

BOARD OF APPEALS REVIEW

COMMISSION REVIEW

PLANNING STAFF REPORT

DATE: Feb 6, 1991

TIME: 9:00 a.m.

STAFF: Bernie Folker

FOR INFORMATION PURPOSES

TYPE OF APPEAL: variance and special exception

APPEAL #: 831

PROPERTY SIZE: 41 acres

TAX MAP: 59, parcel 48

ZONING: A-2

APPLICANT: CWA Broadcasting, Inc.

LANDOWNER: Heirs of James E. and Alexine Eason

AGENT: Philip E. L. Dietz

ENGINEER: n/a

LOCATION: Route 50 south to Barber Road, 2 miles down Barber make right onto Beaver Dam Road, 2/3 of a mile on Beaver Dam make left onto Money Make Road, 1/2 of a mile to property on left

CRITICAL AREA: no

PURPOSE OF APPEAL:

The applicant is requesting:

- 1) a special exception for the construction of a radio tower and accessory transmitter and studio.
- 2) a variance from the 40' height restriction for the tower.

STAFF COMMENTS:

- 1) "Public and quasi-public buildings and structures of a recreational, conservation, cultural and public service type" (Talbot County Code section 19-21 c.3) are permitted as a special exception in the A-2 zone.
- 2) The proposed radio tower is approximately 325'. A variance from the 40' height restriction would be required for its construction.

STAFF RECOMMENDATION:

Staff suggests that the Commission recommend approval of the special exception provided that, in the Commission's opinion, the proposed use fits the Zoning Ordinance as quoted in #1 of the Staff Comments.

Based on the assumption that the special exception will be granted, staff suggests that the Commission recommend approval of the variance for tower height.

EXHIBIT D



DANIEL R. COWEE
Planning Officer

TALBOT COUNTY OFFICE
OF
PLANNING AND ZONING
COURTHOUSE
EASTON, MARYLAND 21601
PHONE 301-822-2030

BARRY F. GRIFFITH
Assistant Planning Officer

January 7, 1992

Hoppy Adams
% CW Adams Jr.
35 Solomon's Island Rd.
Annapolis Maryland 21401

Dear Mr. Adams:

Pursuant to your telephone conversation of yesterday requesting information regarding your special exception for an FM radio transmitting tower I am enclosing the following:

1. Copy of page 10 of your special exception decision dated March 20, 1991 which states that "The undersigned members of the Board of Appeals would have approved the application for the 325 foot radio transmission tower only". The undersigned members number "two" only and do not constitute a majority opinion by the Board.
2. A copy of Section 19.14 (ix) from the Talbot County Zoning Ordinance, effective in June of 1991, stating that following the denial or revocation of a special exception, no application for a special exception for the same use on the same premises shall be filed within one year from the date of denial or revocation, except on grounds of new evidence or proof of change of conditions.
3. Copy of Section 19.4 of the revised Zoning Ordinance "Land Use Classification" which lists Antenna Towers for Radio and Television Transmissions and Other-Non-Essential Radio Communications and Antenna Tower for Essential Communications. Please note that in this section it states new antenna towers shall not be located within a 3 mile radius of any existing antenna towers in the unincorporated area of the County.

I hope this letter will satisfy any requirements you have from this office. Please do not hesitate to contact me should you wish to discuss any aspects of regulations of the Zoning Ordinance.

Sincerely,

Janice M. Currie

Janice M. Currie
Secretary

encl.

<u>Land Use Classification</u>	<u>RAC</u>	<u>RC</u>	<u>RR</u>	<u>TR</u>	<u>VC</u>	<u>LC</u>	<u>GC</u>	<u>LI</u>
Antenna Tower For Radio and Television Transmissions and Other Non-Essential Radio Communications - Includes towers for public and commercial radio and television antennas, business band radio antennas and necessary transmission facilities - Includes associated broadcasting studios in the LC, GC, and LI zones - New antenna towers shall not be located within a 3 mile radius of any existing antenna towers in the unincorporated area of the County	S	S				P	P	P
Antenna Tower For Essential Communications - Includes towers for essential telecommunications and emergency service radio communications antennas - New antenna towers shall not be located within a 3 mile radius of any existing antenna towers in the unincorporated area of the County	S	S	S	S	S	P	P	P
Compounding Industries (Permanent) (Temporary 4-16) - Includes concrete and asphalt plants - Shall be located not less than 1,000 feet from any residential dwelling unit, school, church or other structure intended for human occupancy - Shall not be allowed in the Chesapeake Bay Critical Area - Shall have direct access to an approved county or state road								S

(v) Amendment of a Special Exception. The enlargement or alteration of a use, or of the structure and facilities occupied by a use, which was previously allowed by a special exception approval, shall require a special exception use amendment. Such an amendment shall be obtained following the same procedures required for a special exception as listed above except that the Planning Officer may approve the amendment if the amendment is determined to be minor.

