

## Melody Osborne

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**From:** Saj Jivanjee <saj@jcaoregon.com>  
**Sent:** Sunday, June 07, 2020 11:12 AM  
**To:** Melody Osborne; Rob Daykin; Ryan Harris; Evan Karp; Cheryl Caines; Matthew Frey, L.Ac.  
**Subject:** Fwd: Cell Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Melody,

Please include below as my testimony with correct text to the council and this will be part of public records. Meanwhile have city got any drawings of cell tower and its location, please forward to me or I can pick up. Copy at will call. Thanks.

Saj

----- Forwarded message -----

**From:** Saj Jivanjee <sajtj@icloud.com>  
**Date:** Sunday, June 7, 2020  
**Subject:** Cell Tower  
**To:** [Rob.Daykin@dundeecity.org](mailto:Rob.Daykin@dundeecity.org)  
**Cc:** Ryan Harris <[Ryan@domaineserene.com](mailto:Ryan@domaineserene.com)>

Rob,

Just wanted to tell you that I removed the two billboards from my property at Fox Farm to create a welcoming entrance to the city of Dundee. I'm also implementing a 1500 linear feet beautification program along Highway 99 to Fox Farm Road including water features to create an attractive gateway to Dundee. I will be losing \$15,000 income per year from the billboards. I hope the city of Dundee will recognize my effort and share in our vision to enhance the community wellbeing.

I also own the 5-acre property at 9th and Alder which is part of the urban renewal 9th Street boulevard improvement.

Now I am finding out that the cell tower application will be reviewed again. If a cell tower is installed, it will dominate the landscape and will not enhance the overall image of the City of Dundee. This tower will be noticeable from from all the surrounding area. In recent years the attractiveness of the community along Highway 99 has been enhanced by beautiful landscaping and new well-designed buildings. A cell tower will distract from the overall appeal of the fine grain urban design. I am sure the city council members do not want to make the cell tower the center piece of the city. This would be a total distraction from the overall cultural of the City of Dundee and its citizens' contributions.

I have two concerns for council members. It looks like the city has created spot zoning for the cell tower. Will you please explain how the city comprehensive plan was amended to allow this. Secondly, if the city approves the cell tower to increase city revenue, this might be viewed as, self dealing and ignoring public opinion.

I hope the council rejects this approval in the interests of the community and in the interests of promoting an attractive tourist destination in wine country.

Saj

Sent from my iPhone

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**Saj Jivanjee**

Jivanjee Group of Companies

M.Arch, AIA, M.U.P, NCARB

Architecture | Real Estate Development | Multi-Family Housing | Winery | Vineyard

phone: 503.970.0326

[saj@jcaoregon.com](mailto:saj@jcaoregon.com)

[saj@archervineyard.com](mailto:saj@archervineyard.com)

Partin & Hill Architects, LLC

209 Lincoln Street

Hillsboro, OR 97124

503.640.1216

fax: 503.640.8552

## Melody Osborne

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**From:** Jason Kelly <jasonkelly214@gmail.com>  
**Sent:** Monday, June 08, 2020 2:07 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower - SUPPORT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello Melody,

It seems there is an effort to stop the building of a cell tower because of the misunderstanding of the science of cellular towers. I wanted to reach out and voice my support FOR the tower since I assume that the only voices you're hearing are in opposition. I believe it is dangerous to entertain any conspiracy theory, but conspiracy theories regarding negative health risks associated with electromagnetic waves are especially silly and are not based in reality or science.

Thank you,  
Jason Kelly - Electrical Engineer

## Melody Osborne

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**From:** Lynda Martz <outlook\_FAFF207C5DEB1589@outlook.com>  
**Sent:** Monday, June 08, 2020 4:48 PM  
**To:** Rob Daykin; Melody Osborne  
**Subject:** Stop Dundee Cell Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please do not approve the cell tower proposed for our town. It is important to our economy and property values to maintain our current charm and beautiful landscape along with all the improvements that are happening downtown. In addition, to the health risks that are unknown/disputed, visitors and residents do not need or want to have a fake tree/cell tower in the middle of our community. There have been enough obstacles to overcome in 2020 alone without adding one more that we can easily avoid.

Thank you for your consideration

Ron and Lynda Martz  
249 SW 1<sup>st</sup> Street  
Dundee, OR

## Melody Osborne

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**From:** Wendy Stec <wendystec@gmail.com>  
**Sent:** Monday, June 08, 2020 7:29 PM  
**To:** Melody Osborne  
**Subject:** Proposed Verizon Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ms. Osborne,

It was just brought to my attention that the city of Dundee is considering a Verizon cell phone tower behind the fire department. I'm writing to share my disappointment in this consideration. I just moved to Dundee in February and have looked forward to becoming involved in any way to beautify and improve the ambiance of this wine country small town.

I heard about the street lights being installed on Hwy 99 and was excited to see how that would add a little sparkle. I've envisioned a town square being a benefit to the community to host markets and festivals. I've heard of some fun traditions that include the fire dept and look forward to the holidays. All of these ideas are a great benefit to the community.

The idea of this cell tower just seems to take away from the small town ambiance and purity that the residents here deserve. I'm sure there are financial incentives that are being considered, but the eye sore, and potential environmental effects it could have on this small community just don't seem worth it.

As I mentioned, I'm looking forward to becoming involved as a community supporter and hope to be involved with anything that brings both beauty and benefit.

I'll be logging in to the upcoming council meeting to hear what's happening with this proposal.

Thanks for your time.

Wendy

June 9<sup>th</sup>, 2020

I am writing to voice my opposition to Verizon's proposed cell phone tower behind the fire station. I live in South Dundee only 3 blocks from the site. I have 3 major concerns that I would like to address.

1. I am very worried about the potential negative impact this 80' tower would have on my property value. I found numerous studies, surveys, and documentation online outlining the negative impact a cell phone tower can have on surrounding real estate values. Estimates range as high as a 20% reduction in property values when a tower is within sight of a home or business. Since the proposed 80' tower will be in the center of Dundee, all of downtown and the surrounding neighborhoods will be negatively affected.

2. The environmental aesthetics of Dundee are also very important to me. A vibrant, beautiful looking downtown benefits everyone. Dundee is the heart of Oregon Wine Country. Some of the oldest vineyards in the state are just up the street from the proposed cell phone tower. The completion of the Bypass, the work done by the Dundee Urban Renewal Agency, the Dundee Tourism Agency, and the planning of the Riverside Development area have put Dundee on an upwards trajectory for prosperity and smart growth. This cell phone tower right in the heart of town would be a permanent eye sore that would hurt everything our great town is working toward.

3. I understand that this is a controversial reason, but I also wanted to bring up the potential health risks that a cell tower of this size could have when installed in a residential neighborhood. Studies in Europe have shown that living within a 1500 foot radius of a tower has a positive correlation with increased cancer risk. This high risk zone would include the North and South Dundee neighborhoods, most of the downtown business core, Fortune Park, Billick Park, and Dundee Elementary School. Is a cell tower at the fire station worth this risk?

To summarize, I feel like the mayor and city council do not have our best interests in mind when making important decisions about the growth of our city. South Dundee has already been negatively impacted by the bypass going right around my entire neighborhood. ODOT promised us a sound barrier wall to block noise issues and protect the homes closest to the bypass. Newberg got their wall. Dundee did not. It was cut by the state as a cost saving measure. The city of Dundee did nothing to protect its citizens. The mayor and city council did not speak up to defend their own town and just let an outside force do as they wanted with no resistance or questioning. I feel like this cell tower being pushed by Verizon is just another example of the city not really caring about the people who live here and choosing money over what is best for the businesses and citizens of our great town.

Matt Frey  
809 SE Elm St

City of Dundee  
Planning Commission  
220 SW 5<sup>th</sup> St  
Dundee, OR 97115

6/9/20

To the Planning Commissioners and City Staff,

I'm writing to voice my continued opposition to the proposed Verizon cell tower behind the Dundee Fire Station.

This tower would become a permanent ugly feature for Dundee, one that would mark downtown and become an unwanted landmark for the area. There has been significant efforts for years to clean up and beautify downtown, including the work of the Urban Renewal Agency and the passage of the Dundee Renewal Plan in 2017. Once the 99W is repaved, and the new streetlights are in, Dundee will have an opportunity to really shine in wine country. Our tourism dollars are important for the community at large and we want the city's beautification process to be ongoing.

Keeping the empty lots in the Central Business District (CBD) viable for developers is also important. The proposed cell tower would be right next to one of these large empty lots. It's a much less desirable lot to build on if there's a cell tower looming over it. This proximity can be said of several empty lots in the CBD. The cell tower could lead to Dundee's CBD being undeveloped for many years.

As a resident of the riverside area of Dundee, I am also concerned that our area of town is being disproportionately impacted by certain aspects of Dundee's growth. We now have the noise of the bypass on a daily basis. As I write, I can hear the distinctive "howling" sound of the trucks on the bypass, a sound that is loudest at night and affects my family's sleep quality. If the tower goes in, my neighborhood would also have this eye sore (potentially causing health risks for Dundee children) nearby. Along with the bypass, this cell tower would make our neighborhood less desirable and lower our property values. The tower would be approximately 800 ft (a few blocks) from my house (and closer to other residences). This falls in an impact zone that European studies have linked to higher rates of cancer. I have been worried for years now about this proposal and the potential negative impacts on my family's health and quality of life. Why should our part of town be more impacted (again) by a tower?

From my understanding, currently the Mayor, the City Council, and all of the Planning Commission lives on the hill. Please don't make decisions that could negatively impact my neighborhood, but less so yours. As a Planning Commissioner, it is your responsibility to consider the entire city. I urge you to regularly take walks in my neighborhood to get to know this area that you also serve. On my block, there's middle class and working class families including a high school teacher, an ICU nurse, construction workers, retirees, and people that work in the wine industry. We are an important part of the city, but many of us are too overwhelmed with work and young families to be as involved with the city as we would like. If you wouldn't want this cell tower in your neighborhood, please don't allow it in mine.

Before the city even considers this eye sore, I would urge you to consider the following:

1) Who benefits from the tower, how much will service increase? During previous cell tower proposals, including on 7/18/18, Verizon could not clearly answer this question with data. If Dundee itself is not going to benefit, who will? On the riverside of Dundee, I have heard from several residents that we currently have excellent Verizon service and no dropped calls.

2) During various Verizon proposals for the tower, there have been different heights proposed, 95 ft. on 8/16/2017, 74 ft. on 7/18/2018, and 80 ft. with the tree topper now. Why? From reviewing documents, it looks like Verizon is testing the city for what is tolerable and then bringing back another proposal until we are worn down and approve it. The Commission was clear they did not want this tower in 2017, yet here we are now with another proposal 3 years later, with almost all different Commissioners and a different City Planner. Our city needs to stay strong and keep saying no.

3) Have alternate locations for this tower been fully explored? What about by the water treatment site (also owned by the city), along the bypass, or on Fulquartz Landing Rd (where there is another tower from another carrier, a potential spot for co-location). We know the fire station site is ideal for Verizon, but it is not ideal for the city, so we should not allow it. This is our community, not Verizon's. I have hope we can find a better site, one that is not close to so many residents and one that doesn't negatively impact our downtown and CBD. So far, Verizon has shown no flexibility with location, I'd like to see them offer the city more options.

4) What is the zoning for the location of the tower? The applicant is likely applying for a conditional use. If the applicant does not meet the code criteria, turn it down. A cell tower can never be mitigated enough. I believe 45 feet is our current height restriction. Please consider that the empty lot next to the fire station, directly next to the proposed cell tower, is part of the CBD. Standards for the cell tower should be stricter, since this land is up against CBD. Also take note of how close residential properties are to the proposed cell tower, this should be considered very thoughtfully. If we are ever to have residential use over commercial in CBD buildings (which was a goal), the proximity to the cell tower would be even more of a problem.

Dundee's citizens have clearly stated that they oppose this tower for three years, please stay strong, do not allow it.

Thank you for volunteering your time and for your thoughtful review of this important matter for the future of our city.

Sincerely,

Rebecca Minifie  
(former Dundee Planning Commissioner 7/2018-12/2019)  
809 SE Elm St.  
Dundee, OR 97115

## Melody Osborne

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**From:** Linda Luke <lindaluke@frontier.com>  
**Sent:** Tuesday, June 09, 2020 6:08 PM  
**To:** Melody Osborne  
**Subject:** Cell phone tower vote: no

Please help make my voice heard against the current placement plan at the fire station.

A cell tower in the middle of Dundee on Hwy 99 would be the eye sore that brings us back to the beginning of our development.

When I moved to Dundee in 2003, I loved the peacefulness, but it was awful with numerous telephone poles, wires strung haphazardly across 99, old beat up buildings and minimal sidewalks.

Now we have a beautiful plan and have begun cleaning it up for the benefit of drawing tourists and making it easier and safer to walk, and a tower will draw away from the aesthetic beauty of our small town.

The tree masking the tower will eventually be removed due to its size, and we will not be able to remove the tower likely, once it's no longer camouflaged.

Perhaps another suitable location can be negotiated on top of the Dundee hills, where we might have cell service BEHIND the hill as well as in the surrounding populated areas.

Is the Harvey Creek Trail an available publicly owned land that could mask it and provide more range on the back side? With the steep slope behind, it could crest the tree line and be much less visible.

Thank you for listening.

Linda Luke

Dundee Resident

## Melody Osborne

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**From:** Laura Oviatt <laura@lauraoviatt.com>  
**Sent:** Thursday, June 11, 2020 4:57 PM  
**To:** Melody Osborne; Rob Daykin  
**Cc:** Dixie Hancock  
**Subject:** Opposition to the cell tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please add my name to the list opposing the installation of the cell tower in downtown Dundee. As a local real estate agent that sells a fair amount of real estate in Dundee, I see the value in keeping downtown Dundee hip and quant. The city has worked so hard to make it what it is today and adding a cell tower would negatively impact the strides that have been made. Placing the tower by the Dundee bypass seems like it would be a more logical place.

Best regards,

(home address: 1319 Oak Knoll Ct Newberg, OR)

**Laura Oviatt, LLC**  
Principal Real Estate Broker  
BHHS Northwest Real Estate  
**503-550-6034**  
2501 Portland Rd  
Newberg, OR 97132  
[laura@lauraoviatt.com](mailto:laura@lauraoviatt.com)  
[www.lauraoviatt.com](http://www.lauraoviatt.com)

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## Melody Osborne

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**From:** Dennis Cooke <blueboy655@icloud.com>  
**Sent:** Friday, June 12, 2020 6:50 PM  
**To:** Melody Osborne  
**Subject:** Re: Cell tower,

Yes it was to read Proposed.

Sent from my iPhone

> On Jun 12, 2020, at 6:48 PM, Dennis Cooke <blueboy655@icloud.com> wrote:

>

> Yes it was p

>

> Sent from my iPhone

>

>> On Jun 12, 2020, at 5:48 PM, Melody Osborne <Melody.Osborne@dundeecity.org> wrote:

>>

>> Dennis,

>>

>> I am confirming receipt of your objection. Can you please verify that the last word of your testimony is correct? Or, did it mean to say "proposed" and auto-correct changed it?

>>

>> Melody

>>

>> -----Original Message-----

>> From: Dennis Cooke <blueboy655@icloud.com>

>> Sent: Friday, June 12, 2020 2:59 PM

>> To: Melody Osborne <Melody.Osborne@dundeecity.org>

>> Subject: Cell tower,

>>

>> I want to let the city of Dundee know that I am against the placement of the cell tower in the location that has been proposed.

>>

>> Sent from my iPhone

## Melody Osborne

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**From:** Brigitte Hoss <franziskahausdundee@gmail.com>  
**Sent:** Friday, June 12, 2020 4:29 PM  
**To:** Rob Daykin; Melody Osborne  
**Subject:** Proposed Dundee Cell Tower  
**Attachments:** Cell Tower Position Statement.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Rob and Melody,

Please see our attached Cell Tower input letter.

Thank you,

Brigitte & Clark Hoss

### **Franziska Haus Bed and Breakfast**

[FranziskaHausDundee@gmail.com](mailto:FranziskaHausDundee@gmail.com)

503.887.0879

10305 NE Fox Farm Road

Dundee, Oregon 97115

June 11, 2020

Dear Dundee City Administrators,

This letter is in response to the proposed downtown city of Dundee cell tower. We are very much against the installation of this tower as are already many others in our community.

The success, livability, vibrancy, positive economic growth and beauty of the City of Dundee and its surrounding areas has come from the incredible efforts of its citizens, businesses and community leaders. Our successes have been recognized locally as well as throughout the world. Efforts have been tremendous and are extremely heart felt by our cherished community. An 80 foot cell tower would do irreparable serious harm to Dundee, its surrounding areas, inhabitants.

The issues:

1) Significant aesthetic damage would occur, undermining Dundee's quaint downtown. Unlike other cell tower locations in larger cities where greater density/ larger city scale better obscures tower presence, the scope of this structure relative to a small downtown like Dundee would be extraordinarily oppressive. Such a structure would, without a doubt, significantly mar the character of the entire town given its huge scale in proportion Dundee's small structures and spaces. We believe that this would seriously undermine the community's hard earned efforts to renovate/ regenerate their town. Just when we are getting close to realizing the repaving, and sidewalk renovations making Dundee a quaint walking town, a huge cell tower would destroy this progress. The small business community exists in large part to tourism. This structure would hurt those businesses as well as the faithful residences that have supported their city's positive evolution. Imagine sitting in most any backyard or at any business and seeing such an oppressive sight that would tower high into the sky above EVERYTHING.

2) Cell tower emissions are quite likely a significant health concern also. It is the belief of many that cell towers are more appropriately placed at a greater distance from neighborhoods such as in more rural locations. This is of particular concern with regard to Dundee proposed tower's proximity to nearby Dundee Elementary School. The following are a very small sample of the volume of research that has found an association of serious health consequences with cell tower proximity:

<https://mdsafetech.org/2019/03/25/cell-tower-to-be-removed-after-4th-ripon-student-diagnosed-with-cancer/>

<https://www.npr.org/sections/ed/2017/07/14/535403513/cell-towers-at-schools-godsend-or-god-awful>

<http://www.nacst.org/schools---cell-towers.html>

[https://www.emrpolicy.org/science/research/docs/navarro\\_ebm\\_2003.pdf](https://www.emrpolicy.org/science/research/docs/navarro_ebm_2003.pdf)

[https://www.emrpolicy.org/science/research/fact\\_sheet.htm](https://www.emrpolicy.org/science/research/fact_sheet.htm)

[https://www.researchgate.net/publication/241473738\\_The\\_Influence\\_of\\_Being\\_Physically\\_Near\\_to\\_a\\_Cell\\_Phone\\_Transmission\\_Mast\\_on\\_the\\_Incidence\\_of\\_Cancer](https://www.researchgate.net/publication/241473738_The_Influence_of_Being_Physically_Near_to_a_Cell_Phone_Transmission_Mast_on_the_Incidence_of_Cancer)

<https://mdsafetech.org/cell-tower-health-effects/>

<https://www.globalindoorhealthnetwork.com/cell-towers>

<https://www.nrcresearchpress.com/doi/10.1139/A10-018#.XuKu4p5KjVo>

Any financial gains of a cell tower placement in Dundee would be quickly undone by its serious negative impact to our community and surrounding areas. We are adamantly opposed to the placement of a cell tower in Dundee.

Respectfully,

Brigitte & Clark Hoss  
10305 NE Fox Farm Rd.  
Dundee, OR 97115

## Melody Osborne

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**From:** Joe Poznanski <joepozn@hotmail.com>  
**Sent:** Saturday, June 13, 2020 6:46 PM  
**To:** Melody Osborne  
**Subject:** No Cell Tower

To whom it may concern,

Please do not put up that eyesore cell tower in our beautiful city.

The Poznanski family objects to placing the cell tower in downtown Dundee.

Get [Outlook for Android](#)

## Melody Osborne

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**From:** alandchar1@comcast.net  
**Sent:** Monday, June 15, 2020 12:01 PM  
**To:** Melody Osborne  
**Subject:** Fwd:  
**Attachments:** Letter to Council Regarding Cell Tower.docx

Hi Melody, I'm having a little trouble with this computer so would appreciate it if you could let me know you got this.

Thanks, Char Ormonde

----- Original Message -----

**From:** Albert.Ormonde@lamresearch.com  
**To:** alandchar1@comcast.net  
**Date:** 06/15/2020 11:49 AM  
**Subject:**

Letter to council

### Al Ormonde

Senior Buyer 3 | Global Supply Chain  
Desk Number (503) 885-6105 |

### Lam Research Corporation

18655 SW 108<sup>th</sup> Ave. Bldg. K, Tualatin OR 97062 USA | [www.lamresearch.com](http://www.lamresearch.com)

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Dear City Council and Planning Commission,

As a resident of Dundee who came here almost 50 years ago, I would like you to know I fiercely oppose a cell tower in the downtown core of our city. I opposed it the last time the application was before you and cited a number of studies that indicated some health problems could arise from the placement of a tower close schools, businesses and homes. I also do not understand why we would want to scar our little downtown community with a cell tower when recently put so much went into beautifying all along highway 99W. The revenue it would provide is not enough to ruin the beauty of our quaint little town.

There are numerous other locations for a tower in the area. Behind Day Wines is a location exactly like the fire department up against the railroad tracks, but not near as visible. I believe the city has other properties where a tower could be placed. I would appreciate your cooperation in suggesting another location.

Thank you,

Char Ormonde

## Melody Osborne

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**From:** Melody Osborne  
**Sent:** Monday, June 15, 2020 1:53 PM  
**To:** Melody Osborne  
**Subject:** FW: Cell Tower letter for Planning Commissioners

**From:** Saj Jivanjee <[saj@jcaoregon.com](mailto:saj@jcaoregon.com)>  
**Sent:** Monday, June 15, 2020 1:13 PM  
**To:** Rob Daykin <[Rob.Daykin@dundeecity.org](mailto:Rob.Daykin@dundeecity.org)>  
**Subject:** Cell Tower letter for Planning Commisioners

Rob,  
Please see attached. I would like to be apart of the records for cell Tower hearing.  
Saj

----- Forwarded message -----

**From:** <[scanner@partinhill.com](mailto:scanner@partinhill.com)>  
**Date:** Mon, Jun 15, 2020 at 1:00 PM  
**Subject:** Send data from MFP11763963 06/15/2020 13:04  
**To:** Saj Jivanjee <[saj@jcaoregon.com](mailto:saj@jcaoregon.com)>

Scanned from MFP11763963  
Date:06/15/2020 13:04  
Pages:1  
Resolution:200x200 DPI  
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### Saj Jivanjee

Jivanjee Group of Companies

M.Arch, AIA, M.U.P, NCARB

Architecture | Real Estate Development | Multi-Family Housing | Winery | Vineyard

phone: 503.970.0326

[saj@jcaoregon.com](mailto:saj@jcaoregon.com)

[saj@archervineyard.com](mailto:saj@archervineyard.com)

Partin & Hill Architects, LLC  
209 Lincoln Street  
Hillsboro, OR 97124  
503.640.1216  
fax: 503.640.8552

**Date 6-15-2020**

**Letter to Planning Commissioners for Public Record**

I am writing to the Planning Commission to ask that the application to install a cell tower next to the new City Fire Station in Dundee be denied because it will violate the spirit of the zoning ordinances designed to improve the esthetic appeal and economic vitality of Dundee, particularly in the context of the growing tourism economy. The following description will provide an explanation of my interest in the cell tower issue and a critique of the effects of installing a cell tower.

**Background.**

After I purchased and cleaned up the 14-acre property at the junction of Highway 99w and Fox Farm Road, I removed the two ugly billboards (which was advertising City of McMinnville) at the side of Highway 99 to create a welcoming entrance to the city of Dundee. I will be losing \$15,000 income per year from the removal of the billboards. I am also implementing a 1500 linear feet beautification program along Highway 99 to Fox Farm Road, including water features to create an attractive gateway to Dundee. I hope the city of Dundee will recognize my effort and share in the vision to enhance the community wellbeing.

I also own the 5-acre property at 9th and Alder which is part of the urban renewal 9th Street boulevard improvement.

**Current Situation**

**Urban Visual Pollution**

I had thought that the cell tower application had been denied but have discovered that the application will be reviewed again. If a cell tower is installed, it will dominate the landscape and will not enhance the overall image of the City of Dundee. This tower will be noticeable from all the surrounding area even if the tower is disguised with plastic pine tree branches. In recent years the attractiveness of the community along Highway 99 has been enhanced by beautiful landscaping and new well-designed buildings which are contributing to sustainable growth. A cell tower will distract from the overall appeal of the fine grain urban design. Approval will also establish a design standard potentially allowing frontage with plastic elements (basically the Disneyfication of the City of Dundee). I hope the City Planning Commissioners will consider their overall vision of the city and not approve a cell tower with a plastic pine tree as the center piece of the city. This would be a total distraction from the overall culture of the City of Dundee and its citizens' contributions to overall design standards.

**Zoning Conflict**

It looks like the city has created spot zoning for the cell tower. I understand that cell towers are allowed with limited height. The City is proposing to allow a variance to increase the height in this zoning. If that is the case then the City should allow height increase in all zoning where cell towers are allowed. I am willing to offer my site at 9<sup>th</sup> and Alder so the cell tower can be relocated a block away from the center of the city. See attached plan. The zoning is light industrial. However, I have been told that I have go through a height variance process to increase the height. However, if the variance is denied then it will establish that city intends to change the code just for city owned property, in other words, to serve self-interest.

**Conflict of Interest**

If the City approves the cell tower to increase city revenue, this might be viewed as, self-dealing and there is a potential for legal action. This could result in community conflict if the Commission ignores public opinion.

I hope the Commission rejects this application in the interests of the community and in the interests of promoting an attractive tourist destination in wine country.

Saj Jivanjee



## Melody Osborne

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**From:** Susan Baird <susan@bairdlawoffices.com>  
**Sent:** Monday, June 15, 2020 3:13 PM  
**To:** Melody Osborne  
**Subject:** Comments re Verizon Cell Tower  
**Attachments:** Microsoft Word - Dundee City Council Letter re Cell Tower v2.docx.pdf

Hi Melody,

Please include my attached letter in opposition to the proposed Verizon cell tower.

Thank you,  
Susan

Susan Baird  
Attorney at Law

Baird Law Office, LLC  
971-832-9044  
P.O. Box 373  
Dundee, OR 97115  
[susan@bairdlawoffices.com](mailto:susan@bairdlawoffices.com)  
[www.bairdlawoffices.com](http://www.bairdlawoffices.com)

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Baird Law Office, LLC  
P.O. Box 373, Dundee, OR 97115  
[susan@bairdlawoffices.com](mailto:susan@bairdlawoffices.com)  
971-832-9044

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

I have reviewed the Application in light of the Dundee Municipal Code (“Code”) and, as a business owner and long-time resident of Dundee, I believe the proposed use should be **denied** for the following reasons (detailed below):

### 1. Executive Summary

- A. The proposed project’s location does not meet the requirements of Code Section 17.404 because:
  1. the project’s noise violates Dundee noise standards;
  2. noise impacts to the Dundee Fire Station have not been studied;
  3. the project’s electromagnetic emissions (in addition to causing documented harm to plants, animals, and humans) could create untold liability for the City; and
  4. the project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W.
- B. The Application does not meet the requirements of Code Section 17.203.170 because (i) there is an existing AT&T wireless facility only 1.3 miles from the proposed project site and Applicant hasn’t provided documentation showing why this site isn’t sufficient and (ii) even without the proposed tower, Applicant’s own report shows they already have “good” to “moderate” coverage in Dundee, so an additional tower is not a necessity.
- C. The existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. The City should consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting

emission of 5G signals, and (iii) requiring annual renewals of Applicant's permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

## **2. The Proposed Project's Location Does Not Meet the Requirements of Code Section 17.404**

The Application proposes an 80-foot communications tower and ground equipment in the SE corner of the Dundee Fire Station. Code Section 17.404 requires the "site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, **noise**, vibration, exhaust/**emissions**, light, glare, erosion, odor, dust, visibility, safety, and **aesthetic considerations**." (emphasis added)

### **a. Noise**

The proposed use includes electrical cabinets running 24 hours a day, creating noise in violation of the Dundee Municipal Code. The Code limits noise to 55 dBA at night. The applicant's own acoustical report acknowledges the proposed use would **violate the Dundee nighttime noise requirements** and that a sound barrier would be required to satisfy Dundee noise requirements for the equipment at night.

Although one page of Applicant's report includes a sound barrier, application sheets L-1, Landscaping, A-2, Enlarged Site Plan and A-2.1, Equipment Plan do not show the sound barrier. Given that both noise and aesthetic impacts of the proposed project are significant, the Planning Commission should have the benefit of complete, detailed plans before approving the project. Putting these significant aspects off under a condition of approval is not sufficient. Accordingly, the application should be denied as it is currently being presented.

More importantly, the Application should be denied because the acoustical report fails to consider noise impacts to the people who would be most affected by it – our local firefighters. The proposed 80-foot tower and noise generating cabinets would be located on the Fire Station property, yet no one has considered how the noise would affect the Fire Station.

The Fire Station is manned 24 hours a day. Our local fire fighters work, eat, and sleep there – in other words, they are even present at the Fire Station at night when the proposed project's noise is in violation of Dundee noise standards, yet the Applicant's acoustical report fails to consider noise impacts to them. Instead, the acoustical report states the nearest "receiving property" is zoned CBD and it discusses noise impacts to that property. Given that our local firefighters occupy the Dundee Fire Station day and night and given that they will experience the greatest

impact of the proposed project's noise, the application should be denied until noise impacts to the Dundee Fire Station have been thoroughly tested and analyzed.

Finally, the Planning Commissioners are expected to rely on the Applicant's acoustical report for information about potential noise impacts, yet the report itself has inaccuracies. For example, the acoustical report claims to have studied ambient sound levels at the proposed site (which is off Highway 99W), yet page 1 of the report refers to ambient sound levels off SW Taylors Ferry Road: "Existing ambient sound levels of the site were measured on July 29, 2017 ... The average ambient noise level was 57 dBA primarily due to noise from local automotive traffic on SW Taylors Ferry Road." The report itself seems untrustworthy.

