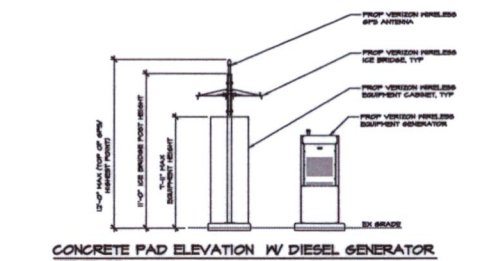




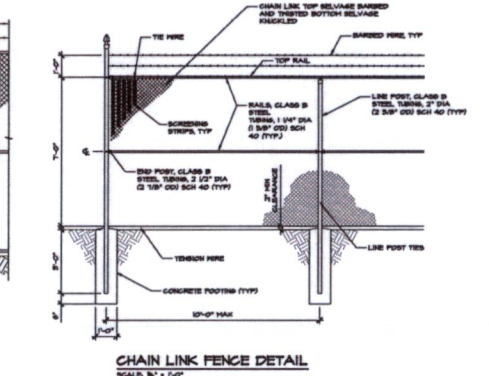




- TYPICAL 14'-0" DOUBLE SWING GATE**  
SCALE: 1/2" = 1'-0"
1. GATE POST: CORNER, TERMINAL OR PULL POST 3 1/2" DIA (2 1/8" ODI SCHEDULE 40 FOR GATE POSTS UP TO 8 FEET OR 14 FEET FOR DOUBLE SWING GATE PER ASTM-F606).
  2. LINE POST: 2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  3. GATE FRAMING: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  4. TOP RAIL & BRACE RAIL: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  5. FENCING: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  6. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  7. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  8. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  9. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  10. LOCAL ORIGINATOR OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED WITH P. 10.



**LEASE AREA, ACCESS DRIVE & TURN AROUND AREA SURFACINGS**  
SCALE: 1/2" = 1'-0"



- CHAIN LINK FENCE DETAIL**  
SCALE: 1/2" = 1'-0"
1. GATE POST: CORNER, TERMINAL OR PULL POST 3 1/2" DIA (2 1/8" ODI SCHEDULE 40 FOR GATE POSTS UP TO 8 FEET OR 14 FEET FOR DOUBLE SWING GATE PER ASTM-F606).
  2. LINE POST: 2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  3. GATE FRAMING: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  4. TOP RAIL & BRACE RAIL: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  5. FENCING: 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  6. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  7. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  8. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  9. THE FENCE: HORIZONTAL 1 1/2" DIA (2 1/8" ODI SCHEDULE 40 PIPE PER ASTM-F606).
  10. LOCAL ORIGINATOR OF BARBED WIRE PERMIT REQUIREMENT SHALL BE COMPLIED WITH P. 10.

**811**  
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**ENLARGED COMPOUND LAYOUT**  
SCALE: 1" = 10'-0"

**MORRIS & RITCHIE ASSOCIATES, INC.**  
Civil/Structural Engineers  
2000 N. 1st Street, Suite 200  
Arlington, VA 22201  
(703) 241-1100  
www.mra-inc.com

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
OFFICE OF THE CHIEF ENGINEER  
2000 N. 1st Street, Suite 200  
Arlington, VA 22201  
(703) 241-1100  
www.vdot.gov

PROFESSIONAL CERTIFICATE  
I HEREBY CERTIFY THAT THESE  
DRAWINGS WERE PREPARED  
OR APPROVED BY ME, AND  
THAT I AM A LICENSED  
PROFESSIONAL ENGINEER  
UNDER THE LAWS OF THE STATE  
OF VIRGINIA. EXPIRATION DATE:  
12/31/2025

US-VISIT-3102  
**SHARPSBURG**  
BLACK HOLEMAN ROAD  
(WASHINGTON COUNTY)

**verticalbridge**  
THE TOWERS, LLC

REVISIONS:  
NO. DESCRIPTION DATE


DESIGNED BY: RES  
DRAWN BY: C.B.  
REVIEWED BY: RES  
PROJECT NO: 19047.014  
DATE: 10/19/2025

**Site Details**

SHEET:  
**C-2**







# **EXHIBIT 8**



# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,  
AND LANDSCAPE ARCHITECTS



November 17, 2025

Ms. Laura Hughes  
The Towers, LLC  
750 Park of Commerce Drive, Suite 200  
Boca Raton, FL 33487-3650

Re: US-MD-5102 – Sharpsburg  
5404 Mondell Road  
Sharpsburg, MD 21782 (Washington Co)  
Latitude: 39.4631° Longitude: -77.7551°  
MRA Job No: 19847.016

Dear Laura:

The purpose of this letter is to certify that the proposed 195'-0" monopole structure will be designed by the manufacturer to meet the requirements of the 2021 International Building Code (2021 IBC) and the ANSI/TIA-222-H Standard.

Per the TIA-222-H Standard, ASCE 7-16, and 2021 IBC requirements, the monopole shall be designed under the following minimum loading conditions:

TIA-222-H: 112 mph Wind (3-second gust) + No Ice  
TIA-222-H: 41 mph Wind (3-second gust) + 0.6" Radial Ice

Note: The monopole shall also be designed to resist seismic loading per TIA-222-H in conjunction with site specific soil parameters determined from a geotechnical investigation.

In addition to the minimum loading conditions above, we note that the monopole shall also be designed by the manufacturer such that should failure of the monopole occur under extreme weather conditions, the maximum "fall zone" radius will not exceed **150'-0"** from the center of the monopole's base. While failure is extremely rare in any kind of tower, it is especially so for monopoles. The proposed monopole shall be designed by the manufacturer such that if failure were to occur, it would occur in a specific portion of the monopole to meet the maximum "fall zone" radius requirement previously defined.

We also note that in addition to the above, the monopole will be designed to support a maximum of four (4) wireless carriers.

1220-B East Joppa Road, Suite 400K, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 [www.mragta.com](http://www.mragta.com)

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Leesburg, VA ♦ Raleigh, NC  
(410) 515-9000 (410) 935-5050 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 674-0161 (984) 200-2103

The Towers, LLC  
Re: US-MD-5102 – Sharpsburg  
November 17, 2025  
Page 2

Monopole design documents shall be submitted from the manufacturer as part of the Building Permit submission. If you should have any questions or require any additional information, please do not hesitate to call our office.

Sincerely,  
MORRIS & RITCHIE ASSOCIATES, INC.



Brian E. Siverling, PE  
Principal



# **EXHIBIT 9**

November 6, 2025

Washington County  
Board of Zoning Appeals  
80 West Baltimore Street  
Hagerstown, MD 21740  
240-313-2460

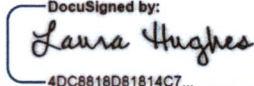
**Appeal for Special Exception for 199' Telecommunications Monopole at  
5404 Mondell Road, Sharpsburg, Maryland 21783**

**AFFIDAVIT OF FCC COMPLIANCE AND TOWER CO-LOCATION**

Pursuant to Washington County Zoning Ordinance 4.22(A)(6) the undersigned does hereby declare and affirm under the penalties of perjury, and agrees on behalf of The Towers, LLC d/b/a Vertical Bridge ("Applicant"), concerning the Appeal for a Special Exception to build a new telecommunications facility (the "Facility") on a portion of the property located at 5404 Mondell Road, Sharpsburg, Maryland 21783 (the "Property") as follows:

1. The Undersigned is a duly appointed agent of the Applicant, and as such is authorized to give this Affidavit and bind the Applicant to this Agreement.
2. The Facility, will at all times, comply with applicable Federal Communications Commission ("FCC") standards and requirements to provide the proposed services. The antennas, as proposed and designed for this Facility, comply with all applicable FCC requirements.
3. Pursuant to Washington County Zoning Ordinance 4.22(A)(6), the Applicant certifies that it will reserve one ten (10) foot space on the proposed tower specifically for use by the County and that the Facility will have space to accommodate up to three additional wireless carriers. Cellco Partnership d/b/a Verizon Wireless has already agreed to locate its antennas on the Facility at a height of 190 feet above ground level.

The Towers, LLC d/b/a Vertical Bridge

By:  (SEAL)  
Laura Hughes  
Project Manager



verticalbridge  
US-MD-5102  
SHARPSBURG  
5404 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782  
WASHINGTON COUNTY