No amendment shall be considered which does not involve the enlargement or alteration of a use, or of the structures and facilities occupied by a use, except on grounds of new evidence or proof of change of conditions.

(vi) Hearing Notice. Public notice shall be given for a public hearing on an application for a special exception by the Board of Appeals in accordance with provisions set forth in Section 19.14(f).

(vii) Site Visit. A majority of the members of the Board of Appeals shall be required to visit the site for which the special exception is requested before a hearing. However, a decision on a special exception shall be decided upon the basis of the evidence of record.

(viii) Recommendation of Planning Commission. Before deciding any application on a request for a special exception the Board of Appeals shall seek the recommendation of the Planning Commission. The Planning Commission shall concern itself with the necessary findings and standards when formulating its recommendation for a special exception. The recommendation shall be considered by the Board of Appeals, and shall become a part of the record but shall not be binding upon the Board of Appeals. The Board of Appeals may request from the Planning Commission such technical service, data or factual evidence as will further assist the Board of Appeals in reaching decisions.

(ix) New application after denial or revocation of a special exception. Following the denial or revocation of a special exception, no application for a special exception for the same use on the same premises shall be filed within one year from the date of denial or revocation, except on grounds of new evidence or proof of change of conditions.

HAVING MADE THE FOREGOING FINDINGS OF FACT AND LAW, IT IS, BY THE
TALBOT COUNTY BOARD OF APPEALS

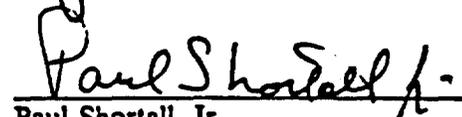
RESOLVED, that the application of CWA BROADCASTING, LTD., is hereby DENIED.

Given over our hands this 20th day of March, 1991.

TALBOT COUNTY BOARD OF APPEALS


Harry E. Clark, Chairman


John M. Barto


Paul Shortall, Jr.

The undersigned members of the Board of Appeals would have approved the application for the 325' radio transmission tower only. They agree with the majority of the Board that it does not have the power to approve a radio station or broadcasting station in the A-2 zone. However, they believe that the Applicant has met the burden of proof for a Special Exception and a Variance for the construction of the broadcasting tower. They were convinced that the proposed tower would have no detrimental effect on surrounding properties or neighborhoods and that the use was consistent with the plan for physical development of the surrounding area; as specifically stated in sections 21.01-3 and 21.01-10 of the Talbot County Zoning Ordinance and further clarified in the proposed zoning ordinance (introduced by the County Council on March 5, 1991) in section 19.4, page 421, "Antenna Tower for Radio and Television Transmission and other non-essential radio communications."


Edzel L. Turner, Vice-Chairman


Robert K. Huntington

EXHIBIT 2

CWA Extension of Time Application for
WFBR(FM), Cambridge Maryland
FCC File No. BMPH-920828JK

DUPLICATE

FEDERAL COMMUNICATIONS COMMISSION
FEE PROCESSING FORM

FCC/MELLON AUG 28 1992 MS.

Approved by OMB
3060-0440
Expires 12/31/90

08-31-92 8195469 001

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accompany all payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. All required blocks must be completed or application/filing will be returned without action.

SECTION I

APPLICANT NAME (Last, first, middle initial) **CWA BROADCASTING, INC.**
CONSTRUCTION PERMIT # BMPH-920205JX

MAILING ADDRESS (Line 1) (Maximum 65 characters - refer to instruction (2) on reverse of form)
35 OLD SOLOMONS ISLAND ROAD

MAILING ADDRESS (Line 2) (if required) (Maximum 65 characters)

CITY
ANNAPOLIS

STATE OR COUNTRY (if foreign address) **MD** ZIP CODE **21401** CALL SIGN OR OTHER FCC IDENTIFIER (if applicable) **WFBR**

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in FCC Fee Filing Guides. Enter in Column (B) the Fee Multiple, if applicable. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number entered in Column (B), if any.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(1) M K R		\$ 200.00	

SECTION II - To be used only when you are requesting concurrent actions which result in requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(2) [] [] []	[] [] [] []	\$ []	SEP 2 8 34 AM '92
(3) [] [] []	[] [] [] []	\$ []	
(4) [] [] []	[] [] [] []	\$ []	
(5) [] [] []	[] [] [] []	\$ []	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (5), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING	FOR FCC USE ONLY
\$ 200.00	200.00

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT
(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only
BMPH-920205JK
File No.