### **b. Emissions**

In addition to noise, Code Section 17.404 requires the location be appropriate considering the proposed emissions. Cell towers emit high levels of electromagnetic radiation, yet apparently the FCC prohibits local jurisdictions from considering the "environmental effects" of such emissions. So, as much as it pains me to omit a discussion of the numerous, documented scientific studies proving that cell towers kill trees, animals, and bees (upon which our local vineyards rely), as well as cause significant harm to human health (especially children – and our local elementary school is only 1,000 feet from the proposed site), apparently a your decision cannot be based on these cell tower emissions.<sup>i</sup>

However, Oregonians are already awakening to the detrimental effects of electromagnetic emissions. Oregon Senate Bill 283, effective August 9, 2019, requires the Oregon Health Authority ("OHA") to review independently funded scientific studies of health effects of exposure to microwave radiation, particularly exposure that results from use of wireless network technologies in schools. If the OHA is concerned about WiFi in schools, how much more should we be concerned about the electromagnetic emissions of an 80-foot cell tower just over 1,000 feet from our elementary school?

More importantly, the Commission should consider whether approval of this project would expose the City to liability. If the City were to authorize an 80-foot cell tower and it is later determined, in court, that the cell tower is the cause of bee death (and consequential agricultural decline), tree damage, and untold health issues (including negative effects to nearby elementary school children), could the City be liable for its approval? Does the City's potential lease agreement with Verizon include provisions to defend and indemnify the City from all liability potentially associated with the cell tower? Is the money the City stands to gain from the cell tower lease even remotely worth the potential damage the cell tower's emissions could cause?

**c. Aesthetic Considerations.**

Your decision can (and should) be based, pursuant to Code Section 17.404, on the proposed tower's negative impacts on the aesthetics of downtown Dundee. Let's be honest, the proposed tower would be an eye sore. Many of us have seen similar "monopines" in Newberg and surrounding areas. Not only do those fake "trees" fail to blend into the surrounding scenery or fool anyone into believing that they are anything but monstrous cell towers, but this project's proposed location is especially inappropriate for its damaging aesthetic.

Thanks to the hard work of the Dundee Tourism Committee, local businesses like Red Hills Market and the Market Lofts, the Dundee Bistro, and many of our local wineries, Dundee is quickly becoming a beautiful tourist destination with a quaint small-town feel. New buildings and businesses near Highway 99W, especially those in Dundee's adjacent central business district, are held to extremely high aesthetic standards to maintain the quaint look and feel for which Dundee is coming to be known. For years Dundee has prohibited Drive-thru businesses and other such "modern conveniences" to maintain our idyllic small-town aesthetic. Why then, would an 80-foot cell tower in the heart of Dundee, easily visible from Highway 99W be considered aesthetically acceptable? I urge you, Commissioners, to find that it would not and to deny the application on the basis of its unattractive and unpleasant aesthetics, especially given its visible location in the heart of Dundee.

**3. The Application Does Not Meet the Requirements of Dundee Municipal Code Section 17.203.170.**

Dundee Code Section 17.203.170 contains special use standards for wireless communication facilities. It requires an evaluation, inter alia, of "the feasibility of co-location of the subject facility as an alternative to the requested permit" including "b. Written verification and other documentation revealing the availability and/or cooperation of shown by other providers to gain access to existing sites/facilities to meet the needs of the applicant." (emphasis added)

There is an existing AT&T wireless facility only 1.3 miles away. Yet the Application fails to provide the requisite "written verification" as to why co-locating on the AT&T tower just 1.3 miles away is insufficient. Applicant merely draws a circle on a map (with the proposed location conveniently in the center of that ideal circle). Applicant fails to show what their coverage would look like if they were to co-locate on the AT&T tower or how such co-location would be insufficient to improve their coverage.

In other words, it is not sufficient for the Applicant to simply say: "we want our tower here, but this other tower is 1.3 miles away, so that's not what we want." This does not satisfy the Code requirements. Thus, by failing to provide the requisite

analysis and “written verification” regarding co-location alternatives, the Application fails to comply with Dundee Municipal Code Section 17.203.170.

Finally, the proposed location simply isn’t necessary. Applicant’s own report shows that even *without* the proposed tower, the City of Dundee is represented on Figure 4 in yellow and green. According to the Applicant: “The Green represents a high RF signal strength which generally provides good coverage inside vehicles and buildings. Yellow represents moderate RF signal strength that generally provides good service inside vehicles and moderate service inside buildings.” (Page 10 of Applicant’s narrative) Thus, by Applicant’s own report, Verizon already has good to moderate coverage in Dundee and a new tower is not a necessity.

#### **4. Conditions of Approval**

For the reasons cited above, the Application fails to meet the requirements of the Dundee Municipal Code and should be denied. However, even if the Application were approved with conditions of approval, the existing conditions of approval are insufficient to mitigate the negative impacts of the proposed use. Dundee Code Section 17.404.030.B. states: “The city may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that any negative impact of the proposed use on the surrounding uses and public facilities is minimized.”

It is specifically within the City’s authority, pursuant to Code Section 17.404.030.B.4. to limit the “structure height.” Given the fact that Dundee is an attractive small-town with stringent aesthetic requirements for new projects in the adjacent central business district, the City should greatly reduce the height of the proposed tower to lessen the negative aesthetic impacts.

Applicant states they desire to improve the capacity their 3G and 4G LTE service. Given that the application is limited to these services and given that little to no safety studies have been performed on 5G service, the City should also condition approval on the condition that the proposed tower not be used for 5G service or signals.

Finally, even if the Commission is pressured into approving the noisy, aesthetically unpleasant, electromagnetic emitting 80-foot tower, at the very least the City could invoke its authority under Code Section 17.404.030.B.14. to “require renewal of conditional use permits annually” in order to give the good citizens of Dundee additional opportunities to decide whether we want this monstrosity in our lovely town.

Thank you, Commissioners, for considering these objections to the proposed project.

Sincerely,  
*Susan Baird*  
Susan Baird

My residence is located at 998 SW Tomahawk Pl., Dundee, OR 97115.

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<sup>i</sup> See scientific articles at [www.childrenshealthdefense.org](http://www.childrenshealthdefense.org)

## Melody Osborne

---

**From:** Noel Johnson <noeljohnson07@gmail.com>  
**Sent:** Monday, June 15, 2020 9:24 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower Opinion for the Planning Commissioners

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

I am a resident of Dundee and also one of the owners of The Market Lofts – a lovely place for visitors to stay overnight above Red Hills Market. An 80-foot cell tower would be very bad for business. I am asking that you please **DENY** the proposed Application on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards; this would be extremely damaging to our vacation rental business to have 24 hour noise.
2. The project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town. The unsightly appearance will be off-putting to the tourists who frequent all the downtown Dundee businesses and damaging to our local economy.
3. The applicant has failed to show why they can’t use the AT&T facility just 1.3 away.
4. The applicant doesn’t need a new tower as they already have, according to their won report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: Noel Johnson \_\_\_\_\_  
Printed Name: Noel Johnson \_\_\_\_\_  
Date: June 15th, 2020 \_\_\_\_\_  
Address: 962 SW Tomahawk PL, Dundee, OR 97115

Noel Johnson  
[noeljohnson07@gmail.com](mailto:noeljohnson07@gmail.com)

## Melody Osborne

---

**From:** Jamie Davis <jamieladavis423@gmail.com>  
**Sent:** Monday, June 15, 2020 9:51 PM  
**To:** Melody Osborne  
**Subject:** Cell tower

Hello Melody,

I would like to voice my opposition to the cell tower that is being proposed in downtown Dundee. I am concerned about my property value decreasing in these uncertain times as well as the negative look to the tower. Our community and elected officials have been working so hard to beautify our town and make it more desirable to businesses and tourists and this would take away from those efforts. Please send me a confirmation email.

Thank you,

Jamie Davis  
175 Hemlock St.

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

Please **DENY** the proposed Application on the following grounds:

1. The project's noise violates Dundee nighttime noise standards;
2. Noise impacts to the Dundee Fire Station have not been studied;
3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
4. The project's aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town;
5. The applicant has failed to show why they can't use the AT&T facility just 1.3 away; and
6. The applicant doesn't need a new tower as they already have, according to their won report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant's permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: 

Printed Name: Trevor Baird

Date: 6/15/20

Address: 998 SW Tomhawk Pl, Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

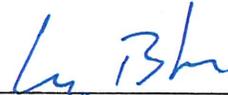
Dear Dundee Planning Commissioners:

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Sincerely,

Signature: 

Printed Name: Louis Brumbaugh

Date: 6/15/20

Address: 997 SW Tomahawk Rd Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

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Sincerely,

  
Signature: \_\_\_\_\_  
Printed Name: M. De Ruijter  
Date: 06/15/2020  
Address: 915 SW Tomahawk Pl. Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
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Sincerely,

Signature: Jill Denbrock  
Printed Name: Jill Denbrock  
Date: 6/15/2020  
Address: 825 SW Unablis Ct. Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
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Sincerely,

Signature: Kimberly B. Rhodes  
Printed Name: Kimberly Rhodes  
Date: 6/15/20  
Address: 948 SW Tomahawk Pl, Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

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Sincerely,

Signature: 

Printed Name: Aimee Osmondson

Date: 6/15/20

Address: 937 SW Tomahawk PL Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

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Sincerely,

Signature: Michelle Wolfersberger Sabins  
Printed Name: Michelle Wolfersberger Sabins  
Date: June 15, 2020  
Address: 950 SW Tomahawk Pl. Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

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Sincerely,

Signature:   
Printed Name: Mark Sabins  
Date: 6-15-20  
Address: 950 SW Tomahawk Pk Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

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Sincerely,

Signature:   
Printed Name: John Shaw  
Date: 6/15/20  
Address: 986 Sw Tomahawk Pl. Dundee, OR 97115

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
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*We have Verizon and service is excellent already!*

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant's permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: Whitney H. Shaw

Printed Name: Whitney Shaw

Date: 6/15/2020

Address: 986 Tomahawk Pl. Dundee, OR 97115

## Melody Osborne

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**From:** Brooke Rapet <brookerapet@gmail.com>  
**Sent:** Monday, June 15, 2020 10:39 PM  
**To:** Melody Osborne  
**Subject:** Public Comments Dundee City Council  
**Attachments:** Public Comments Dundee City Council Letter re Cell Tower v2.docx

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

Please **DENY** the proposed Application on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards;
2. Noise impacts to the Dundee Fire Station have not been studied;
3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
4. The project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town;
5. The applicant has failed to show why they can’t use the AT&T facility just 1.3 away; and
6. The applicant doesn’t need a new tower as they already have, according to their own report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_ Dundee, OR 97115

## Melody Osborne

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**From:** Sheila Young <sheilarbyoung@gmail.com>  
**Sent:** Tuesday, June 16, 2020 7:23 AM  
**To:** Melody Osborne  
**Subject:** Cell tower

This is a bad idea for this beautiful town. We moved here less than a year ago and this will reduce home values and attractiveness of the city. It is also a safety concern. I've had cancer and this is way to close for all us to have in our backyards. This would be an eyesore and safety concern for all residents. PLEASE dont allow this in our community. My family is very against this plan.

Sheila Young and family



Virus-free. [www.avg.com](http://www.avg.com)

## Melody Osborne

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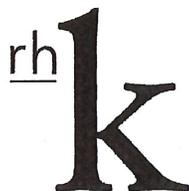
**From:** Michelle Kropf <michelle@redhillsmarket.com>  
**Sent:** Tuesday, June 16, 2020 8:32 AM  
**To:** Melody Osborne  
**Subject:** Cell Tower Letter for City Council  
**Attachments:** Red Hills Market Comments Dundee City Council Letter re Cell Tower v2-1.pdf

Hi there,  
Please share this letter in relation to the cell tower with the city council.  
Thank you,

--



Michelle L. Kropf  
**red hills market, kitchen & catering**  
buyer & proprietor  
503.550.8194  
[redhillskitchen.com](http://redhillskitchen.com)  
[redhillsmarket.com](http://redhillsmarket.com)



Submitted via e-mail to: Melody.Osborne@dundeecity.org

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

As a resident of Dundee, an owner of Red Hills Market, and a part-owner of the Market Lofts, I am asking that you please **DENY** the proposed Application. The proposed tower would detract from tourism, hurt our local businesses, and should be denied on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards;
2. Noise impacts to the Dundee Fire Station have not been studied;
3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
4. The project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town. When Red Hills Market was going through the approval process with the City of Dundee, we had to jump through numerous hoops to meet all the specific aesthetic requirements for businesses in downtown Dundee. Although the proposed 80-foot tower would technically be zoned Public and not subject to those same standards, it would nonetheless detract greatly from the beautiful downtown that we have all worked so hard to achieve;
5. The applicant has failed to show why they can’t use the AT&T facility just 1.3 away; and
6. The applicant doesn’t need a new tower as they already have, according to their won report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Michelle & Jody Kropf  
6/16/20  
155 SW 7th  
Dundee, OR 97115

## Melody Osborne

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**From:** Bethany Caruso <bgracecaruso@gmail.com>  
**Sent:** Tuesday, June 16, 2020 12:14 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower Opposition

Greetings, I am writing in regards to the proposed cell tower to be installed in our lovely community. My husband and I are the owners of 179 SW 9th Street, and we are vehemently opposed to the addition of the cell tower in our town. Please include this communication as part of the record being reviewed.

Regards,

Bethany & Michael Caruso  
(503)487-7737

## Melody Osborne

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**From:** Jody Kropf <jody@redhillsmarket.com>  
**Sent:** Tuesday, June 16, 2020 9:39 AM  
**To:** Susan Baird; Melody Osborne  
**Subject:** Cell Tower Opposition

To Whom it may concern,

I would like to add an additional thought in opposition of the proposed cell tower in Dundee. Recently Newberg erected an unsightly tower directly in the view from my kitchen and deck. This monstrosity is another example of a complete lack of care for the esthetics of our beautiful community. Additionally, these new towers have extremely bright LED style, white strobe lights. These lights are extremely annoying and disruptive for anyone enjoying the evening outside. The speed, frequency and intensity of these lights are complete light pollution. In contrast, traditional warning lights on towers and bridges flash a slow, warm red light. My tree, sunrise and star view was replaced with shiny metal and intense strobe light. This is what would happen to the fine folks of Dundee if this tower was approved.

Thanks for considering my point of view and thank you in advance for your help in keeping Dundee a beautiful small town.



Jody P. Kropf  
**red hills market, kitchen & catering**  
chef/owner  
503.550.8193  
[redhillskitchen.com](http://redhillskitchen.com)  
[redhillsmarket.com](http://redhillsmarket.com)

rh  
k

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

Please **DENY** the proposed Application on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards;
2. Noise impacts to the Dundee Fire Station have not been studied;
3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
4. The project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town;
5. The applicant has failed to show why they can’t use the AT&T facility just 1.3 away; and
6. The applicant doesn’t need a new tower as they already have, according to their won report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: Jody de Ruijter  
Printed Name: Jody de Ruijter  
Date: 6.15.2020  
Address: 915 SW Tomahawk Pl Dundee, OR 97115

## Melody Osborne

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**From:** Waller, Jeri L <Jeri.Waller@providence.org>  
**Sent:** Tuesday, June 16, 2020 9:38 AM  
**To:** Melody Osborne  
**Subject:** Dundee Planning Commissioners  
**Attachments:** [Untitled].pdf

Hello,

Attached you will find my signed objection letter for the installation of a 5G tower in Dundee.

Thank you,  
Jeri Waller  
503-858-0185

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This message is intended for the sole use of the addressee, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the addressee you are hereby notified that you may not use, copy, disclose, or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete this message.

Submitted via e-mail to: Melody.Osborne@dundeecity.org

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

Please **DENY** the proposed Application on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards;
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3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
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6. The applicant doesn’t need a new tower as they already have, according to their won report, “moderate” to “good” service in Dundee.

Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: Jeri Waller  
Printed Name: Jeri Waller  
Date: 6/15/20  
Address: 914 SW Tomahawk pl Dundee, OR 97115

## Melody Osborne

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**From:** Jessica Marshall <marshall3289@gmail.com>  
**Sent:** Tuesday, June 16, 2020 3:27 PM  
**To:** Rob Daykin; Melody Osborne  
**Subject:** Proposed Cell Tower

Hello Mr. Daykin,

This letter is being sent to you in opposition of the proposed cell phone tower.

My husband and I bought our home in Dundee in 2006. At the time, we believed that this home would be a pit stop, a temporary place for us to live while I got my teaching degree from George Fox. Here we are, 2020, and we are still in our temporary home, but it's not temporary anymore and we are now a family of four. This little city has become our home. We love it here, we want to stay here and raise our little family here, in Dundee.

It has recently been brought to my attention that the city of Dundee is considering leasing out land near the fire department so that a cell tower can be put in, that the city stands to earn a considerable amount of much need money from this lease, and that residents will benefit from better cell service and the added resources that will/can be made available with the monies collected through the lease. These all sound like wonderful benefits of this venture, but what at what cost?

In the 14 years that we have lived in Dundee we have seen tremendous growth and revitalization. The work that has gone into the beautification and aesthetics of this city would be diminished by an ugly tower sitting in the middle of town, even if it is one of the "tree" towers. How will this affect local businesses? That area is surrounded by tasting rooms and restaurants and homes and open greenspaces and parks. I do not feel that the revenue generated would be worth the loss of all the hard work and time put into making Dundee the quaint, hip little city it has become over the past several years.

Yamhill county and especially the Newberg/Dundee area have enjoyed rapid home value increases after a devastating real estate market crash in 2008. It took us years to come back from that, but we are finally there. What will this tower do to property values? According to Environmental Health Trust, "over 90% of home buyers and renters are less interested in properties near cell towers *and* would pay less for a property in close vicinity to cellular antennas. Documentation of a price drop up to 20% is found in multiple surveys and published articles..." Realtor Magazine furthers this claim in their article "Cell Towers, Antennas Problematic for Buyers." where they posit that "...of the 1,000 survey respondents, 79 percent said that under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas." There is so much information available that shows this cell tower will have a negative affect on people's home values, on my home value.

While I understand the appeal and draw for the city to install this tower and reap the financial benefit of lease, the cost to its residents is too high. I am against installing this cellular antenna at this location. Surely there has to be a better use for that land and a better place for this tower.

Sincerely,  
Jessica Marshall

You are

**Melody Osborne**

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**From:** Michael Sitter <msitter@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:50 PM  
**To:** Melody Osborne  
**Subject:** Type III Conditional Use permit and Site Development Review - File No. CU 20-06/SDR20-07 – Verizon Cell Tower (the "Application")

June 15, 2020

Re: Type III Conditional Use permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the "Application")

Dear Dundee Planning Commissioners:

Please **DENY** the proposed Application on the following grounds:

1. The project's noise violates Dundee nighttime noise standards;
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Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant's permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely,

Signature: Mike Sitter

Printed Name: Mike

Sitter

Date: June 16, 2020

Address: 101 NW Brier Ave, Dundee, OR 97115

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Michael Sitter, RT (T) President

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(206) 260-2434 (f)

**Melody Osborne**

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**From:** Jennifer Sitter <jensitter@gmail.com>  
**Sent:** Tuesday, June 16, 2020 4:41 PM  
**To:** Melody Osborne  
**Subject:** Type III - Conditional Use permit and Site Development Review - File No. CU 20-06/SDR20-07 – V

Submitted via e-mail to: [Melody.Osborne@dundeecity.org](mailto:Melody.Osborne@dundeecity.org)

Re: Type III Conditional Use permit and Site Development Review File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Dundee Planning Commissioners:

As a resident of Dundee, a part-owner of the Market Lofts, and a current member of the Dundee Tourism Committee, I am asking that you please **DENY** the proposed Application. The proposed tower would detract from tourism, hurt our local businesses, and should be denied on the following grounds:

1. The project’s noise violates Dundee nighttime noise standards;
2. Noise impacts to the Dundee Fire Station have not been studied;
3. The potential financial benefit to the City from a cell tower leases does not compensate for the untold liability the City may face for approving a cell tower just 1,000 feet from an elementary school;
4. The project’s aesthetics are not in keeping with the strict design aesthetics Dundee requires of new projects near Highway 99W. An 80-foot cell tower, even “disguised” as a tree, is unattractive and unappealing. We want to maintain the beautiful, quaint nature of our small town;
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Even if you decide to approve this monstrosity, the existing conditions of approval are not sufficient to mitigate the negative impacts of the proposed use. Please consider (i) limiting tower height to mitigate aesthetic impacts, (ii) prohibiting emission of 5G signals, and (iii) requiring annual renewals of Applicant’s permit so the City and citizens are able to continue to evaluate the negative impacts of the tower.

Sincerely, Signature: \_\_\_\_\_ Jennifer Sitter \_\_\_\_\_ Printed Name: \_\_\_\_\_ Jennifer Sitter \_\_\_\_\_

Date: \_\_\_\_\_ June 16, 2020 \_\_\_\_\_

Address: 101 NW Brier Ave, Dundee, OR 97115

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[www.pulp-circumstance.com](http://www.pulp-circumstance.com)

## Melody Osborne

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**From:** Stephanie Thouvenel <2vtessie@gmail.com>  
**Sent:** Wednesday, June 17, 2020 8:06 AM  
**To:** Melody Osborne  
**Subject:** Strongly oppose a cell tower at the fire station

To those it may concern:

As a resident of Dundee, I strongly oppose a cell tower in downtown Dundee. There are MANY reasons why we should be concerned about a ridiculously ugly fake tower being installed in the middle of town, but I will be brief.

The fake tree tower on Illinois street is a joke in Newberg. We choose NOT to buy a home in that area because of it. Dundee is only just now beginning to live up to it's potential as a cute little town. A huge fake tree that doesn't even look like a tree, will lower our property values and make those in the surrounding area have a harder time selling their homes.

We are surrounded by cell phone towers, including AT&T towers! Why do we one right down town to become an eyesore? If we want to have a cute downtown that attracts tourists (and we do!) please do not approve this!

Stephanie Thouvenel

## Melody Osborne

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**From:** dgmckinney <dgmckinney@yahoo.com>  
**Sent:** Tuesday, June 16, 2020 6:09 PM  
**To:** Melody Osborne  
**Subject:** Cell tower in Dundee

I am opposed to the cell tower being placed in Dundee.  
It has been proven that these cell towers expose undue risk to the population.

Donna McKinney  
731 Se Logan Ln  
Dundee, Oregon

Sent from my iPhone

## Melody Osborne

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**From:** Joseph Thouvenel <joseph2v@gmail.com>  
**Sent:** Tuesday, June 16, 2020 8:11 PM  
**To:** Melody Osborne  
**Subject:** No Cell Tower in Dundee

To Whom It May Concern,

I am writing to express my opposition to the construction of a cell tower on the Dundee Fire Station property.

As a Dundee resident who believes in the amazing potential of this community to become a premier destination for both visitors and residents alike, I believe a cell tower would be an eyesore for every person passing through town not to mention people who call this lovely community home. It would negatively impact property values and create possible environmental hazards.

I feel these cell towers have become a detriment to Newberg which is now littered with them throughout town. Even ones that are designed to look like trees come across as tacky and out of place. Please do not emulate this in our town.

If part of the rationale for building a cell tower is to increase city revenue then I will gladly volunteer my time and skills to work with you to think of other ways to generate income for our community.

Again, I strongly oppose the building of a cell tower in Dundee.

Joe Thouvenel

## Melody Osborne

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**From:** Heidi Hege <heidimaebird@gmail.com>  
**Sent:** Tuesday, June 16, 2020 10:43 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower in Dundee

Hello Melody,

My husband and I moved to Dundee almost 5 years ago from Portland to get away from the city and raise our kids in a more wholesome and rural setting. We love Dundee and the community we have found here.

I heard that the Dundee Planning Commission is considering an application for an 80 foot cell tower in Dundee. I have huge concerns for this kind of thing in our city and ask that you deny this application and do not bring this cell tower into our lovely little town!! I know of many many citizens in Dundee that do not want a tower like this in our town. I haven't looked into all the city regulations but I know the noise could be a factor. These towers are harmful to the environment both to animals, bees and humans. It would be a huge mistake to allow this in our town.

Thank you for hearing me.

Heidi Hege  
18700 Riverwood Rd, Dundee, OR 97115

## Melody Osborne

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**From:** Dixie Hancock <dhancock@bhhsnw.com>  
**Sent:** Tuesday, June 16, 2020 7:56 PM  
**To:** Melody Osborne  
**Subject:** FW: Opposition to the cell tower

Melody,

Please add the comments below to my opposition. " Please add my name to the list opposing the installation of the cell town in downtown Dundee. It would seem there are less intrusive sites in Dundee such as near the bypass. The City has made such great strides to improve the image of downtown Dundee it seems a contradiction to approve this tower in the heart of town."

After further thoughts on this, I would also offer the possibility of the tower being situated up by the water tower near the cemetery, nestled close to the large fir trees so to fit into the landscape and be less obtrusive.

Thank you,  
Dixie Hancock

**From:** Matt Frey <stopdundeeceelltower@gmail.com>  
**Sent:** Thursday, June 11, 2020 3:24 PM  
**To:** Dixie Hancock <dhancock@bhhsnw.com>  
**Subject:** Re: Opposition to the cell tower

Hi Dixie,

Thanks for your support! I will add you to the opposed list.

If you could email the city your comments that would be great. It is important to get your opinion on the public record for the upcoming meeting.

You can also attend the zoom planning commission meeting to get your opinion heard.

If you have any other questions, just let me know.

Take care,  
Matt Frey

On Thu, 2020-06-11 at 13:48 +0000, Dixie Hancock wrote:

Please add my name to the list opposing the installation of the cell town in downtown Dundee. It would seem there are less intrusive sites in Dundee such as near the bypass. The City has made such great strides to improve the image of downtown Dundee it seems a contradiction to approve this tower in the heart of town.

Dixie Hancock  
225 SW Walnut Ave

## Melody Osborne

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**From:** clifheim@gmail.com  
**Sent:** Wednesday, June 17, 2020 10:51 AM  
**To:** Melody Osborne  
**Subject:** Re: Cell tower

Dundee City council,

My family and I have grave concerns for the possibility of a cell tower being placed so close to our home, homes around us and more so right behind our community fire station. With continued exposure to RF/ MW radiation post the tower being installed, the risk to benefit weighs on the side of what is really best for our community and our first responders. There have been multiple fire stations around the country and internationally that have closed post tower installation from evidence of health issues that arose. There is no evidence that shows there is no risk to living in close proximity (1000' to 1500') to a cell tower. Multiple studies have shown that though in most cases there has not been enough radiation to heat body tissue there are increased numbers of multiple health issues (increased growth of cancer brain cells, childhood leukemia, headaches, change in sleep patterns, decreased memory, decreased attention and slower reaching time in school age children). The direct exposure to our first responders on a continual basis can not be allowed. Being in the same building for upwards of 24 hours at a time, with the close proximity puts our first responders at even a higher risk of health problems. Firefighters already have a much higher likelihood of contracting cancer over most occupation. They should not have to be exposed to possibly more risk while being ready to respond to the next emergency in our community.

No matter the dollar amount, we can not see how the health risks could be pushed aside. As citizens of this community we should not have to worry about the possibility of continued health problems just to gain some greater cell coverage. I have attached supporting articles and studies.

Thank you,

Clifton Heim  
519 SE 7th St.

<https://www.iaff.org/cell-tower-radiation/>

<https://www.google.com/amp/s/mdsafetech.org/2019/09/28/firefighters-fighting-fires-and-now-cell-towers/amp/>

<https://www.electrosmogprevention.org/cell-phone-safety-campaign/federal-cell-tower-roll-out-you-can-take-action/>

<https://www.smart-safe.com/blogs/news/watch-firefighters-report-neurological-damage-after-cell-tower-installation-near-their-station>

On Jun 9, 2020, at 10:01 AM, Melody Osborne <Melody.Osborne@dundeecity.org> wrote:

Clif,

Yes. If you want to put something in writing you may do that. Just email it to me. If I receive it by 5pm tomorrow it will go in the packet to the Commissioners; anything received after that day/time will be forwarded to the Commission as available.

## Melody Osborne

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**From:** Robert Dunham <robertwdunhamii@yahoo.com>  
**Sent:** Wednesday, June 17, 2020 4:39 PM  
**To:** Melody Osborne  
**Subject:** Verizon cell tower

Hello Commissioners!

I'm a resident of Dundee, and I do not want this tower in our beautiful town. It's not going to benefit any of us directly, I'm against with all my heart, because those tower would take the soul from this wonderful place we call home.

Be blessed and thanks for thinking of what truly matters.

Robert Dunham  
620 se Logan lane

Sent from my iPhone

## Melody Osborne

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**From:** Evan Karp <evan@domaineserene.com>  
**Sent:** Wednesday, June 17, 2020 4:26 PM  
**To:** Melody Osborne  
**Cc:** Ryan Harris; Rob Daykin; Saj Jivanjee; Keeley O'Brien; Matthew Frey, L.Ac.  
**Subject:** Cell Tower Objection Testimony - Ryan Harris  
**Attachments:** Cell Tower Objection WCLP RH.pdf

Hi Melody,

Please see the attached testimony being submitted on behalf of Ryan Harris.

Regards,  
Evan

**Evan Karp**  
Chief Financial Officer  
Domaine Serene Vineyards & Winery / Château de la Créé  
t. 971.545.2240  
[www.domaineserene.com](http://www.domaineserene.com)



#1 PINOT NOIR IN THE  
WORLD - 2016 DECANTER  
WORLD WINE AWARDS



#1 WHITE WINE IN THE  
WORLD - 2016 WINE  
SPECTATOR TOP 100



WINE SPECTATOR'S HIGHEST  
HONOR AWARDED IN  
OCTOBER 2018



#1 AMERICAN PINOT NOIR  
2017 DECANTER WORLD  
WINE AWARDS



#1 PINOT NOIR IN THE  
WORLD - 2017 WINE  
SPECTATOR TOP 100

Dundee Planning Commission City of Dundee  
620 SW 5th Street Dundee, OR 97115

June 17, 2020

Dear Members of the Planning Commission,

My name is Ryan Harris and I am a founding member of Wine Country Legacy Partners, LLC. Our Company owns multiple Central Business District tax lots directly across from the Dundee Fire Department as well as a single tax lot adjacent to the Dundee Fire Department.

Our goal at Wine Country Legacy Partners is to develop wine country properties to build long-term value for ourselves and for the community. We aim to do this in Dundee with appropriate and sustainable investments that enrich the local community and quality of life of residents while enhancing residential and commercial property values in the area.

We are attracted to Dundee for many reasons, including the high potential we see for it and by the vision of the Mayor, City Council and Planning Commission to beautify the town while encouraging high-end development. We believe that the aesthetic improvements and resultant increasing land values will attract new investment into the community that will build the tax base and ultimately benefit the community in the form of increased resources for schools, infrastructure and public services. We believe strongly that Dundee can benefit from this "Virtuous Cycle" of investment well into the future.