WASHINGTON COUNTY NOTES

- THESE PROJECT NOTES APPLY TO ALL OF THE CONTRACT DRAWINGS.
- ALL BIDDERS ARE REQUIRED TO VISIT THE WORKSITE BEFORE PREPARING THEIR BIDS IN ORDER TO OBSERVE EXISTING CONDITIONS AND TO IDENTIFY POTENTIAL HAZARDS AND OBSTACLES WHICH MIGHT AFFECT THE PERFORMANCE OF CONTRACT WORK. BID PRICES SHALL TAKE INTO ACCOUNT THESE OBSERVATIONS.
- CONTRACTOR SHALL FURNISH ALL MATERIALS, EQUIPMENT, LABOR, AND SERVICES NECESSARY TO SUCCESSFULLY COMPLETE ALL WORK INDICATED OR SPECIFIED ON THE CONTRACT DRAWINGS. ALL WORK SHOWN ON THE DRAWINGS IS NEW UNLESS SPECIFICALLY NOTED AS EXISTING. SUCCESSFUL COMPLETION OF ALL WORK MEANS THAT ALL INSTALLED SYSTEMS SHALL BE COMPLETE AND READY FOR OPERATION.
- ALL WORK (MATERIALS, LABOR AND EQUIPMENT) SHALL BE WARRANTED FOR A PERIOD OF ONE YEAR COMMENCING WITH THE DATE OF ACCEPTANCE OF ALL WORK BY THE OWNER.
- ALL NEW PRODUCTS (MATERIALS AND EQUIPMENT) FURNISHED SHALL BE NEW AND UNUSED FIRST-QUALITY PRODUCTS OF REPUTABLE MANUFACTURERS REGULARLY ENGAGED IN THE MANUFACTURE OF SUCH PRODUCTS. ALL DEMOLITION, INSTALLATION, TESTING AND COMMISSIONING WORK SHALL BE PERFORMED IN A FIRST CLASS, WORKMANLIKE MANNER BY PERSONNEL SKILLED AND REGULARLY ENGAGED IN THE PERFORMANCE OF SUCH WORK.
- ALL WORK SHALL BE PERFORMED IN STRICT ACCORDANCE WITH THE LATEST EDITIONS OF OSHA AND ALL OTHER APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
- CONTRACTOR SHALL ADHERE AT ALL TIMES TO ALL SAFETY REGULATIONS AND PROCEDURES REQUIRED BY THE OWNER. ALL CONTRACTOR PERSONNEL WORKING ON SITE SHALL FIRST COMPLETE THE NECESSARY SAFETY TRAINING SESSION CONDUCTED BY THE OWNER.
- CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND CLEARANCES PRIOR TO FABRICATION OR INSTALLATION OF ANY WORK.
- DUE TO THE SMALL SCALE OF THE DRAWINGS, NOT ALL OFFSETS, FITTINGS OR ACCESSORIES THAT MAY BE REQUIRED ARE INDICATED. CONTRACTOR SHALL CAREFULLY INVESTIGATE ALL CONDITIONS THAT WILL AFFECT THE WORK TO BE PERFORMED AND SHALL ARRANGE FOR SUCH WORK ACCORDINGLY, FURNISHING ALL MATERIAL AND LABOR REQUIRED FOR COMPLETE AND WORKABLE SYSTEMS AS NOTED ABOVE.
- THE OWNER OR HIS REPRESENTATIVE SHALL HAVE THE FINAL DETERMINATION IN CLARIFICATIONS AND INTERPRETATIONS REGARDING THE REQUIREMENTS OF THE CONTRACT DRAWINGS. ANY DEVIATIONS FROM THE DRAWINGS MUST BE APPROVED IN WRITING BY THE OWNER OR HIS REPRESENTATIVE.
- CONTRACTOR SHALL NOT DISCONNECT ANY EXISTING MECHANICAL OR ELECTRICAL SYSTEMS AND SHALL NOT CUT ANY EXISTING STRUCTURAL MEMBERS WITHOUT WRITTEN APPROVAL FROM THE OWNER OR HIS REPRESENTATIVE.
- NORMAL OPERATIONS MAY BE CONDUCTED BY THE OWNER'S PERSONNEL IN WORK AREAS INVOLVING CONTRACT WORK DURING THE EXECUTION OF THIS CONTRACT. CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION ACTIVITY WITH THE OWNER OR HIS REPRESENTATIVE TO MINIMIZE OPERATIONAL DISRUPTIONS.
- THE CONTRACTOR SHALL KEEP THE WORK SITE AND SURROUNDING AREA FREE FROM ACCUMULATION OF WASTE MATERIALS GENERATED BY WORK PERFORMED UNDER THIS CONTRACT. SUCH DEBRIS SHALL BE REMOVED FROM THE WORK SITE, HAULED OFF THE PREMISES, AND DISPOSED OF IN A LEGAL MANNER ON A DAILY BASIS.
- ALL EQUIPMENT AND MATERIALS WHICH ARE INDICATED TO BE RELOCATED OR REUSED SHALL BE STORED AND PROTECTED BY THE CONTRACTOR AFTER REMOVAL. CONTRACTOR SHALL ALSO PROTECT EXISTING WORK TO REMAIN. ANY EXISTING WORK TO BE RELOCATED OR TO REMAIN WHICH IS DAMAGED DUE TO CONTRACTOR'S WORK SHALL BE REPLACED AT NO ADDITIONAL COST TO THE OWNER.
- PROVIDE ALL REQUIRED CUTTING AND PATCHING, CUT EXISTING WORK WHERE INDICATED FOR REMOVALS AND PATCH ALL OPENINGS, CRACKS AND DEPRESSIONS REMAINING AFTER REMOVALS TO MATCH ADJACENT WORK.
- BEFORE EXCAVATING, CONTRACTOR MUST LOCATE AND VERIFY ALL EXISTING UNDERGROUND UTILITIES. CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING ALL UNDERGROUND UTILITIES WITHIN THE PROPOSED WORK AREA PRIOR TO EXCAVATING AND MUST NOT DAMAGE ANY UNDERGROUND UTILITIES DURING CONSTRUCTION.
- THE PROPOSED VERIZON WIRELESS GENERATOR IS AN OPTIONAL STAND-BY UNIT AND DOES NOT SUPPLY LIFE SAFETY EQUIPMENT. THE GENERATOR IS USED TO BACKUP THE TELEPHONE EXCHANGE EQUIPMENT IN ORDER TO KEEP THE CELL SITE IN FULL OPERATION IN THE EVENT OF A NORMAL UTILITY POWER FAIL. THEREFORE, NFPA 110 DOES NOT APPLY.
- ALL GRADING FOR THIS PROJECT SHALL BE THE FULL RESPONSIBILITY OF THE PROPERTY OWNER.
- NO PERMANENT STRUCTURES (E.G., FENCES, SHEDS, PLAY EQUIPMENT, RETAINING WALLS) SHALL BE PERMITTED WITHIN ANY STORMWATER OR STORM DRAINAGE EASEMENT ON THIS PROPERTY.
- A COMPLETE SET OF APPROVED PLANS AND A COPY OF THE GRADING PERMIT MUST BE ON SITE AND AVAILABLE FOR USE BY THE INSPECTOR, OR OTHER REPRESENTATIVE OF WASHINGTON COUNTY DIVISION OF PLANNING & ZONING FOR A NEW ADDRESS ASSIGNMENT.
- THE OWNER SHALL RESERVE ONE CONTIGUOUS TEN FOOT (10) AREA OF VERTICAL SPACE IN THE TOWER SPECIFICALLY FOR FUTURE EMERGENCY COMMUNICATIONS USE BY WASHINGTON COUNTY, AS REQUIRED UNDER SECTION 4.22(A)(6) OF THE ZONING ORDINANCE, AS AMENDED AUGUST 4, 2009. ALL PROPOSED CO-LOCATIONS, INCLUDING THOSE BY WASHINGTON COUNTY, SHALL BE IN ACCORDANCE WITH THE LIBERTY TOWERS CO-LOCATION POLICY AND THE REQUEST FOR ANY CO-LOCATION SHALL NOT EXCEED THE DESIGN SPECIFICATION OF THE TOWER STRUCTURE.
- TOWER WILL BE REMOVED WITHIN THREE MONTHS AFTER ABANDONMENT.
- PER ARTICLE 3.2J, PUBLIC UTILITY, SITE IS EXEMPT FROM FOREST CONSERVATION.
- IF THE PROPOSED DRIVENWAY IS CONSTRUCTED AT A DIFFERENT LOCATION THAN SHOWN ON THIS PLAN, THIS ADDRESS IS VOID, AND THE OWNER/DEVELOPER OF THE PROPERTY MUST REAPPLY TO WASHINGTON COUNTY DEPARTMENT OF PLANNING & ZONING FOR A NEW ADDRESS ASSIGNMENT.

SHEET INDEX

SHEET NO.	SHEET NAME
1 (C-1)	COVER SHEET
2 (C-1)	SITE PLAN
3 (C-2)	SITE DETAILS
4 (C-3)	ANTENNA DETAILS AND ELEVATION

CODE ANALYSIS

APPLICABLE BUILDING CODE:	IBC 2021
USE GROUP:	UTILITY (U)
CONSTRUCTION TYPE:	5B NONCOMBUSTIBLE

PROJECT DESCRIPTION

THE PROPOSED FACILITY WILL CONSIST OF EXTENDING AN EXISTING GRAVEL DRIVE TO A PROPOSED 50'-0" X 50'-0" FENCED COMPOUND. A 145'-0" TALL STEEL MONOPOLE CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT SHALL BE INSTALLED WITHIN THE FENCED COMPOUND. NINE (9) ANTENNAS SHALL BE MOUNTED ON THE MONOPOLE WITH A RAD CENTER ELEVATION OF 190'-0" ABOVE GRADE.