1. Legal Name of Applicant (See Instruction C1) CWA BROADCASTING, INC.		3. PURPOSE OF APPLICATION: <input checked="" type="checkbox"/> a. Additional time to construct broadcast station <input type="checkbox"/> b. Construction permit to replace expired permit	
2. Mailing Address (Number, street, city, state, ZIP code) 35 Old Solomons Island Road Annapolis, MD 21401		4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT: File Number: BMPH-910118IG Call Letters: WFBR Frequency: 94.3 MHz Channel No.: 232A Station Location: Cambridge, MD <i>CONSTRUCTION PERMIT # BMPH-920205JK</i>	
Telephone No. (Include Area Code) (410) 266-6996			
5. OTHER: Submit as Exhibit No. _____ a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc. Not applicable			
6. EXTENT OF CONSTRUCTION:			
<input type="checkbox"/> Has equipment been delivered? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If NO, answer the following: From Whom Ordered (If no order has been placed, so indicate) See Exhibit No. 1		(b) Has installation commenced? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, submit as Exhibit No. _____ a description of the extent of installation and the date installation commenced.	
Date Ordered	Date Delivery Promised	(c) Estimated date by which construction can be completed. w/in 120 days after receipt of zoning approval	
7. (a) If application is for extension of construction permit, submit as Exhibit No. <u>1</u> reason(s) why construction has not been completed.			
(b) If application is to replace an expired construction permit, submit as Exhibit No. _____ the reason for not submitting a timely extension application, together with the reason(s) why construction was not completed during the period specified in the construction permit or subsequent extension(s). Not applicable			
8. Are the representations contained in the application for construction permit still true and correct? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If NO, give particulars in Exhibit No. _____			

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Legal Name of Applicant CWA BROADCASTING, INC.	Signature <i>C. W. Abbott</i>
Title President	Date August 21, 1992

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT,
U.S. CODE, TITLE 18, SECTION 1001.

35 Solomons Island Road
Annapolis, MD 21401
August 21, 1992

Federal Communications Commission
Mass Media Services
Post Office Box 358195
Pittsburgh, PA 15251-5195

Gentlemen:

There is transmitted herewith in duplicate on behalf of CWA Broadcasting, Inc., an application on FCC Form 307 for extension of time in which to construct FM Broadcast Station WFBR, Cambridge, Maryland.

The required FCC Form 155 and filing fee check in the amount of \$200.00 are affixed to the original of this submission.

Please refer to all previously submitted exhibits filed with extension request dated February 4, 1992.

Should additional information be desired in connection with the above matter, kindly communicate with me immediately.

Very truly yours,

C. W. "Hoppy" Adams, Jr.

C.W. (Hoppy) Adams, Jr.
C.W.A. Broadcasting, Inc.

35 Solomons Island Road
Annapolis, MD 21401
August 21, 1992

Federal Communications Commission
Mass Media Services
Post Office Box 358195
Pittsburgh, PA 15251-5195

Gentlemen:

My original filing was on October 12, 1985 with the Federal Communications Commission. I did not know that opposition by several groups would ultimately take me to the U.S. Court of Appeals. After winning against many obstacles, it was a great disappointment to be turned down by local officials of the Talbot County Planning and Zoning Office after originally receiving previous approval.

I have tried to break the impasse through discussions with many influential people. Some of those citizens include:

- Louis Goldstein, Maryland State Comptroller
- Michael Miller, President, Maryland State Senate
- David Boschert, President, Anne Arundel County Council (who knew many Talbot County officials)
- John Chambers, former alderman and past mayor of Annapolis, MD
- Judge Warren Duckett of Anne Arundel County District Court (for assistance in communications with Talbot County officials)
- Al Hopkins, Mayor, City of Annapolis (sent communications on my behalf)
- Elizabeth Smith Anderson, Maryland House of Delegates (who sent a letter)

From the time of an unfavorable ruling by the Talbot County Office of Planning and Zoning, I have talked to many officials of Talbot County, Dorchester County, and the cities of Easton and Cambridge, Maryland. Those officials included the following:

- Richard Hutchinson of the Talbot County Office of Planning and Zoning Commission
- Daniel R. Cowee, Planning Officer, Talbot County Office of Planning and Zoning (personal meeting)
- Mrs. Jordan, Talbot County Office of Planning and Zoning (office visit)
- Lemuel Chester, Commissioner of Dorchester County (three meetings)
- Alderman Clark of Easton, MD

I also talked to many other civic, business, and community leaders in Talbot, Dorchester, and Anne Arundel counties; the towns of Annapolis, Easton, and Cambridge; and throughout the state of Maryland. Those individuals included:

- Rev. Joseph W. Williams, Rector of Scott's United Methodist Church in Trappe, Maryland (several meetings at his home)
- Bishop Cornish, Cambridge, Maryland
- Mr. Paul Brown, Past Exalted Ruler of the Elks (I.B.P.O.E.W.)
Thomas Gibbs, businessman, Talbot County
- Gregory Webb, businessman, Talbot County
- Numerous calls and a meeting with Congressman Thomas McMillian and his Congressional Aide, Mr. Grant
- Phone calls and a letter to Congressman Wayne Gilchrist and staff

aide

- Phone conversation with Baltimore Office of U.S. Senator Barbara Mikulski
- Meeting with former U.S. Congresswoman Marjorie Holt (who sent a letter)
- Contact with Congressional Aide Ms. McCormick of U.S. Congressman Kweisi Mfume's office
- Gerald Winegrad, Maryland State Senator
- Victorine Adams, former Baltimore City Councilmember
- Dr. Jean Creek, Anne Arundel County Chapter of N.A.A.C.P.
- Attorney at the National Headquarters of the N.A.A.C.P.

In addition, I have had communications with the following people on technical advice:

- Mr. Mills, owner of Cellular Telephone and Radio Company
- Visit with Chief Engineer, Mr. Ringer of WICO Radio Station
- Extensive talks and written communications with Mr. John Van Standig, owner of WCEM AM-FM, Cambridge, MD and president of Van Standig Communications of Washington, D.C. While negotiating with Talbot County Planning and Zoning, I discussed the possible use of his facilities and rental of tower space.
- Mr. Thomas Johnson, Engineer of Lieber and Johnson

Because of the repeated unsuccessful attempts at communicating with Talbot County since reapplying for my tower building permit, other interested parties have intervened on my behalf. The most recent help with communications has come from Ms. Mary Sellman Jackson of the Republican Central Committee of Anne Arundel County. She has contacted ~~the Talbot County Council~~ the Talbot County Council and Clint Brandley, president of the Talbot County Council. She also contacted the A.C.L.U., the National Office of the N.A.A.C.P., and mailed a telegram to the White House and President George Bush on my behalf.

Most of my many contacts were by telephone because of the illness of my wife with whom I spent a great portion of time taking care of during the last year. I am sorry to report the loss of my devoted wife, who passed on May 21, 1992. I am enclosing a copy of her death certificate.

If I am unsuccessful with the Talbot County, Maryland Planning and Zoning Office and their newly imposed restrictions, I will have no alternative but to attempt to locate a new transmitter site to begin construction as soon as possible. However, I must try to pursue every means at my disposal. God did not bring me this far to leave me. I am in this to the end to be the victor and not the victim. I have suffered much mentally, physically, and financially to obtain a piece of the American dream.

I am very thankful for the help of several F.C.C. officials. Erica Porter, FM Branch Information Specialist, was extremely helpful. After a visit with Mr. Crutchfield (FM Branch), he was most helpful. I am very grateful to Mr. Michael Wagner who called on August 11, 1992 and Mr. Taft Snowden who called on August 10, 1992.

If additional application information is needed, please contact me A.S.A.P. before the permit expires on September 17, 1992.

Yours truly,

C. W. Hoppy Adams, Jr.
 C.W. (Hoppy) Adams, Jr., President
 WFBR-FM 94.3, Cambridge, MD

831

Standard Democrat 2-20-91

Proposed tower for radio station causes concern

By DENNIS SULLIVAN
Staff Writer

EASTON — A proposed 225-foot tower for a radio station in Adams has sparked concern among residents, ranging from decreasing property values to television interference.

About 100 people turned out to contest the proposal Monday night before the Talbot County Board of Appeals in the circuit court room. The board will announce its decision within 30 days.

The proposed tower would be erected in an area where there are already three other com-

munication towers within a mile of each other. Another could decrease property values, opponents say. They also claim it is not permitted under the current zoning ordinance and it would be an eyesore in the rural landscape, as well as a hazard for waterfowl.

However, Charles W. "Happy" Adams, executive vice president and radio personality on WANN in Annapolis, said his plan to build the tower will not change the lot.

The lot already has a building that Adams said he can use as a studio. The tower would be located behind the station.

"I don't want to change the property," he testified Monday night. "I just want to point it up and patch it up so it looks nice."

Adams already won county approval to build the tower on Money Lake Road near Trappe in 1983 but by the time he received an FCC license, the county special exception expired.

The Talbot County Planning Commission recently granted Adams preliminary approval to build the tower, but added that he must consider using one of the nearby towers already built to broadcast the radio signal.

"That would mean that I would have to go through this again,

and after going through it for six years, I don't know if I would want to go through it again," Adams said.

The fate of his proposal depends on whether the appeals board grants Adams a special exception and variance to build the tower and broadcast from a station in Trappe. The site is the "ideal" location for the tower, Adams said, because it will not interfere with local airplane traffic.

Even though it would be in Trappe, the station would be the 31-hour emergency broadcast station for Dorchester County, its targeted listening audience.

"We wanted to have a studio, transmitter and generator all in one place, so if anything happens, I can turn it on really quick," he said.