Concurrently we believe that the proposed cell tower proposed to be located in downtown Dundee would be a major step back from the positive progress that the city has made and aspires to make in the near future. Why would the City go to such efforts and expense to masterplan and beautify the City and take such a major step back by building an eyesore in the center of town? I have to wonder why the Planning Commission would impose a 3-story limit on buildings and then approve a 10-story cell tower that would be far less attractive than a well-designed building.

Aside from the health concerns associated with cell towers that are being actively debated across the globe, we are convinced as businesspeople that this move would drastically and negatively impact our property values. It would certainly change our opinion about the direction of Dundee and therefore impacts our desire to invest in the future development of Dundee. We were shocked to learn that the City could be willing to sell out the aesthetic future of the town for a meager amount of revenue that would be more than offset by the lost tax revenue associated with the declining values due to the tower.

We are surprised to see the City of Dundee taking advantage of the zoning exception that it received for the Fire Department to now extend into non-related, revenue producing activities. We firmly believe this kind of self-dealing is immoral and possibly illegal.

We are also disappointed with the attempt by Verizon / ACOM to seek approval for a variance during a global pandemic. Due to COVID-19, as well as the afore mentioned testimony, more time is clearly needed to properly research this issue. In accordance with 197.763 (6){b}, we would like to request that we leave the record open for additional written evidence, arguments or testimony from concerned neighbors and businesses, as well as our legal counsel and business advisors.

We feel strongly about this matter and are prepared to appeal this matter to the Oregon Land Use Board of Appeals and beyond to the Oregon State Supreme Court, if necessary. We hope that the City of Dundee will vigorously pursue other options, so they do not unnecessarily scar the town forever and deplete resources from the citizens that could better spent on urban development and the betterment of the community.

We would also like to point out that this is the fourth attempt by Verizon to receive approval to construct an 80-foot tower. We are squandering taxpayer resources on this matter and should remain focused on more important matters.

Sincerely,

A handwritten signature in black ink, appearing to be 'RH' or similar initials, written in a cursive style.

Ryan Harris Founding Member  
Wine Country Legacy Partners, LLC

## Melody Osborne

---

**From:** Evan Karp <evan@domaineserene.com>  
**Sent:** Wednesday, June 17, 2020 4:36 PM  
**To:** Melody Osborne  
**Cc:** Ryan Harris; Rob Daykin; Keeley O'Brien; Saj Jivanjee; Matthew Frey, L.Ac.  
**Subject:** Cell Tower Objection Testimony - Evan Karp  
**Attachments:** Cell Tower Objection WCLP EK.pdf

Hi Melody,

Please see the attached testimony in opposition to the Mayor's Cell Tower.

Regards,  
Evan

**Evan Karp**  
Chief Financial Officer  
Domaine Serene Vineyards & Winery / Château de la Créé  
t. 971.545.2240  
[www.domaineserene.com](http://www.domaineserene.com)



Dundee Planning Commission City of Dundee  
620 SW 5th Street  
Dundee, OR 97115

June 17, 2020

Dear Members of the Planning Commission,

My name is Evan Karp and I am a founding member of Wine Country Legacy Partners, LLC. Our Company owns multiple tax lots directly across from the Dundee Fire Department, as well as a single tax lot adjacent to the Dundee Fire Department.

Our organization is providing testimony in opposition to an application that was filed by Tammy Hamilton from ACOM Consulting on behalf of Verizon Wireless, as it relates to a cell tower to be located at the Dundee Fire Department.

We have the following concerns about this application:

1. **Closest Residentially Zoned Parcel** - The Applicant has noted that there is 305 feet between the cell tower and the closest residentially zoned parcel, however, we believe the methodology used to prepare the line drawing is incorrect.

*Issue 1*

The City's on-line zoning map shows the right-of-way as un-zoned, so under Section 17.201.020.A, the street is zoned Residential and a structure greater than 35' in height is within 300' of a residentially zoned property.

*Issue 2*

The Applicant has not provided sufficient evidence that the proposed cell tower is beyond 300 feet of a residential development, as there is no drawing of the base, the tower, and the accompanying devices. This is an important issue, given that the Applicant noted that the tower is within five feet of the legal limit.

*Issue 3*

The Applicant utilized should provide a formal survey to confirm that the model is accurate. Our understanding of state law is that the Applicant has the burden of proof to show that it meets all zoning requirements.

2. **Effect on Property Values** - Locating a cell phone tower in the heart of Dundee will lower property values for both residents, businesses and local government.

We are attaching three articles to support this position, one from the NY Times, one from the Appraisal Journal and another from concerned citizens in Burbank who recently went through a similar issue.

The NY Times noted that the "Federal Communications Act of 1996 says health concerns are not a valid reason for a municipality to deny zoning for a cell tower or antenna. Property values and aesthetics, however, do qualify, according to the Act."

In the Burbank article, the author notes "putting cell towers near residential properties is just bad business. For residential owners, it means decreased property values. For local businesses (realtors and brokers) representing and listing these properties, it will create decreased income. And for city government, it results in decreased revenue (property taxes)."

The Journal of Appraisal notes that "the issue of greatest concern for survey respondents in both the case study and control areas is the impact and proximity to [cell towers] on future

property values. Overall, respondents would pay from 10% - 19% less to over 20% less for a property if it were in close proximity to a [cell tower]."

All three articles clearly illustrate that there is no way to mitigate the negative impact on property values under 17.404.030, as the cell tower is what causes the impact.

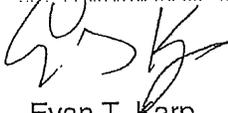
We were perplexed to learn that the annual revenues generated from the proposed lease pales in comparison to the expected decrease in residential and commercial property values, as well as resultant reduction in the property tax base.

3. **Alternative Locations** - In the Site Design Review, the Applicant notes that "there are not any nearby other carrier facilities that would work," however, we note that "the nearest tower is .53 miles away. The Applicant should be asked to provide additional information about why this tower is not suitable for their purposes.
4. **The Lease** - A copy of the proposed lease between The City of Dundee and the Applicant was not provided in the meeting packet, therefore, we were unable to determine if there is additional information in the lease that might clarify some of our concerns.
5. **Landowner Equity** – If the City of Dundee does is willing to accept an 80-foot cell tower, the city should work with voters to change the law so that all landowners are allowed to build up to 80 feet.

While the City of Dundee appears to have complied with the notice regulations, we are concerned that they did not expand the notification boundary beyond 100 feet to provide greater transparency into this issue, especially given the potential unintended consequences for the community. Only a handful of businesses were notified about this issue, which is why we have incurred time and expense to notify our community to the best of our ability.

Due to COVID-19, coupled with the afore mentioned testimony, more time is clearly needed to properly research this issue. In accordance with 197.763 (6)(b), we would like to request that we leave the record open for additional written evidence, arguments or testimony from concerned neighbors and businesses, as well as our legal counsel and business advisors.

Sincerely,



Evan T. Karp  
Founding Member  
Wine Country Legacy Partners, LLC

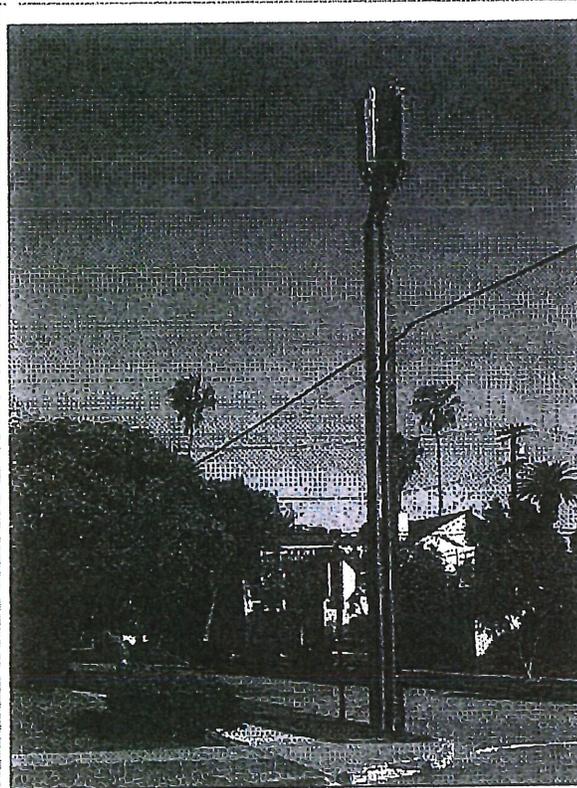
# Burbank ACTION (Against Cell Towers In Our Neighborhood)

[Home](#) >

## DECREASED REAL ESTATE VALUE

*Note: This page is best viewed using [Mozilla Firefox](#) internet browser.*

*For residents in other communities opposing proposed wireless facilities in your neighborhood: in addition to the real estate studies you send and share with your local officials, talk to your local real estate professionals and inform and educate them about the negative effects on local property values that cell towers have, and ask them to submit letters of support to city officials, or have them sign a petition that will be forwarded onto your city officials. See examples below. It's very important to have your local real estate professionals back up what the experts report in their studies to make your arguments real and relative to your specific community. You can also educate your local homeowners associations and neighborhood councils about the negative property value effects and have them submit letters and sign*



How would you like one of these ugly monsters installed on the sidewalk next to your home? This one was installed in a public right of way (PROW, aka sidewalk) on Via De La Paz in beautiful Pacific Palisades, because the City of Los Angeles currently lacks rigorous regulations concerning proposed PROW wireless installations. Why isn't the Los Angeles City Council and Attorney updating the city's ordinance like residents are asking? Photo courtesy Pacific Palisades Residents Association, <http://pprainc.org/>

## Menu

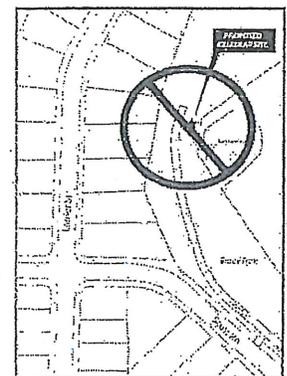
**Burbank residents: Sign our Petition now, "Burbank Residents Oppose Smart Meters":**  
<http://burbankaction.wordpress.com>

**Visit our Burbank ACTION blog:**  
<http://burbankaction.wordpress.com>

**Calendar - upcoming events:**  
<http://burbankaction.wordpress.com>

**Go to our "Smart Meter Concerns" Section:**  
<https://sites.google.com/site/smart-meter-concerns>

**Join our facebook page - network, share and post info that's going on in your community, inform and help other communities**



*Click below for more info:*

**Burbank UPDATES:**

petitions, too. Check out the other pages on this website (click links in right column) for other helpful information.

Residents are justifiably concerned about proposed cell towers **reducing the value of their homes and properties**. Who would **want to live right next to one, or under one?** And imagine what it's like for people who purchase or build their dream home or neighborhood, only to later have an unwanted cell tower installed just outside their window?

This negative effect can also contribute to **urban blight**, and a **deterioration of neighborhoods and school districts** when residents want to move out or pull their children out because they **don't want to live or have their children attend schools next to a cell tower**.

People don't want to live next to one not just because of **health concerns**, but also due to **aesthetics and public safety reasons**, i.e., cell towers become **eyesores**, obstructing or **tarnishing cherished views**, and also can **attract crime**, are potential **noise nuisances**, and fire and fall hazards.

These points underscore why wireless facilities are commercial facilities that don't belong in residential areas, parks and schools, and find out why they should be placed in **alternative, less obtrusive locations**. In addition, **your city officials have the power to regulate the placement** and appearance of cell towers, as long as such discrimination is not unreasonable, and especially if you show them that **you already have coverage** in your area.

**As mentioned on our Home Page, putting cell towers near residential properties is just bad business**. For residential owners, it means decreased property values. For local businesses (realtors and brokers) representing and listing these properties, it will create decreased income. And for city governments, it results in decreased revenue (property taxes).

Read this New York Times news story, "A Pushback Against Cell Towers," published in the paper's Real Estate section, on August 27, 2010:

<http://www.nytimes.com/2010/08/29/realestate/29Lizo.html?r=1&ref=realestate>.

A number of organizations and studies have documented the detrimental effects of cell towers on property values.

1. The Appraisal Institute, the largest global professional membership organization for appraisers with 91 chapters throughout the world, spotlighted the issue of cell towers and the

- **June 3-17, 2011:** City of Burbank Planning & Transportation Division issues its draft updated wireless facility ordinance -- it fails to protect our residential areas -- go here to read how you can help: <https://sites.google.com/17-2011-resident-respons-comments-to-proposed-wtf-ordinance-update>
- Read Burbank ACTION resident response to proposed Draft Update of our Wireless Telecommunications Facility Ordinance [here](#).
- Please go [here](#) for our list of "Top 20" Resident Recommendations -- thanks to residents who have e-mailed these to our city officials. To read about the Dec. 1, 2010 Community Meeting, click the item under "Burbank UPDATES" in the column to your right.
- [Dec. 1, 2010: Community Meeting](#)
- [August 31, 2010: City Council Meeting - Interim Regulations Approved](#)
- [July 26, 2010: Planning Board Meeting - Interim Regulations Approved](#)
- [June 14, 2010 Study Session and Upcoming TBD Community Meeting](#)
- [Dec. 8, 2009 Study Session & City Hall Meetings](#)
- [Nov. 16, 2009 Planning Board and](#)

fair market value of a home and educated its members that a cell tower **should, in fact, cause a decrease in home value.**

The definitive work on this subject was done by Dr. Sandy Bond, who concluded that "media attention to the potential health hazards of [cellular phone towers and antennas] has spread concerns among the public, resulting in increased resistance" to sites near those towers. **Percentage decreases mentioned in the study range from 2 to 20%** with the percentage moving toward the higher range the closer the property. These are a few of her studies:

a. "The effect of distance to cell phone towers on house prices" by Sandy Bond, Appraisal Journal, Fall 2007, see attached. Source, Appraisal Journal, found on the Entrepreneur website,

<http://www.entrepreneur.com/tradejournals/article/1718>  
or

[http://www.prrs.net/papers/Bond\\_Squires\\_Using\\_GIS](http://www.prrs.net/papers/Bond_Squires_Using_GIS)

b. Sandy Bond, Ph.D., Ko-Kang Wang, "The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods," The Appraisal Journal, Summer 2005; see attached. Source: Goliath business content website, [http://goliath.ecnext.com/coms2/gi\\_0199-5011857/The-impact-of-cell-phone.html](http://goliath.ecnext.com/coms2/gi_0199-5011857/The-impact-of-cell-phone.html)

c. Sandy Bond also co-authored, "Cellular Phone Towers: Perceived impact on residents and property values" University of Auckland, paper presented at the Ninth Pacific-Rim Real Estate Society Conference, Brisbane, Australia, January 19-22, 2003; see attached. Source: Pacific Rim Real Estate Society website, [http://www.prrs.net/Papers/Bond\\_The\\_Impact\\_Of\\_Ce](http://www.prrs.net/Papers/Bond_The_Impact_Of_Ce)

2. Industry Canada (Canadian government department promoting Canadian economy), "Report On the National Antenna Tower Policy Review, Section D — The Six Policy Questions, Question 6. What evidence exists that property values are impacted by the placement of antenna towers?"; see attached. Source: Industry Canada <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08353.html> website,

3. New Zealand Ministry for the Environment, "Appendix 5: The Impact of Cellphone Towers on Property Values"; see attached. Source: New Zealand Ministry for the Environment website, <http://www.mfe.govt.nz/publications/rma/nes->

Nov. 17 City Hall Meetings

- November 12, 2009 Public Meeting

**City of Burbank website: Wireless ordinance updates**

**Burbank Leader Newspaper Stories and Editorials**

**Tools: Reasons To Deny A Proposed Cell Tower and/or push for stronger regulations:**

- Reasonable Discrimination Allowed
- Decrease In Property Value
- We Already Have Good Coverage: Significant Gap and 911
- Alternative Locations and Supplemental Application forms
- Aesthetics and Public Safety
- Public Right of Way Developments
- Noise and Nuisance and notes about Clearwire

On a local level, residents and real estate professionals have also informed city officials about the detrimental effects of cell towers on home property values.

1. **Glendale, CA:** During the January 7, 2009 Glendale City Council public hearing about a proposed T-mobile cell tower in a residential neighborhood, local real estate professional Addora Beall described how a Spanish home in the Verdugo Woodlands, listed for 1 million dollars, sold \$25,000 less because of a power pole across the street. "Perception is everything," said Ms. Beall stated. "It the public perceives it to be a problem, then it is a problem. It really does affect property values." See Glendale City Council meeting, January 7, 2009, video of Addora Beall comments @ 2:35:24:

[http://glendale.granicus.com/MediaPlayer.php?view\\_id=12&clip\\_id=1227](http://glendale.granicus.com/MediaPlayer.php?view_id=12&clip_id=1227)

2. **Windsor Hills/View Park, CA:** residents who were fighting off a T-Mobile antenna in their neighborhood received letters from real estate companies, homeowner associations and resident organizations in their community confirming that real estate values would decrease with a cell phone antenna in their neighborhood. To see copies of their letters to city officials, look at the . Report from Los Angeles County Regional Planning Commission regarding CUP Case No. 200700020-(2), from L.A. County Board of Supervisors September 16, 2009, Meeting documents, Los Angeles County website, here at: <http://file.lacounty.gov/bos/supdocs/48444.pdf>

a. See page 295, August 31, 2008 Letter from Donna Bohanna, President/Realtor of Solstice International Realty and resident of Baldwin Hills to Los Angeles Board of Supervisors explaining negative effect of cell tower on property values of surrounding properties. "As a realtor, I must disclose to potential buyers where there are any cell towers nearby. I have found in my own experience that there is a very real stigma and cellular facilities near homes are perceived as undesirable."

b. See page 296, March 26, 2008 Letter from real estate professional Beverly Clark, "Those who would otherwise purchase a home, now considered desirable, can be deterred by a facility like the one proposed and this significantly reduces sales prices and does so immediately...I believe a facility such as the one proposed

- [Health Effects: Science & Research](#)
- [Watch these videos - Glendale and other residents protest cell towers and ask for new ordinances - great examples:](#) read, watch and learn how these residents and other local groups organized their effective presentations before their elected reps. What they did will inspire and may help you.

**[DVDs and Books:](#)**  
you can view and read

**Take Action:**

[Read and Sign the Petition](#)

[Write and Call Our City Leaders](#)

**[Other Links:](#)**

- [Actions Taken](#)
- [Other Communities Saying "No"](#)
- [Important Organizations](#)

will diminish the buyer pool, significantly reduce homes sales prices, alter the character of the surrounding area and impair the use of the residential properties for their primary uses.”

c. See Page 298, The Appraiser Squad Comment Addendum, about the reduced value of a home of resident directly behind the proposed installation after the city had approved the CUP for a wireless facility there: “The property owner has listed the property...and has had a potential buyer back out of the deal once this particular information of the satellite communication center was announced....there has been a canceled potential sale therefore it is relevant and determined that this new planning decision can have some negative effect on the subject property.”

d. See Page 301, PowerPower presentation by residents about real estate values: “The California Association of Realtors maintains that ‘sellers and licensees must disclose material facts that affect the value or desirability of the property,’ including ‘known conditions outside of and surrounding’ it. This includes ‘nuisances’ and zoning changes that allow for commercial uses.”

e. See Pages 302-305 from the Baldwin Hills Estates Homeowners Association, the United Homeowners Association, and the Windsor Hills Block Club, opposing the proposed cell tower and addressing the effects on homes there: “Many residents are prepared to sell in an already depressed market or, in the case of one new resident with little to no equity, simply walk away if these antennas are installed.

f. See Pages 362-363, September 17, 2008, Letter from resident Sally Hampton, of the Windsor Hills Homeowner’s Assoc., Item K, addressing effects of the proposed facility on real estate values.

3. **Santa Cruz, CA:** Also attached is a story about how a preschool closed up because of a cell tower installed on its grounds; “Santa Cruz Preschool Closes Citing Cell Tower Radiation,” Santa Cruz Sentinel, May 17, 2006; Source, EMFacts website: <http://www.emfacts.com/weblog/?p=466>.

4. **Merrick, NY:** For a graphic illustration of what we don't want happening here in Burbank, just look at Merrick, NY, where NextG wireless facilities are being installed, resulting in declining

• [Burbank Neighborhoods & Districts](#)

[Search for Antennae in Your Area](#)

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[Home](#)

home real estate values. Look at this Best Buyers Brokers Realty website ad from this area, "Residents of Merrick, Seaford and Wantaugh Complain Over Perceived Declining Property Values: <http://www.bestbuyerbroker.com/blog/?p=86>.

5. **Burbank, CA:** As for Burbank, at a City Council public hearing on December 8, 2009, hillside resident and a California licensed real estate professional Alex Safarian informed city officials that local real estate professionals he spoke with agree about the adverse effects the proposed cell tower would have on property values:

"I've done research on the subject and as well as spoken to many real estate professionals in the area, and they all agree that there's no doubt that cell towers negatively affect real estate values. Steve Hovakimian, a resident near Brace park, and a California real estate broker, and the publisher of "Home by Design" monthly real estate magazine, stated that he has seen properties near cell towers lose up to 10% of their value due to proximity of the cell tower...So even if they try to disguise them as tacky fake metal pine trees, as a real estate professional you're required by the California Association of Realtors: that sellers and licensees must disclose material facts that affect the value or desirability of a property including conditions that are known outside and surrounding areas."

(See City of Burbank Website, Video, Alex Safarian comments @ 6:24:28, [http://burbank.granicus.com/MediaPlayer.php?view\\_id=6&clip\\_id=848](http://burbank.granicus.com/MediaPlayer.php?view_id=6&clip_id=848))

Indeed, 27 Burbank real estate professionals in December 2009, signed a petition/statement offering their professional opinion that the proposed T-Mobile cell tower at Brace Canyon Park would negatively impact the surrounding homes, stating:

"It is our professional opinion that cell towers decrease the value of homes in the area tremendously. Peer reviewed research also concurs that cell sites do indeed cause a decrease in home value. We encourage you to respect the wishes of the residents and deny the proposed T-Mobile lease at this location. We also request that you strengthen your zoning ordinance regarding wireless facilities like the neighboring city of Glendale has done, to create preferred and non preferred zones that will protect the welfare of our residents and their properties as well as Burbank's real estate business professionals and the City of Burbank. Higher

- property values mean more tax revenue for the city, which helps improve our city." (Submitted to City Council, Planning Board, City Manager, City Clerk and other city officials via e-mail on June 18, 2010. To see a copy of this, scroll down to bottom of page and click "Subpages" or go here:

<http://sites.google.com/site/nocelltowerinourneighborhood/home/real-estate-value/burbank-real-estate-professionals-statement> )

Here is a list of additional articles on how cell towers negatively affect the property values of homes near them:

- The Observer (U.K.), "Phone masts blight house sales: Health fears are alarming buyers as masts spread across Britain to meet rising demand for mobiles," Sunday May 25, 2003 or go here:  
<http://www.guardian.co.uk/money/2003/may/25/houseprice>
- "Cell Towers Are Sprouting in Unlikely Places," The New York Times, January 9, 2000 (fears that property values could drop between 5 and 40 percent because of neighboring cell towers)
- "Quarrel over Phone Tower Now Court's Call," Chicago Tribune, January 18, 2000 (fear of lowered property values due to cell tower)
- "The Future is Here, and It's Ugly: a Spreading of Techno-blight of Wires, Cables and Towers Sparks a Revolt," New York Times, September 7, 2000
- "Tower Opponents Ring Up a Victory," by Phil Brozynski, in the *Barrington* [Illinois] *Courier-Review*, February 15, 1999, 5; reporting how the Cuba Township assessor reduced the value of twelve homes following the construction of a cell tower in Lake County, IL. See attached story:  
<http://spot.colorado.edu/~maziara/appeal&attachments/New43-LoweredPropertyValuation/>
- In another case, a Houston jury awarded 1.2 million to a couple because a 100-foot-tall cell tower was determined to have lessened the value of their property and caused them mental anguish: Nissimov, R., "GTE Wireless Loses Lawsuit over Cell-Phone Tower," Houston Chronicle, February 23, 1999, Section A, page 11. (Property values depreciate by about 10 percent because of the tower.)

Read about other "Tools" on our website that may help you and your fellow residents oppose a cell tower in your neighborhood in the column to the right. These include:

- [Reasonable Discrimination Allowed](#)
- [We Already Have Good Coverage: Significant Gap and 911](#)
- [Alternative Locations and Supplemental Application forms](#)
- [Aesthetics and Safety](#)
- [Noise and Nuisance and notes about Clearwire](#)
- [Health Effects: Science & Research](#)

Also print out this helpful article on court decisions from the communications law firm of Miller & Van Eaton (with offices in D.C. and San Francisco) that you can pull and read to realize what rights you may or may not have in opposing a wireless facility in your neighborhood:

[http://www.millervaneaton.com/content.agent?page\\_name=HT%3A++IMLA+Article+Tower+Siting+Nov+2008](http://www.millervaneaton.com/content.agent?page_name=HT%3A++IMLA+Article+Tower+Siting+Nov+2008)  
(click the link once you get to this page).

Other important decisions and actions taken by courts and local governments can be found in our [Actions Taken page](#).

Watch [how other resident groups](#) organized effective presentations at their public hearings so you can pick up their techniques and methods.

You can read and find additional organizations and resident groups that have organized opposition efforts against cell towers and wireless facilities, on our [Other Communities Saying "No" and Important Organizations](#) pages.

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Subpages (1): [Burbank Real Estate Professionals Statement](#)

## Comments

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## A Pushback Against Cell Towers

By MARCELLE S. FISCHLER AUG. 27, 2010

Wantagh

TINA CANARIS, an associate broker and a co-owner of RE/MAX Hearthstone in Merrick, has a \$999,000 listing for a high ranch on the water in South Merrick, one of a handful of homes on the block on the market. But her listing has what some consider a disadvantage: a cell antenna poking from the top of a telephone pole at the front of the 65-by-100-foot lot.

“Even houses where there are transformers in front” make “people shy away,” Ms. Canaris said. “If they have the opportunity to buy another home, they do.”

She said cell antennas and towers near homes affected property values, adding, “You can see a buyer’s dismay over the sight of a cell tower near a home just by their expression, even if they don’t say anything.”

By blocking, or seeking to block, cell towers and antennas over the course of the last year, Island homeowners have given voice to concerns that proximity to a monopole or antenna may not be just aesthetically unpleasing but also harmful to property values. Many also perceive health risks in proximity to radio frequency radiation emissions, despite industry assertions and other evidence disputing that such emissions pose a hazard.

Emotions are running so high in areas like Wantagh, where an application for six cell antennas on the Farmingdale Wantagh Jewish Center is pending, that the Town of Hempstead imposed a moratorium on applications until Sept. 21. That is the date for a public hearing on a new town ordinance stiffening requirements.

At a community meeting on Aug. 16 at Wantagh High School, Dave Denenberg, the Nassau county legislator for Bellmore, Wantagh and Merrick, told more than 200 residents that 160 cell antennas had been placed on telephone poles in the area in the last year by NextG, a wireless network provider.

“Everyone has a cellphone,” Mr. Denenberg said, “but that doesn’t mean you have to have cell installations right across the street from your house.” Under the old town code, installations over 30 feet high required an exemption or a variance. But in New York, wireless providers have public utility status, like LIPA and Cablevision, and they can bypass zoning boards.

Earlier this month in South Huntington, T-Mobile was ordered to take down a new 100-foot monotower erected on property deemed environmentally sensitive (and thus requiring a variance). Andrew J. Campanelli, a civil rights lawyer in Garden City, said a group of residents had hired him to oppose the cellular company’s application.

“They were worried about the property values,” Mr. Campanelli said. “If your home is near a cell antenna, the value of your property is going down at least 4 percent. Depending on the size of the tower and the proximity, it is going down 10 percent.”

In January, in an effort to dismantle 50 cell antennas on a water tower across from a school in the village of Bayville, Mr. Campanelli filed a federal lawsuit that cited health risks and private property rights.

In a statement, Dr. Anna F. Hunderfund, the Locust Valley superintendent, said that in February 2009 the district had engaged a firm to study the cellphone installations near the Bayville schools, finding that the tower “posed no significant health risks,” and she noted that the emission levels fell well below amounts deemed unsafe by the Federal Communications Commission.

In June 2009, Sharon Curry, a psychologist in Merrick, woke up to find a cell antenna abutting her backyard, level to her 8-year-old son's bedroom window.

Puzzled by its presence, particularly because she lives next to an elementary school, she did research to see if there was cause for concern. What she learned about possible health impacts, she said, led her to seek help from civic associations and to form a group, Moms of Merrick Speak Out, to keep new cell towers out. She said she was seeking the "responsible" placement of cell antennas, away from homes and schools.

The Federal Communications Act of 1996 says health concerns are not a valid reason for a municipality to deny zoning for a cell tower or antenna. Property values and aesthetics, however, do qualify, according to the act.

Frank Schilero, an associate broker with RE/MAX Innovations in Wantagh, has a listing on a \$629,000 home down the street from the Farmingdale Wantagh Jewish Center, where the application is pending to put six cell antennas on the roof.

"People don't like living next to cell towers, for medical reasons or aesthetics," Mr. Schilero said. "Or they don't want that eyesore sticking up in their backyards." There is an offer on his listing, he added, but since the buyer heard about the possible cell antennas she has sought more information from the wireless companies about their size and impact.

Charles Kovit, the Hempstead deputy town attorney, said that under the proposed code change any new towers or antennas would have to be 1,500 feet from residences, schools, houses of worship and libraries.

The town recently hired a consultant, Richard A. Comi of the Center for Municipal Solutions in Glenmont, to review antenna applications.

Under the new ordinance, applications for wireless facilities would require technical evidence that they had a "gap" in coverage necessitating a new tower.

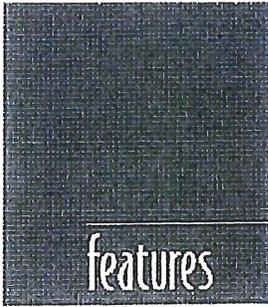
"If not, they will get denied," Mr. Kovit said. The wireless companies would also have to prove that the selected location had "the least negative impact on area

**character and property values.”** If another location farther away from homes can solve the gap problem, “they are going to **have to move.”**

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# The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods

by Sandy Bond, PhD, and Ko-Kang Wang

## abstract

This article examines whether proximity to cellular phone towers has an impact on residential property values and the extent of any impact. First, a survey approach is used to examine how residents perceive living near cellular phone base stations (CPBSs) and how residents evaluate the impacts of CPBSs. Next, a market study attempts to confirm the perceived value impacts reported in the survey by analyzing actual property sales data. A multiple regression analysis in a hedonic pricing framework is used to measure the price impact of proximity to CPBSs. Both the survey and market sales analysis find that CPBSs have a negative impact on the prices of houses in the study areas.