WASHINGTON COUNTY DIVISION OF PLANNING APPROVAL

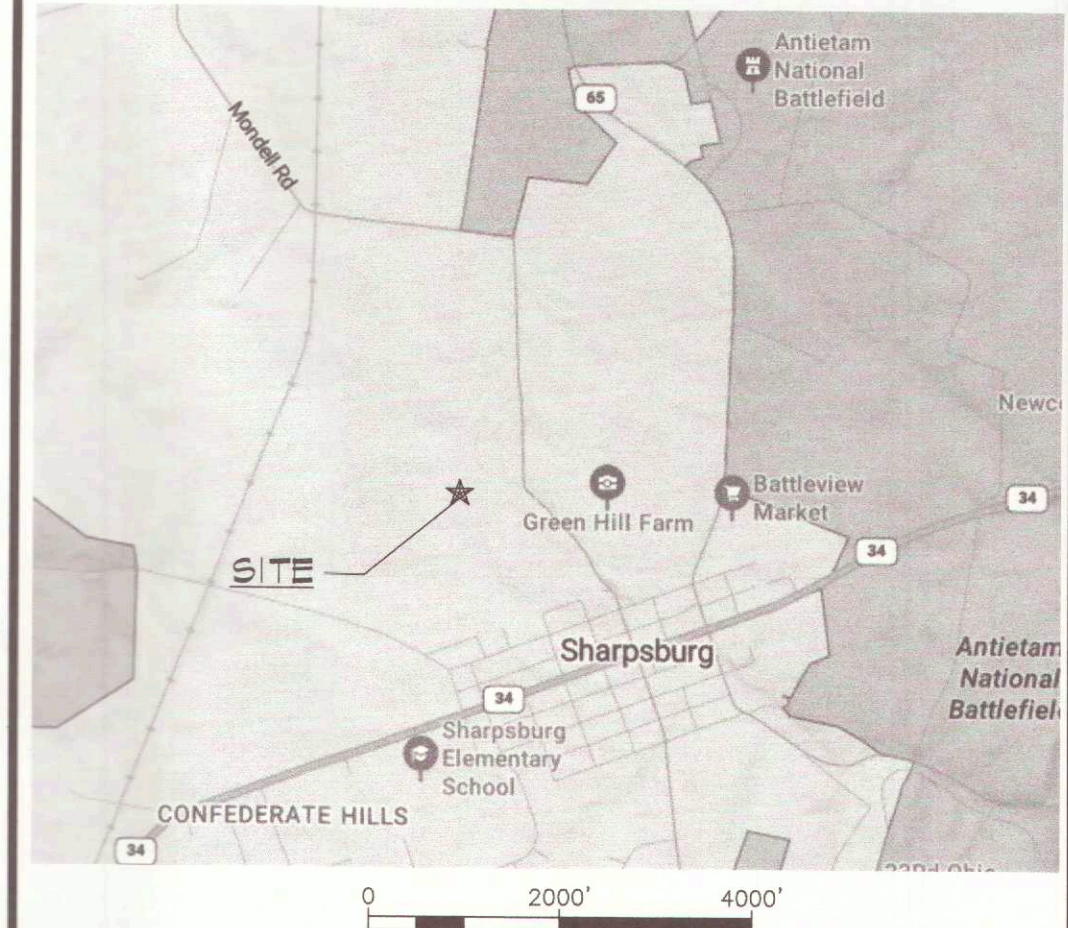
BY \_\_\_\_\_ DATE \_\_\_\_\_

LEGEND

PROPOSED GRAVEL AREA	
PROPOSED LIMIT OF DISTURBANCE (L.O.D.)	
PROPERTY LINE	
OVERHEAD TRANSMISSION LINES	
1' CONTOUR LINE (EXISTING)	
5' CONTOUR LINE (EXISTING)	
1' CONTOUR LINE (PROPOSED)	
5' CONTOUR LINE (PROPOSED)	
TREELINE	
UTILITY POLE	
CHAIN LINK FENCE	
BOARD ON BOARD FENCE	
SILT FENCE	
SUPER SILT FENCE	
EASEMENT	
PROPOSED CHAIN LINK FENCE	
STABILIZED CONSTRUCTION ENTRANCE	
EXISTING TREES	
FIRE HYDRANT	
SANITARY MANHOLE	
GAS VALVE	
WATER VALVE	
MAILBOX	



VICINITY PLAN  
SCALE: 1" = 2000'



DIRECTIONS TO SITE:

- FROM ANNAPOLIS JUNCTION:
- HEAD EAST
  - TURN LEFT TOWARD HENKELS LN
  - CONTINUE ONTO HENKELS LN
  - SLIGHT RIGHT TOWARD DORSEY RUN RD
  - MERGE ONTO DORSEY RUN RD
  - USE LEFT LANE TO MERGE ONTO MD-32 W
  - MERGE ONTO MD-32 W
  - MERGE ONTO I-70 W
  - TAKE EXIT 52 TO MERGE ONTO US-15/ US-340 W
  - EXIT ONTO MD-67
  - MERGE ONTO MD-67 N
  - TURN LEFT ONTO TREGGO RD
  - CONTINUE ONTO MT BRIAR RD
  - TURN LEFT ONTO PORTERSTOWN RD
  - TURN LEFT ONTO MD-34W
  - TURN RIGHT ONTO N MECHANIC ST
  - CONTINUE ONTO MONDELL RD

**MRA**  
**MORRIS & RITCHIE ASSOCIATES, INC.**  
Civil / Structural Engineers  
1220-B East Joppa Rd, Suite 400K  
Towson, Maryland 21286  
410-821-1690  
410-821-1748 Fax



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. 23803, EXPIRATION DATE: 07/01/2026.

US-MD-5102  
**SHARPSBURG**  
5404 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782  
(WASHINGTON COUNTY)

verticalbridge  
THE TOWERS, LLC

REVISIONS:	NO.	DESCRIPTION	DATE

DESIGNED BY: BES  
DRAWN BY: CJS  
REVIEWED BY: BES  
PROJECT NO: 19347.016  
DATE: 10/15/2025

TITLE:

Cover Sheet

SHEET:

CS-1

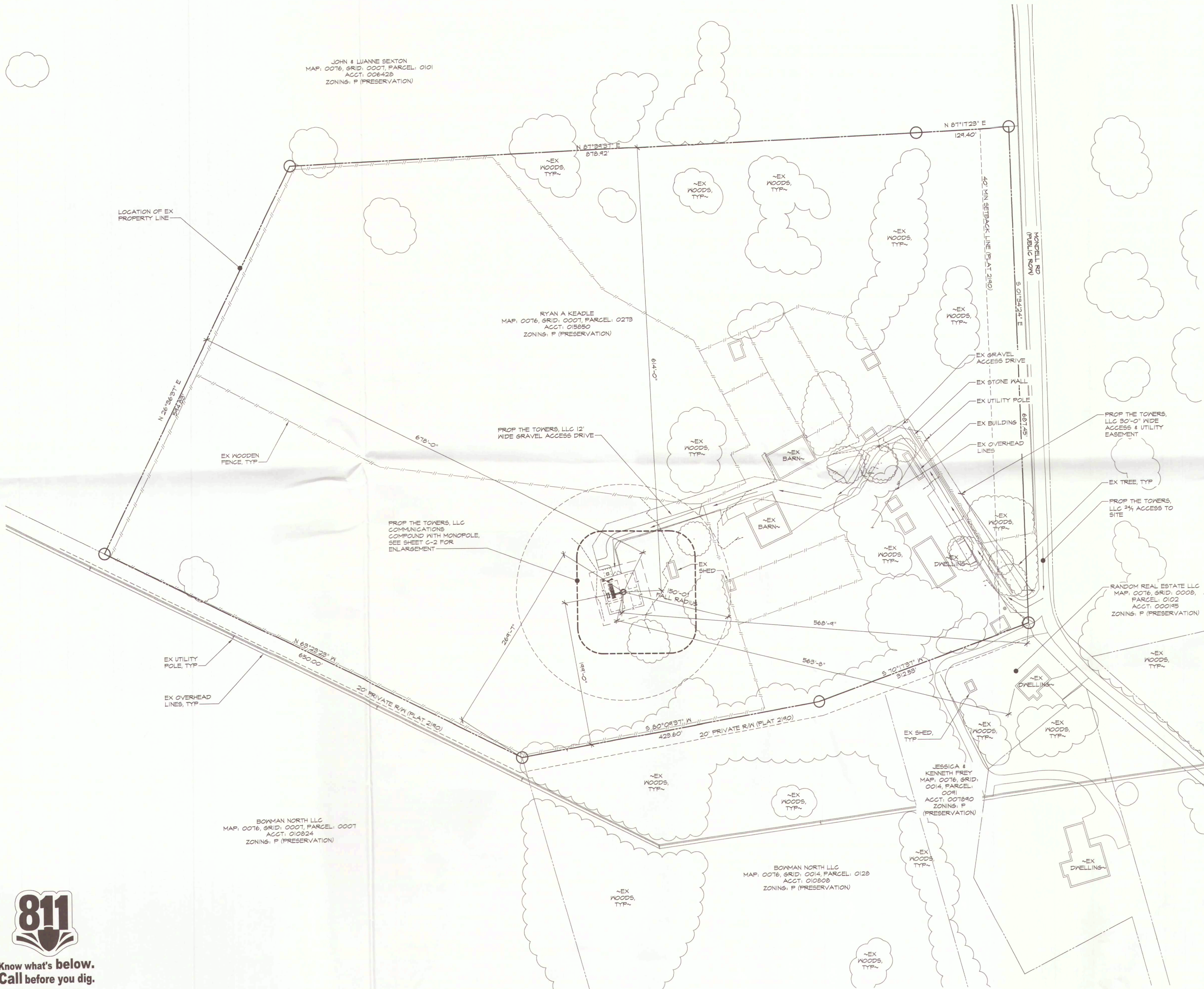




Know what's below.  
Call before you dig.

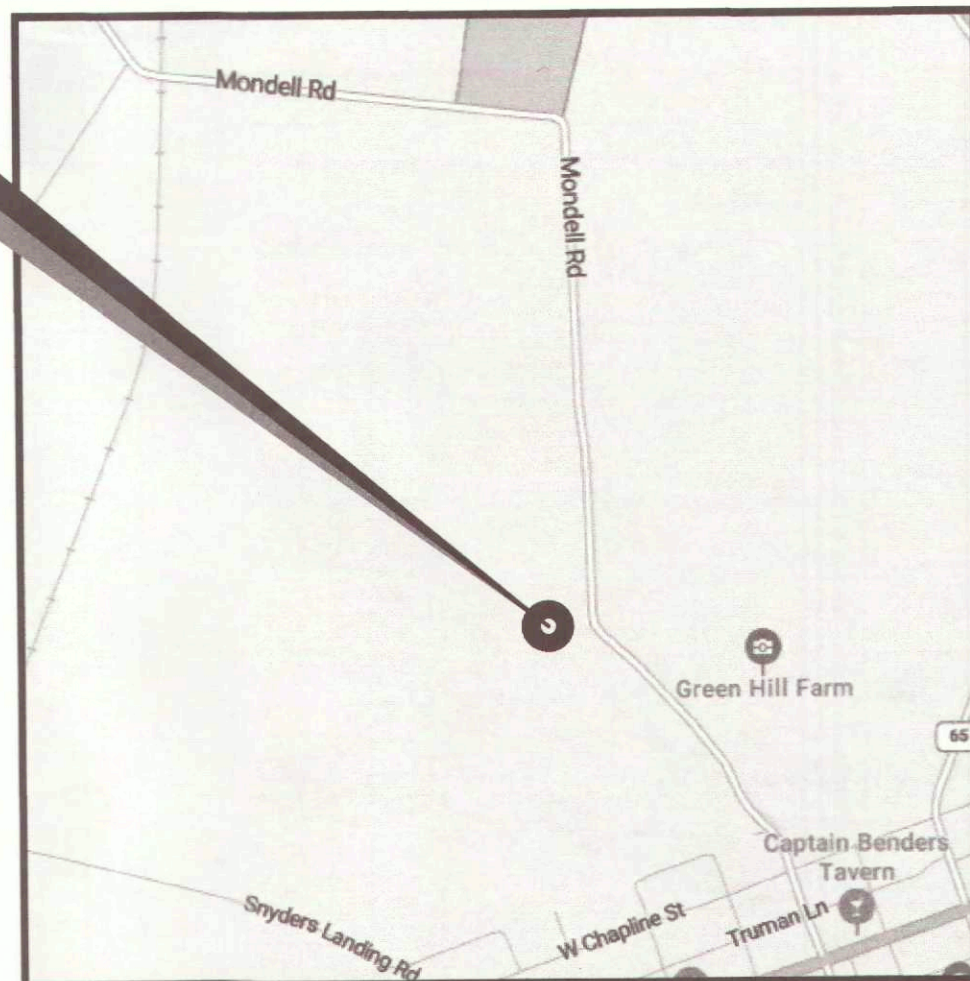
PROTECT YOURSELF, GIVE THREE  
WORKING DAYS NOTICE

THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY. ALL  
CONSTRUCTION MUST BE DONE IN COMPLIANCE  
WITH THE OCCUPATIONAL SAFETY AND HEALTH  
ACT OF 1970 AND ALL RULES AND REGULATIONS  
THERE TO APPURTENANT.