The FCC license is for Cambridge, but the radio signal would serve about 30,000 people in a 25 to 30 mile range, from Salisbury to Seaford, Del., Adams said.

The signal would be broadcast over 94.3 FM under the call letters WFRB. Programming on the station would target a mostly black audience, Adams said.

Rev. Joseph Williams Jr., from the Rev. Scott's United Methodist

Please see TRAPPE, p. 11A

from page 1a

Trappe

Church in Trappe, said many black people on the Eastern Shore already listen to Adams' Annapolis station and added that as far as whether property values would be affected by the tower and studio, real estate brokers and a tax assessor gave different views during the hearing.

L.H. Stafford III, a real estate broker, said the existing towers haven't shown any effect on property values. When subdividing his own property near the tower, he said he has begun selling for \$12,000 less per acre and the lot he sold for about \$20,000.

"The addition of different towers in the area... haven't caused an adverse effect" on property values, said Guy C. Turner, a state assessor.

Another local real estate broker, Charles T. Benson, said that the towers on the rural landscape.

"The only reason people buy something next to a commercial building is my opinion, because it's cheaper," said Kurt Pasold.

Charles Pasold, a Trappe resident and a spokesman for the Annapolis Creek Association that was created to fight the proposed tower, said he already gets laboratory interference from nearby radio stations and is concerned that another local FM station would create more.

"Why plant the tower right in a residential area that is not only going to create visual pollution but create pollution?" he asked members on the board of appeals.

According to Pasold, Trappe residents live in a "Trappe area" under the FCC for signals from Baltimore and Washington, D.C. "In a large area, you're not protected by the FCC, and it will go up to the local residents to try and correct any problems with the proposed tower," he said.

"There is no justification what-so-ever that would justify why the tower should be built in an area that's agricultural to start with. That is now being developed and Philip Meadows, another Trappe resident and association spokesman.

APPEAL .O. #831

APPLICANT: C W A Broadcasting, Ltd.

HEARING DATE: February 11, 1991

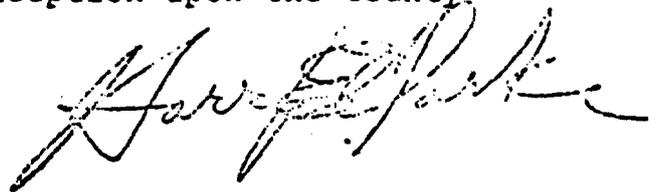
PLANNING COMMISSION

MEETING DATE: February 6, 1991

DRAFT

Sir:

In accordance with Section 11.05 of the Talbot County Zoning Ordinance, dated November 24, 1974, this letter requests the advice of the Planning Commission in reference to the above-numbered Appeal concerning the impact of the Variance and/or Special Exception upon the County Comprehensive Plan.



Chairman
Talbot County Board of Appeals

PLANNING COMMISSION COMMENTS

Board of Appeals - A motion was made by Ralph Simmons seconded by Richard Hutchison to recommend approval of the CWA Broadcasting, Ltd. request for a Special Exception and Variance. They suggest that the Board of Appeals explore the possibility of requiring that CWA Broadcasting, Ltd. utilize an existing tower in the area to avoid construction of a new tower. Heikes - nay, Hutchison - aye, Simmons - aye, Kabler - aye.

Site Plan Review #175 - A motion was made by Richard Hutchison seconded by Carol Kabler to recommend approval of the site plan for CWA Broadcasting, Ltd. as presented, noting that all setbacks for the structure must be met. The motion was unanimous.



XXXXXXXXXXXXXXXXXXXX

Bernard Folker, Zoning Administrator

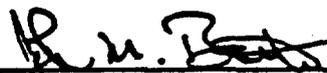
HAVING MADE THE FOREGOING FINDINGS OF FACT AND LAW, IT IS, BY THE
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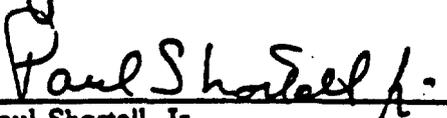
RESOLVED, that the application of CWA BROADCASTING, LTD., is hereby DENIED.

Given over our hands this 22nd day of March, 1991.

TALBOT COUNTY BOARD OF APPEALS

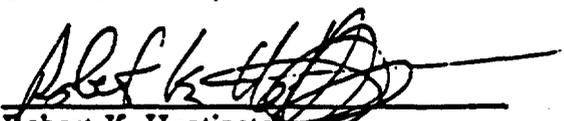

Harry E. Clark, Chairman


John M. Barto


Paul Shortall, Jr.