The introduction of cellular phone systems and the rapid increase in the number of users of cellular phones have increased exposure to electromagnetic fields (EMFs). Health consequences of long-term use of cellular phones are not known in detail, but available data indicates that development of nonspecific health symptoms is possible.<sup>1</sup> Conversely, it appears health effects from cellular phone equipment (antennas and base stations) pose few, if any, known health hazards.<sup>2</sup>

A concern associated with cellular phone usage is the siting of cellular phone transmitting antennas (CPTAs) and cellular phone base stations (CPBSs). In New Zealand, CPBS sites are increasingly in demand as the major cellular phone companies there, Telecom and Vodafone, upgrade and extend their network coverage. This demand could provide the owner of a well-located property a yearly income for the siting of a CPBS.<sup>3</sup> However, new technology that represents potential hazards to human health and safety may cause property values to diminish due to public perceptions of hazards. Media attention to the potential health hazards of CPBSs has spread concerns among the public, resulting in increased resistance to CPBS sites.

Some studies suggest a positive correlation between long-term exposure to the electromagnetic fields and certain types of cancer,<sup>4</sup> yet other studies report inconclusive results on health effects.<sup>5</sup> Notwithstanding the research results, media reports indicate that the extent of opposition from some property owners

1. Stanislaw Szmigielski and Elzbieta Sobiczewska, "Cellular Phone Systems and Human Health—Problems with Risk Perception and Communication," *Environmental Management and Health* 11, no. 4 (2000): 352–368.
2. Jerry R. Barnes, "Cellular Phones: Are They Safe?" *Professional Safety* 44, no. 12 (Dec. 1999): 20–23.
3. R. Williams, "Phone Zone—Renting Roof Space to Ma Bell," *The Property Business* 12 (April 2001): 6–7.
4. C. M. Krause et al., "Effects of Electromagnetic Field Emitted by Cellular Phones on the EEG During a Memory Task," *Neuroreport* 11, no. 4 (2000): 761–764.
5. Independent Expert Group on Mobile Phones, *Mobile Phones and Health* (Report to the United Kingdom Government, 2000), <http://www.legmp.org.uk>.

affected by the siting of CPBSs remains strong.<sup>6</sup> However, the extent to which such attitudes are reflected in lower property values for homes located near CPBSs is not known.

Understanding the impact of CPBSs on property values is important to telecommunications companies both for planning the siting of CPBSs and for determining likely opposition from property owners. Similarly, property appraisers need to understand the valuation implications of CPBSs when valuing CPBS-affected property. The owners of affected property also want to understand the magnitude of any effects, particularly if compensation claims or an award for damages are to be made based on any negative effects on value.

The research here uses a case study approach to determine residents' perceptions towards living near CPBSs in Christchurch, New Zealand, and to quantify these effects in monetary terms according to an increasing or decreasing percentage of property value. The case study uses both an opinion survey and an econometric analysis of sales transaction data. A comparison of the results can be used to help appraisers value affected property as well as to resolve compensation issues and damage claims in a quantitative way. Further, the results provide a potential source of information for government agencies in assessing the necessity for increased information pertaining to CPBSs.

The following provides a brief review of the cellular phone technology and relevant literature. Then, the next section describes the research procedure used, including descriptions of the case study and control areas. The results are then discussed, and the final section provides a summary and conclusion.

### Cellular Telephone Technology<sup>7</sup>

Cellular (mobile) telephones are sophisticated two-way radios that use ultrahigh frequency (UHF) radio waves to communicate information. The information is passed between a mobile phone and a network of low-powered transceivers, called mobile phone sites or cell sites. As mobile sites are very low powered they serve only a limited geographic area (or "cell"), varying from a few hundred meters to several kilometers; they can handle only a limited number of calls at one time. When a mobile phone

user on the move leaves one cell and enters another, the next site automatically takes over the call, allowing contact to be maintained.

When a mobile phone call is initiated, the phone connects to the network by using radio signals to communicate with the nearest mobile phone site. The mobile phone sites in a network are interlinked by cable or microwave beam, enabling phone calls to be passed from one cell to another automatically. A mobile phone site is typically made up of a mast with antennas connected to equipment stored in a cabinet. Power is fed into the cabinet by underground cable. The antennas are designed to transmit most of the signal away horizontally, or just below horizontal, rather than at steep angles to the ground.

Mobile phone sites can only accommodate a limited number of calls at any one time. When this limit is reached, the mobile phone signal is transferred to the next nearest site. If this site is full or is too far away, the call will fail.

Cell site capacity is a major issue for telecommunication companies. As the number of people using mobile phones grows, more and more cell sites are required to meet customer demand for reliable coverage. At the end of March 2002, Telecom had more than 1.5 million mobile phone customers and more than 750 mobile phone sites throughout New Zealand. Vodafone had over 1.1 million mobile phone customers.<sup>8</sup> In areas, such as Auckland (the largest city in New Zealand, with close to a third of the NZ population), where almost complete coverage has been achieved, the main issue is ensuring that there is the capacity to handle the ever-increasing number of mobile phones and calls.

### Locating Cellular Phone Sites

For cellular phone service providers, the main goals when locating cell sites are (1) finding a site that provides the best possible coverage in the area without causing interference with other cells, and (2) finding a site that causes the least amount of environmental impact on the surrounding area. Service providers usually attempt to locate cell sites on existing structures such as buildings, where antennas can be mounted on the roof to minimize the environmental impact. If this is not possible, a mast will need to be erected to support the antennas for the new cell site.

6. S. Fox, "Cell Phone Antenna Worries Family," *East & Bays Courier*, November 8, 2002, 1.

7. The information in this section was sourced from Telecom, <http://www.telecom.co.nz>; New Zealand Ministry for the Environment, <http://www.mfe.govt.nz>; and New Zealand Ministry of Health, <http://www.moh.govt.nz>.

8. Vodafone, "Cell Sites and the Environment," [http://www.vodafone.co.nz/aboutus/vdfn\\_about\\_cellsites.pdf](http://www.vodafone.co.nz/aboutus/vdfn_about_cellsites.pdf) (accessed December 19, 2002) and "Mobile Phones and Health," [http://www.vodafone.co.nz/aboutus/vdfn\\_about\\_health\\_and\\_safety.pdf](http://www.vodafone.co.nz/aboutus/vdfn_about_health_and_safety.pdf) (accessed December 19, 2002); and Telecom, "Mobile Phone Sites and Safety," <http://www.telecom.co.nz/content/0,3900,27116-1536,00.html> (accessed December 19, 2002).

Service providers prefer to locate cell sites in commercial or industrial areas due to the "resource consent" procedure required by the Resource Management Act 1991<sup>9</sup> for towers located in residential areas.

Despite the high level of demand for better cell phone coverage, the location of cell sites continues to be a contentious issue. The majority of people want better cell phone coverage where they live and work, but they do not want a site in their neighborhood. Thus, cell sites in or near residential areas are of particular concern. Concerns expressed usually relate to health, property values, and visual impact.<sup>10</sup>

In general, uncertainties in the assessment of health risks from base stations are presented and distributed in reports by organized groups of residents who protest against siting of base stations. When the media publishes these reports it amplifies the negative bias and raises public concerns. According to Covello, this leads to incorrect assessment of risks and threats by the public, with a tendency to overestimate risks from base stations and neglect risks from the use of cell phones.<sup>11</sup>

### Assessment of Environmental Effects

Under the Resource Management Act 1991 (RMA), an assessment of environmental effects is required every time an application for resource consent is made. Information that must be provided includes "an assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated."<sup>12</sup> An assessment of the environmental effects of cell sites would take into consideration such things as health and safety effects; visual effects; effects on the neighborhood; and interference with radio and television reception.

### Radio Frequency and Microwave Emissions from CPBSs

According to the Ministry for the Environment, the factors that affect exposure to radiation are as follows:

- Distance. Increasing the distance from the emitting source decreases the radiation's strength and decreases the exposure.

- Transmitter power. The stronger the transmitter, the higher the exposure.
- Directionality of the antenna. Increasing the amount of antennas pointing in a particular direction increases the transmitting power and increases the exposure.
- Height of the antenna above the ground. Increasing the height of an antenna increases the distance from the antenna and decreases the exposure.
- Local terrain. Increasing the intervening ridgelines decreases the exposure.<sup>15</sup>

The amount of radiofrequency power absorbed by the body (the dose) is measured in watts per kilogram, known as the specific absorption rate (SAR). The SAR depends on the power density in watts per square meter. The radio frequencies from cellular phone systems travel in a "line of sight." The antennas are designed to radiate energy horizontally so that only small amounts of radio frequencies are directed down to the ground. The greatest exposures are in front of the antenna so that near the base of these towers, exposure is minimal. Further, power density from the transmitter decreases rapidly as it moves away from the antenna. However, it should be noted that by initially walking away from the base, the exposure rises and then decreases again. The initial increase in exposure corresponds to the point where the lobe from the antenna beam intersects the ground.<sup>14</sup>

### Health Effects

According to Szmigielski and Sobiczewska, the analogue phone system (using the 800–900 megahertz band) and digital phone system (using the 1850–1990 megahertz band) expose humans to electromagnetic field (EMF) emissions: radio frequency radiation (RF) and microwave radiation (MW), respectively. These two radiations are emitted from both cellular phones and CPBSs.<sup>15</sup>

For years cellular phone companies have assured the public that cell phones are safe. They state that the particular set of radiation parameters associated with cell phones is the same as any other ra-

9. The Resource Management Act 1991 is the core of the legislation intended to help achieve sustainability in New Zealand; see <http://www.mfe.govt.nz/laws/rma>.

10. Szmigielski and Sobiczewska; and Barnes.

11. Vincent T. Covello, "Risk Perception, Risk Communication, and EMF Exposure: Tools and Techniques for Communicating Risk Information," in *Risk Perception, Risk Communication and Its Application to EMF Exposure: Proceedings of the World Health Organization and ICNIRP Conference*, ed. R. Matthes, J. H. Bernhardt, M. H. Repucholi, 179–214 (Munich, Germany, May 1998).

12. Section 88(4), (b), Resource Management Act 1991.

13. Ministry for the Environment and Ministry of Health, *National Guidelines for Managing the Effects of Radiofrequency Transmitters*, available at <http://www.mfe.govt.nz> and <http://www.moh.govt.nz> (accessed May 21, 2002).

14. *Ibid.*; and Szmigielski and Sobiczewska.

15. Szmigielski and Sobiczewska.

dio signal. However, reported scientific evidence challenges this view and shows that cell phone radiation causes various effects, such as altered brain activity, memory loss, and fatigue.<sup>16</sup>

According to Cherry, there is also strong evidence to conclude that cell sites are risk factors for certain types of cancer, heart disease, neurological symptoms and other effects.<sup>17</sup> The main concerns related to EMF emissions from CPBSs are linked to the fact that radio frequency fields penetrate exposed tissues.

Public concern regarding both cell phones and CPBSs in many countries has led to establishment of independent expert groups to carry out detailed reviews of the research literature. Research on the health effects of exposures to RF are reviewed by, for instance, the NZ Radiation Laboratory, the World Health Organization, the International Commission on Non-Ionizing Radiation Protection (ICNIRP), the Royal Society of Canada, and the UK Independent Expert Group on Mobile Phones. The reviews conclude that there are no clearly established health effects for low levels of exposure. Such exposures typically occur in publicly accessible areas around radio frequency transmitters. However, there are questions over the delayed effects of exposure.

While present medical and epidemiological studies reveal weak association between health effects and low-level exposures of RF/MW fields, controversy remains among scientists, producers, and the general public. Negative media attention has fuelled the perception of uncertainty over the health effects from cell phone systems. Further scientific or technological information is needed to allay fears of the public about cell phone systems.

**Radio Frequency Radiation Exposure Standards**  
**International Standards.** The reviews of research on the health effects of exposures to RF have helped establish exposure standards that limit RF exposures to a safe level. Most standards—including those set by the ICNIRP, the American National Standards Institute (ANSI), and New Zealand—are based on the most-adverse potential effects.

The 1998 ICNIRP guidelines have been accepted by the world's scientific and health communities; these guidelines are both consistent with other stated standards and published by a highly respected and independent scientific organization. The ICNIRP is responsible for providing guidance and advice on the health hazards of nonionizing radiation for the World Health Organization (WHO) and the International Labour Office.<sup>18</sup>

**The New Zealand Standard.** In New Zealand, when a mobile phone site is being planned, radio frequency engineers calculate the level of electromagnetic energy (EME) that will be emitted by the site. The level of EME is predicted by taking into account factors such as power output, cable loss, antenna gain, path loss, and height and distance from the antenna. These calculations allow engineers to determine the maximum possible emissions in a worst-case scenario, i.e., as if the site was operated at maximum power all the time. The aim is to ensure that EME levels are below international and NZ standards in areas where the general public has unrestricted access.

All mobile phone sites in New Zealand must comply in all respects with the NZ standard for radio frequency exposures.<sup>19</sup> This standard is the same as used in most European countries, and is more stringent than that used in the United States, Canada, and Japan. Some local communities in New Zealand have even lower exposure-level standards; however, in reality mobile phone sites only operate at a fraction of the level set by the NZ standard. The National Radiation Laboratory has measured exposures around many operating cell sites, and maximum exposures in publicly accessible areas around the great majority of sites are less than 1% of the exposure limit of the NZ standard. Exposures are rarely more than a few percent of the limit, and none have been above 10%.

#### **Court Decisions**

Two court cases in New Zealand have alleged adverse effects due to CPBSs: *McIntyre v. Christchurch City*

16. K. Mann and J. Röschke, "Effects of Pulsed High-Frequency Electromagnetic Fields on Human Sleep," *Neuropsychobiology* 33, no. 1 (1996): 41-47; Krause et al.; Alexander Borbely et al., "Pulsed High-Frequency Electromagnetic Field Affects Human Sleep and Sleep Electroencephalogram," *Neurosci Let*, 275, no. 3 (1999): 207-210; L. Kellényi et al., "Effects of Mobile GSM Radiotelephone Exposure on the Auditory Brainstem Response (ABR)," *Neurobiology* 7, no. 1 (1999): 79-81; B. Hocking, "Preliminary Report: Symptoms Associated with Mobile Phone Use," *Occup Med* 48, no. 6 (Sept. 1998): 357-360; and others as reported in Neil Cherry, *Health Effects Associated with Mobil Base Stations in Communities: The Need for Health Studies*, Environmental Management and Design Division, Lincoln University (June 8, 2000); <http://pages.britishlibrary.net/orange/cherryonbasestations.htm>.

17. Cherry.

18. Ministry for the Environment and Ministry of Health.

19. NZS 2772.1:1999, "Radiofrequency Fields Part I: Maximum Exposure Levels - 3kHz to 300GHz." This standard was based largely on the 1998 ICNIRP recommendations for maximum human exposure levels to radio frequency. The standard also includes a requirement for minimizing radio frequency exposure. See National Radiation Laboratory, *Cell Sites* (March 2001), 7; available at <http://www.nrl.moh.govt.nz/CellsiteBooklet.pdf>.

*Council*<sup>20</sup> and *Shirley Primary School v. Telecom Mobile Communications Ltd.*<sup>21</sup> Very few cell site cases have actually proceeded to Environment Court hearings. In these two cases the plaintiffs claimed that there was a risk of adverse health effects from radio frequency radiation emitted from cell phone base stations and that the CPBSs had adverse visual effects.

In *McIntyre*, Bell South applied for resource consent to erect a CPBS. The activity was a noncomplying activity under the Transitional District Plan. Residents objected to the application. Their objections were related to the harmful health effects from radio frequency radiation. In particular, they argued it would be an error of law to decide, based on the present state of scientific knowledge, that there are no harmful health effects from low-level radio frequency exposure. It was also argued that the Resource Management Act contains a precautionary policy and also requires a consent authority to consider potential effects of low probability but high impact in reviewing an application.

The Planning Tribunal considered residents' objections and heard experts' opinions as to the potential health effects, and granted the consent, subject to conditions. It was found that there would be no adverse health effects from low levels of radiation from the proposed transmitter, not even effects of low probability but high potential impact.

In *Shirley Primary School*, Telecom applied to the Christchurch City Council for resource consent to establish, operate, and maintain a CPBS on land adjacent to the Shirley Primary School. This activity was a noncomplying activity under the Transitional District Plan. Again, the city council granted the consent subject to conditions. However, the school appealed the decision, alleging the following four adverse effects:

- Risk of adverse health effects from the radio frequency radiation emitted from the cell site
- Adverse psychological effects on pupils and teachers because of the perceived health risks
- Adverse visual effects
- Reduced financial viability of the school if pupils withdraw because of the perceived adverse health effects

The court concluded that the risk of the children or teachers at the school developing leukemia or other cancers from radio frequency radiation emitted by

the cell site is extremely low, and the risk to the pupils of developing sleep disorders or learning disabilities because of exposure to radio frequency radiation is higher, but still very small. Accordingly, the Telecom proposal was allowed to proceed.

In summary, the Environmental Court ruled that there are no established adverse health effects from the emission of radio waves from CPBSs and no epidemiological evidence to show this. The court was persuaded by the ICNIRP guidelines that risk of health effects from low-level exposure is very low and that the cell phone frequency imposed by the NZ standard is safe, being almost two and one-half times lower than that of the ICNIRP.

The court did concede that while there are no proven health effects, there was evidence of property values being affected by both of the health allegations. The court suggested that such a reduction in property values should not be counted as a separate adverse effect from, for example, adverse visual or amenities effects. That is, a reduction in property values is not an environmental effect in itself; it is merely evidence, in monetary terms, of the other adverse effects noted.

In a third case, *Goldfinch v. Auckland City Council*,<sup>22</sup> the Planning Tribunal considered evidence on potential losses in value of the properties of objectors to a proposal for the siting of a CPBS. The court concluded that the valuer's monetary assessments support and reflect the adverse effects of the CPBS. Further, it concluded that the effects are more than just minor as the CPBS stood upon the immediately neighboring property.

## Literature Review

While experimental and epidemiological studies have focused on the adverse health effects of radiation from the use of cell phones and CPBSs, few studies have been conducted to ascertain the impact of CPBSs on property values. Further, little evidence of property value effects has been provided by the courts. Thus, the extent to which opposition from property owners affected by the siting of CPBSs is reflected in lower property values is not well known in New Zealand.

Two studies have been conducted to ascertain the adverse health and visual effects of CPBSs on property values. Telecom commissioned Knight Frank (NZ) Ltd to undertake a study in Auckland in 1998/

20. NZRMA 289 (1996).

21. NZRMA 66 (1999).

22. NZRMA 97 (1996).

99 and commissioned Telfer Young (Canterbury) Ltd to undertake a similar study in Christchurch in 2001. Although the studies show that there is not a statistically significant effect on property prices where CPBSs are present,<sup>23</sup> the research in both cases involves only limited sales data analysis. Further, no surveys of residents' perceptions were undertaken, and the studies did not examine media attention to the sites and the impact this may have on saleability of properties in close proximity to CPBSs. Finally, as the sponsoring party to the research was a telecommunication company it is questionable whether the results are completely free from bias. Hence, the present study aims to help fill the research void on this contentious topic in an objective way.

CPBSs are very similar structures to high-voltage overhead transmission lines (HVOTLs); therefore it is worthwhile to review the body of literature on the property values effects of HVOTLs. The only recently published study in New Zealand on HVOTLs effects is by Bond and Hopkins.<sup>24</sup> Their research consists of both a regression analysis of residential property transaction data and an opinion survey to determine the attitudes and reactions of property owners in the study area toward living close to HVOTLs and pylons.

The results of the sales analysis indicate that having a pylon close to a particular property is statistically significant and has a negative effect of 20% at 10–15 meters from the pylon, decreasing to 5% at 50 meters. This effect diminishes to a negligible amount after 100 meters. However, the presence of a transmission line in the case study area has a minimal effect and is not a statistically significant factor in the sale prices.

The attitudinal study results indicate that nearly two-thirds of the respondents have negative feelings about the HVOTLs. Proximity to HVOTLs determines the degree of negativity: respondents living closer to the HVOTLs expressed more negative feelings towards them than those living farther away. It appears, however, from a comparison of the results, that the negative feelings expressed are often not reflected in the prices paid for such properties.

There have been a number of HVOTLs studies carried out in the United States and Canada. A major review and analysis of the literature by Kroll and Priestley indicates that in about half the studies, HVOTLs have not affected property values and in the rest of the studies there is a loss in property value between 2%–10%.<sup>25</sup> Kroll and Priestley are generally critical of most valuer-type studies because of the small number of properties included and the failure to use econometric techniques such as multiple regression analysis. They identify the Colwell study as one of the more careful and systematic analyses of residential impacts.<sup>26</sup> That study, carried out in Illinois, finds that the strongest effect of HVOTLs is within the first 15 meters, but the effect dissipates quickly with distance, disappearing beyond 60 meters.

A Canadian study by Des Rosiers, using a sample of 507 single-family house sales, finds that severe visual encumbrance due to a direct view of either a pylon or lines exerts a significant, negative impact on property values; however location adjacent to a transmission corridor may increase value.<sup>27</sup> This was particularly evident where the transmission corridor was on a well-wooded, 90-meter right-of-way. The proximity advantages include enlarged visual field and increased privacy. The decrease in value from the visual impact of the HVOTLs and pylons (on average between 5% and 10% of mean house value) tends to be cancelled out by the increase in value from proximity to the easement.

A study by Wolverton and Bottemiller<sup>28</sup> uses a paired-sale analysis of home sales in 1989–1992 to ascertain any difference in sale price between properties abutting rights-of-way of transmission lines (subjects) in Portland, Oregon; Vancouver, Washington; and Seattle, Washington; and those located in the same cities but not abutting transmission line rights-of-way (comparisons). Subjects sold during the study period were selected first; then a matching comparison was selected that was as similar to the subject as possible. The study results did not support a finding of a price effect from abutting an HVTL right-of-way. In their conclusion, the authors

23. Mark Dunbar, Telfer Young research valuer, personal communication with Bond, 2002. The results of these studies have not been made publicly known. The study by Knight Frank of Auckland was conducted by Robert Albrecht.

24. S. G. Bond and J. Hopkins, "The Impact of Transmission Lines on Residential Property Values: Results of a Case Study in a Suburb of Wellington, New Zealand," *Pacific Rim Property Research Journal* 6, no. 2 (2000): 52–60.

25. C. Kroll and T. Priestley, "The Effects of Overhead Transmission Lines on Property Values: A Review and Analysis of the Literature," Edison Electric Institute (July 1992).

26. Peter F. Colwell, "Power Lines and Land Value," *Journal of Real Estate Research* 5, no. 1 (Spring 1990): 117–127.

27. François Des Rosiers, "Power Lines, Visual Encumbrance and House Values: A Microspatial Approach to Impact Measurement," *Journal of Real Estate Research* 23, no. 3 (2002): 275–301.

28. Marvin L. Wolverton and Steven C. Bottemiller, "Further Analysis of Transmission Line Impact on Residential Property Values," *The Appraisal Journal* (July 2003): 244–252.

warn that the results cannot and should not be generalized outside of the data. They explain that

limits on generalizations are a universal problem for real property sale data because analysis is constrained to properties that sell and sold properties are never a randomly drawn representative sample. Hence, generalizations must rely on the weight of evidence from numerous studies, samples, and locations.<sup>30</sup>

Thus, despite the varying results reported in the literature on property value effects from HVOTLs, each study adds to the growing body of evidence and knowledge on this (and similar) valuation issue(s). The study reported here is one such study.

### Opinion Survey Research Objectives and Methodology

Research by Abelson,<sup>30</sup> Chalmers and Roehr,<sup>31</sup> Kinnard, Geckler and Dickey,<sup>32</sup> Bond,<sup>33</sup> and Flynn et al.,<sup>34</sup> recommend the use of market sales analysis in tandem with opinion survey studies to measure the impact of environmental hazards on residential property values. The use of more than one approach provides the opportunity to compare the results from each and to derive a more informed conclusion than obtained from relying solely on one approach. Thus, the methods selected for this study include a public opinion survey and a hedonic house price approach (as proposed by Freeman<sup>35</sup> and Rosen<sup>36</sup>). A comparison of the results from both of these techniques will reveal the extent to which the market reacts to cell phone towers.

### Public Opinion Survey

An opinion survey was conducted to investigate the current perceptions of residents towards living near CPBSs and how this proximity might affect property values. Case study areas in the city of Christchurch were selected for this study. The study included residents in ten suburbs: five case study areas (within 500 meters of a cell phone tower) and five control areas (over 1 kilometer from the cell phone tower). The five case study suburbs were

matched with five control suburbs that had similar living environments (in socioeconomic terms) except for the presence of a CPBS.

The number of respondents to be surveyed (800) and the nature of the data to be gathered (perceptions/personal feelings towards CPBSs) governed the choice of a self-administered questionnaire as the most appropriate collection technique. Questionnaires were mailed to residents living in the case study and control areas.

A self-administered survey helps to avoid interviewer bias and to increase the chances of an honest reply where the respondent is not influenced by the presence of an interviewer. Also, mail surveys provide the time for respondents to reflect on the questions and answer these at their leisure, without feeling pressured by the time constraints of an interview. In this way, there is a better chance of a thoughtful and accurate reply.

The greatest limitation of mail surveys is that a low response rate is typical. Various techniques were used to help overcome this limitation, including careful questionnaire design; inclusion of a free-post return envelope; an accompanying letter ensuring anonymity; and reminder letters. An overall response rate of 46% was achieved for this study.

The questionnaire contained 45 individual response items. The first question acted as an identifier to determine whether the respondent was a homeowner or tenant. While responses from both groups were of interest, the former was of greater importance, as they are the group of purchasers/sellers that primarily influence the value of property. However, it was considered relevant to survey both groups as both are affected by proximity to a CPBS to much the same extent from an occupiers' perspective, i.e., they both may perceive risks associated with a CPBS. It was hypothesized that tenants, being less-permanent residents, would perceive the effects in a similar way, but to a much lesser degree.

Other survey questions related to overall neighborhood environmental desirability; the timing of

29. *Ibid.*, 252.

30. P. W. Abelson, "Property Prices and Amenity Values," *Journal of Environmental Economics and Management* 6 (1979): 11-28.

31. James A. Chalmers and Scott Roehr, "Issues in the Valuation of Contaminated Property," *The Appraisal Journal* (January 1993): 28-41.

32. W. N. Kinnard, M. B. Geckler, and S. A. Dickey, "Fear (as a Measure of Damages) Strikes Out: Two Case Studies Comparisons of Actual Market Behaviour with Opinion Survey Research" (paper presented at the Tenth Annual American Real Estate Society Conference, Santa Barbara, California, April 1994).

33. S. G. Bond, "Do Market Perceptions Affect Market Prices? A Case of a Remediated Contaminated Site," in *Real Estate Valuation Theory*, ed. K. Wang and M. L. Wolverton, 285-321 (Boston: Kluwer Academic Publishers, 2002).

34. James Flynn et al., "Survey Approach for Demonstrating Stigma Effects in Property Value Litigation," *The Appraisal Journal* (Winter 2004): 35-45.

35. A. Myrick Freeman, *The Benefits of Environmental Improvement: Theory and Practice* (Baltimore: John Hopkins Press, 1979).

36. Sherwin Rosen, "Hedonic Prices and Implicit Markets: Product Differentiation in Pure Competition," *Journal of Political Economy* 82, no. 1 (Jan/Feb 1974): 34-55.

the CPBS's construction and its proximity in relation to the respondent's home; the importance placed on the CPBS as a factor in relocation decisions and on the price/rent the respondent was prepared to pay for the house; how a CPBS might affect the price the respondent would be willing to pay for the property; and the degree of concern regarding the effects of CPBSs on health, stigma, aesthetics, and property values. The surveys were coded to identify the property address of the respondent. This enabled each respondent's property to be located on a map and to show this in relation to the cell site.

Eighty questionnaires<sup>37</sup> were distributed to each of the ten suburbs (five case study and five control areas) in Christchurch. Respondents were instructed to complete the survey and return it in the free-post, self-addressed envelope provided. The initial response rate was 31%. A month later, a further 575 questionnaires with reminder letters were sent out to residents who had not yet responded. A total response rate of 46% was achieved. Response rates from each suburb ranged from 33% (Linwood) to 61% (Bishopdale).

The questionnaire responses were coded and entered into a computerized database.<sup>38</sup> The analysis of responses included the calculation of means and percentage of responses to each question to allow for an overview of the response patterns in each area.

### Case Study and Control Areas

The suburbs of Beckenham, Papanui, Upper Riccarton, Bishopdale, and St Albans were selected for the case study because there is at least one CPBS within each of these communities. Census data, providing demographic and socioeconomic characteristics of geographic areas, was used to select the control suburbs of Spreydon, Linwood, Bromley, Avonhead, and Ilam.<sup>39</sup> The control areas are located further away (over 1 kilometer) from the CPBS in their matched case study area. As well as matching demographic and socioeconomic characteristics, each suburb was selected based on its similarity to its matched case study area in terms of living environment and housing stock, distance to the central

business district, and geographic size; the only dissimilarity is that there are no CPBSs in the control areas. (See Appendix I for a location map.)

Demographic statistics show that Bromley and Ilam comprise a younger population (median age about 35), with Bishopdale and Upper Riccarton having an older population (median age about 40). The ethnic breakdown of each suburb indicates that Papanui and Spreydon have the highest proportion of Europeans (about 90%), Bromley has the highest proportion of both Maoris and Pacific Islanders (15.9% and 8.5% respectively), while Ilam, Avonhead, and Upper Riccarton have the highest proportion of Asians (16.1% to 18.5%).<sup>40</sup>

Median household and median family incomes (MHI and MFI) are highest in Ilam and Avonhead (MHI: \$34,751NZ, \$53,405NZ; MFI: \$51,530NZ, \$65,804NZ, respectively) and lowest in Linwood and Beckenham (MHI: \$22,275NZ, \$26,398NZ; MFI: \$29,675NZ, \$35,847NZ respectively).<sup>41</sup> Residents of St Albans West have the highest levels of education (21.7% have a degree or a higher degree) followed by Upper Riccarton (18.7%), Ilam (16.7%), and Avonhead (16.2%). These same suburbs have the highest proportion of professionals by occupational class (20.5% to 27.5%). Residents of Bromley have the lowest education (40% have no qualification) and the lowest proportion of professionals (5.5%).<sup>42</sup>

In summary, the socioeconomic data shows that Ilam is the more superior suburb, followed by Avonhead, Upper Riccarton, St Albans West, and Papanui. The lower socioeconomic areas are, in decreasing order, Spreydon, Bishopdale, Bromley, Beckenham, and Linwood.