SITE PLAN  
SCALE: 1" = 70'-0"

SITE



VICINITY MAP  
SCALE: 1" = 1000'

SITE NOTES:

1. APPLICANT: THE TOWERS, LLC  
150 PARK OF COMMERCE DRIVE, SUITE 200  
BOCA RATON, FLORIDA 33481  
TEL: (561) 448-6361
2. PROPERTY OWNER: RYAN KEADLE  
5405 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782
3. SITE DATA: MAP: 0076, GRID: 0001, PARCEL: 0273  
DEED BOOK 06750, PAGE 0012  
PARCEL ID: 018550  
TRACT AREA: 20.20 ACRES  
DISTRICT: Q1  
ADDRESS: 5405 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782  
EXISTING USE: AGRICULTURAL
4. ZONING: PRESERVATION
5. HORIZONTAL AND VERTICAL CONTROL SHOWN HEREON IS BASED ON A GPS LATITUDE BY MORRIS & RITCHIE ASSOCIATES, INC. DATED OCTOBER 2025.  
LATITUDE: 39.4681° (N84° 21' 47.32") 448.25' AMSL  
LONGITUDE: -77.7951° (W77° 48' 18.24") 182.0' ASL  
TOP OF LIGHTNING ROD (HIGHEST POINT): 192.0' ASL  
TOTAL ELEVATION (AMSL): 642.25' AMSL
6. TOTAL DISTURBED AREA = 6200 SF
7. THE PROPOSED FACILITY WILL CONSIST OF EXTENDING AN EXISTING GRAVEL DRIVE TO A PROPOSED 50'-0" X 50'-0" FENCED COMPOUND. A 15'-0" TALL STEEL MONOPOLE, CONCRETE EQUIPMENT PADS AND ASSOCIATED EQUIPMENT SHALL BE INSTALLED WITHIN THE FENCED COMPOUND. NINE (9) ANTENNAS SHALL BE MOUNTED ON THE MONOPOLE WITH A RAD CENTER ELEVATION OF 190'-0" ABOVE GRADE.
8. THE STRUCTURE WILL NOT SUPPORT LIGHTS OR SIGNS UNLESS REQUIRED FOR AIRCRAFT WARNINGS OR OTHER SAFETY RECORDS.
9. THE APPLICANT WILL PROVIDE A CERTIFICATION FROM A REGISTERED ENGINEER THAT THE STRUCTURE WILL MEET THE APPLICABLE DESIGN STANDARDS FOR WIND LOADS PER THE REQUIREMENTS OF THE TELECOMMUNICATIONS INDUSTRY ASSOCIATION.
10. NO WATER OR SANITARY UTILITIES ARE REQUIRED FOR THE OPERATION OF THIS FACILITY.
11. STORMWATER MANAGEMENT NOTE: STORMWATER MANAGEMENT IS REQUIRED FOR THIS SITE.
12. BOUNDARY SHOWN PER COUNTY RECORDS. EXISTING SITE FEATURES SHOWN PER SURVEY BY MORRIS & RITCHIE ASSOCIATES, OCTOBER 2025.
13. ALL DETAILS SHOWN ARE "STANDARD" OR "TYPICAL" FOR REFERENCE ONLY. FOR ACTUAL DETAILS, SEE ARCHITECTURAL, STRUCTURAL, OR CONSTRUCTION PLANS BY OTHERS.
14. THE COMMUNICATION SITE SHALL BE UNMANNED WITH INFREQUENT VISITS (FOUR OR FEWER PER YEAR) BY MAINTENANCE PERSONNEL, AND WITH ACCESS AND PARKING FOR NO MORE THAN ONE VEHICLE. THE PROPOSED FACILITY IS NOT FOR HUMAN HABITATION AND THEREFORE HANDICAP ACCESS IS NOT REQUIRED.
15. WIRELESS TRANSMITTING DEVICES MUST COMPLY WITH ANSI STANDARD C63-18B2.
16. THERE IS NO FLOOD PLAN DESIGNATION FOR THIS PROPOSED TELECOMMUNICATION SITE.
17. THERE ARE NO STREAMS WITHIN 500' OF THIS SITE.
18. THE TOWERS, LLC SHALL BE RESPONSIBLE FOR MAINTAINING THE ACCESS ROAD TO THE SITE.

GENERAL NOTES:

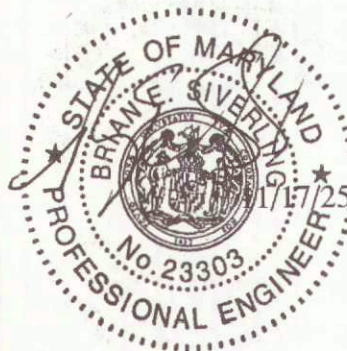
1. CONTRACTOR SHALL NOTIFY "MISS UTILITY" (811) 48 HOURS PRIOR TO DOING ANY EXCAVATION IN THIS AREA. CONTRACTOR SHALL CONTACT A SUBSURFACE UTILITY LOCATOR FOR LOCATION OF EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL VERIFY EXISTING UTILITY LOCATIONS BY TEST PIT AS NECESSARY. LOCATION OF UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND FOR PLANNING PURPOSES ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENS WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. DAMAGE TO UTILITIES OR PROPERTY OF OTHER BY THE CONTRACTOR DURING CONSTRUCTION SHALL BE REPAIRED TO PRECONSTRUCTION CONDITIONS BY THE CONTRACTOR.
2. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH ALL STATE AND LOCAL CODES AND ORDINANCES, THE LATEST EDITION THEREOF.
3. ANY PERMITS WHICH MUST BE OBTAINED SHALL BE THE CONTRACTOR'S RESPONSIBILITY. CONTRACTOR SHALL SECURE ALL NECESSARY PERMITS FOR THIS PROJECT FROM ALL APPLICABLE GOVERNMENTAL AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ABIDING BY ALL CONDITIONS AND REQUIREMENTS OF THE PERMITS.
4. CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS WITH APPROPRIATE UTILITY OWNERS.
5. THESE PLANS ARE NOT FOR RECORDATION OR CONVEYANCE.
6. EXISTING PAVEMENT AND OTHER SURFACES DISTURBED BY CONTRACTOR (WHICH ARE NOT TO BE REMOVED) SHALL BE REPAIRED TO PRECONSTRUCTION CONDITIONS BY THE CONTRACTOR.

SETBACK & SITING REQUIREMENTS TABLE:

LOCATION	PROVIDED	REQUIRED
NEAREST DWELLING (ADJACENT PROPERTY)	563'-8"±	344'-0"
SETBACKS TO ADJACENT PROPERTIES		
NORTH PROPERTY	614'-0"±	199'-0"
EAST PROPERTY	568'-4"±	199'-0"
SOUTH PROPERTY	184'-0"±	199'-0"
SOUTHWEST PROPERTY	269'-7"±	199'-0"
WEST PROPERTY	678'-0"±	199'-0"



MORRIS & RITCHIE  
ASSOCIATES, INC.  
Civil / Structural Engineers  
1320-B East Joppa Rd, Suite 400K  
Towson, Maryland 21286  
410-821-1690  
410-821-1748 Fax



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.  
23305, EXPIRATION DATE:  
07/07/2028.

US-MD-5102  
**SHARPSBURG**  
5404 MONDELL ROAD  
SHARPSBURG, MARYLAND 21782  
(WASHINGTON COUNTY)  
**verticalbridge**  
THE TOWERS, LLC

REVISIONS:

NO	DESCRIPTION	DATE

DESIGNED BY: BES

DRAWN BY: CJS

REVIEWED BY: BES

PROJECT NO: 19047.016

DATE: 10/15/2025

TITLE:

Site Plan

SHEET:

C-1







A

B

C

D

E

F

G

H

J

K

L

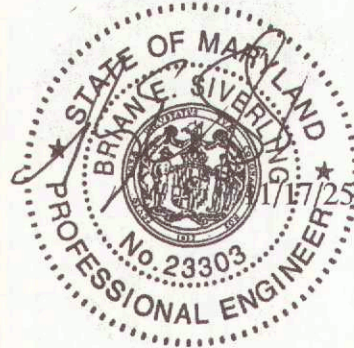
M

N

P

Q

R

**MORRIS & RITCHIE  
ASSOCIATES, INC.***Civil / Structural Engineers*  
1220-B East Joppa Rd, Suite 400K  
Towson, Maryland 21286  
410-821-1890  
410-821-1748 Fax**PROFESSIONAL CERTIFICATION**

I HEREBY CERTIFY THAT THESE  
DOCUMENTS WERE PREPARED  
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THAT I AM A DULY LICENSED  
PROFESSIONAL ENGINEER  
UNDER THE LAWS OF THE STATE  
OF MARYLAND, LICENSE NO.  
28803, EXPIRATION DATE:  
07/07/2026.