The undersigned members of the Board of Appeals would have approved the application for the 325' radio transmission tower only. They agree with the majority of the Board that it does not have the power to approve a radio station or broadcasting station in the A-2 zone. However, they believe that the Applicant has met the burden of proof for a Special Exception and a Variance for the construction of the broadcasting tower. They were convinced that the proposed tower would have no detrimental effect on surrounding properties or neighborhoods and that the use was consistent with the plan for physical development of the surrounding area; as specifically stated in sections 21.01-3 and 21.01-10 of the Talbot County Zoning Ordinance and further clarified in the proposed zoning ordinance (introduced by the County Council on March 5, 1991) in section 19.4, page 421, "Antenna Tower for Radio and Television Transmission and other non-essential radio communications."


Edzel L. Turner, Vice-Chairman


Robert K. Huntington

REST
AND

OFFICE BUILDING
20515
225-5311



Congress of the United States House of Representatives

FISHERY AND THE ENVIRONMENT
COAST GUARD AND NAVIGATION
COMMITTEE ON SCIENCE,
SPACE, AND TECHNOLOGY
SCIENCE
TECHNOLOGY AND COMPETITIVENESS
SELECT COMMITTEE ON HUNGER
DOMESTIC FOOD POLICY
SELECT COMMITTEE ON AGING
HEALTH AND LONG-TERM CARE
HARDING AND CONSUMER INTERESTS

CONSTITUENT REQUEST FOR SERVICE PRIVACY ACT RELEASE

NAME CHARLES W. ADAMS, JR.
ADDRESS 35 OLD Solomons Island Road
ANNE ARUNDEL MARYLAND 21401
PHONE (HOME) (410) 266-6996 (AFTER 3PM TO MIDNITE)
(WORK)

FEDERAL AGENCY INVOLVED FEDERAL COMMUNICATIONS COMMISSION
PROBLEM: PLEASE PROVIDE A DETAILED DESCRIPTION OF THE PROBLEM
AND ATTACH ANY PERTINENT INFORMATION

SEE ATTACHED

In accordance with Title 5, Section 552(a), of the United States Code (the Privacy Section), I hereby authorize Congressman Gilchrest to request assistance in my behalf in connection with my above-named problem, and I authorize disclosure of my records to Congressman Gilchrest or his designated representative for a period of one year from the date below.

SIGNATURE C. W. Adams, Jr. DATE August 9, 1992

SOCIAL SECURITY NUMBER 219-16-1218

Please return to

335 HIGH STREET
CHESTERTOWN MD 21820
(301) 778-9407

20 W BEL AIR AVENUE
SUITE 1A
ABERDEEN MD 21001
(301) 272-6820

DISTRICT OFFICES

ONE PLAZA EAST
SALISBURY MD 21801
(301) 749-3184

PO BOX 2079
WALDORF MD 20687
(301) 845-3111

PRINTED ON RECYCLED PAPER

HONORABLE WAYNE T. GILCHRIST
GREETINGS AND GOD BLESS

I APPLIED FOR A BUILDING PERMIT FOR
A BROADCASTING TOWER AND WAS APPROVED BY
TALBOT COUNTY ON JANUARY 7, 1986 BY THE
PLANNING AND ZONING OFFICE.

I APPLIED AT THE FEDERAL COMMUNICATIONS
COMMISSION FOR AN FM RADIO STATION LICENSE
ON OCTOBER 12, 1985. AFTER FIVE YEARS OF
LITIGATION AND HEARINGS, A CONSTRUCTION PER
MIT AND LICENSE WAS GRANTED BY THE FEDERAL
COMMUNICATIONS COMMISSION IN 1990.

IN THE INTERIM SINCE APPLYING FOR A
BUILDING PERMIT IN TALBOT COUNTY, THE PERMIT
EXPIRED. AFTER A HEARING ON FEBRUARY
18, 1991 BEFORE THE TALBOT COUNTY BOARD
OF APPEALS, A RENEWAL WAS DENIED. THIS
WAS AFTER RECEIVING A MOTION TO ~~RENEW~~
RECOMMEND APPROVAL BY THE PLANNING
COMMISSION.

PLEASE NOTE THAT I HAVE BEEN THE MOST
POPULAR BROADCASTER IN THE MINORITY COMMUNITIES
OF BOTH THE EASTERN AND WESTERN SHORES FOR
NEARLY FORTY YEARS. THE NAME OF "Happy" Adams
IS RECOGNIZED THROUGHOUT THE STATE OF
MARYLAND AS A PUBLIC SERVANT FOR ALL
COMMUNITIES.

PLEASE GIVE THIS MATTER YOUR
IMMEDIATE ATTENTION. I AM CURRENTLY IN
THE FIFTH DAYS OF MY SECOND EXTENSION
FROM THE F.C.C., PENDING THE OUTCOME
OF MY PROBLEMS WITH THE (LOCAL) GOVERN-
MENT OFFICIALS. IN TALBOT COUNTY,

THANKING YOU IN ADVANCE AND
GOD BLESS YOU, YOUR FAMILY AND
STAFF.