### Survey Results

A summary of the main findings from the survey is presented in Appendix II, and the survey results are discussed in the following.

### Response Rates

Of the 800 questionnaires mailed to homeowners and tenants in the case study and control areas (400 to each group), 50% from the case study area and 41%

37. Approved by the University of Auckland Human Subjects Ethics Committee (reference 2002/185).

38. The computer program SPSS was selected as the appropriate analytical tool for processing the data.

39. The census is conducted in New Zealand every five years, and the data used to define the control areas is from the latest census conducted in 2001, see Christchurch City Area Unit Profile, 2001 at <http://www.ccc.govt.nz/Census/ChristchurchCityAreaUnitProfile.xls>.

40. Christchurch City Area Unit Profile statistics.

41. \$1NZ = \$0.65US, thus, \$34,751NZ = \$22,588US.

42. The median house price for Christchurch city in August 2003 was \$185,000NZ/\$120,000US (New Zealand national median house price at this time was \$215,000NZ/\$140,000US); <http://www.reinz.co.nz/files/HousingFacts-Sample-Pg1-5.pdf> (accessed March 17, 2004). Median house prices in each individual suburb could not be obtained as the median sales data from the Real Estate Institute of NZ (REINZ) contains more than one suburb in each location grouping.

from the control area were completed and returned. Over three-quarters (78.5%) of the case study respondents were homeowners compared to 94% in the control area.

#### Desirability of the Suburb as a Place to Live

More than half (58.3%) the case study respondents have lived in their suburb for more than five years (compared to 65% in the control group) and a quarter (25%) have lived in their suburb between 1 and 4 years (compared to 28% in the control group).

Around two-thirds (65% of the case study respondents and 68% of the control group respondents) rated their neighborhoods as either above average or superior as a place to live when compared with other similar named suburbs. The reasons given for this include close proximity to amenities (shops, library, medical facilities, public transport, and recreational facilities) and good schools.

Reasons given for rating the case study neighborhoods inferior to other similar neighborhoods include lower house prices, older homes, more student housing and lower-income residents. The reasons given by the control group respondents for an inferior rating include distance from the central business district (Avonhead); smell from the sewerage oxidation ponds and composting ponds (Bromley); and lower socioeconomic area and noise from the airport (Linwood).

#### Feelings About a CPBS as an Element of the Neighborhood

In the case study areas, a CPBS had already been constructed when only 39% of the respondents bought their houses or began renting in the neighborhood. Some responded that they were not notified that the CPBS was to be built, that they had no opportunity to object to it, and that they felt they should have been consulted about its construction. For the respondents who said that proximity to the tower was of concern to them, the most common reasons given for this were the impact of the CPBS on health, aesthetics, and property values. Nearly three-quarters (74%) of the respondents said they would have gone ahead with the purchase or rental of their property anyway if they had known that the CPBS was to be constructed.

In the control areas nearly three-quarters (72%) of the respondents indicated they would be opposed to construction of a CPBS nearby. The location of a CPBS would be taken into account by 85% of respondents if they were to consider moving. As with the case study respondents, the control group respondents who were concerned about proximity to a

CPBS were most often concerned about the effects of CPBSs on health, aesthetics, and property values.

#### Impact on Decision to Purchase or Rent

In the case study areas, the tower was visible from the houses of 46% of the respondents, yet two-thirds (66%) of these said it was barely noticeable, and one-quarter said it mildly obstructed their view. When asked in what way the CPBS impacts the enjoyment of living in their home, 37% responded that its impact was related to health concerns, 21% said it impacted neighborhood aesthetics, 20% said it impacted property value, and 12% said it impacted the view from their property.

When asked about the impact that the CPBS had on the price/rent they were prepared to pay for their property, over half the case study respondents (53.1%) said that the tower was not constructed at the time of purchase/rental, and 51.4% of the respondents said the proximity to the CPBS did not affect the price they were prepared to pay for the property. Nearly 3% said they were prepared to pay a little less, 2% said they were prepared to pay a little more. For the control group respondents, 45% of the respondents would pay substantially less for a property if a CPBS were located nearby, over one-third (38%) were prepared to pay just a little less for such a property, and 17% responded that a CPBS would not influence the price they would pay.

Only 10% of the case study respondents gave an indication of the impact that the CPBS had on the price/rent they were prepared to pay for the property; one-third of these felt it would decrease price/rent by 1% to 9%. For the control group, over one-third (38%) of the respondents felt that a CPBS would decrease price/rent by more than 20%, and a similar number (36%) said they would be prepared to pay 10% to 19% less for property located near a CPBS. The responses are outlined in Table 1.

**Table 1** Impact of a CPBS on Purchase/Rental Price Decision

Price/Rent Effect	Percent of Case Study Respondents (Control Group Responses)
20% more	5% (3%)
10-19% more	10% (2%)
1-9% more	14% (2%)
1-9% less	33% (19%)
10-19% less	24% (36%)
20% or greater reduction in price/rent	14% (38%)

Interestingly, it would seem that those living farther away from the CPBSs (the control group) are far more concerned about proximity to CPBSs than those living near CPBSs (the case study group); they indicated that a CPBS would have a greater price/rent effect. The possible explanations for this are discussed in the survey results section.

### Concerns About Proximity to the CPBS

Most case study respondents were not worried about the effects of proximity to a CPBS related to health (50%), stigma (55%), future property value (61%), or aesthetics (63%). About one-quarter to one-third of these respondents were somewhat worried about the impact of proximity to a CPBS on health (38%), stigma (34%), future property value (25%), or aesthetics (25%). From the list of issues, respondents were most worried about future property value, but only 13.5% of the respondents responded this way.

Here again, control group respondents were much more concerned about the effects of proximity to a CPBS than their case study counterparts. Of the possible concerns about CPBSs on which respondents were asked to comment, control group respondents were most worried about the negative effects on future property values and aesthetics. Nearly half the respondents were worried a lot about these issues. Similar responses were recorded for the possibility of harmful health effects in the future from CPBSs (42% were worried a lot about this) and stigma associated with houses near CPBSs (34% were worried a lot). The responses regarding concerns about living near a CPBS are shown in Table 2.

In both the case study and control areas, the issue of greatest concern for respondents was the impact of proximity to CPBSs on future property values. The main concerns related to CPBSs were the unknown potential health effects, the possible socioeconomic implications of the siting of CPBSs, and how CPBSs affect property values. There also were concerns that the city council was not notifying the public about the possible construction of CPBSs.

### Discussion of the Survey Results

The results were mixed, with responses from residents ranging from having no concerns to being very concerned about proximity to a CPBS. In general, those people living in areas farther from CPBSs were much more concerned about issues related to proximity to CPBSs than residents who lived near CPBSs.

Over 40% of the control group respondents were worried a lot about future health risks, aesthetics, and future property values compared with the case study areas, where only 13% of the respondents were worried a lot about these issues. However, in both the case study and control areas, the impact of proximity to CPBSs on future property values is the issue of greatest concern for respondents. If purchasing or renting a property near a CPBS, over a third (38%) of the control group respondents said a CPBS would reduce the price of their property by more than 20%. The perceptions of the case study respondents were again less negative, with a third saying they would reduce the price by only 1%–9%, and 24% saying they would reduce the price by 10%–19%.

The lack of concern shown by the case study respondents may be due to the CPBSs being either not visible or only barely visible from their homes. The CPBSs may be far enough away from respondents' properties (as was indicated by many respondents, particularly in St Albans West, Upper Riccarton, and Bishopdale) or hidden by trees and consequently not perceived as affecting the properties. The results may have been quite different had the CPBS being more visually prominent.

Alternatively, the apparent lower sensitivity to CPBSs of case study residents compared to the control group residents may be due to cognitive dissonance reduction. In this case, respondents may be unwilling to admit, due to the large amounts of money already paid, that they may have made a poor purchase or rental decision in buying or renting property located near a CPBS. Similarly, the homeowners may be unwilling to admit there are concerns about CPBSs when the CPBSs were built

**Table 2** Concerns about Living Near a CPBS\*

Concern	Does not worry me	Worries me somewhat	Worries me a lot
Possibility of harmful health effects	50% (20%)	38% (38%)	12% (42%)
Stigma effect	55% (21%)	34% (45%)	12% (34%)
Effect on future property values	61% (15%)	25% (37%)	13% (47%)
Aesthetics	63% (18%)	25% (37%)	11% (45%)

\* Percent of case study respondents having that concern (control group respondents). All numbers are rounded.

after they had purchased their homes, because to do so might have a negative impact on property values.

Regardless of the reasons for the difference in responses from the case study and control groups, the overall results show that residents perceive CPBSs negatively. In both the case study and control areas, the impact of proximity to CPBSs on future property values was the issue of greatest concern for respondents. Overall, respondents felt that proximity to a CPBS would reduce value by from 10% to over 20%. The second part of the study outlined below, involving an econometric analysis of Christchurch property sales transaction data, helps to confirm these results.

Respondents' comments added at the end of the survey indicate that residents have ongoing concerns about CPBSs. Although some people accepted the need for CPBSs, they said that they did not want them built in their back yard, or they preferred that they be disguised to blend better with their environment.

### Market Study Research Objectives and Methodology

A market study was undertaken to test the hypothesis that in suburbs where there is a CPBS it will be possible to observe discounts to the selling price of homes located near these structures. Such discounts would be observed where buyers of proximate homes view the CPBSs in negative terms due to a perceived risk of adverse effects on health, aesthetics, and property value.

The literature dealing specifically with the measurement of the impact of environmental hazards on residential sale prices (including proximity to transmission lines, landfill sites, and ground water contamination) indicates the popularity of hedonic pricing models, as introduced by Court<sup>43</sup> and later Griliches,<sup>44</sup> and further developed by Freeman<sup>45</sup> and Rosen.<sup>46</sup> The more recent studies, including those by Dotzour;<sup>47</sup> Simons and Sementelli;<sup>48</sup> and Reichert,<sup>49</sup> focus on proximity to an environmental hazard and demonstrate that this reduces residential house prices by varying amounts depending on

the distance from the hazard.<sup>50</sup> However, there are no known published studies that use hedonic housing models to measure the impact of proximity to a CPBS on residential property values.

As in the previous residential house price studies, the standard hedonic methodology was used here to quantify the impact of a CPBS on sale prices of homes located near a CPBS. The results from this study in tandem with the opinion survey results will help test the hypothesis that proximity to a CPBS has a negative impact on property value and will reveal the extent to which the market reacts to CPBSs.

### Model Specification

A hedonic price model is constructed by treating the price of a property as a function of its utility-bearing attributes. Independent variables used in the model to account for the property attributes are limited to those available in the data set and known, based on other well-tested models reported in the literature and from valuation theory, to be related to property price. The basic model used to analyze the impact on sale price of a house located near a CPBS, is as follows:

$$P_i = f(X_{1,i}, X_{2,i}, \dots, X_{n,i})$$

where:

$P_i$  = property price at the  $i$ th location  
 $X_{1,i}, \dots, X_{n,i}$  = individual characteristics of each sold property (e.g., land area, age of house, floor area, sale date, construction materials, house condition, CPBS construction date, etc.)

The more recent hedonic pricing studies that demonstrate the effects of proximity to an environmental hazard use different functional forms to represent the relationship between price and various property characteristics.<sup>51</sup> In hedonic housing models the linear and log-linear models are most popular. The linear model implies constant partial effects between house prices and housing characteristics, while the log-linear model allows for nonlinear price effects and is shown in the following equation:

43. A. T. Court, "Hedonic Price Indexes with Automotive Examples," in *The Dynamics of Automobile Demand* (New York: General Motors, 1939).

44. Zvi Griliches, ed. *Price Indexes and Quality Change* (Cambridge, Mass.: Harvard University Press, 1971).

45. Freeman.

46. Rosen.

47. Mark Dotzour, "Groundwater Contamination and Residential Property Values," *The Appraisal Journal* (July 1997): 279-285.

48. Robert A. Simons and Arthur Sementelli, "Liquidity Loss and Delayed Transactions with Leaking Underground Storage Tanks," *The Appraisal Journal* (July 1997): 255-260.

49. Alan K. Reichert, "Impact of a Toxic Waste Superfund Site on Property Values," *The Appraisal Journal* (October 1997): 381-392.

50. Only Dotzour found no significant impact of the discovery of contaminated groundwater on residential house prices. This was likely due to the nonhazardous nature of the contamination where the groundwater was not used for drinking purposes.

51. See for example L. Dale et al., "Do Property Values Rebound from Environmental Stigmas? Evidence from Dallas," *Land Economics* 75, no. 2 (May 1999): 311-326; Dotzour; Simons and Sementelli; and Reichert.

$$\ln P_i = b_0 + b_1 \times X_{1i} + b_2 \times X_{2i} + b_3 \times X_{3i} + \dots + b_n \times X_{ni} + a_0 \times D_0 + \dots + a_m \times D_m + e_i$$

where:

$\ln P_i$  = the natural logarithm of sale price

$b_0$  = the intercept

$b_1 \dots b_n; a_0 \dots a_m$  = the model parameters to be estimated, i.e., the implicit unit prices for increments in the property characteristics

$X_1 \dots X_n$  = the continuous characteristics, such as land area

$D_0 \dots D_m$  = the categorical (dummy) variables, such as whether the sale occurred before (0) or after (1) the CPBS was built

Sometimes the natural logarithm of land area and floor area is also used. The parameters are estimated by regressing property sales on the property characteristics and are interpreted as the households' implicit valuations of different property attributes. The null hypothesis states that the effect of being located near a CPBS does not explain any variation in property sale prices.

### The Data

Part of the process for selecting appropriate case study areas was identifying areas where there had been a sufficient number of property sales to provide statistically reliable and valid results. Sales were required for the period before and after the CPBS had been built in order to study the impact of the CPBS on the surrounding properties' sale prices.

Further, due to the multitude of factors that combine to determine a neighborhood's character, such as proximity to the central business district, standard of schooling, recreational facilities provided, standard of housing, proximity to amenities, and the difficulty in allowing for these separately, sales located in areas with comparable neighborhood characteristics were preferred.

Four of the suburbs in the survey case study met the criteria for the market study: St Albans, Beckenham, Papanui, and Bishopdale. No sales data was available for Upper Riccarton after the CPBS was built in this suburb, hence this suburb was not included in the market analysis study. As each CPBS was built at a different date, the sales from each suburb were sep-

arately analyzed. The uniformity of locational and neighborhood characteristics in each of these suburbs allows the analysis to be simplified and to focus on the properties' physical attributes. The relative homogeneity of housing, locational, and neighborhood attributes was verified through field inspections.

The dependent variable is the property sale price. The data set includes 4285 property sales that occurred between 1986 and 2002 (approximately 1000 sales per suburb).<sup>52</sup>

The independent data set was limited to those variables that correspond to property attributes known and suspected to influence price. These variables are floor area (m<sup>2</sup>); land area (ha); age of the house (the year the house was built); tower (a dummy variable indicating whether the sale occurred before or after the CPBS was built); sale date (month and year); time of sale based on the number of quarters before or after the CPBS was built (to help control for movements in house prices over time); category of residential property (stand-alone dwelling, dwelling converted into flats, ownership unit, etc); quality of the principal structure (as assessed by an appraiser); and roof and wall materials. The number of bedrooms was not available in the data set, but would not have been included as an independent variable since the number of bedrooms is highly correlated with floor area.

Since the GIS coordinates of properties for the initial analysis were not available, street name was included as an independent variable instead. To a limited extent, street name helped to control for the proximity effects of a CPBS. It was suspected that houses on a street close to a CPBS may, on average, sell for less than houses on a street farther away from the CPBS.

While views, particularly water views, have been shown in previous empirical studies to be an important attribute affecting sale price, in the present study the flat contour of the landscape where the homes are located, together with the suburban nature of the environment surrounding these, precluded any significant views. Thus, views were not included in the analysis. Further, due to the large number of sales included in the analysis, inspections of each individual property were not made to determine the view, if any, of a CPBS from each house. It was felt that it is not merely the view that may impact on price, but also proximity to a CPBS due to the potential effect this may have on health, cell phone coverage, and neighborhood aes-

52. These sales were obtained from Headway Systems Ltd, a data distribution and system development company. Headway is the major supplier of property market sales information to New Zealand's valuation profession; it is jointly owned by the NZ Institute of Valuers (NZIV) and PT Investments, a consortium of 28 shareholders from within the property industry.

thetics. Hence, view of a CPBS was not included as an independent variable. The variable descriptions are listed in Table 3. Variable codes are shown in Appendix III and basic descriptive statistics for selected quantitative variables are shown in Appendix IV.

**Table 3 Variable Descriptions**

Variable*	Definition
SLNETX	Sale price of the house (NZ\$)
SITSTX	Street name
CATGYX2	Category of dwelling: D, E, etc.†
CATGYX4	Quality of the structure: A, B, C†
TIMESOLD.Q	Using the time the cell phone tower was built as a baseline quarter, the number of quarters before (-) and after (+) it was built
AGE	Year the house was built
LANDAX	Land area (ha)
MATFAX	Total floor area (m <sup>2</sup> )
WALLCNX	Wall construction: W, B, C, etc. †
ROOFCNX	Roof construction: W, B, C, etc. †
TOWER	An indicator variable: 0 if before the cell phone tower was built, or 1 after it was built

\* Sale price is the dependent variable.

† See Appendix III for explanation of variable codes.

### Market Study Results

An econometric analysis of Christchurch property transaction data helped to confirm the opinion survey results. In the analysis of selected suburbs, the sales data from sales that occurred before a CPBS was built was compared to sales data from after a CPBS was built to determine any variance in price, after accounting for all the relevant independent variables.

### Empirical Results

The model of choice is one that best represents the relationships between the variables and has a small variance and unbiased parameters. Various models were tested and the results are described in the next section. The following statistics were used to help select the most appropriate model: the adjusted coefficient of determination (adjusted  $R^2$ ); the standard error of the regression equation; the AIC<sup>53</sup> and BIC<sup>54</sup> statistics; and  $t$ -test of significance of the coefficients and  $F^2$ -statistic.

### Significance of Variables and the Equation:

#### St Albans

As hedonic prices can vary significantly across different functional forms, various commonly used functional forms were examined to determine the model specification that best describes the relationship between price and the independent variables. Also, to test the belief that the relationship between *Price* and *Land Area* is not a linear function of *Price*, the variable *LANDAX* (land area) was transformed to reflect the correct relationship. Several transformations were tested including: linear of *SLNETX* (sale price) and log of *LANDAX*; log of *SLNETX* and linear of *LANDAX*; and log of *SLNETX* and log of *LANDAX*. All dummy variables remained in their linear form in each model.

It was found that the best result was obtained from using the log of *SLNETX* and log of *LANDAX*, and the linear form of all the dummy variables. Taking the log of an independent variable implies diminishing marginal benefits. For example, an extra 50 square meters of land area on a 550-square-meter site would be worth less than the previous 50 square meters. The log-log model shows the percent change in price for a one-percent change in the independent variable, while all other independent variables are held constant (as explained in Hill, Griffiths, and Judge).<sup>55</sup>

In the semilogarithmic equation the interpretation of the dummy variable coefficients involves the use of the formula:  $100(e^{b_n} - 1)$ , where  $b_n$  is the dummy variable coefficient.<sup>56</sup> This formula derives the percentage effect on price of the presence of the factor represented by the dummy variable and is advocated over the alternative, and commonly misused, formula of  $100 \cdot (b_n)$ . The resulting model included all the available variables as follows:

$$\begin{aligned} \log(SLNETX) = & \alpha + \beta_1 \times TOWER + \beta_2 \times SITSTX \\ & + \beta_3 \times CATGYX2 + \beta_4 \times CATGYX4 \\ & + \beta_5 \times TIMESOLD \times Q + \beta_6 \times AGE \\ & + \beta_7 \times \log(LANDAX) \\ & + \beta_8 \times MATFAX \\ & + \beta_9 \times WALLCNX \\ & + \beta_{10} \times ROOFCNX \end{aligned}$$

53. AIC is the Akaike Information Criterion, and is a "goodness of fit" measure involving the standard error of the regression adjusted by a penalty factor. The model selected is the one that minimizes this criterion (Microsoft SPSSPC Online Guide, 1997).

54. The BIC is the Bayesian Information Criterion. Like the AIC, BIC takes into account both how well the model fits the observed data, and the number of parameters used in the model. The model selected is the one that adequately describes the series and has the minimum SBC. The SBC is based on Bayesian (maximum-likelihood) considerations. (Microsoft SPSSPC Online Guide, 1997).

55. R. Carter Hill, William E. Griffiths, and George G. Judge, *Undergraduate Econometrics* (New York: John Wiley & Sons, 1997).

56. See Robert Halvorsen and Raymond Palmquist, "The Interpretation of Dummy Variables in Semi-Logarithmic Equations," *American Economic Review* 70, no. 3 (1980): 474-475.

From the regression output, the variables *ROOFCNX* and *WALLCNX* were found to be insignificant so these were removed from the model and the regression was rerun. The table in Appendix V summarizes these results. The *F*-statistic (123) shows that the estimated relationship in the model is statistically significant at the 95% confidence level and that at least one of the coefficients of the independent variables within the model is not zero.

Table 4 summarizes the model selection test statistics. Based on the AIC and BIC, the regression that excludes the variables *ROOFCNX* and *WALLCNX* is superior to the regression that includes them (AIC and BIC are minimized). For this reason, the model excluding these variables was selected for analysis, and it is discussed next.

**Table 4 Test Statistics — St Albans**

	Adjusted <i>R</i> <sup>2</sup>	AIC	BIC
Full Model	0.82	-118.38	36.55
Sub Model	0.82	-121.64	5.95

Tests for normality, heteroskedasticity, and multicollinearity generally indicated that the model was adequately specified and that the data were not severely ill conditioned (heteroskedasticity and multicollinearity were diminished when the data were transformed).

The coefficient of determination (*R*<sup>2</sup>) indicates that approximately 82% of the variation in sale price is explained by the variation in the independent variable set. All variable coefficients had the expected signs,<sup>57</sup> except for *TOWER*, which was positive. The positive coefficient for *TOWER* shows that, when all the other variables are held constant, after the installation of a CPBS in St Albans, the price of a house would increase by  $e^{0.1153} = 1.12$  (12%). A possible explanation is that cell phone technology was quite new at the time (1994), and as there had been little in the media about possible adverse health effects from CPBSs, people may have perceived it as a benefit as they were likely to get better cell phone coverage.

The most significant variables were *TIMESOLD.Q* (the quarter in which the sale occurred before or after the CPBS was built),  $\log(LANDAX)$  (log of land area), and *MATFAX* (total floor area) and all have a positive influence on

price. The positive *TIMESOLD.Q* indicates that the market was increasing over time since the CPBS was built (1994), but only to a limited extent (1.38%). The positive log of land area and total floor area shows that prices increase with increasing size.

The regression coefficient on  $\log(LANDAX)$  is 0.5285, which indicates that, on average, a 10% increase in *LANDAX* will generate a 5.285% increase in price. The positive coefficient for *MATFAX* indicates that, when all the other variables are held constant, for each additional m<sup>2</sup> the price would increase by  $e^{0.0022514} \approx 1.0022514$  (0.22% increase).

#### Significance of Variables and the Equation: Papanui

The same functional form used for St Albans was used for Papanui. From the regression output, the variable *CATGYX2* was found to be insignificant so it was removed from the model and the regression was rerun; Appendix VI summarizes the results. The *F*-statistic (152) shows that the estimated relationship in the model is statistically significant at the 95% confidence level and that at least one of the coefficients of the independent variables within the model is not zero.

Table 5 summarizes the model selection test statistics. Based on the AIC and BIC, the regression that excludes the variable *CATGYX2* is superior to the regression that includes it (AIC and BIC are minimized). For this reason, the model excluding this variable was selected for analysis, and is discussed next.

**Table 5 Test Statistics — Papanui**

	Adjusted <i>R</i> <sup>2</sup>	AIC	BIC
Full Model	0.87	-509.91	-371.99
Sub Model	0.87	-510.57	-381.56

The coefficient of determination (*R*<sup>2</sup>) indicates that approximately 87% of the variation in sale price is explained by the variation in the independent variable set. This would be considered high in comparison with the amount of explanation obtained in similar hedonic house studies reported in the literature.<sup>58</sup> All variable coefficients had the expected signs.

The most significant variables were *TIMESOLD.Q*, *MATFAX* (total floor area), and *TOWER*. The former two have a positive influence on price. The positive *TIMESOLD.Q* indicates that the

57. Note that the variable *AGE* is positive as this variable indicates the year the house was built; therefore, the higher the year, the younger the home. Newer houses have less wear and tear than older homes and sell, on average, for more than older homes.

58. For example, Relchert obtained an adjusted *R*<sup>2</sup> of 84%; Simons and Sementelli, 78%; Abelson, 68%; Dotzour, 56%–61%.

market was increasing over time since the CPBS was built (2000), but only by 1.4% per quarter. The positive coefficient for *MATFAX* indicates that, when all the other variables are held constant, the price would increase by  $e^{0.0042576} \approx 1.00427$  (0.45%), with increasing size. The negative coefficient for *TOWER* shows that, when all the other variables are held constant, after the installation of a CPBS in Papanui, the price of a house would decrease by  $e^{-0.2540} \approx 0.79$  (21% decrease).

**Significance of Variables and the Equation: Beckenham**

The same functional form used for Papanui and St Albans was used for Beckenham. From the regression output, the variable *ROOFCNX* was found to be insignificant so it was removed from the model and the regression was rerun; Appendix VII summarizes these results. The *F*-statistic (214) shows that the estimated relationship in the model is statistically significant at the 95% confidence level and that at least one of the coefficients of the independent variables within the model is not zero.

Table 6 summarizes the model selection test statistics. Based on the AIC and BIC, the regression that excludes the variable *ROOFCNX* is superior to the regression that includes it (AIC and BIC are minimized). For this reason, the model excluding this variable was selected for analysis.

**Table 6 Test Statistics — Beckenham**

	Adjusted R <sup>2</sup>	AIC	BIC
Full Model	0.89	-819.00	-641.39
Sub Model	0.89	-818.66	-650.66

The coefficient of determination (*R*<sup>2</sup>) indicates that approximately 89% of the variation in sale price is explained by the variation in the independent variable set. Again, as with the model for Papanui this amount of explanation would be considered high.

The most significant variables were *TIMESOLD.Q*, *MATFAX*, and *TOWER*. The former two have a positive influence on price. The positive *TIMESOLD.Q* indicates that the market was increasing over time since the CPBS was built in 2000, but only by 1.91% per quarter. The positive coefficient for *MATFAX* indicates that, when all the other variables are held constant, the price would increase by  $e^{0.0042051} \approx 1.00421$  (0.42%), with increasing size. The negative coefficient for *TOWER* shows that, when all the other variables are held constant, after the installation of a

CPBS in Beckenham, the price of a house would decrease by  $e^{-0.25019} \approx 0.795$  (20.7% decrease).

**Significance of Variables and the Equation: Bishopdale**

The same functional form used for the other three suburbs was used for Bishopdale. From the regression output, the variables *ROOFCNX* and *CATGYX* were found to be insignificant so these were removed from the model and the regression was rerun; Appendix VIII summarizes these results. The *F*-statistic (122) shows that the estimated relationship in the model is statistically significant at the 95% confidence level and that at least one of the coefficients of the independent variables within the model is not zero.

**Table 7 Test Statistics — Bishopdale**

	Adjusted R <sup>2</sup>	AIC	BIC
Full Model	0.79	-927.48	-775.71
Sub Model	0.79	-929.32	-796.52

Table 7 summarizes the model selection test statistics. Based on the AIC and BIC, the regression that excludes the variable *ROOFCNX* and *CATGYX* is superior to the regression that includes it (AIC and BIC are minimized). For this reason, the model excluding these variables was selected for analysis.

Again, the most significant variables were *TIMESOLD.Q* and *MATFAX*; the variable of interest, *TOWER*, was not a significant variable in the model so it is not discussed further. The former two variables have a positive influence on price. The positive *TIMESOLD.Q* indicates that the market was increasing over time since the CPBS was built in 1994, but only at 0.98% per quarter. The positive coefficient for *MATFAX* indicates that, when all the other variables are held constant, the price would increase by  $e^{0.0059885} \approx 1.004$  (0.40%), with increasing size.

**Summary of Results**

The above analysis shows that the most significant variables and their impact on price were similar between suburbs. This indicates the relative stability of the coefficients between each model. Interestingly, the impact of *TOWER* on price (a decrease of between 20.7% and 21%) was very similar in the two suburbs where the towers were built in the year 2000. This may be due to the much greater media publicity given to CPBSs after the two legal cases in Christchurch (*McIntyre* and *Shirley Primary School*

in 1996 and 1999, respectively). The two suburbs where *TOWER* was either insignificant or increased prices by around 12%, were suburbs where towers had been built in 1994, prior to the media publicity.

### Limitations of the Research

The main limitation affecting this survey was in the selection of the case study areas. Specifically, the areas selected had CPBSs that were not highly visible to residents. If more-visible CPBSs had been selected, the results may have been quite different. Thus, caution must be used in making generalizations from this study or applying the results directly to other similar studies or valuation assignments. Factors that could affect results are the distance of homes from the CPBS, the style and appearance of the CPBS, how visible the CPBS is to residents, the type of home (single family, multifamily, rental, etc.), and the socioeconomic make-up of the resident population.

To help address the proximity factor, a study is in progress examining the role of distance to the CPBSs and price effects; that study uses GIS analysis to determine the impact this has on residential property prices. It is expected that this will provide a more precise estimation of the impact of a CPBS on price.

It must be kept in mind that these results are the product of only one case study carried out in a specific area (Christchurch) at a specific time (2003). The above results indicate that value effects from CPBSs may vary over time as market participants' perceptions change. Perceptions toward CPBSs can change either positively or negatively over time. For example, as the World Health Organization's ten-year study of the health effects from CPBSs is completed and becomes available, consumers' attitudes may become more positive or negative depending on the outcome of that study. Consequently, studies of the price effects of CPBSs need to be conducted over time.

### Areas for Further Study

This research has focused on residents' perceptions of negative effects from proximity to CPBSs and how these impact property values, rather than the scientific or technological estimates of these risks. The technologists' objective view of risk is that risk is measurable solely in terms of probabilities and severity of consequences, whereas the public, while taking experts' assessments into account, view risk more subjectively, based on other factors. Further, the results of scientific studies about the health effects of radio frequency and microwave radiation

from CPBSs are not consistent. Residents' perceptions and assessments of risk vary according to a wide range of psychological, social, institutional, and cultural processes, and this may explain why their assessments differ from those of the experts.