US-MD-5102  
**SHARPSBURG**  
5404 MONDELL ROAD  
SHARPSBURG, MARYLAND 21762  
(WASHINGTON COUNTY)

**verticalbridge**  
THE TOWERS, LLC

**REVISIONS:**

NO.	DESCRIPTION	DATE

DESIGNED BY: BES

DRAWN BY: CJS

REVIEWED BY: BES

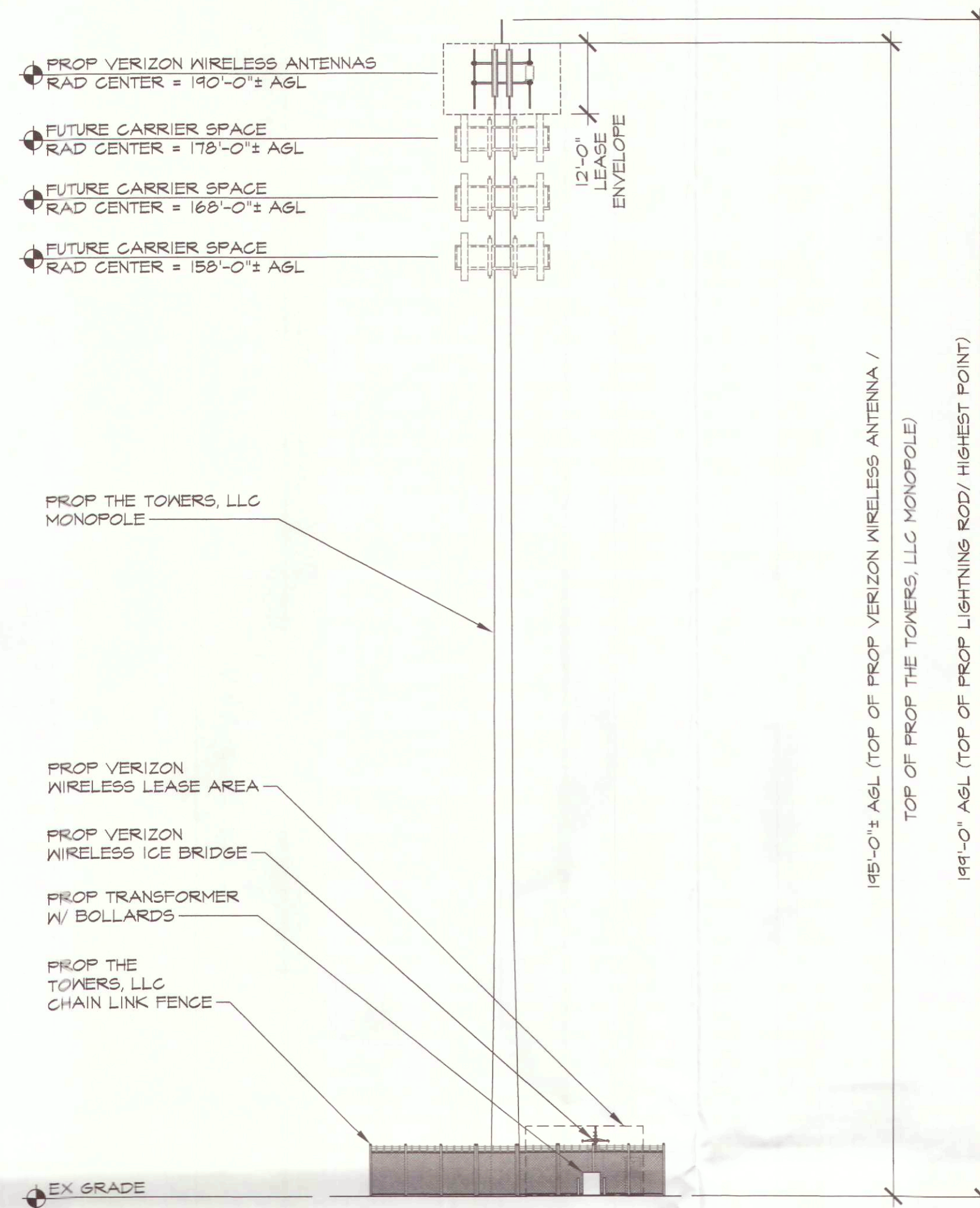
PROJECT NO: 19847.016

DATE: 10/15/2025

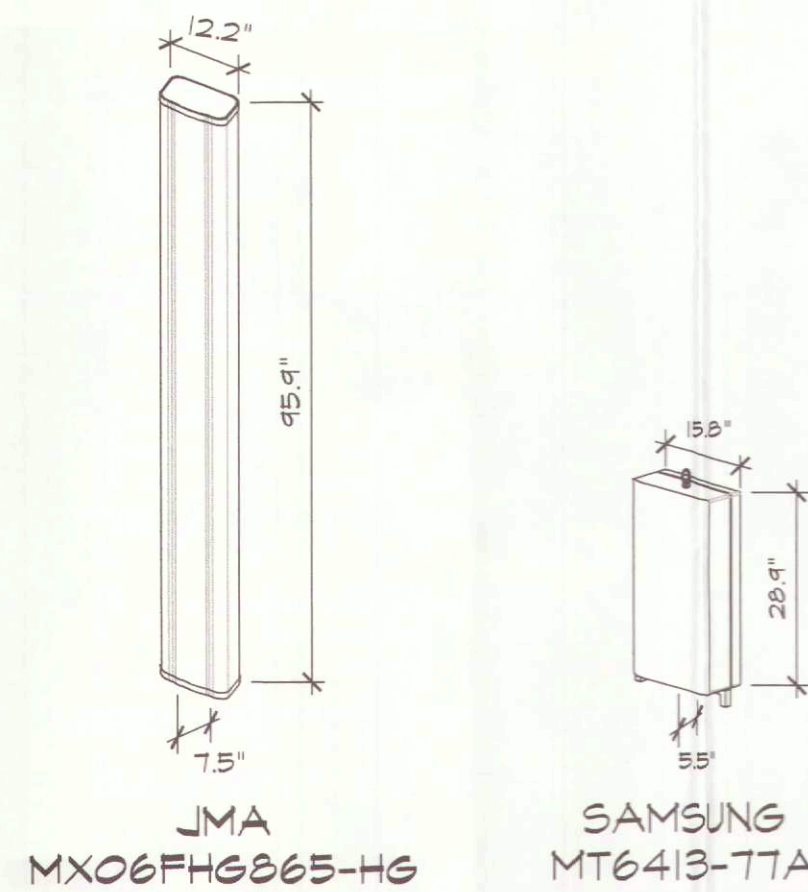
TITLE:

**Antenna  
Details &  
Elevation**

SHEET:

**C-3**

**TOWER ELEVATION**  
SCALE: 1" = 20'-0"



**VERIZON WIRELESS ANTENNA DETAILS**  
NOT TO SCALE



**Know what's below.  
Call before you dig.**

PROTECT YOURSELF, GIVE THREE  
WORKING DAYS NOTICE  
THIS DRAWING DOES NOT INCLUDE NECESSARY  
COMPONENTS FOR CONSTRUCTION SAFETY. ALL  
CONSTRUCTION MUST BE DONE IN COMPLIANCE  
WITH THE OCCUPATIONAL SAFETY AND HEALTH  
ACT OF 1970 AND ALL RULES AND REGULATIONS  
THERE TO APPURTENANT.



**BEFORE THE BOARD OF APPEALS  
FOR WASHINGTON COUNTY, MARYLAND**

**THE TOWERS, LLC**

\*

**Appeal No.: AP2025-031**

**Applicant**

\*

\*

\* \* \* \* \*

**OPINION**

The Towers, LLC (hereinafter “Applicant”) requests a special exception for a proposed commercial communication tower at the subject property. The subject property is located at 5404 Mondell Road, Sharpsburg, Maryland 21782 and is zoned Preservation. The Board held a public hearing in this matter on January 7, 2026.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon proper notice to the parties and general public as required. Kathryn Rathvon provided the Staff Report indicating that proper notice of the hearing was given to adjacent property owners by letter, publication was made in the newspaper, and the subject property was properly posted.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Applicant is The Towers, LLC, a developer that has been authorized to pursue this appeal by the owner of the subject property.
2. Ryan Keadle is the owner of the subject property located at 5404 Mondell Road, Sharpsburg, Maryland 21782. The subject property is zoned Preservation.
3. The subject property consists of approximately twenty (20) acres which is improved by a single-family dwelling and accessory buildings used primarily for agricultural purposes.

4. The subject property is located less than one (1) mile from Antietam National Battlefield (the "Battlefield"). The Battlefield is national park, managed by the U.S. National Park Service and the Department of the Interior. It is also located within half a mile of the Antietam Overlay district which restricts development in close proximity to the Battlefield.

5. Applicant proposes to construct a 199-foot commercial communications tower, inside of a 50-foot by 50-foot compound. The tower and compound will be located to the interior of the subject property, approximately 600 feet from Mondell Road, near undeveloped farmland to the west. There are existing mature trees to the south and east that will be used as screening.

6. The properties in the immediate surrounding area consist mostly of single-family dwellings and agricultural uses.

7. The proposed commercial communications tower will be unmanned but will require a technician to visit a few times per year for service and as needed for repairs. The tower will not produce any light, odor, dust, noise, gas, fumes or smoke.

8. Applicant obtained a certification from its engineer that in the event of a failure, the tower would be designed to fall within a radius of 150 feet, posing no danger to adjacent properties or nearby buildings.

9. Applicant searched the area for existing towers or structures that would provide an opportunity for co-location, however none could be identified. Applicant even considered the water tower within the Town of Sharpsburg, but it did not have the structural integrity for a commercial communication tower.

10. Verizon has confirmed that there is a gap in service in the area surrounding the subject property and intends to close the gap by constructing the proposed commercial communication tower.

11. Applicant conducted a visual impact survey using a balloon and documenting visibility by taking photographs from various points in a radius around the proposed site. Applicant produced photographs which depict the top of the



communication tower visible above the tree line from three (3) distinct locations at the Battlefield

12. The Historic District Commission provided comments because of the proximity to the Battlefield. The Commission noted that the subject property appeared to be a donut hole in the middle of other protected lands close to the battlefield.

13. Three distinct historic areas were identified: AO1 which is the Battlefield itself, AO2 which constitutes the approaches to the Battlefield and AO3 which is known as Red Hill to the east.

14. There were no comments received from the Health Department or the Airport. There were no comments received from other agencies or departments.