Sincerely
C. W. "Happy" ADAMS

WESTERN UNION FSI
RENO, NEVADA 89502-2375
01PM

WESTERN
UNION MAILGRAM®



1-002917S214002 08/01/92 ICS IPMBNGZ CSP BLAB
1 4109563125 MGM-TDBN DAVIDSONVILLE MD 08-01 1142P EST

MARY JACKSON
409 HEITZMAN
DAVIDSONVILLE MD 21035

THIS IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

4109563125 MGMB TDBN DAVIDSONVILLE MD 177 08-01 1142P EST
ZIP
PRESIDENT GEORGE BUSH
1600 PENNSYLVANIA AVE
WASHINGTON DC 20004

DEAR MR. PRESIDENT:

WE NEED YOUR PERSONAL INFLUENCE ON BEHALF OF MR. C. W. (HOPPY) ADAMS JR., A NATIONALLY KNOWN RADIO BROADCASTER, WHO HAS RECEIVED NUMEROUS LOCAL AND NATIONAL AWARDS FOR SERVICES TO HIS COMMUNITY AND IN HIS FIELD OF RADIO BROADCASTING.

FOR THE PAST 39 YEARS, HE HAS WORKED AND SAVED HIS MONEY TO ACHIEVE HIS DREAM AND WAS THE FIRST AFRICAN-AMERICAN MARYLANDER TO QUALIFY TO RECEIVE A CONSTRUCTION PERMIT FROM THE FCC TO BUILD AN FM STATION ALONG THE DEL-MARVA PENINSULA ON MARYLAND'S EASTERN SHORE. HE IS PRESENTLY BEING DENIED THE ZONING NECESSARY FROM THE TALBOT COUNTY PLANNING AND ZONING OFFICE IN EASTERN MARYLAND STATING THAT IT TOOK TOO LONG, AND NOW HE IS ON THE VERGE OF LOSING HIS FCC CP PERMIT. HE WAS AN ARDENT CAMPAIGNER DURING THE REGAN/BUSH AND BUSH/QUAYLE TEAMS FOR THE PAST 11 YEARS. HE NEEDS YOUR INTERCESSION AND ASSISTANCE BEFORE HE LOSES HIS DREAM.

RESPECTFULLY SUBMITTED.

MARY S. JACKSON, MEMBER ANNEARUNDEL COUNTY REPUBLICAN CENTRAL
COMMITTEE

23:26 EST

MGMCOMP

THE WHITE HOUSE

WASHINGTON

August 4, 1992

Dear Ms. Jackson:

On behalf of President Bush, thank you for your recent message.

The President appreciates your bringing your concerns to his attention. Due to the specific nature of your correspondence, I have forwarded it to officials at the appropriate agency for their review. Please be assured that your message will receive every consideration consistent with the law and with applicable regulations.

With the President's best wishes,

Sincerely,



Shirley M. Green
Deputy Assistant to the President
for Presidential Messages
and Correspondence

Ms. Mary S. Jackson
409 Heitzman
Davidsonville, Maryland 21035

WAYNE T. GILCHREST
1ST DISTRICT, MARYLAND

802 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE: (202) 225-5311



Congress of the United States
House of Representatives

COMMITTEE ON MERCHANT MARINE
AND FISHERIES
FOREIGN, WILDLIFE CONSERVATION
AND THE ENVIRONMENT
COAST GUARD AND NAVIGATION
COMMITTEE ON SCIENCE,
SPACE, AND TECHNOLOGY
SCIENCE
TECHNOLOGY AND COMPETITIVENESS
SELECT COMMITTEE ON HUNGER
DOMESTIC TASK FORCE
SELECT COMMITTEE ON AGING
HEALTH AND LONG-TERM CARE
HOUSING AND CONSUMER INTERESTS

August 17, 1992

Mr. Charles W. Adams, Jr.
35 Old Solomons Island Road
Annapolis, MD 21401

Dear Mr. Adams:

Thank you for returning the Privacy Act Release Form so that I may make an inquiry on your behalf regarding Talbot County and the FCC.

In an effort to be of service, I have contacted officials at Talbot County and the FCC to obtain a thorough review of your concerns. Please be assured that I will be in touch with you as soon as I have any information to report.

I appreciate your providing me with the opportunity to be of assistance, and hope you will continue to communicate with me on this or any other issue of importance to you.

Sincerely,

Wayne T. Gilchrest
Member of Congress

WTG:kak

DISTRICT OFFICES

336 HIGH STREET
CHESTERTOWN, MD 21620
(301) 778-8407

20 W. BEL AIR AVENUE
SUITE 1A
ANNEAPOLIS, MD 21001
(301) 272-8820

ONE PLAZA EAST
SALISBURY, MD 21801
(301) 749-3184

P.O. BOX 2078
WALDORF, MD 20601
(301) 845-8111

CWA BROADCASTING, LTD.