Given the public concerns about the potential risks arising from being located nearby a CPBS, it is important for future studies to focus more attention on the kinds of risks the public associates with CPBSs and the level of risk perceived. How far away from the CPBS do people feel they have to be to be safe? What CPBS design, size, and surrounding landscape would help CPBSs to be more publicly acceptable? What social, economic, educational, and other demographic variables influence how people perceive the risks from CPBSs? Do residents that are heavy users of cell phones have a different perception of CPBSs than residents who make little use of this technology? Are these perceived risks reflected in property values and to what extent? Do these perceived risks vary over time and to what degree?

Answers to these questions, if shared among researchers and made public, could lead to the development of a global database to assist appraisers in determining the perceived level of risk associated with CPBSs and other similar structures.<sup>59</sup> Knowledge of the extent that these risks are incorporated into property prices and how they vary over time will lead to more accurate value assessments of properties in close proximity to CPBSs and other similar structures.

### Summary and Conclusions

Focusing on four case study neighborhoods in Christchurch, New Zealand, this article presents the results from both an opinion survey and market sales analysis undertaken in 2003 to determine residents' perceptions towards living near a CPBS and how this may impact property prices. From the results, it appears that people who live close to CPBSs perceive the sites less negatively than those who live farther away.

The issue of greatest concern for survey respondents in both the case study and control areas is the impact of proximity to CPBSs on future property values. Overall, respondents would pay from 10%–19% less to over 20% less for a property if it were in close proximity to a CPBS.

The opinion survey results were generally confirmed by the market sales analysis using a hedonic house price approach. The results of the sales analysis show prices of properties were reduced by around 21% after a CPBS was built in the neighborhood. How-

59. For example, high-voltage overhead transmission lines.

ever, this result varies between neighborhoods, with a positive impact on price being recorded in one neighborhood, possibly due to the CPBS being built in that suburb before any adverse media publicity about CPBSs appeared in the local Christchurch press.

Research to date reports no clearly established health effects from radio frequency emissions of CPBSs operated at or below the current safety standards, yet recent media reports indicate that people still perceive that CPBSs have harmful effects. Thus, whether or not CPBSs are proven to be free from health risks is only relevant to the extent that buyers of properties near CPBSs perceive this to be true. Even buyers who believe that there are no adverse health effects from CPBSs, knowing that other potential buyers might think the reverse, will probably seek a price discount for a property located near a CPBS.

The comments of survey participants indicate the ongoing concerns that residents have about CPBSs. There is the need to increase the public's understanding of how radio frequency transmitting facilities operate and the strict exposure-limit standards imposed on the telecommunication industry. As more information is discovered that refutes concerns regarding adverse health effects from CPBSs, and as information about the NZ safety standards are made more publicly available, the perception of risk may gradually change, eliminating the discounts for neighboring properties.

### Additional Reading

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**Sandy Bond, PhD, MBS, ANZIV, SNZPI**, is a senior member of the New Zealand Property Institute (NZPI), a director on the Board of the International Real Estate Society, and a past president of the Pacific Rim Real Estate Society (PRRES). She was awarded the PRRES Achievement Award in 2002 and the NZ Institute of Valuers' Presidential Citation in 1997. Before commencing her academic career in 1991, she worked as an appraiser in both New Zealand and London, UK.

Contact: [dr\\_sandybond@yahoo.com](mailto:dr_sandybond@yahoo.com)

**Ko-Kang (Kevin) Wang** is a recent graduate from the University of Auckland and has been a tutor in the Statistics Department at the university. Wang has recently commenced doctoral studies in Australia.

Contact: [Kevin.Wang@anu.edu.au](mailto:Kevin.Wang@anu.edu.au)

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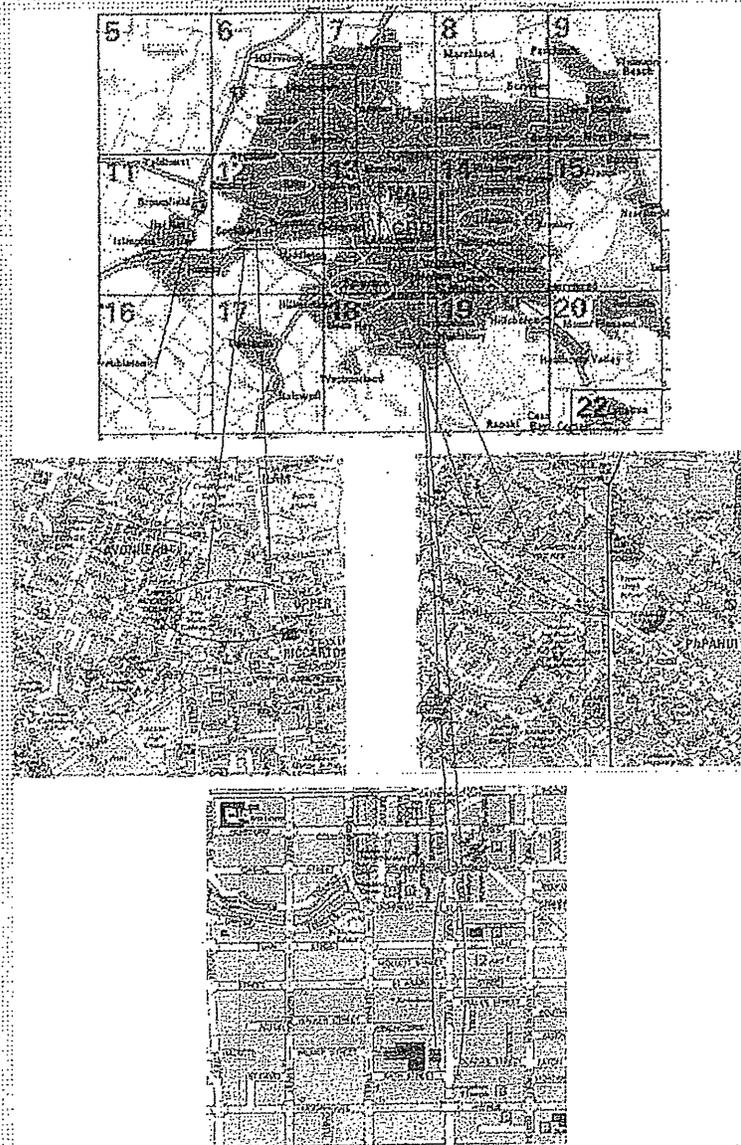
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### Appendix I Location Map



Areas circled in white at the top are without a cell phone tower, while areas circled in the bottom three maps have a cell phone tower.  
Source: <http://www.ccc.govt.nz/maps/Wiscs/>

## Appendix III Summary of the Survey Results

Variable	Response	Valid Percent (%)	
		Case Study	Control
Occupancy	Homeowner	78.5	94.2
	Tenant	21.5	5.8
How long have you lived there?	Less than 6 months	8.0	2.6
	6 months-1 year	8.6	4.5
	1-4 years	25.1	27.7
	More than 5 years	58.3	65.2
How would you rate the desirability of your neighborhood?	Superior	27.4	30.9
	Above Average	37.4	36.8
	Average	28.5	27.0
	Below Average	5.6	4.6
	Inferior	1.1	0.7
Would you be opposed to construction of a cell phone tower nearby?	Yes		72.1
	No		27.9
When you purchased/began renting was the cell phone tower already constructed?	Yes	39.3	
	No	60.7	
Was the proximity of the cell phone tower a concern to you?	Yes	20.0	
	No	80.0	
Would you have gone ahead with rental/purchase if you had known a cell phone site was to be constructed?	Yes	73.9	
	No	26.1	
Is location of a cell phone tower a factor you would consider when moving?	Yes		83.4
	No		16.6
Is the cell phone tower visible from your house?	Yes	45.7	
	No	54.3	
If yes, how much does it impact on your view?	Very obstructive	9.6	
	Mildly obstructive	24.5	
	Barely noticeable	66.0	
In what way does it impact on the enjoyment of living in your house?	Views	11.8	
	Aesthetics	20.6	
	Health concerns	36.8	
	Change in property value	19.9	
	Other	11.0	
Effect a nearby cell phone tower would have on the price/rent you would pay for the property	Tower wasn't constructed	53.1	
	Pay substantially more	0.0	0.0
	Pay a little more	2.3	0.0
	Pay a little less	2.8	37.6
	Pay substantially less	0.6	45.4
	Not influence price	51.4	17.0
% Effect a nearby cell phone tower would have on the price/rent you would pay for the property	20% higher or more	5	3.2
	10-19% more	10	1.6
	1-9% more	14	2.4
	1-9% less	33	19.2
	10-19% less	24	36.0
	20% or a greater reduction	14	37.6
Concern about the possibility of harmful health effects in the future	Does not worry me	50.3	19.9
	Worries me somewhat	38.0	38.4
	Worries me a lot	11.7	41.7
Concern about the stigma associated with houses near the cell phone sites	Does not worry me	54.6	20.8
	Worries me somewhat	33.9	45.0
	Worries me a lot	11.5	34.2
Concern about the affect on your properties value in the future	Does not worry me	61.3	15.4
	Worries me somewhat	25.4	37.2
	Worries me a lot	13.3	47.4
Concern about the aesthetic problems caused by the tower	Does not worry me	63.3	18.2
	Worries me somewhat	25.4	37.0
	Worries me a lot	11.3	44.8

## Appendix III Variable Codes

### Category of Dwelling

Code	Definition
D	Dwelling houses are of a fully detached or semi-detached style situated on their own clearly defined piece of land.
E	Converted dwelling houses that are now used as rental flat.
F	Ownership home units which may be single storey or multi-storey and which do not have the appearance of dwelling houses.
H	Home and income: The dwelling is the predominant use, and there is an additional unit of use attached to or associated with the dwelling house that can be used to produce income.
R	Rental flats that have been purpose built.

### Quality of the Principal Structure

Code	Definition
A	Superior design and quality of fixtures and fittings is first class.
B	The design is typical of its era and the quality of the fixtures and fittings is average to good.
C	The design is below the level generally expected for the era, or the level of fixtures and fittings is barely adequate and possibly of below average quality.

### Building Materials: Walls and Roof

Code	Definition
W	Wood
B	Brick
C	Concrete
S	Stone
R	Roughcast
F	Fibrolite
M	Malthoid
P	Plastic
I	Iron
A	Aluminium
G	Glass
T	Tiles
X	*

## Appendix IV Descriptive Statistics

Variable	Mean	Std. dev.	Median	Minimum	Maximum	Range
<b>St Albans:</b>						
Sale Price (\$)	221,957	110,761	200,000	42,000	839,000	797,000
Land Area (ha)	0.0658	0.0331	0.0579	0.0261*	0.3794	0.3533
Floor Area (m <sup>2</sup> )	161	70.40	150	50	450	400
<b>Beckenham:</b>						
Sale Price (\$)	116,012	50,037	111,000	21,500	385,000	363,500
Land Area (ha)	0.0601	0.0234	0.0553	0.0164*	0.2140	0.1976
Floor Area (m <sup>2</sup> )	115	32.50	110	40	340	300
<b>Papanui:</b>						
Sale Price (\$)	127,661	51,114	119,000	43,000	375,000	332,000
Land Area (ha)	0.0685	0.0289	0.0675	0.0310	0.3169	0.2859
Floor Area (m <sup>2</sup> )	122	34.60	110	56	290	234
<b>Bishopdale:</b>						
Sale Price (\$)	136,786	41,390	134,500	56,000	342,000	286,000
Land Area (ha)	0.0679	0.0163	0.0653	0.0400	0.2028	0.1628
Floor Area (m <sup>2</sup> )	125	31.20	118	64	290	226

\* These small land areas are related to apartments or units in a block of apartments/units that have the land area apportioned on a pro rata basis.

### Appendix V Regression Model: St Albans

$$\ln(\text{SLNETX}) = \text{TOWER} + \text{CATGYX2} + \text{CATGYX4} - \text{TIMESOLD.Q} + \text{AGE} + \log(\text{LANDAX}) + \text{MATFAX} + \text{SITSTX}$$

Residuals:	Min	1Q	Median	3Q	Max
	-0.72855	-0.15032	0.01593	0.14263	0.72047
Coefficients:	Estimate	Std. Error	t-value	Pr(> t )	
(Intercept)	9.1781868	0.6769096	13.559	<2e-16 ***	
TOWER	0.1133186	0.0318188	3.561	0.000395 ***	
CATGYX2D	0.1846417	0.0702520	2.628	0.008776 **	
CATGYX2O	0.0334663	0.1008594	0.332	0.740134	
CATGYX4B	-0.1551409	0.0245485	-6.320	4.75e-10 ***	
CATGYX4C	-0.1483169	0.0722959	-2.052	0.040600 *	
TIMESOLD.Q	0.0136663	0.0008208	16.650	<2e-16 ***	
AGE	0.0016408	0.0003521	4.660	3.81e-05 ***	
log(LANDAX)	0.3285367	0.0283610	11.584	<2e-16 ***	
MATFAX	0.0022314	0.0001962	11.373	<2e-16 ***	
SITSTXAIKMANS RD.	0.4029259	0.0533671	7.550	1.41e-13 ***	
SITSTXBEVERLEY ST.	0.2330787	0.0803137	2.902	0.003827 **	
SITSTXBRISTOL ST.	0.1706840	0.0521716	3.272	0.001124 **	
SITSTXBROWNS RD.	0.2492536	0.0720854	3.458	0.000579 ***	
SITSTXCOX ST.	0.3055798	0.0581672	5.253	2.00e-07 ***	
SITSTXGORDON AVE.	0.0823422	0.0679833	1.211	0.226236	
SITSTXKNOWLES ST.	0.1690979	0.0558911	3.025	0.002576 **	
SITSTXMANFIELD AVE.	0.2954242	0.0652983	4.524	7.16e-06 ***	
SITSTXMCDUGALL AVE.	0.3303105	0.0623720	5.296	1.60e-07 ***	
SITSTXMURRAY PL.	0.3613773	0.0629166	5.744	1.40e-08 ***	
SITSTXOFFICE RD.	0.3681146	0.0543368	6.775	2.71e-11 ***	
SITSTX Other	0.0618491	0.0736629	0.840	0.401416	
SITSTXPAPANUI RD.	0.1940369	0.0560474	3.462	0.000570 ***	
SITSTXRANFURLY ST.	0.1701716	0.0617504	2.756	0.006012 **	
SITSTXST ALBANS ST.	0.1458665	0.0571172	2.554	0.010873 *	
SITSTXWEBB ST.	0.1895432	0.0725061	2.614	0.009143 **	
SITSTXWESTON RD.	0.2084419	0.0627555	3.951	8.60e-05 ***	

Signif. codes: 0 '\*\*\*' 0.001 '\*\*' 0.01 '\*' 0.05 '.' 0.1 ' ' 1  
 Residual standard error: 0.2175 on 677 degrees of freedom  
 Multiple R-Squared: 0.8263; Adjusted R-squared: 0.8186  
 F-statistic: 123.0 on 26 and 677 DF, p-value: <2.2e-16

### Appendix VI Regression Model: Papanui

$$\ln(\text{formula}) = \log(\text{SLNETX}) - \text{TOWER} + \text{SITSTX} + \text{TIMESOLD.Q} + \text{AGE} + \log(\text{LANDAX}) + \text{MATFAX} - \text{WALLCNX} + \text{ROOFCNX} + \text{CATGYX4}; \text{data} = \text{Papanui.final}$$

Residuals:	Min	1Q	Median	3Q	Max
	-0.484987	-0.098006	0.003859	0.106253	0.563126
Coefficients:	Estimate	Std. Error	t-value	Pr(> t )	
(Intercept)	5.9482316	0.6998186	8.500	<2e-16 ***	
TOWER	-0.2339640	0.0240908	-9.712	<2e-16 ***	
SITSTXHOANI ST.	-0.1966982	0.0265429	-7.411	4.26e-13 ***	
SITSTXLANGDONS RD.	-0.1192547	0.0281242	-4.240	2.58e-05 ***	
SITSTXLEANDER ST.	0.0305555	0.0449437	0.680	0.496853	
SITSTXMATSONS AVE.	0.0949636	0.0292461	3.247	0.001231 **	
SITSTXMORELAND AVE.	-0.0892332	0.0397622	-2.244	0.025183 **	
SITSTXMORRISON AVE.	-0.1984492	0.0289772	-6.848	1.84e-11 ***	
SITSTX Other	-0.1543194	0.0337436	-4.573	5.83e-05 ***	
SITSTXSAILS ST.	-0.0761412	0.0433455	-1.757	0.079490	
SITSTXSAWTELL PL.	0.1840793	0.0393904	4.673	3.66e-06 ***	
SITSTXSAWYERS ARMS RD.	0.0872393	0.0201388	4.332	1.73e-05 ***	
SITSTXST JAMES AVE.	0.2497688	0.0289940	8.615	<2e-16 ***	
TIMESOLD.Q	0.0138914	0.0004137	33.575	<2e-16 ***	
AGE	0.0029307	0.0003512	8.345	4.85e-16 ***	
log(LANDAX)	0.0904764	0.0270812	3.341	0.000886 ***	
MATFAX	0.0042576	0.0002410	17.664	<2e-16 ***	
WALLCNXO	0.0054100	0.0200666	0.270	0.787558	
WALLCNXF	0.0980851	0.0464442	2.112	0.035106 *	
WALLCNXO	-0.1158407	0.0468334	-2.473	0.013655 *	
WALLCNXR	-0.0670051	0.0244382	-2.742	0.006291 **	
WALLCNXW	-0.0679166	0.0192628	-3.526	0.000454 ***	
WALLCNXX	-0.0571365	0.0358369	-1.594	0.111381	
ROOFCNXI	0.1502973	0.1139845	1.319	0.187810	
ROOFCNXO	0.0870092	0.1164152	0.747	0.455111	
ROOFCNXT	0.0954874	0.1138506	0.839	0.401965	
CATGYX4B	-0.0623758	0.0343487	-1.816	0.069872 *	
CATGYX4C	-0.3669901	0.0905659	-4.052	5.74e-05 ***	

Signif. codes: 0 '\*\*\*' 0.001 '\*\*' 0.01 '\*' 0.05 '.' 0.1 ' ' 1  
 Residual standard error: 0.1579 on 604 degrees of freedom  
 Multiple R-Squared: 0.9718; Adjusted R-squared: 0.8661  
 F-statistic: 152.2 on 27 and 604 DF, p-value: <2.2e-16

## Melody Osborne

---

**From:** alexis Howes <alexis\_howes@icloud.com>  
**Sent:** Wednesday, June 17, 2020 4:55 PM  
**To:** Melody Osborne  
**Subject:** Cell tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We'd (My family and I ) would really love for this tower to not be put in! We know it will effect our health and well being! Thank you for listening to our cries! God bless Dundee

## Melody Osborne

---

**From:** Jaclyn Force <jaclyn.force@gmail.com>  
**Sent:** Wednesday, June 17, 2020 6:25 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Melody,  
I am a Dundee resident and do not want to see a cell tower built in our town.

Thank you,  
Jaclyn Forcd

Sent from my iPhone

## Melody Osborne

---

**From:** Kara Johnson <kara.jjohnson@gmail.com>  
**Sent:** Thursday, June 18, 2020 2:23 PM  
**To:** Melody Osborne  
**Subject:** Dundee cell tower

To whom it may concern,  
I am a Dundee resident with four young children and I oppose the placement of a cell tower near the fire station. It is too close to the school and the center of town and would absolutely cheapen the aesthetics of the city for anyone driving through.  
Thank you for considering,  
Kara Johnson

Sent from my iPhone

## Melody Osborne

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**From:** Saj Jivanjee <sajtj@icloud.com>  
**Sent:** Saturday, June 20, 2020 9:21 AM  
**To:** Melody Osborne  
**Subject:** The Hidden Health Effects of Cell Towers - It Takes Time

Melody,  
Please include this article for planning commissioners review.

<http://it-takes-time.com/2015/09/22/health-effects-of-cell-towers/>

Saj  
Sent from my iPhone

## Melody Osborne

---

**From:** Alba Corpus <abcorpus7@gmail.com>  
**Sent:** Thursday, June 25, 2020 2:54 PM  
**To:** Melody Osborne  
**Subject:** Verizon Cell Tower

Melody.Osborne@dundeecity.org

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base it's findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sent from my iPhone

## Melody Osborne

---

**From:** Jaclyn Force <jaclyn.force@gmail.com>  
**Sent:** Thursday, June 25, 2020 4:27 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible;
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Jaclyn and Drew Force

Sent from my iPhone

## Melody Osborne

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**From:** Jody Guyette de Ruijter <jodyspnc@gmail.com>  
**Sent:** Thursday, June 25, 2020 1:20 PM  
**To:** Melody Osborne  
**Subject:** cell tower in Dundee

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

--  
Jody de Ruijter, PsyD  
915 SW Tomahawk Pl  
Dundee OR 97115

## Melody Osborne

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**From:** Jennifer Matthiesen <Jenmatthiesen@outlook.com>  
**Sent:** Thursday, June 25, 2020 12:56 PM  
**To:** Melody Osborne  
**Subject:** Dundee Cell Tower

Melody.Osborne@dundeecity.org

Dear Planning Commissioners:

I am a resident of Dundee and I m asking that you DENY Verizon s cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the “aesthetic considerations” criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base it s findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower s aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a “stealth” tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee s nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don t “unreasonably disrupt” other areas of the community. The unattractiveness of the tower would disrupt the “attractive” downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City s decision could eventually be appealed, has determined that a purpose statement imposes an “affirmative duty” on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.

7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.

8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.

9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Jennifer Matthiesen

21000 NE Big Fir Ln

Dundee, OR

Get [Outlook for iOS](#)

## Melody Osborne

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**From:** Whitney Shaw <whitney.shaw512@gmail.com> on behalf of Whitney Shaw <whitney@thekellygroup.com>  
**Sent:** Thursday, June 25, 2020 2:26 PM  
**To:** Melody Osborne  
**Subject:** Please "say no" to Verizon cell tower

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

I am also a Verizon customer and have exceptional coverage in Dundee and surrounding areas. Adding a cell tower seems redundant. Please also consider the health of your community members. In good conscience, I can't imagine this is worth harming our citizens?

Thank you for your time and thorough consideration of this issue.

Regards,

Whitney Shaw  
Dundee Citizen

## Melody Osborne

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**From:** Gretchen Boock <gretchen@winebyjoe.com>  
**Sent:** Friday, June 26, 2020 9:26 AM  
**To:** Melody Osborne  
**Subject:** Cell Tower Rejection

Hi Melody- I hope you are well. Please forward my letter of opposition on to the City Planning Commissioners. Thank you!

Dear Planning Commissioners:

As the CEO of Dobbles Family Estate Winery, I know many local businesses like ours have worked hard to make Dundee an attractive, relaxing, and pleasant place for residents and visitors.

I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Regards,

*Gretchen*



Gretchen Boock | *CEO*

240 SE 5th Street • PO Box 517 • Dundee, OR 97115

Office: 503-538-1141 ext. 113

Cell: 503-537-8213

[www.dobbesfamilyestate.com](http://www.dobbesfamilyestate.com)

[www.winebyjoe.com](http://www.winebyjoe.com)

Join us in our new *Hideaway!*

## Melody Osborne

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**From:** dtbradshaw5@gmail.com  
**Sent:** Friday, June 26, 2020 9:36 AM  
**To:** Melody Osborne  
**Subject:** Cell Tower

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base it's findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
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5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
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7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

## Melody Osborne

---

**From:** Sean Devine <seanmdevine@gmail.com>  
**Sent:** Friday, June 26, 2020 9:20 AM  
**To:** Melody Osborne  
**Subject:** Please stop the Dundee cel tower.  
**Attachments:** Stop the Dundee cel tower.pdf

Please consider not putting the potentially dangerous cel tower right in the middle of Dundee, next to a neighborhood.

Thank you,  
Sean

--

Sean Devine  
Big Brown Dog Inc.  
cel - 310.962.2808

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
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7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: 

Printed Name: SEAN DEVINE

Date: 6/26/2020

Address: 20805 NE BIG FIR LN Dundee, OR 97115

## Melody Osborne

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**From:** matt <stopdundeecelltower@gmail.com>  
**Sent:** Friday, June 26, 2020 8:12 AM  
**To:** Melody Osborne  
**Subject:** public comment submission for Planning Commission meeting  
**Attachments:** signed letter.pdf

Hi Melody,

Can you please add the attached pdf to the record for the upcoming Planning Commission meeting regarding the proposed cell tower?

If you could email me back confirming you received this, that would be great.

Thanks,  
Matt Frey

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

Dundee, OR 97115

## Melody Osborne

---

**From:** Ingrid Moriarty <ingrid@ifmphoto.com>  
**Sent:** Friday, June 26, 2020 10:03 AM  
**To:** Melody Osborne  
**Subject:** Please stop cel tower

Please consider not adding the potentially dangerous cel tower in Dundee. It is not good for our health and will not be good for the home values in the nearby neighborhoods.

Thank you for your consideration.

Best,

Ingrid Moriarty  
Dundee Citizen and Homeowner

Sent from my iPhone

[www.ifmphoto.com](http://www.ifmphoto.com)  
[ingrid@ifmphoto.com](mailto:ingrid@ifmphoto.com)  
[323.829.6532](tel:323.829.6532)

## Melody Osborne

---

**From:** susan ortloff <susan.ortloff@yahoo.com>  
**Sent:** Friday, June 26, 2020 10:34 AM  
**To:** Melody Osborne  
**Subject:** Stop cell tower tree

Dear Planning Commissioners:

I'm a long time resident of Dundee and owner of Worden Hill Farm. We've worked hard to help make Dundee an attractive, relaxing and pleasant place for residents and visitors.

I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Susan Ortloff  
Worden Hill Farm  
1305 SW 9th  
Dundee, Or

## Melody Osborne

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**From:** Brooke Rapet <brookerapet@gmail.com>  
**Sent:** Friday, June 26, 2020 11:59 AM  
**To:** Melody Osborne  
**Subject:** 2nd Letter Regarding Cell Tower

Dear Planning Commissioners:

I'm a resident of Dundee and a mom of a Dundee Elementary student. I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Thank you for your consideration,

Brooke Rapet

## Melody Osborne

---

**From:** Cody Wright <cody@purplehandswine.com>  
**Sent:** Friday, June 26, 2020 8:53 AM  
**To:** Melody Osborne  
**Subject:** Deny Verizon Cell Tower

Dear Planning Commissioners:

**Please except this as my official letter in opposition of the cell tower.**

I'm the owner of Purple Hands Winery on 99W in Dundee. We've worked hard to help make Dundee an attractive, relaxing and pleasant place for residents and visitors.

I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

## Melody Osborne

---

**From:** Susan Baird <susan@bairdlawoffices.com>  
**Sent:** Saturday, June 27, 2020 11:06 AM  
**To:** Melody Osborne  
**Subject:** Comment letter to Planning Commission re cell tower  
**Attachments:** 2nd Letter to Dundee Planning Commission Opposing Verizon's Cell Tower 6.27.20.pdf

Hi Melody,

Please see my attached comment letter for the planning Commission. Please also include me in the list of people providing oral testimony at the Zoom hearing on 7/1.

Thank you,  
Susan

Susan Baird  
Attorney at Law

Baird Law Office, LLC  
971-832-9044  
P.O. Box 373  
Dundee, OR 97115  
[susan@bairdlawoffices.com](mailto:susan@bairdlawoffices.com)  
[www.bairdlawoffices.com](http://www.bairdlawoffices.com)

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Baird Law Office, LLC  
P.O. Box 373, Dundee, OR 97115  
susan@bairdlawoffices.com  
971-832-9044

Dundee Planning Commission  
Via email to: [melody.osborne@dundeecity.org](mailto:melody.osborne@dundeecity.org)

June 27, 2020

Re: Type III Conditional Use Permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Planning Commissioners:

As a Dundee resident and business owner, I believe the Application should be denied for the following additional reasons:

**1. An 80-foot cell tower in the heart of Dundee would violate the “aesthetic considerations” criteria of DMC 17.404.030(A)(1).**

An 80-foot cell tower in the heart of Dundee is unattractive. Even with a “stealth” design, a huge, looming fake tree tower in the middle of our City is an unappealing eyesore that would, for up to 30 years (or more, if extended), mar the beauty of our downtown. Aesthetics matter – not only to the residents who live here and the businesses who thrive here, but also as a matter of law.

Aesthetics are so important that they are actually a “criteria” of conditional use permitting, but don’t just take my word for it – read Dundee Municipal Code (DMC) Section 17.404.030(A)(1):

**“A. Use Criteria.**

1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and **aesthetic considerations.**” (emphasis added)

Because the proposed tower would greatly detract from the current aesthetic appeal of our City, the proposed location fails the “aesthetic considerations” criteria of DMC 17.404.030(A)(1).

## 2. The Planning Commission's decision must be based on aesthetic considerations.

The Dundee Code makes it clear that the Planning Commission's decision must be based on findings of fact with respect to all criteria. Aesthetic considerations are a criteria, so clearly the Commission's decision must be based on aesthetic considerations. DMC 17.404.030 states as follows:

"By means of a Type III procedure, the planning commission shall approve, approve with conditions or deny an application, including requests to enlarge or alter a conditional use, **based on findings of fact with respect to all of the criteria** and standards in subsections (A) through (C) of this section.

### A. Use Criteria.

1. The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and **aesthetic considerations.**" (emphasis added)

The DMC makes it patently clear that the Planning Commission's decision must be based on all criteria, including the criteria of aesthetic considerations.

"Criteria" is a significant requirement; it is not something the applicant can attempt, or throw money at, or just reasonably mitigate. Rather, Oregon courts have made it clear that "criteria" are the "yardstick against which the evidence [or legislation] is to be measured." *Application of Portland General Electric Co.*, [277 Or 447](#), 465, [561 P2d 154](#) (1977).

The concept of "criteria" is so important that it's written into our State land use law. Oregon Revised Statutes (ORS) 227.178(3)(a) states that decisions must be based on the applicable criteria: "approval or denial of the application **shall be based** upon the standards and **criteria** that were applicable at the time the application was first submitted."

Oregon state statutes and the Dundee Municipal Code explicitly require that the Planning Commission's decision be based on the applicable criteria. Under the DMC, "aesthetic considerations" are specifically listed as a "use criteria." Accordingly, your decision must be based on aesthetic considerations and you must determine whether it's appropriate to locate a hideous, 80-foot fake tree tower in the heart of Dundee, surrounded by a Central Business District whose stated purpose is to create an "attractive" downtown (see DMC 17.202.010.G), and vehemently opposed by a

great many of our residents and businesses. If you conclude, as so many of us have, that the location of the proposed tower is not appropriate given the “aesthetic considerations,” then you have both the authority and the duty, under Oregon law and the Dundee Code, to deny the Application for failure to satisfy the criteria of the aesthetic considerations.