15. The Board did receive numerous letters in opposition to the special exception request. There was also opposition testimony presented at the hearing by multiple witnesses.<sup>1</sup>

### **Rationale**

A commercial communication tower is permitted by special exception, requiring Board approval, in the Preservation zoning district. See Article 3, Table 3.3 of the Zoning Ordinance. The Board has authority to grant a special exception pursuant to Section 25.2(b) of the Zoning Ordinance for Washington County, Maryland. A special exception is defined as “a grant of a specific use that would not be appropriate generally or without restriction; and shall be based upon a finding that the use conforms to the plan and is compatible with the existing neighborhood.” Article 28A. In addition, Section 25.6 sets forth the limitations, guides, and standards in exercise of the board’s duties and provides:

Where in these regulations certain powers are conferred upon the Board or the approval of the Board is required before a permit may be issued, or the Board is called upon to decide certain issues, the Board shall study the specific property involved, as well as the neighborhood, and consider all testimony and data submitted, and shall hear any person desiring to speak for or against the issuance of the permit. However, the application for a permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would adversely affect the public health, safety, security, morals or general welfare, or would

result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters, the Board shall consider any other information germane to the case and shall give consideration to the following, as applicable:

- (a) The number of people residing or working in the immediate area concerned.
- (b) The orderly growth of a community.
- (c) Traffic conditions and facilities
- (d) The effect of such use upon the peaceful enjoyment of people in their homes.
- (e) The conservation of property values.
- (f) The effect of odors, dust, gas, smoke, fumes, vibrations, glare and noise upon the use of surrounding property values.
- (g) The most appropriate use of the land and structure.
- (h) Decision of the courts.
- (i) The purpose of these regulations as set forth herein.
- (j) Type and kind of structures in the vicinity where public gatherings may be held, such as schools, churches, and the like.

For the reasons set forth herein, the Board concludes that the special exception request should be denied.

Applicant presented testimony in support of its request and was able to appropriately address the Board's questions and concerns. In both its written application and the testimony presented, Applicant submitted justification for a commercial communication tower at this location. Applicant expects traffic to be unaffected by the proposed commercial communication tower. Applicant presented testimony that a technician would visit a few times each year for maintenance and updates. There may be additional visits if repairs are required for any reason. There will not be regular traffic to the subject property. In addition, Applicant significant sufficient evidence that the proposed use would not produce any noise, odor, smoke, fumes or vibrations that may affect surrounding properties. Applicant presented the communication tower as a low intensity use that would not impact other properties and would serve local residents while enhancing data and communication capabilities in an area of need.

The Board heard testimony from nearby residents and concerned citizens all of whom opposed the special exception request. Much of the testimony adopted statements



of other opposition witnesses who shared specific concerns or reasons that the request should be denied. Those concerns are summarized below, in no particular order:

- (1) The Battlefield and the immediate surrounding area are pristinely preserved as a part of the County, State and nation's history;
- (2) The proposed commercial communication tower is not consistent with the County's Comprehensive Plan;
- (3) There are existing easements and zoning restrictions which protect the viewshed in and around the Battlefield. The County has engaged in ongoing efforts to maintain the rural nature of the surrounding area;
- (4) There is no evidence of gaps in communication service for emergency services and connection issues only exist with Verizon service;
- (5) The height and visibility of the commercial communication tower affect the viewshed for nearby residents and more importantly for visitors to the Battlefield who would be able to see the proposed tower from most locations while visiting;
- (6) Even though the proposed location for the tower is outside of the overlay area, it is still very close to, and visible from historic sites in and around the Battlefield;
- (7) A commercial communication tower is incompatible with residences and agricultural uses. Allowing such a use may create a slippery slope for other commercial uses to invade the peace and enjoyment of the surrounding properties;
- (8) The presence of a commercial communication tower will reduce property values as much as 9.7% according to some studies; and
- (9) Allowing such a project would alter the historic nature of the area and invite other intrusions.

These concerns were also reiterated in the voluminous emails and letters received by the Board prior to the hearing.

The Board finds that the proposed use will not create dangerous traffic or other safety concerns within the surrounding area. The Board further finds that the proposed use will not produce any noise, odor, gas, smoke, fumes, or vibrations upon the surrounding properties. Moreover, there was no evidence presented that the proposed use would have any effect on property values or the peace and enjoyment of nearby



homes. Notwithstanding the analysis pursuant to *Schultz v. Pritts* and the related appellate opinions, there are no judicial decisions directly affecting the subject property.

The proposed use is permitted by special exception. There is an inherent appropriateness to such use as deemed by the Board of County Commissioners, subject to review of the criteria to evaluate the impact on surrounding properties. In this case, the Board finds that the proposed use is an appropriate use of land and/or structure generally, but not at the proposed location.

The Board is also not persuaded that the proposed project is consistent with the orderly growth of the community. The community is unique in that it is situated in close proximity to, and encompasses, the Antietam National Battlefield. Given that there are significant restrictions on development immediately surrounding the Battlefield, an almost 200-foot communication tower is not consistent with the growth and development of the area.

While the Board finds no cause for concern regarding the number of people residing or working in the area, the same cannot be said for those people *visiting* the area or *gathering* at the Battlefield. The surrounding area is unique in that it is home to a national park with deep connection to our national, state and local history. Visitors from all over the country and from countries around the world make the trip to this area to visit the Battlefield. Whether it is to further their understanding of the history that took place on this hallowed ground, or to enjoy the peace and serenity of a national park, the surrounding viewshed is vital to the experience. While it may not serve Applicant's desires, there are other locations within the zoning district where the presence of a commercial communication tower will not have a detrimental effect on the Battlefield and its surrounds. The proximity to the Battlefield exacerbates the inherent effect of the tower's visibility and is contrary to the numerous efforts made by the County to preserve the rural and historical nature of the area.



Having considered the testimony and evidence presented and having further considered the criteria set forth in the Ordinance, the Board finds that the proposed use at the subject property will have greater “adverse effects above and beyond those inherently associated with such a special exception use irrespective of its location within the zone.” *Schultz v. Pritts*, 291 Md. 1, 15 (1981). For all these reasons, we conclude that this appeal does not meet the criteria for a special exception, and Applicant’s request should be denied.

Accordingly, the request for a special exception for a proposed commercial communication tower at the subject property is hereby DENIED, by a vote of 5 to 0.

BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: February 6, 2026**

#### Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.

---

<sup>1</sup> The following witnesses testified in opposition to the special exception request: Tim Lung, Mayor Russ Weaver, Gary Rohrer, Donald Collier, Tom Clemmens, Miriam Cunningham, David Hoy, Chris Vincent, Jackie Myers, Sam Cuthbert, Dennis Frye, Brian Guyer, Gary Candelaria, Troy Cool, Andrew Banicek, William Blaney, and Jillian Black.





## WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

### ZONING APPEAL

**Property Owner:** Interstate 70 Partners LLC  
10306 Remington Drive  
Hagerstown MD 21740

**Appellant:** The Meridian Group  
3 Bethesda Metro Center #1400  
Bethesda MD 20814

**Property Location:** 18560 Colonel Henry K Douglas Drive  
Hagerstown, MD 21740

**Description Of Appeal:** Variance from the parking requirement of 1 parking space per 1,500 sq. ft. to 1 parking space per 2,000 sq. ft. for proposed warehouse.

**Docket No:** AP2025-033  
**Tax ID No:** 10033349  
**Zoning:** HI; RU; RM  
**RB Overlay:** No  
**Zoning Overlay:**  
**Filed Date:** 12/12/2025  
**Hearing Date:** 01/07/2026

**Appellant's Legal Interest In Above Property:**

<b>Owner:</b>	No	<b>Contract to Rent/Lease:</b>	No
<b>Lessee:</b>	No	<b>Contract to Purchase:</b>	Yes

**Other:**

**Previous Petition/Appeal Docket No(s):** AP92-031, AP92-107

**Applicable Ordinance Sections:** Washington County Zoning Ordinance: Article 22, Division 1, Section 22.12 (Off Street Parking Requirement)

**Reason For Hardship:**

**If Appeal of Ruling, Date Of Ruling:**

**Ruling Official/Agency:**

**Existing Use:** Vacant Lot

**Proposed Use:** Warehouse

**Previous Use Ceased For At Least 6 Months:**

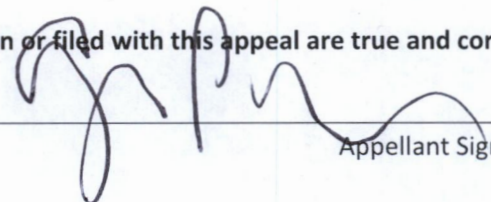
**Date Ceased:**

**Area Devoted To Non-Conforming Use -**

**Existing:**

**Proposed:**

I hearby affirm that all of the statements and information contained in or filed with this appeal are true and correct.

  
Appellant Signature

State Of Maryland, Washington County to-wit:

Sworn and subscribed before me this 16 day of December, 2025.

Nov. 7, 2029

My Commission Expires



Notary Public







WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

## AFFIDAVIT IN COMPLIANCE WITH SECTION 25.51(C)

Docket No: AP2025-033

State of Maryland Washington County, To Wit:

On 12/12/2025, before me the subscriber, a Notary of the public of the State and County aforesaid, personally appeared Fox & Associates Inc. and made oath in due form of law as follows:

Fox & Associates Inc. will post the zoning notice sign(s) given to me by the Zoning Administrator in accordance with Section 25.51(c) of the Washington County Zoning Ordinance for the above captioned Board of Appeals case, scheduled for public hearing on 01/07/2026, and that said sign(s) will be erected on the subject property in accordance with the required distances and positioning as set out in the attached posting instructions.

Sign(s) will be posted on 12/22/2025 and will remain until after the above hearing date.

Fox & Associates Inc.

Sworn and subscribed before me the day and year first above written.