35 SOLOMONS ISLAND ROAD
ANNAPOLIS, MD 21403

August 26, 1988

157

PAY TO THE
ORDER OF

Federal Communications Commission

200.00

Two Hundred and No/100

DOLLARS



BEVERLY
SAVINGS ASSOCIATION
ANNAPOLIS, MD 21401

FOR FCC Form 307

C. W. Adams

⑆255071444⑆0157 0028012573⑈

WITH
IMPRESSED
SEAL

RECORD ON FILE IN THE DIVISION OF VITAL RECORDS.

DATE ISSUED:

05-28-92 *Julia R. Davidson-Rendall*
STATE REGISTRAR OF VITAL RECORDS

1 - FOR
STATE
REGISTRAR

STATE OF MARYLAND / DEPARTMENT OF HEALTH AND MENTAL HYGIENE
CERTIFICATE OF DEATH

REG. NO.

1. DECEASED'S NAME (First, Middle, Last) <i>Bette Ann Adams</i>		2. DATE OF DEATH MONTH DAY YEAR <i>May 21, 1992</i>		3. TIME OF DEATH <i>6:33 A.</i>	
4. SOCIAL SECURITY NUMBER <i>220-28-2304</i>		5. SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F	6. AGE (In yrs. last birthday) <i>58</i> YRS.	7. DATE OF BIRTH MONTH DAY YEAR <i>August 16, 1933</i>	8. BIRTHPLACE (State or Foreign) <i>Maryland</i>
9a. FACILITY NAME (If not Institution, give street and number) <i>#35 Old Solomons Island Rd.</i>			9b. CITY, TOWN OR LOCATION OF DEATH <i>Annapolis</i>		9c. COUNTY OF DEATH <i>Anne Arundel</i>
RESIDENCE OF DECEASED					
10a. STATE <i>Maryland</i>		10b. COUNTY <i>Anne Arundel</i>		10c. CITY, TOWN OR LOCATION <i>Annapolis</i>	
10d. STREET AND NUMBER <i>#35 Old Solomons Island Road</i>				10e. ZIP CODE <i>21401</i>	10f. CITIZEN OF WHAT COUNTRY? <i>U.S.A.</i>
11. MARITAL STATUS <input type="checkbox"/> Never Married <input checked="" type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced		12. WAS DECEASED EVER IN U.S. ARMED FORCES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If YES, GIVE WAR OR DATES		13. WAS DECEASED OF HISPANIC ORIGIN (Specify Yes or No— If yes, specify Cuban, Mexican, Puerto Rican, etc.) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Specify:	
14. RACE — American Indian, Black, White, etc. Specify: <i>Black</i>		14. RACE — American Indian, Black, White, etc. Specify: <i>Black</i>			
15. DECEASED'S EDUCATION (Specify only highest grade completed) Elementary/Secondary (9-12) <input type="checkbox"/> College (1-4 or 5+) <input checked="" type="checkbox"/>		16. DECEASED'S USUAL OCCUPATION (The kind of work done during most of working life. Do NOT use retired) <i>Housewife</i>		17. KIND OF BUSINESS/INDUSTRY <i>Domestic</i>	
18. FATHER'S NAME (First, Middle, Last) <i>James Sterling</i>			19. MOTHER'S NAME (First, Middle, Maiden Surname) <i>Hazel Sterling</i>		
20. INFORMANT'S NAME (Specify) <i>Mr. C.W. Adams, Jr. (Husband)</i>			21. MAILING ADDRESS (Street and Number or Rural Route Number City or Town, State, Zip Code) <i>#35 Old Solomons Island Road Annapolis, Md. 21401</i>		
22a. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Removal from State <input type="checkbox"/> Donation <input type="checkbox"/> Other (Specify)		22b. PLACE AND DATE OF DISPOSITION (Name of cemetery) <i>Forest Cemetery</i>		DATE <i>5/27/92</i>	22c. LOCATION — City or Town, State <i>Annapolis, Maryland</i>
23. SIGNATURE OF FUNERAL SERVICE LICENSEE <i>[Signature]</i>			24. NAME AND ADDRESS OF FACILITY <i>Rollins Funeral Home, Inc. 4339 Hunt Place, N.E. Wash. D.C. 20019</i>		

TO BE COMPLETED BY FUNERAL DIRECTOR

TIMORE, MARYLAND 21215-0020

Page 6 may be retained by the hospital or attending physician.
All deaths, steps 5 should be checked for use on the death-report permit. Pages 1, 2, 3 should
always be notified as soon.

EXHIBIT 3

Declaration and Engineering Statement
of Thomas Ringer