**3. The Application should be denied for failure to mitigate negative impacts under Code Section 17.404.030(A)(2).**

The applicant has indicated that because the “stealth” version of the proposed tower would be so much more expensive, that this somehow satisfies the mitigation requirements of the Dundee Code. This is not the case. The Code does not allow a use simply because the applicant throws a lot of money at it or because the applicant proposes a design which would be less in violation of the aesthetic considerations than a cheaper alternative. A lesser violation is still a violation and you, Commissioners, do not have to choose between an ugly tower or an even uglier tower; you can (and should) deny the Application altogether.

Dundee Code Section 17.404.030(A) requires (1) that the location of the proposed use be adequate, given the “aesthetic considerations” and (2) that any negative impacts be mitigated. Specifically, DMC 17.404.030(A)(2) states as follows:

**2. The negative impacts of the proposed use, if any, on adjacent properties and on the public can be mitigated through application of other code standards, or other reasonable conditions of approval.**

Please note the Code requires that “any” negative impacts be mitigated. Mitigation may come in the form of application of code standards or reasonable conditions of approval. The conditions of approval may be reasonable, but the mitigation itself must be complete.

The applicant seems to have conflated these ideas. The applicant indicated that so long as its mitigation measures were “reasonable” (i.e., more expensive) this would satisfy the DMC, but this is not what the DMC says. The Dundee Code requires that any negative impacts be mitigated. Accordingly, making the 80-foot tower an even more expensive “stealth” tower in an attempt to make it less unattractive is not enough. An 80-foot stealth tower would still have negative aesthetic impacts on the surrounding properties and the beauty of our small town. Hence, the Application should be denied for failure to mitigate the negative aesthetic impacts under DMC Section 17.404.030(A)(2).

**4. The Application should be denied because an 80-foot cell tower would violate the stated purpose of the Public Zone.**

The purpose of the Public Zone, according to DMC Section 17.202.010(I), is as follows: “The P zone provides for public and semi-public uses, where such uses do not unreasonably disrupt or alter other areas of the community.”

An ugly 80-foot tower in the heart of downtown Dundee would unreasonably disrupt surrounding uses in the Central Business District (CBD), where our local businesses have worked so hard to create an attractive aesthetic for residents and visitors alike. The Dundee Code even requires that uses in the CBD create an “attractive” downtown. DMC 17.202.010(G) states: “The CBD zone is intended to promote pedestrian-oriented development in order to encourage a walkable and **attractive** downtown.”

The tower would be extremely unattractive (no matter how much money Verizon dumps into its supposedly “stealth” appearance”) and it would disrupt the attractive look and pedestrian-friendly flow of the businesses in the CBD. Taking a stroll through the tasting rooms, restaurants, and retail shops of downtown Dundee would be much less appealing with an 80-foot cell tower looming overhead. Accordingly, the proposed cell tower in the Public Zone should be denied because it would violate the stated purpose of the Public Zone.

**5. The Public Zone’s purpose statement places an “affirmative duty” on the Planning Commission.**

The Public Zone’s purpose statement is not insignificant; rather, the Oregon Land Use Board of Appeals (LUBA), the agency to whom the City’s decision could eventually be appealed, has determined that a municipal code’s purpose statement actually imposes an affirmative duty on decision-makers to consider its language.

For example, in the case *Concerned Homeowners Against the Fairways v. City of Creswell*, LUBA Nos. 2006-053, 2006-054, 52 Or LUBA 620, 628–629 (2006), *aff’d without opinion*, [210 Or App 467](#) (2007), LUBA stated that even though the purpose statement wasn’t worded as an approval criterion, it nonetheless imposed “additional affirmative duties” that the City had to fulfill. See also *Renaissance Development v. City of Lake Oswego*, LUBA No. 2003-031, 45 Or LUBA 312, 322–327 (2003) (remand required to determine meaning and role of purpose statement); *Freeland v. City of Bend*, LUBA No. 2003-059, 45 Or LUBA 125 (2003) (the purpose statement required that certain impacts be “considered”).

Accordingly, the purpose statement of Dundee’s Public Zone, allowing only uses which “do not unreasonably disrupt or alter other areas of the community” imposes “additional affirmative duties” on the Planning Commission. The Commission cannot

approve a use in the Public Zone which would violate the stated purpose of the Public Zone. The proposed 80 foot cell tower would most certainly disrupt the pleasant aesthetic and the “attractive” design requirements of the surrounding CBD; accordingly, the proposed project must be denied because it would violate the purpose statement of the Public Zone.

**6. A Verizon cell tower is not needed in the proposed location because Verizon’s service is already “moderate” to “good.”**

The applicant has indicated a cell tower is needed in the proposed location because Verizon cell service in the Dundee area is currently “poor,” yet Figure 4 of applicant’s own narrative shows coverage in Dundee without the proposed tower is already “moderate” (in yellow) to “good” (in green).

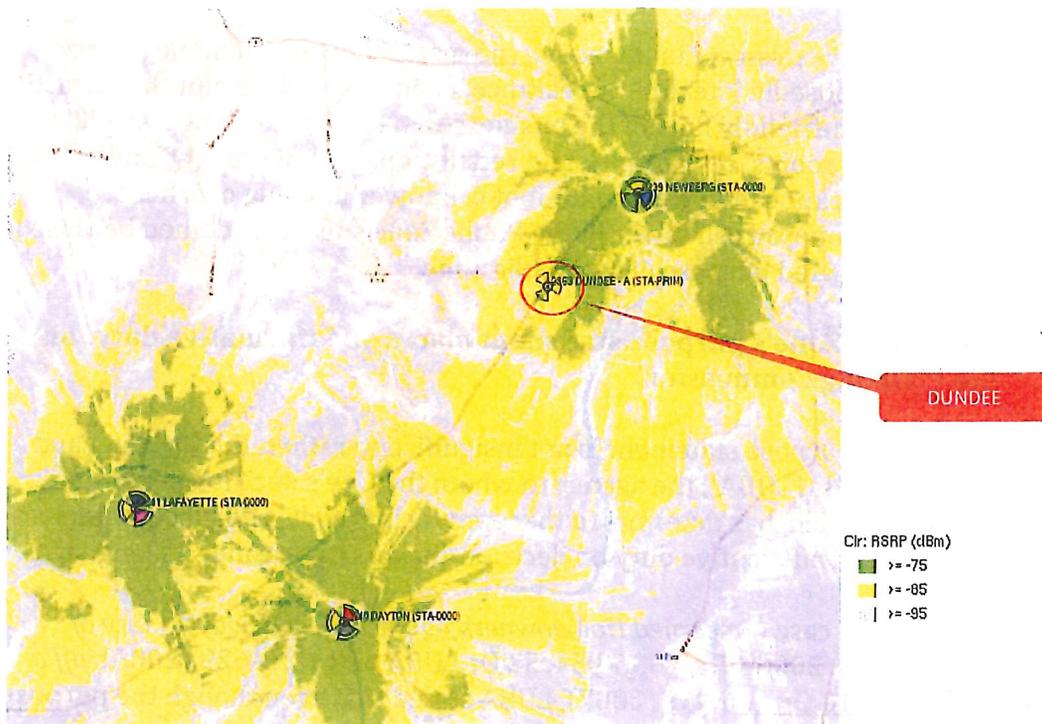


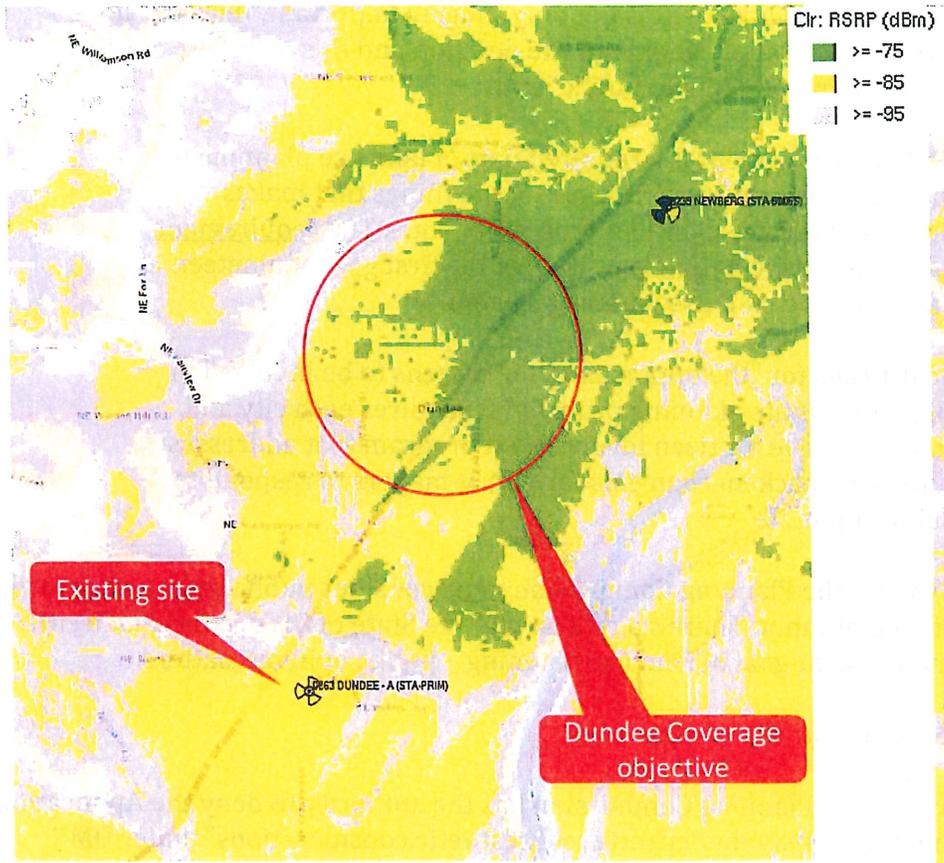
Figure 4 – Existing Coverage without the proposed site and area of RF Capacity Issue. Adjacent sites: Newberg, Dayton and Lafayette.

Coverage plots from Ertaz Islam of the Verizon Wireless System Design Network Department, detail the location of the new structure, current and anticipated coverage. A plot of the existing network coverage without the proposed site is shown above in Figure 4. The green represents a high RF signal strength which generally provides good coverage inside vehicles and buildings. Yellow represents moderate RF signal strength that generally provides good service inside vehicles and moderate service inside buildings. The mauve (purple) areas represent RF signals that generally provide weak quality of service particularly inside buildings, but fair service in vehicles or outdoor coverage.

Likewise, applicant's map on page 65 of the staff report shows Dundee as primarily good (green) and moderate (yellow).

### Current coverage

C



**Existing tower located 1.3 miles from Dundee. Verizon can improve coverage or capacity**

65/88

Clearly, Verizon coverage in Dundee is already good to moderate and it's certainly better than Verizon coverage in outlying areas. Surely Verizon could find a more appropriate location where enhanced cell service is actually needed.

#### 7. The Planning Commission must take public opinion into consideration.

The foundation of land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. Quite literally, the #1 goal is citizen involvement:

“Goal 1 is Citizen Involvement – including the public in the land use decision making processes is a hugely important part of successful planning.”<sup>1</sup> (emphasis added)

In Oregon, citizen involvement is not only “hugely important,” but it is also a mandatory component of every land use decision and this includes, specifically, decision-makers responding to public input:

“Public involvement is a required part of land use planning in Oregon. This requirement is one of the things that makes Oregon's land use planning program unique. The requirement for public participation is written in the first goal of nineteen in the statewide land use planning system.

Goal 1 calls for “the opportunity for citizens to be involved in all phases of the planning process.” It requires each city and county to have a citizen involvement program that addresses: ... (5) Feedback mechanisms for policy-makers to respond to public input...”<sup>2</sup>

In other words, the Planning Commission must consider public input and provide feedback on that input. There’s a reason that the State of Oregon has made citizen involvement the #1 goal of land use planning – public opinion matters.

## **8. Conclusion.**

In conclusion, the Planning Commission has the authority to deny the Application (i) for failure to satisfy the “criteria” of “aesthetic considerations” under DMC 17.404.030(A)(1), (ii) for failure to mitigate all negative impacts of the proposed project under DMC 17.404.030(A)(2), and (iii) for violation of the stated purpose of the Public Zone, under DMC 17.202.010(I).

In addition, under the #1 land use planning goal for the State of Oregon, the Planning Commission has the duty to take into account the “hugely important” component of public input. The residents and businesses of Dundee have flooded you with comments because we don’t want an ugly, 80-foot tower in the middle of our beautiful town. So, we ask that you, Commissioners, fulfill your obligations under the DMC, the ORS, and the statewide land use planning goals, and deny the Application.

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<sup>1</sup> See Oregon Planning at <https://www.oregon.gov/lcd/OP/Pages/index.aspx>

<sup>2</sup> See Oregon Planning, Goal 1 – Citizen Involvement at <https://www.oregon.gov/lcd/OP/Pages/Goal-1.aspx>

## Melody Osborne

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**From:** Jamie Davis <jamieladavis423@gmail.com>  
**Sent:** Saturday, June 27, 2020 9:14 PM  
**To:** Melody Osborne  
**Subject:** Letter to oppose cell tower  
**Attachments:** Cell phone tower opposition letter.pdf

Hi Melody,

Please find my attached letter in opposition to the proposed cell tower in Dundee. Please forward to the commissioners. Thank you very much.

Jamie Davis

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature:  \_\_\_\_\_

Printed Name: Jamie Davis

Date: 6/27/2020

Address: 175 SW Hemlock Street Dundee, OR 97115

## Melody Osborne

---

**From:** Pamela Donaldson <planedon2@yahoo.com>  
**Sent:** Saturday, June 27, 2020 6:29 PM  
**To:** Melody Osborne  
**Subject:** Letters of opposition to cell tower  
**Attachments:** Scan\_20200627 (2).png; Scan\_20200627.png

Enclosed find two scans of our letters. We have looked at the cell tower. I don't think it looks bad. The problem with it is there are no other trees nearby to make it look more natural. I think it shouldn't be right on main st, but further back from road and hopefully in an area of at least scattered Doug Firs to make it fit in. It's very isolation makes it very noticeable.

Thank you,

Pamela Lane and Kelton E. Donaldson  
Dundee

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature:

Keston E. Donaldson

Printed Name:

KESTON E. DONALDSON

Date:

JUNE 27, 2020

Address:

6995 CROSSCREEK RD

Dundee, OR 97115

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: Pamela Lane Donaldson

Printed Name: Pamela Lane Donaldson

Date: 27 June 2020

Address: 6995 NE CROSS CREEK RD Dundee, OR 97115

## Melody Osborne

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**From:** David Ford <davidford27@gmail.com>  
**Sent:** Saturday, June 27, 2020 9:20 AM  
**To:** Melody Osborne  
**Subject:** Letter to Planning Commission - Opposing the Verizon Cell Tower Application  
**Attachments:** Ford\_Letter Opposing Verizon Cell Tower Application\_27\_June2020.pdf

Melody:

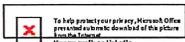
Attached is a letter to the Planning Commission regarding the Verizon cell tower application. Please provide this to the Planning Commission members prior to their meeting on July 1.

Thank you,  
David Ford

--

David A. Ford  
Principal

**L&C Carbon**  
a division of Jory Resources Inc.  
710 SW Carmen Heights Drive  
Dundee, OR 97115  
503-449-6957  
[davidford27@gmail.com](mailto:davidford27@gmail.com)



<https://www.linkedin.com/pub/david-ford/0/741/39b>

June 27, 2020

Dear Planning Commissioners:

We are residents of Dundee and we urge you to DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1), as well as be consistent with the goals of the Dundee Urban Renewal Agency's goals.

As a citizen member of the Dundee Budget Committee and the Dundee Urban Renewal Agency Budget Committee (David Ford), the proposed massive cell tower in the middle of our downtown core is in direct conflict with the investments we are making to beautify our downtown core, make it more attractive, welcoming and safe, as well as to attract new commercial investment consistent with the Dundee master plan goals.

2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.

3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Dressing up the huge cell tower does not mean the negative impacts are mitigated, as required by the Code.

4. It is our understanding that the noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.

5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which do not "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G) and is in direct conflict with the Dundee Urban Renewal Agency goals for the downtown core.

6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.

7. Verizon does not need a cell tower in the downtown Dundee core. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee. We are Verizon customers and our cell service is very good in and all around Dundee.

8. There is an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why colocation on the AT&T tower isn't feasible.

9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input.

As Dundee residents, we do not want an unattractive 80ft cell tower in the heart of our beautiful City. We urge you to deny the Verizon cell tower application.

Sincerely,



David and Jen Ford  
710 SW Carmen Heights Dr  
Dundee, OR 97115

## Melody Osborne

---

**From:** Rebecca Ponzi <rebecca@ponzi-international.com>  
**Sent:** Saturday, June 27, 2020 4:15 PM  
**To:** Melody Osborne  
**Subject:** Citizen Input - NO CELL TOWER IN DUNDEE

Dear Planning Commissioners,

As owners of The Dundee Bistro, we have dedicated over 20 years to help make Dundee an attractive and wonderful place to live and work by investing considerable resources back into our local businesses and community. We recently learned of the 80 foot Verizon cell tower application that is up for consideration on the parcel next to the Dundee Fire Station. We strongly oppose to the location of the cell tower that is in the heart of Dundee and are asking you to DENY Verizon's application.

We object to allowing the construction of the cell tower due to long term ramifications it will have on our community in Dundee. This decision could forever shape the direction of its future to attract viable businesses and families to call Dundee home. We do not believe that an approval for the cell tower in the center of Dundee can be justified to residents and business leaders as it is not in the best interest of the community, nor its future. The Planning Commission has a duty and is obligated to consider public input and citizen involvement according to the State of Oregon. As leading Dundee business owners, we don't want an unattractive 80-foot cell tower in the heart of our town.

Allowing an 80-foot cell tower to be erected in the center of Dundee will cripple the opportunity to create a viable and attractive downtown area. It will limit possibilities with business opportunities on and near that property as well as diminish the desire to be in Dundee as a business owner, resident or visitor. Essentially, it is amputating a portion of downtown Dundee if the cell tower is erected. It will have negative, long-term financial effects on the City, therefore, have negative effects on residents and businesses.

Dundee is the gateway to Oregon's prestigious wine region, thriving agricultural area and growing adventure sport enterprises. It's unique location to many wineries and outdoor activities offer tremendous potential to expand and evolve into an active and liveable downtown community. Young families are moving to Dundee for these reasons and we have health and "liveability" as a top priority concern for our neighbors due to the proximity of the tower. Dundee, as a tourist destination, will be marred with the tower as it would be an ugly distraction from all the beauty that surrounds the area and fails to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1). Furthermore, Dundee residents would have to endure ongoing light and noise pollution from the added (unnecessary) technology infrastructure.

Please do not approve the cell tower to be constructed in the heart of this community. We have so much more we can do that would make a positive impact in Dundee. It's a beautiful place to live and work, let's keep it that way. NO CELL TOWER.

Thank you for your consideration.

Sincerely,

Michel and Rebecca Ponzi

Rebecca Ponzi



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us: 503-438-6860 eu: 393459155590 w: ponzi-international.com  
rebecca@ponzi-international.com



## Melody Osborne

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**From:** Jennifer Sitter <jensitter@gmail.com>  
**Sent:** Saturday, June 27, 2020 8:11 AM  
**To:** Melody Osborne  
**Subject:** DENY Verizon's cell tower application

Dear Planning Commissioners:

I'm a Dundee resident and part owner of the Market Lofts in Dundee. We've worked hard to help make Dundee an attractive, relaxing, and pleasant place for residents and visitors.

I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Jennifer Sitter

## Melody Osborne

---

**From:** Camille Kern Bahar <camille.j.kern@gmail.com>  
**Sent:** Sunday, June 28, 2020 8:48 PM  
**To:** Melody Osborne  
**Cc:** Bahar, Raja  
**Subject:** Cell Tower Opposition  
**Attachments:** EMF What You Need to Know.pdf

Dear Planning Commissioners,

I am writing to you to express my deep concern for the potential plans of a cell tower in Dundee. I have grown up in the area, as have my parents and grandparents, and knew that this is where I want to raise a family. That said, when my husband and I began looking to buy our first home, we were appalled at how many new cell towers are marring what were once beautiful rural Oregon towns. We were hoping to live in Newberg or Dundee, but because of the monopine tower in Newberg, we felt that our health was at risk and that downtown Newberg was not an option for us anymore. We believed that Dundee had integrity and commitment to the health and wellbeing of its citizens- continued plans to beautify the downtown district, clean water, support of local businesses and outdoor activities, and most importantly, no cell phone towers near neighborhoods. We are closing on our home in Dundee in just two days and are completely taken aback, disappointed, and worried (to say the least) to see this meeting regarding cell tower plans on the agenda.

A cell tower in Dundee is extremely concerning for the following reasons:

- The FCC has not updated EMF (electromagnetic field) safety standards since 1996, even though cell phone technology has grown in power and complexity.
- Safety standards have only been developed with consideration to short-term thermal effects of EMF radiation on the body. Biological implications of long term EMF radiation exposure have not been considered or adequately measured.
- Cell phone radiation has been deemed "possibly carcinogenic to humans" by the World Health Organization and is classified in the same category as DDT, lead, chloroform, exhaust, and glyphosate.
- Even if this is a 4G tower, it opens up the door for Verizon to add 5G transmitters to the tower in the future, blanketing Dundee with an additional layer of wireless radiation (5G is a drastically higher frequency and over 200 doctors and scientist have issued a declaration for a moratorium on the increase of 5G antennas citing human health effects and impacts on wildlife).
- Most people in the United States are unaware that once a tower is built, it can go up to 20 feet higher with no public process due to the passing of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.
- Studies show property values drop up to 20% on homes near cell towers.
- Plans to develop downtown Dundee will be thrown out the window, as a cell tower (monopine or not) will ruin the charming aesthetic that Dundee is working so hard to build upon. As a small business owner myself, I would be completely turned-off from having a storefront in Dundee because of this.

For the sake of citizen health, the future of city development, and the support of local businesses, I urge you to stand strong against tech-giants like Verizon and do NOT let this cell tower be installed in our beloved city of Dundee. It is an action that cannot be undone.

Please see the below link to a United States Senate Commerce Hearing, where wireless carriers concede that they are not aware of any independent 5G safety studies. Senator Blumenthal concluded "So there really is no research ongoing. We're kind of flying blind here, as far as health and safety is concerned."

<https://www.youtube.com/watch?v=hsil3VQE5K4&app=desktop>

Further studies regarding the safety of wireless radiation:

<https://ehtrust.org/science/top-experimental-epidemiological-studies/>

In response to the notes from the last meeting with Verizon where Mr. Connors stated that Verizon needs tangible evidence that property values would be effected, please see the links below. In addition, my husband and I are living proof of property value decreasing because of a cell tower, as we had completely ruled out any neighborhoods with towers nearby.

<https://ehtrust.org/wp-content/uploads/Cell-Towers-Home-Values.pdf>

<https://gatonweb.uky.edu/Faculty/blomquist/LE%202016%20Locke%20Blomquist%20towers.pdf>

<https://magazine.realtor/daily-news/2014/07/25/cell-towers-antennas-problematic-for-buyers>

I have also attached a PDF with further information regarding 5G and “small” cell transmitters.

I (Camille Bahar) would like to testify at the meeting on July 1st and hope that the information and links provided here are communicated with the Planning Commissioners.

Thank you,

Camille and Raja Bahar

## What You Need To Know About 5G Wireless and “Small” Cells

*“We recommend a moratorium on the roll-out of the fifth generation, 5G, for telecommunication until potential hazards for human health and the environment have been fully investigated by scientists independent from industry...RF-EMF has been proven to be harmful for humans and the environment.”*

— 2017 5G Scientific Appeal (signed by more than 200 scientists and doctors from 35 countries)

Nationwide, communities are being told by wireless companies that it is necessary to build “small cell” wireless facilities in neighborhoods on streetlight and utility poles in order to offer 5G, a new technology that will connect the Internet of Things (IoT). At the local, state, and federal level, new legislation and new zoning aim to streamline the installation of these 5G “small cell” antennas in public rights-of-way.

**The radiation from small cells is not small:** Wireless antennas emit microwaves — non-ionizing radiofrequency radiation — and essentially function as cell towers. Each installation can have over a thousand antennas that are transmitting simultaneously.

**Millions of small cells to be built in front yards:** The Federal Communications Commission estimates that millions of these wireless transmitters will be built in our rights-of-way, directly in front of our homes.

**5G will add to — not replace — our current wireless technology:** 5G will not only utilize current 3G and 4G wireless frequencies already in use but also add higher frequency — submillimeter and millimeter waves — in order to transmit data at superfast speeds.

**Community authority is overruled:** Communities are being stripped of their right to make decisions about this new technology. “Streamlining” means almost automatic approval. Public notice and public hearings are being eliminated. Even if every homeowner on the block opposes the antennas on their street, the opposition will be disregarded.

**Scientists worldwide are calling for a halt to the 5G Roll-out:** Over 200 scientists and doctors issued a declaration calling for a moratorium on the increase of 5G cell antennas citing human health effects and impacts to wildlife.

[Read the 2017 Scientific Appeal on 5G To the European Commission](#)

[Read the 2015 EMF Scientist Appeal to the United Nations](#)

[Read Letters From Dozens of Scientists on Health Risks of 5G](#)

**Cumulative daily radiation exposure poses serious public health risks:** Peer reviewed, published science indicates that exposures to wireless radiation can increase cancer risk, alter brain development and damage sperm. Most people are unaware that wireless technology was never tested for long-term safety, that children are more vulnerable and that the accumulated scientific evidence shows harm.

**Decreased property values:** Studies show property values drop up to 20% on homes near cell towers. Would you buy a home with a mini cell tower in the yard? [Read research showing decreased property value from cell towers near homes.](#)

**Microwave antennas in front yards present several worker and public safety issues:** Unions have already filed comments that workers were injured, unaware they were working near transmitting antennas. How will HVAC workers, window washers, and tree cutters be protected? The heavy large equipment cabinets mounted on poles along our sidewalks also present new hazards. Cars run into utility poles, often, what then? [US Dept of Labor letters on cell tower safety](#)

**Fiber is the safe alternative:** Worldwide, many regions are investing in wired fiberoptic connections which are safer, faster, more reliable, provide greater capacity, and are more cyber-secure. Read [“Re-Inventing Wires: The Future of Landlines and Networks,”](#) by the National Institute for Science, Law & Public Policy

[www.ehtrust.org](http://www.ehtrust.org)

All text in this document in blue is hyperlinked to resources for more information.

Please also see <https://ehtrust.org/factsheet-need-know-5g-small-cells-science-policy-public-health/> for additional resources.

## KEY RESEARCH AND REPORTS

### 5G Frequencies Are Absorbed Into the Skin

Physicists found that the higher millimeter frequencies intended for 5G use are preferentially absorbed into the sweat duct at much higher rates than other organ tissues. Read two published studies “[The Modeling of the Absorbance of the Sub-THz Radiation by Human Skin.](#)” [The human skin as a sub-THz receiver – Does 5G pose a danger to it or not?](#) Paul Ben-Ishai, PhD Lecture.

### 5G Frequencies Are Used As Weapons

Millimeter frequencies have the capacity to cause a severe burning sensation in the skin and are used by the U.S. Department of Defense in [crowd control guns](#) called [Active Denial Systems](#).

### Landmark US National Toxicology Program (NTP) Study Finds “Clear Evidence of Cancer” and DNA Damage

The NTP [studies found](#) male rats exposed for two years to cell phone radiation developed significantly increased gliomas (brain cancer) and schwann cell tumors, the very same types of tumors increased in long-term human cell phone users. NIH/NTP [presentation on DNA](#) results states “exposure to RFR has the potential to induce measurable DNA damage under certain exposure conditions.” [Press Coverage](#), [Peer Review Report](#)

### Cell Tower Radiation is Linked To Damage in Human Blood

A published study compared people living close and far from cell antennas and found people living closer to cellular antennas had changes in blood that predicts cancer development. Read [Zothansiana et al, 2017](#). Read a [Compilation of Research on Cell Tower Radiation](#)

### Published Scientific Review on 5G Finds Adverse Effects

Scientific literature documents evidence of nonthermal cellular damage from wireless radiation used in telecommunications to DNA integrity, cellular membranes, gene expression, protein synthesis, neuronal function, the blood brain barrier, melatonin production, sperm damage and immune dysfunction. [Russell 2018](#)

### Cellular Radiation Negatively Impacts Birds and Bees

Published research finds the frequencies alter bird navigation and disturb honeybee colonies. [Research on EMF and Bees](#). [Research on Wildlife](#)

## RESOURCES

[Research on 5G and Cell Tower Radiation](#)

[A 5G Wireless Future: Will it give us a smart nation or contribute to an unhealthy one?](#) Santa Clara Medical Association Bulletin, Cindy Russell MD, 2017

[Letters by Scientists in Opposition To 5G Research on Cell Tower Radiation, 2017](#)

[Biological Effects from Exposure to Electromagnetic Radiation Emitted by Cell Tower Base Stations and Other Antenna Arrays](#), Levitt and Lai, 2010

[Radiofrequency radiation injures trees around mobile phone base stations](#), Waldmann-Selsam et al., 2016

[Department of Interior Letter on the Impact of Cell Towers on Migratory Birds](#), Willie R. Taylor Director, Office of Environmental Policy and Compliance, 2014

[Anthropogenic radiofrequency electromagnetic fields as an emerging threat to wildlife orientation](#), Balmori, 2015

[Briefing Memorandum On The Impacts from Thermal and Non-thermal Non-ionizing Radiation to Birds and Other Wildlife](#), Manville, 2016

[Database of Worldwide International Policy To Reduce EMF](#)

[Youtube Scientific Videos on 5G](#)

## TAKE ACTION

**Contact** local, state and federal elected officials in person.

**Share** this information with your friends, family and community.

**Ask** for government policy that reduces RFR exposure to the public.

**Citizens in all states must organize and take action to halt legislation that increases cell antennas in neighborhoods.**

## LEARN MORE

[Federal Legislation To Know](#)

[US States With Streamlining Bills](#)

### 5G Small Cell Antennas To Be Placed On:

- Street lights
- Trashcans
- Utility poles
- Bus stops
- Sides of buildings

### 5 Reasons Why Small Cells Are Not Small

- Increased radiation near homes
- Refrigerator-sized equipment cabinet
- Drop in property values
- Taller poles
- Fixtures weigh hundreds of pounds

### Crown Castle’s 2016 10-K Annual Report says:

“If radio frequency emissions from wireless handsets or equipment on our wireless infrastructure are demonstrated to cause negative health effects, potential future claims could adversely affect our operations, costs or revenues... We currently do not maintain any significant insurance with respect to these matters.”