Notary Public

My Commission Expires

Seal







WASHINGTON COUNTY BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742-2723 | P:240.313.2430 | F:240.313.2431 | Hearing Impaired: 7-1-1

## BOARD OF ZONING APPEALS

### **ATTENTION!**

### **Posting Instructions**

The premises MUST be posted in accordance with the following rules:

1. The sign must be posted a minimum of fourteen (14) days prior to the public hearing  
Section 25.51(c) Property upon which the application or appeal is concerned shall be posted conspicuously by a zoning notice no less in size than twenty-two (22) inches by twenty-eight (28) inches at least fourteen (14) days before the date of the hearing.
2. The sign must be placed on the property within ten (10) feet of the property line which abuts the most traveled public road.
3. The sign must be posted in a conspicuous manner not over six (6) feet above the ground level, and affixed to a sturdy frame where it will be clearly visible and legible to the public.
4. The sign shall be maintained at all times by the applicant until after the public hearing. If a new sign is needed or required, please contact the Plan Review Department at 240-313-2460.
5. An affidavit certifying the property will be posted for the minimum of fourteen (14) days prior to the public hearing date.

Proper posting of the sign will be spot checked by the Zoning Inspector. IF SIGN IS NOT IN COMPLIANCE, IT MAY RESULT IN RESCHEDULING OF THE HEARING.





**ENGINEERS  
SURVEYORS  
PLANNERS  
LANDSCAPE ARCHITECTS**

**981 Mt Aetna Rd  
Hagerstown, MD 21740  
Phone: 301-733-8503  
Fax: 301-733-1853**

December 10, 2025

Washington County Planning Dept.  
747 Northern Ave  
Hagerstown, MD 21742

Attention: Kathryn Rathvon

Re: I-70 Partners LLC Parking Variance

Dear Katie,

Attached please find our application package for the referenced parking variance request, specifically:

1. Variance Application
2. Owner's Affidavit
3. Concept Drawing for Proposed Project
4. List of Adjacent Property Owners

Our variance application is requesting a reduction of the warehouse parking requirement from 1 per 1,500 square feet to 1 per 2,000 square feet. Prospective tenants have expressed their parking needs do not require 1/1500 SF, primarily due to automation that is incorporated into modern warehouse facilities. The parking reduction will allow the property owner to offer a possible railroad spur or additional trailer parking spaces.

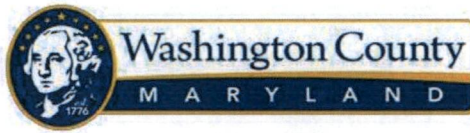
Let me know if there is additional information that you need from me or the property owner.

Sincerely,  
FOX & ASSOCIATES, INC.

Gordon Poffenberger, P.E.  
Director of Engineering

C: Tom Boylan, The Meridian Group  
file





## BOARD OF ZONING APPEALS

747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired:

7-1-1 WWW.WASHCO-MD.NET

### Appeal for Variance

Appeal is hereby made for a variance from a requirement of the Washington County Zoning Ordinance as follows:

Location Col. Douglas Drive Extended

Appellant's present legal interest in above property: (Check One)

☐ Owner (Including Joint Ownership) ☐ Lessee ☐ Contract to rent/lease

☒ Contract to Purchase ☐ Other

Specify the Ordinance section and subsection from which the variance is desired:

Article 22, Division I, Section 22.12 (Off Street Parking Requirements)

Specify the particular requirement(s) from which a variance is desired in that section or subsection:

Warehouse: 1/1.5 employees OR 1/1500 GFA, whichever is greater; plus 1/350 GFA of sales/office

Describe the nature and extent of the desired variance from Ordinance requirements: listed above:

Request is being made to reduce the required parking to 1/2000 GFA for warehouse space

Describe reason(s) why the Ordinance requirement(s) in question would result in peculiar and/or unusual practical difficulties to or would impose exceptional or undue hardship upon the owner of the property if the requested variance were not granted:

Provide Detailed Explanation on Separate Sheet

Has any previous petition or appeal involving this property been made to the Board?

☐ Yes ☒ No

If yes, list docket number(s):

I hereby certify that I have, to the best of my knowledge, accurately supplied the information required for the above referenced appeal.

Signature of Appellant

981 Mt Aetna Rd, Hagerstown, MD 21740

Address and of Appellant

gpoffenberger@foxassociatesinc.com

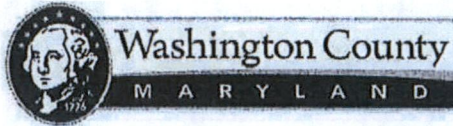
Email of Appellant

301-733-8503

Phone Number of Appellant

This appeal form is to be used to assist the customer in gathering the information necessary to submit an application. However, the application shall be processed in person.





BOARD OF ZONING APPEALS

OWNER REPRESENTATIVE AFFIDAVIT

This is to certify that Gordon Poffenberger  
is authorized to file an appeal with the Washington County Board of Appeals for Proposed I-70  
Properties Warehouse on property located at End of Col HK Douglas Dr TM 57, P 161.  
The said work is authorized by Hilton Smith  
the property owner in fee.

PROPERTY OWNER

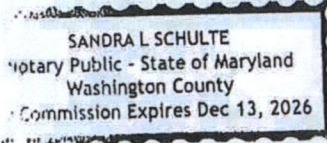
Interstate 70 Partners LLC c/o Hilton Smith  
Name

10306 Remington Dr.  
Address

Hagerstown, MD 21740  
City, State, Zip Code

[Signature]  
Owner's Signature

Sworn and subscribed before me this 4th day of December, 2025.



Sandra L. Schulte  
Notary Public

My Commission Expires: 12-13-26

AUTHORIZED REPRESENTATIVE

Gordon Poffenberger  
Name

Fox & Assoc., Inc. 981 Mt Aetna Rd.  
Address

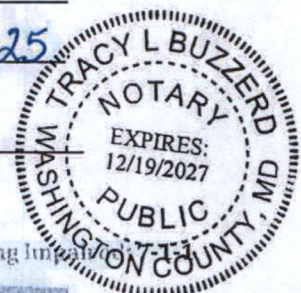
Hagerstown, MD 21740  
City, State, Zip Code

[Signature]  
Authorized Representative's Signature

Sworn and subscribed before me this 4th day of December, 2025.

Tracy L. Buzzard  
Notary Public

My Commission Expires: December 19, 2027

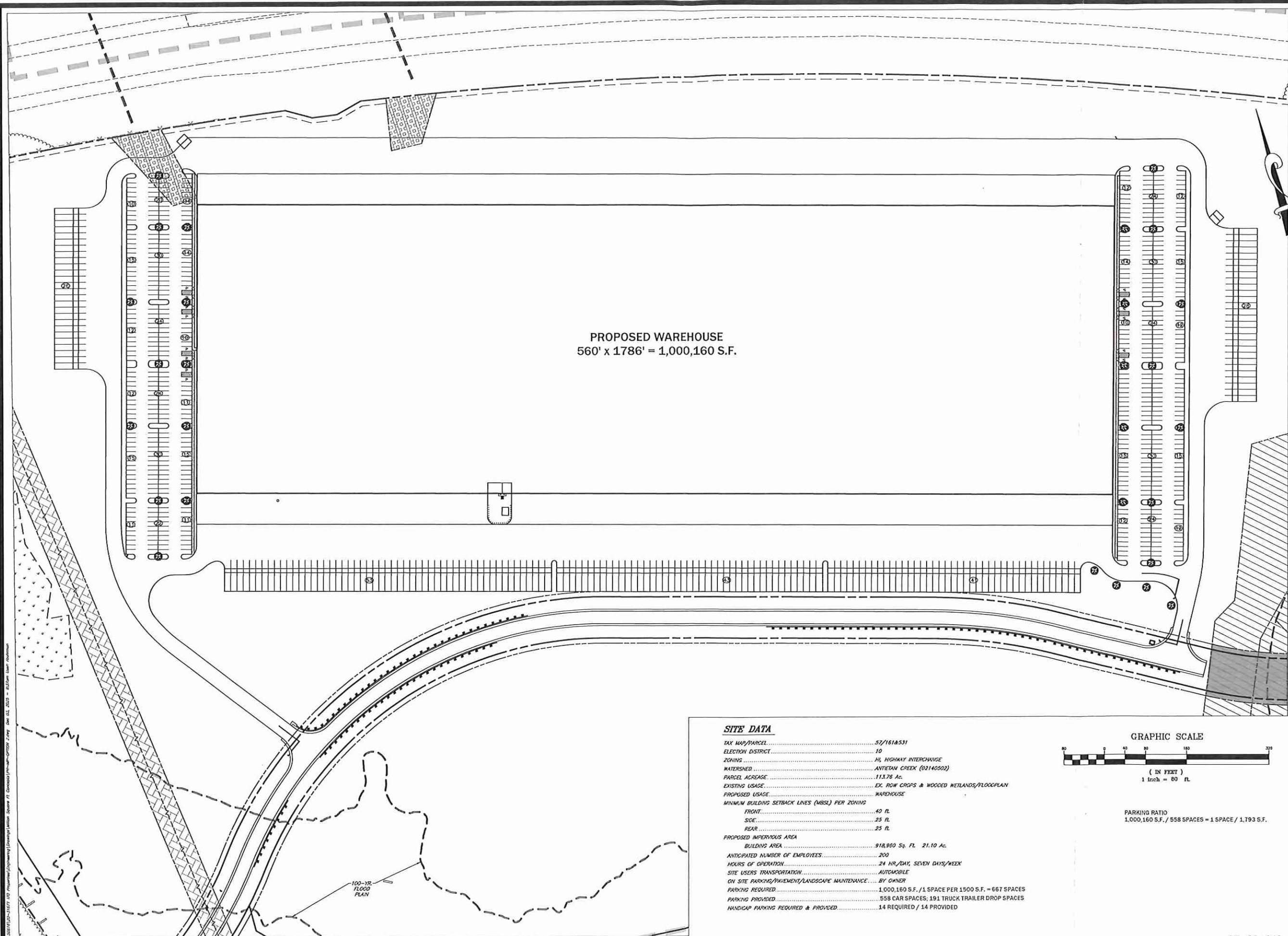


747 Northern Avenue | Hagerstown, MD 21742 | P: 240.313.2430 | F: 240.313.2461 | Hearing Impaired: 7-1-1



	<b>Owner/Local Official</b>	<b>Premise Address</b>	<b>Mailing Address</b>	<b>TM</b>	<b>Parcel</b>
1	Washington Co Commissioners	n/a	100 W Washington St, Hagerstown, MD 21740		
2	Valentia Land Development LLC	Poffenberger Rd, Hagerstown, MD 21740	13201 Fountainhead Road, Hagerstown, MD 21742	57	162
3	Carriage Hill TH Community Assoc	Poffenberger Rd, Hagerstown, MD 21740	10306 Remington Drive, Hagerstown, MD 21740	57	615
4	Washington Co Commissioners	Bridle Ct, Hagerstown, MD 21740	100 W Washington St, Hagerstown, MD 21740	57	615
5	Robert Hobbs	19036 Poffenberger Rd, Hagerstown, MD 21740	19036 Poffenberger Rd, Hagerstown, MD 21740	57	163
6	Thomas and Sunae Leidy Rev. Trust	Sharpsburg Pike, Hagerstown, MD 21740	890 Leidy Road, Westminster, MD 21157	57	170



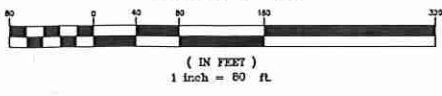


PROPOSED WAREHOUSE  
560' x 1786' = 1,000,160 S.F.

**SITE DATA**

TAX MAP/PARCEL	57/1614531
ELECTION DISTRICT	10
ZONING	M, HIGHWAY INTERCHANGE
WATERSHED	ANTETAM CREEK (02140502)
PARCEL ACREAGE	113.78 AC.
EXISTING USAGE	EX. ROW CROPS & WOODED WETLANDS/FLOODPLAIN
PROPOSED USAGE	WAREHOUSE
MINIMUM BUILDING SETBACK LINES (MBSL) PER ZONING	
FRONT	40 FT.
SIDE	25 FT.
REAR	25 FT.
PROPOSED IMPERVIOUS AREA	
BUILDING AREA	918,960 Sq. Ft. 21.10 AC.
ANTICIPATED NUMBER OF EMPLOYEES	200
HOURS OF OPERATION	24 HR./DAY, SEVEN DAYS/WEEK
SITE USERS TRANSPORTATION	AUTOMOBILE
ON SITE PARKING/PAVEMENT/LANDSCAPE MAINTENANCE	BY OWNER
PARKING REQUIRED	1,000,160 S.F. / 1 SPACE PER 1500 S.F. = 667 SPACES
PARKING PROVIDED	558 CAR SPACES, 191 TRUCK TRAILER DROP SPACES
HANDICAP PARKING REQUIRED & PROVIDED	14 REQUIRED / 14 PROVIDED

**GRAPHIC SCALE**



PARKING RATIO  
1,000,160 S.F. / 558 SPACES = 1 SPACE / 1,793 S.F.



**FOX & ASSOCIATES, INC.**  
ENGINEERS • SURVEYORS • PLANNERS  
881 MT. AETNA ROAD  
HAGERSTOWN, MD. 21740  
PHONE: (301)733-8503  
or (301)416-7250  
FAX: (301)733-1853  
Email: foxassoc@foxassocinc.com  
www.foxassocinc.com

DATE	REVISION	DRAWN BY

**CONCEPT PLAN**  
**I-70 GATEWAY WAREHOUSE**  
SITUATE ON THE NORTH SIDE OF COL. H.K. DOUGLAS DR. EXT.  
ELECTION DISTRICT 10  
WASHINGTON COUNTY, MARYLAND

SCALE: 1" = 80'



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.: 27053 EXP. DATE: 1/25/26

PROJECT NO. 22-31855  
DRAWING NO.  
DATE: DEC 2025  
DRAWN BY: RLB  
CHECKED BY: G.S.P.



**BEFORE THE BOARD OF APPEALS  
FOR WASHINGTON COUNTY, MARYLAND**

**THE MERIDIAN GROUP**

\* **Appeal No.: AP2025-033**

**Appellant**

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**OPINION**

The Meridian Group (hereinafter “Appellant”) requests a variance to reduce the parking requirement from one (1) parking space per 1,500 square feet to one (1) parking space per 2,000 square feet for a proposed warehouse at the subject property. The subject property is located at 18560 Colonel Henry K. Douglas Drive, Hagerstown, Maryland 21740 and is mix-zoned Highway Interchange, Residential, Urban and Residential, Multi-Family. The Board held a public hearing in this matter on January 7, 2026.

This appeal was heard pursuant to Article 25 of the Zoning Ordinance for Washington County and upon notice to the parties and general public as required. Kathryn Rathvon provided the Staff Report indicating that proper notice of the hearing was given to adjacent property owners by letter, publication was made in the newspaper, and the subject property was properly posted.

**Findings of Fact**

Based upon the testimony given, all information and evidence presented, and upon a study of the specific property involved and the neighborhood in which it is located, the Board makes the following findings of fact:

1. Appellant is the Meridian Group, a developer that has been authorized to pursue this appeal by the owner of the subject property.

2. Interstate 70 Partners, LLC is the owner of the subject property located at 18560 Colonel Henry K. Douglas Drive, Hagerstown, Maryland 21740. The subject property has mixed zoning comprised of the Highway Interchange, Residential, Urban and Residential, Multi-Family zoning classifications.



3. The subject property consists of approximately 118 acres of unimproved land situated along the east side of Sharpsburg Pike at the east end of Colonel Henry K. Douglas Drive. The subject property is located near an existing CSX railroad spur and adjacent to the Cross Creek residential subdivision.

4. Appellant proposes to develop and construct a 900,000 square-foot warehouse for an as-yet-to-be-determined end user.

5. Pursuant to Section 22.12 of the Zoning Ordinance, Appellant is required to have 600 parking spaces based on the size of the proposed warehouse. Appellant proposes to reduce the required number of parking spaces from 600 spaces to 450 spaces.

6. Modern warehouse design includes considerable automation which reduces the number of employees required for operation. This results in small employee shift sizes and reduced need for parking at the facility.

7. CSX Railroad has certified that subject property for a rail user.

8. The Board received two (2) letters of opposition to the variance request and also heard opposition testimony during the hearing.

9. The County noted that project must meet the development requirements pursuant to the Floodplain Ordinance. There were no other comments received from other agencies or departments.

### **Rationale**

The Board has authority to grant a variance upon a showing of practical difficulty or undue hardship as set forth in Section 25.2 and 25.56 of the Ordinance.<sup>1</sup> “Practical Difficulty” may be found by the Board when: (1) strict compliance would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome; and (2) denying the variance would do substantial injustice

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<sup>1</sup> “When the terms unnecessary hardship (or one of its synonyms) and practical difficulty are framed in the disjunctive (“or”), Maryland courts generally have applied the more restrictive hardship standard to use variances, while applying the less restrictive practical difficulty standard to area variances because use variances are viewed as more drastic departures from zoning requirements.” *Belvoir Farms Homeowners Ass’n, Inc. v North*, 355 Md. 259, 276 n. 10 (1999) (citations omitted)



to the applicant and a lesser relaxation than that applied for would not give substantial relief; and (3) granting the variance would observe the spirit of the Ordinance and secure public safety and welfare. Section 25.56(A).

Practical difficulty and undue hardship are typically the result of a property being unique. “‘Uniqueness’ of a property for zoning purposes requires that the subject property have an inherent characteristic not shared by other properties in the area, i.e., its shape, topography, subsurface condition, environmental factors, historical significance, access or non-access to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions.” *North v St. Mary’s Cnty.*, 99 Md.App. 502, 514 (1994).

Pursuant to Section 22.12 of the Zoning Ordinance, a warehouse or wholesale establishment is required to have “1 space per 1.5 employees on the main shift or 1 space per 1,500 square feet of GFA, whichever is greater...” As proposed, this would result in 600 required parking spaces for the proposed warehouse. Appellant has proposed to reduce the requirement by changing the calculation to one (1) parking space per 2,000 of gross floor area which would result in 450 parking spaces. While this is still more than will be needed for the warehouse, it is the minimum reduction necessary to move forward with the project.

Appellant presented testimony and evidence regarding the proposed warehouse and its operation. Appellant noted that the proximity of the CSX railroad spur provides additional flexibility for potential end users that want rail access. In order to maintain this flexibility, they must reduce the required parking to include rail access in the site design. Appellant also noted the negative effect that additional parking spaces will have on surface water runoff and maintaining green spaces. Appellant stated that the required parking spaces were far in excess of what was needed for the proposed use and that other warehouse uses have been approved for similar reductions in parking.

The Board heard opposition testimony from two (2) witnesses during the hearing. The opposition was focused on the overall outbreak of warehouses in the County, the detrimental effect on traffic and the lack of benefit to the County and its residents. The



witnesses testified that the subject property was not an appropriate location for a warehouse. These arguments were also consistent with the content of the letters received by the Board prior to the hearing. While the Board certainly understands the opposition's concerns and arguments, the fact remains that the proposed warehouse is a permitted use at the subject property.

The Board finds that practical difficulty would result from strict compliance with the setback requirement. Without relaxation of the setback, Appellant would be required to create far more parking spaces than it will need, resulting in additional impervious surfaces and reduced flexibility in the site design. This would be the very definition of insisting on form over substance. The variance does not confer any special privilege and is consistent with other warehouse uses in the County wherein variance relief has been granted to reduce unnecessary parking spaces. Appellant's request appears to be the minimum necessary to facilitate practical use of the property. The Board finds that relaxation parking requirements is necessary and remains consistent with the spirit and intent of the Ordinance.

Accordingly, the request for a variance to reduce the parking requirement from one (1) parking space per 1,500 square feet to one (1) parking space per 2,000 square feet for a proposed warehouse at the subject property is GRANTED by a vote of 5 to 0. The variance relief is granted subject to the standard condition that the use is consistent with the testimony and evidence presented during the hearing before the Board.

BOARD OF APPEALS

By: Tracie Felker, Chair

**Date Issued: February 5, 2026**

#### Notice of Appeal Rights

Any party aggrieved by a final order of the Authority in a contested case, whether such decision is affirmative or negative in form, is entitled to file a petition for judicial review of that order to the Circuit Court for Washington County within thirty (30) days of the date of the order.