[Read warnings](#) from Crown Castle, Verizon and other wireless companies.

### The American Academy of Pediatrics says:

“An Egyptian study confirmed concerns that living nearby mobile phone base stations increased the risk for developing:

- Headaches
- Memory problems
- Dizziness
- Depression
- Sleep problems”

[AAP on Cell Towers](#)

### Letter from oncologist Lennart Hardell MD & Colleagues:

“There is a substantial body of evidence that this technology is harmful to humans and the environment. The 5G millimeter wave is known to heat the eyes, skin and testes... Of particular concern are the most vulnerable among us — the unborn, children, the infirm, the elderly and the disabled. It is also expected that populations of bees and birds will drastically decline.”

[2017 Scientific Letter](#)

### Peer Reviewed Research Studies on Radiofrequency Radiation Have Found:

- Headaches
- Sperm damage
- Altered brain development
- Depression
- Neurological symptoms
- Hormone changes
- Memory problems
- Sleep problems
- Cancer

### Science:

[BioInitiative 2012 Report by Independent Scientists](#)

[Dr. Moskowitz, University of California at Berkeley](#)

[Dr. Lennart Hardell Örebro University Sweden](#)

[The Baby Safe Project](#)

[WhatIs5g.info](#)

[Physicians for Safe Technology](#)

[Environmental Health Trust 5G Resources](#)

[www.ehtrust.org](#)



## Melody Osborne

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**From:** Jesse Lange <jesse@langewinery.com>  
**Sent:** Sunday, June 28, 2020 7:33 AM  
**To:** Melody Osborne  
**Cc:** Don Lange; Wendy Lange  
**Subject:** Proposed City of Dundee Cell Tower (objection letter)

Dear Melody Osborne and Planning Commissioners:

As a long time resident of Dundee and owner of Lange Winery, I know many local businesses like ours have worked hard, for many years, to make Dundee an attractive, relaxing and pleasant place for residents and visitors.

I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base it's findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code;
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements;
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G);
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone;
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee;
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible; and
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee business owner, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Thank you very much for consideration of this letter.

Sincerely,

Jesse Lange  
Wendy Lange  
Don Lange

## Melody Osborne

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**From:** ffh@hevanet.com <farfromhome@hevanet.com>  
**Sent:** Sunday, June 28, 2020 1:12 PM  
**To:** Melody Osborne  
**Subject:** Re: Dundee cell tower  
**Attachments:** form letter to sign.pdf

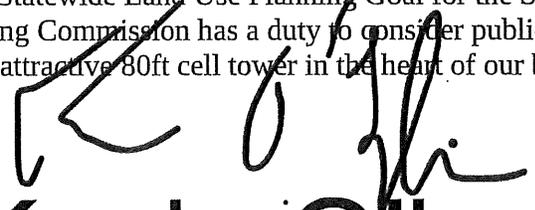
Sent from my iPhone

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
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9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: 

Printed Name:

**Kevin O'loughlin**

Date:

**6/28/20**

Address:

Dundee, OR 97115

**20810 NE Big Fir lane**  
230

## Melody Osborne

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**From:** shanna@thera-volve.com  
**Sent:** Monday, June 29, 2020 3:27 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower Letter  
**Attachments:** Dundee Cell Tower.pdf

Shanna Severn, LPC, NCC, MS  
30150 SW Parkway Ave. Suite 300  
Wilsonville, OR 97070  
971-264-4505  
shanna@thera-volve.com  
[www.thera-volve.com](http://www.thera-volve.com)

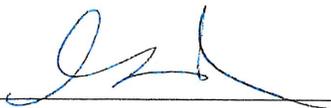
Dear Planning Commissioners:

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9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: \_\_\_\_\_



Printed Name: \_\_\_\_\_

SHANNA SEVERN

Date: \_\_\_\_\_

6/29/2020

Address: \_\_\_\_\_

1225 SW FIK CT.

Dundee, OR 97115

## Melody Osborne

---

**From:** Saj Jivanjee <sajtj@icloud.com>  
**Sent:** Saturday, June 27, 2020 8:29 PM  
**To:** Melody Osborne  
**Subject:** Planning commissioners lack of knowledge of aesthetics cell tower  
**Attachments:** Chap04.pdf

Melody,

Please include this attached article for planing commission to study the theory of aesthetic. I understand that none of of planning commissioners have study the value aesthetics. I am against cell tower.

Saj

[http://www.glencoe.com/sec/art/ose/art\\_in\\_focus/2005/docs/Chap04.pdf](http://www.glencoe.com/sec/art/ose/art_in_focus/2005/docs/Chap04.pdf)

Sent from my iPhone

## Melody Osborne

---

**From:** Melody Osborne  
**Sent:** Monday, June 29, 2020 6:37 PM  
**To:** Saj Jivanjee  
**Cc:** Jacks, Jim; Jim Jacks (JJacks@cityofsheridanor.com)  
**Subject:** RE: Planning commissioners lack of knowledge of aesthetics cell tower

**Importance:** High

Saj,

I am unable to include the attachment to the Commission. The document has been secured and I am unable to either print it or attach it to anything. You will need to remove the protection and resend it if you want it included.

Melody

**From:** Saj Jivanjee <sajtj@icloud.com>  
**Sent:** Saturday, June 27, 2020 8:29 PM  
**To:** Melody Osborne <Melody.Osborne@dundeecity.org>  
**Subject:** Planning commissioners lack of knowledge of aesthetics cell tower

Melody,

Please include this attached article for planing commission to study the theory of aesthetic. I understand that none of of planning commissioners have study the value aesthetics. I am against cell tower.

Saj

[http://www.glencoe.com/sec/art/ose/art\\_in\\_focus/2005/docs/Chap04.pdf](http://www.glencoe.com/sec/art/ose/art_in_focus/2005/docs/Chap04.pdf)

Sent from my iPhone

## Melody Osborne

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**From:** Saj Jivanjee <saj@jcaoregon.com>  
**Sent:** Tuesday, June 30, 2020 6:37 AM  
**To:** Melody Osborne  
**Subject:** Fwd: Cell Tower, Fire Station, Dundee  
**Attachments:** site plan\_cell tower\_01\_06-29-20.pdf; aerial view\_cell tower\_01\_06-29-20.pdf

Melody.

Please see attached. I would like to include in my testimony that planning commissioners need to take into consideration that during seismic event the tower will collapse and impact the fire department building. The applicant claims they will meet building code. The building code only addresses very limited calculation related to seismic event. It does not address the harmonic impact of the tower.

Also note planning commissioners need to address that the tower is twice the allowable height but the set back remains the same 20 feet. Normally the setback should be related to increase in height always in this case twice the require amount since the tower is twice the allowable height.

Thanks.

Saj

----- Forwarded message -----

From: <[lars@jcaoregon.com](mailto:lars@jcaoregon.com)>  
Date: Monday, June 29, 2020  
Subject: Cell Tower, Fire Station, Dundee  
To: Saj Jivanjee <[saj@jcaoregon.com](mailto:saj@jcaoregon.com)>

Please see attached drawing and aerial view. This is scaled off the provided pdf so it may be off by a little bit.

Lars Johansson

**Jivanjee Consulting Architecture, LLP**

**Partin Hill Architect, LLC**

[209 NE Lincoln St., Suite A](#)

[Hillsboro, OR 97124](#)

503-640-1216 ext. 2

--

## **Saj Jivanjee**

Jivanjee Group of Companies

M.Arch, AIA, M.U.P, NCARB

Architecture | Real Estate Development | Multi-Family Housing | Winery | Vineyard

phone: 503.970.0326

[saj@jcaoregon.com](mailto:saj@jcaoregon.com)

[saj@archervineyard.com](mailto:saj@archervineyard.com)

Partin & Hill Architects, LLC

209 Lincoln Street

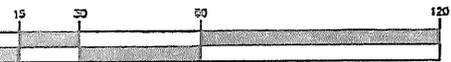
Hillsboro, OR 97124

503.640.1216

fax: 503.640.8552



GRAPHIC SCALE



( IN FEET )  
1 inch = 10 ft  
SURVEY DETAIL

BUILDING

EXISTING  
FIRE STATION

+/- 80' R

CONCRETE

12' WIDE ACCESS  
EASEMENT

SEWER  
CLEAN OUT

P.O.B.  
ACCESS EASEMENT

201.4  
CONC

4" CORRUGATED  
PLASTIC PIPE

GROUND RD

CENTER OF  
CELL TOWER

POSITION OF GEODEDIC  
COORDINATES

RAILROAD TRACKS

201

DIRT  
SWALE

CATCH  
BASIN

+/- 11'-10"

8" PLASTIC PIPE

PROPOSED 8'X29'  
LEASE AREA

P.O.B.  
LEASE AREA

VEGETATION

P.O.C.

EXISTING  
ABANDONED  
BLDG.

222.4  
BLDG

N33°13'58"E  
8.00'

N56°46'02"W  
29.00'

N33°13'58"E  
8.31' (TIE-LINE)

S33°13'58"W  
8.00'

N56°46'02"W  
5.00' (TIE-LINE)

S56°46'02"E  
29.00'

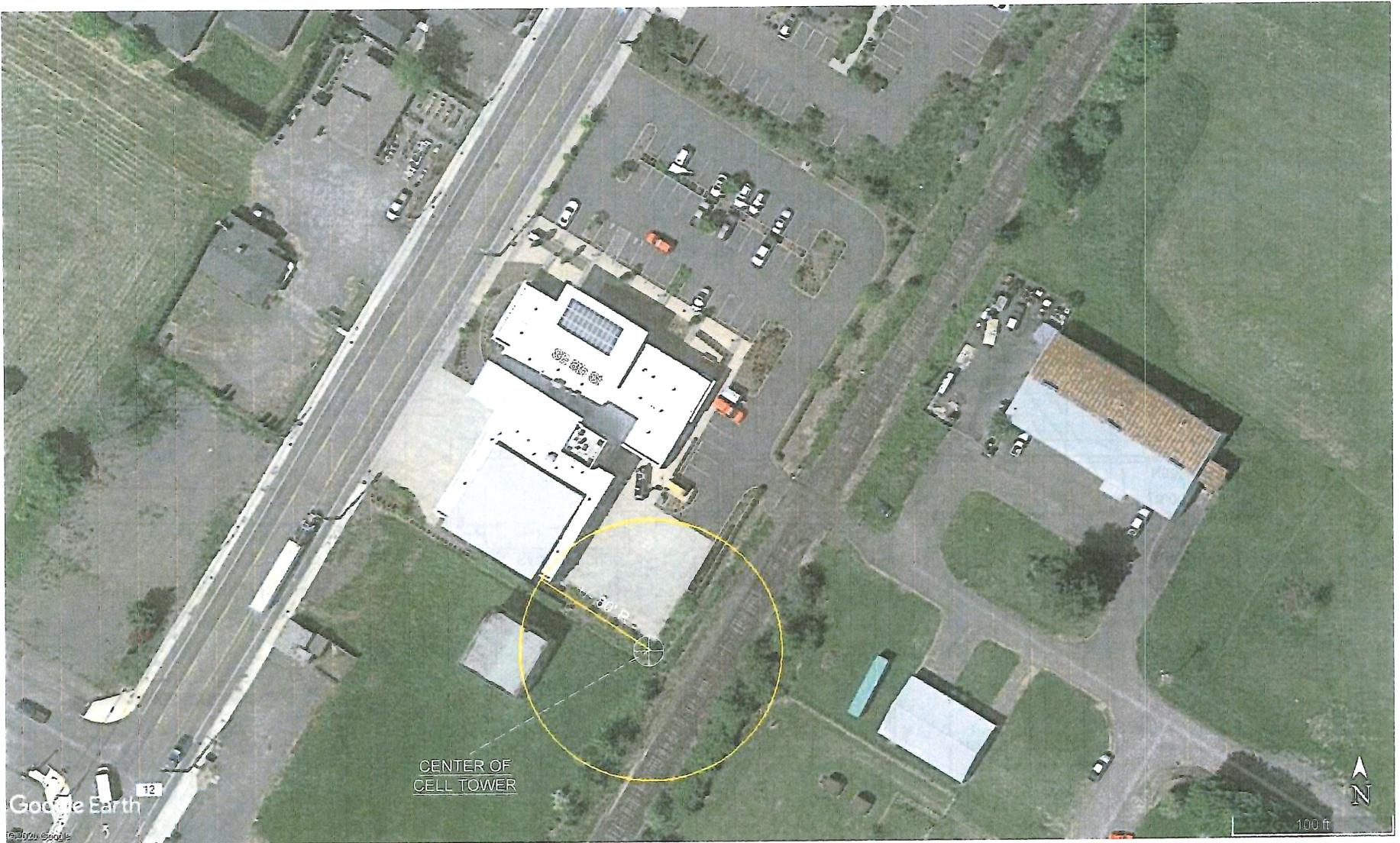
201.9  
CONC

N34°12'09"E  
94.36'

SITE DETAIL

SCALE: 1" = 10'-0"

VERIZON MONOPINE  
LOCATION STUDY



CENTER OF  
CELL TOWER

### AERIAL VIEW

SCALE: NTS

### VERIZON MONOPINE LOCATION STUDY

## Melody Osborne

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**From:** Rebecca Minifie <rebeccaminifie@gmail.com>  
**Sent:** Tuesday, June 30, 2020 11:20 AM  
**To:** Melody Osborne  
**Subject:** Cell tower opposition  
**Attachments:** r.minifie.pdf

Hi Melody,

Attached is an opposition letter for the 7/1 continued Planning Commission cell tower meeting. Please let me know that you got this.

Thank you,  
Rebecca Minifie

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature:

*Rebecca Minifie*

Printed Name:

Rebecca Minifie

Date:

6/29/20

Address:

809 SE Elm St.

Dundee, OR 97115

*Please deny this proposal!  
Thank you!*

## Melody Osborne

---

**From:** mike osborne <dorymen1968@gmail.com>  
**Sent:** Tuesday, June 30, 2020 5:37 PM  
**To:** Melody Osborne  
**Subject:** Cell Tower Letter of Support  
**Attachments:** OpenPSYC\_ Introduction to Psychology\_ Bottom-up vs. Top-down Processing.pdf

To the Dundee Planning Commission,

I am writing to support the approval of the tower. My support mainly comes as a result of my horrible internet service. We have had both Comcast and Frontier (now Zply); we cancelled Comcast because it was constantly going down, only to find that Frontier has the same issue. Under normal circumstances, it is an inconvenience that we grumble about, but this changed in early April.

“Pandemic” is not something I had on my bingo card for 2020. We didn’t expect to be working from home, or attempting to attend school online. However, those two things came to pass. Due to our unreliable internet, I was forced to get a Hotspot from the school district in an effort to provide a consistent means of allowing my daughter to communicate with teachers and complete homework. When I went to pick up the Hotspot we were presented with two connection choices, T-Mobile or Verizon. I knew we didn’t get T-Mobile service where we live, so I opted for the Verizon service. Much to my dismay, the Verizon signal was not strong enough to help with our connection issues. That is to say, it works *sometimes*. We will get a flicker of a signal and then nothing.

I do not know what school is going to look like in the fall, but it is very likely that using online communication services is going to be a necessary component. While I do not have numbers, I do not believe that our household is the only one facing the above issues. There are a number of families that need to use these Hotspots so that their children can virtually attend school. If our choices are T-Mobile or Verizon, and neither of them works, there is a problem. I believe Verizon’s claim that they need to place the tower to provide a stronger signal because my family is living that reality.

It’s also worth pointing out that Dundee will be growing. It is probable that in the next decade we will see a significant increase in size and a greater strain is going to be put on infrastructure such as cell service. I would hope that Dundee would see fit to be proactive, rather than forcing a reactive situation, in assuring services to its citizens.

I agree that a traditional cell tower in the center of town would be an eyesore, which is why I’m glad that Verizon has chosen to propose the monopine design. Although many comments have been submitted to say that this variety would still provide a detrimental view, I disagree. The brain’s top-down and predictive processing will likely mean that most people traveling through Dundee will recognize it as a tree. It’s an unproven theory, but it is why I believe there are so many people that have no idea there are two cell towers in the middle of the high school grounds. People expect to see stadium lights, so the brain passes over them and dismisses them as unimportant. But, there they stand- have stood for years- without protest. In walking distance of an elementary school, a middle school, and next to our high school; close enough to touch and hear, separated by only a fence. (Photos attached.)

I’ve also attached a short explanation of top-down processing for your review.

But again, my main reason for writing is to say that not everyone is enjoying “great” service with Verizon. I worry that other children dependent upon those Hotspots are also losing the ability to receive as best an education that can be expected during a pandemic. I hope you will approve the proposal.

Signed,  
Michael Osborne  
Dundee, Oregon

Attachments



Home

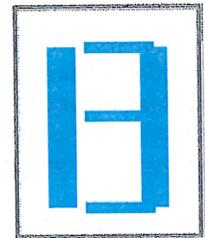


## Bottom-up vs. Top-down Processing

There are two general processes involved in sensation and perception. **Bottom-up processing** refers to processing sensory information as it is coming in. In other words, if I flash a random picture on the screen, your eyes detect the features, your brain pieces it together, and you perceive a picture of an eagle. What you see is based only on the sensory information coming in. Bottom-up refers to the way it is built up from the smallest pieces of sensory information.

**Top-down processing**, on the other hand, refers to perception that is driven by cognition. Your brain applies what it knows and what it expects to perceive and fills in the blanks, so to speak. First, let us look at a visual example:

Look at the shape in the box to the right. Seen alone, your brain engages in bottom-up processing. There are two thick vertical lines and three thin horizontal lines. There is no context to give it a specific meaning, so there is no top-down processing involved.



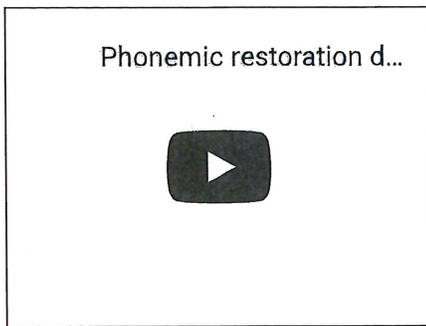
Now, look at the same shape in two different contexts.

Surrounded by sequential letters, your brain expects the shape to be a letter and to complete the sequence. In that context, you perceive the lines to form the shape of the letter "B." Surrounded by numbers, the same shape now looks like the number "13." When given a context, your perception is driven by your cognitive expectations. Now you are processing the shape in a top-down fashion.



Next, watch this video for an example of top-down processing with auditory stimuli. Note that at the end, once you have heard the full sentence, you can understand it even when it is broken up again. A "phoneme" is just a basic unit of speech sound.

**Watch:** *Phonemic Restoration Demo / Examples* (<http://youtu.be/k74KCfSDCn8>)



FACE:



To the right is one final example of top-down processing. From a bottom-up perspective, you should see a bunch of meaningless blobs. However, our brain is wired to detect faces, which, from a biosociological perspective, is among the most important stimuli in the world. So the floating blob becomes an eye, and from there we construct a nose and a mouth, and the fact that the picture is labeled as “face” tells your brain that is what it is supposed to see. So here is the twist... instead of a face, now look at the image and see a saxophone player wearing a big hat. Some of you may have noticed that from the beginning, but for most, being told there is another image there will alert your brain to search for the pattern.

So again, with these top-down processing example, your brain adds meaning what you perceive based on what it knows or expects.

**Visit: *Perceptual Comparisons*** (<http://goo.gl/lh4Bs0>) so that you can describe the general nature of perceptual contrast. You do not need to focus on the details of perimeters and such, but be able to explain (using the examples provided) how our perceptual experience is influenced by comparisons that we make.

Finally, check out a demonstration of how top-down processing drives your ability to read.

Visit: <http://www.ecenglish.com/learnenglish/lessons/can-you-read>

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Powered by [Blogger](#).



## Melody Osborne

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**From:** Keeley O'Brien <keeley@obrien-co.com>  
**Sent:** Wednesday, July 01, 2020 9:35 AM  
**To:** Melody Osborne  
**Subject:** CU 20-06/SDR 20-07 Verizon Cell Tower  
**Attachments:** Dundee\_CellTower\_06\_2020.wmv; Verizon Dundee O'Brien .pdf

Melody,

Please accept my letter and my short video of what the Verizon tower will look like for the planning commission meeting.

Thank you,

Keeley

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature:  \_\_\_\_\_

Printed Name: Keeley O'Brien

Date: 6/30/20

Address: 249 SW 9th Dundee, OR 97115

## Melody Osborne

---

**From:** Brigitte Hoss <franziskahausdundee@gmail.com>  
**Sent:** Wednesday, July 01, 2020 8:22 AM  
**To:** Melody Osborne  
**Subject:** Citizen Tower Letter  
**Attachments:** No on Tower p1.pdf; No on Tower p2.pdf

Good Morning Melody,

We would like to submit our letter with regard to the proposed cell tower in Dundee.  
(please see both page 1 and 2 attachments)

Thank you,

Brigitte & Clark Hoss

Dear Planning Commissioners:

I am a resident of Dundee and I'm strongly asking that you **DENY** Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1); The City of Dundee and surrounding area residents and businesses **have spent decades improving our community**. An 80 ft cell tower right in the heart of our small quaint down town would significantly harm all these decades of hard work. We are finally getting getting downtown sidewalk and road improvements. **This tremendous oppressive eye soar would significantly harm these efforts.**
2. The Planning Commission must base it's findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030. The scale of an 80-foot tower is significantly out of proportion to the size of downtown Dundee and as well as the very small size of its homes and business structures. **An installation of an 80 foot cell tower would show serious violation of the purpose of DMC 17.404.030 code.**
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and **the applicant has failed to mitigate these impacts**, in violation of DMC 17.404.030(A) (2). Just because the applicant throws more money into a "stealth" tree **does not mean the negative impacts are mitigated, as required by the Code. The size of a "stealth tree" would itself be a significant eye soar and look completely out of place. It would very clearly not mitigate the negative impact.** DMC 17.404.030 (A) (2) again clearly not met.
4. The noise of the proposed tower and associated electrical cabinets would **violate Dundee's nighttime noise requirements.**

5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G). **Allowing for the installation of an 80 foot would be an egregious violation of the purpose of the Public Zone DMC 17.202.010 (I).**

6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.

7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that **Verizon already has moderate to good cell service in Dundee.**

8. There's an AT&T tower only 1.3 miles away from the proposed site and **the applicant has not satisfied the DMC 17.203.170 requirement of providing written verification as to why co- location on the AT&T tower is not feasible.**

**9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement.** The Planning Commission has a duty to consider public input. As a Dundee resident, I do not want an unattractive oppressive 80ft cell tower in the heart of our beautiful City.

Sincerely,

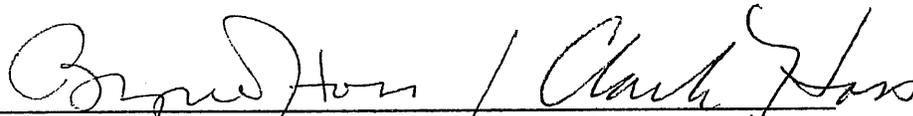
Signature:

Printed Name:

Date:

Address:

Dundee, OR 97115



Brigitte Hoss / Clark Hoss

6.30.20

10305 NE Fox Farm Rd.

## Melody Osborne

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**From:** Jeremi Carroll <jeremi\_c@yahoo.com>  
**Sent:** Wednesday, July 01, 2020 10:22 AM  
**To:** Melody Osborne  
**Subject:** Dundee cell tower  
**Attachments:** b58bfdd3-9183-4094-868d-490a5a6ffc80.pdf

Jeremi Carroll  
CFD  
503-487-6796  
Jeremi@pollinateflowers.com

Jeremi Carroll  
360-747-2339  
Jeremi\_c@yahoo.com

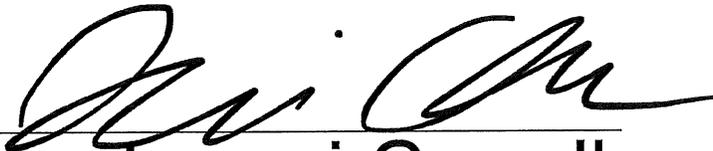
Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
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5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
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9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature:



Printed Name:

**Jeremi Carroll**

Date:

**07/01/2020**

Address:

**10623 ne fox farm rd** Dundee, OR 97115

## Melody Osborne

---

**From:** Cathy Martin <cathy@argylewinery.com>  
**Sent:** Wednesday, July 01, 2020 9:26 AM  
**To:** Melody Osborne  
**Subject:** FW:  
**Attachments:** ArgyleDundee\_2007010921000.pdf

Hi Melody. A day seems to make all the difference. Now this is working for me. Here are my contributions to the cell tower discussion.

Thanks.

Cathy

**Cathy Martin**  
Argyle Winery  
691 Highway 99W  
Dundee, OR 97115  
Phone: (503) 538-8520 x231  
cathy@argylewinery.com  
ArgyleWinery.com



July 1, 2020

Dear Planning Commission:

Argyle opposes the cell tower for all of the reasons listed in the letter (proposed appearance, apparent legal issues, health issue considerations). As one of the anchor businesses of downtown Dundee, we have worked hard to make sure visitors have an experience that matches the reputation of the world class wines, epic scenery, and amazing hospitality that the Dundee Hills are known for. Last year we had approximately 60,000 visitors to the Tasting House, and while Argyle is a large property—there is more outside space than inside. This means the majority of our guests would be enjoying their Argyle wine while viewing a large, 80 foot cell tower. Not the experience we had in mind. And truly not the memory we want visitors to our town to take away. We would propose a different location that is not in the middle of town.

Sincerely,

Cathy Martin

Argyle Tasting House  
691 Hwy 99W  
Dundee, OR 97115

Dear Planning Commissioners:

The  
Argyle  
Tasting  
House is

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030.
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
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8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,

Signature: \_\_\_\_\_

Cathy Martin

Printed Name: \_\_\_\_\_

Cathy Martin

Date: \_\_\_\_\_

7/1/2020

Address: \_\_\_\_\_

691 Hwy 99W.

Dundee, OR 97115

## Melody Osborne

---

**From:** Russell Halstead <pottsdundee@hotmail.com>  
**Sent:** Wednesday, July 01, 2020 12:28 PM  
**To:** Melody Osborne  
**Subject:** Dundee Cell Tower

We are writing to voice our objection to a cell tower in Dundee. The people of Dundee have been working really hard to get

the city attractive as a tourist destination and now Verizon wants to put in a major eyesore . There has to be another location

just outside the main thoroughfare area that would serve its purpose.

Alice and Russ Halstead  
Business property owners on Hwy. 99

## Melody Osborne

---

**From:** Susan Baird <susan@bairdlawoffices.com>  
**Sent:** Wednesday, July 01, 2020 2:03 PM  
**To:** Melody Osborne  
**Subject:** Additional written comments for Verizon hearing  
**Attachments:** Microsoft Word - 3rd Letter to Dundee Planning Commission Opposing Verizon's Cell Tower.docx.pdf

Hi Melody,

Please include the attached, additional written comments into the record. If you would, please let me know if the attached will be distributed to Planning Commissioners this afternoon or read into the record.

Thank you,  
Susan

Susan Baird  
Attorney at Law

Baird Law Office, LLC  
971-832-9044  
P.O. Box 373  
Dundee, OR 97115  
[susan@bairdlawoffices.com](mailto:susan@bairdlawoffices.com)  
[www.bairdlawoffices.com](http://www.bairdlawoffices.com)

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Baird Law Office, LLC  
P.O. Box 373, Dundee, OR 97115  
susan@bairdlawoffices.com  
971-832-9044

Dundee Planning Commission  
Via email to: [melody.osborne@dundeecity.org](mailto:melody.osborne@dundeecity.org)

July 1, 2020

Re: Type III Conditional Use Permit and Site Development Review  
File No. CU 20-06/SDR 20-07 – Verizon Cell Tower (the “Application”)

Dear Planning Commissioners:

With regard to the letter sent to you by Verizon’s attorney dated June 29, 2020, I have the following responses:

**1. Violation of the Purpose of the Public Zone**

I’m not saying ALL wireless communication facilities violate the P Zone requirement of not “unreasonably disrupting other areas of the community;” I’m only saying **the applicant’s huge, 80-foot** tower violates the stated purpose of the P Zone. If applicant were proposing a 35 foot tower, it would be a different story.

DMC 17.202.010(I) states: “The P zone provides for public and semi-public uses, where such uses do **not unreasonably disrupt** or alter other areas of the community.” Verizon’s attorney wants you to ignore the stated purpose of the P Zone because he claims it is not an “approval criterion;” however, the Land Use Board of Appeals (LUBA) disagrees. In *Concerned Homeowners Against the Fairways v. City of Creswell*, LUBA Nos. 2006-053, 2006-054, 52 Or LUBA 620, 628–629 (2006), *aff’d without opinion*, [210 Or App 467](#) (2007), LUBA stated that **even though the purpose statement wasn’t worded as an approval criterion, it nonetheless imposed “additional affirmative duties” that the decision-makers had to fulfill.**

Accordingly, not all cell towers would violate the stated purpose of the P Zone, but this one does. You, Commissioners, can’t ignore the stated purpose of the P Zone; rather, you have “additional affirmative duties” to consider it.

## 2. Aesthetic Considerations.

I have stated that the Application fails to satisfy the “aesthetic considerations” requirements of DMC 17.404.030(A)(1). In his rebuttal, Verizon’s attorney said: “Ms. Baird does not explain what Verizon would be required to do to make the tower more aesthetically pleasing in order to satisfy this standard.” (Page 5). That’s because it’s not my job.

In land use law, the applicant bears the burden of proof. Verizon needs to **prove** that their application meets the approval criteria. I have no obligation to tell them how to do that and neither do you, Commissioners.

## 3. Not all wireless towers are the same.

On page 6, Verizon’s attorney says “If wireless communication towers are allowed in almost every zone, the City cannot prohibit them on the grounds that they are not aesthetically pleasing.”

Number 1, yes you can. “Aesthetic considerations” is expressly listed as a “Use Criteria” in DMC 17.404.030(A).

Number 2, not all wireless towers are the same. Just because you deny **this, 80-foot tower** for violating aesthetic considerations, does not mean you’re denying all towers.

## 4. Noise violation.

DMC 8.28.040 provides that noise equal to or in excess of 60 dBA from 7am to 10pm or 55 dBA 10pm to 7am in a Commercial Zone is unlawful. According to the Applicant’s revised acoustic report dated June 19, 2020, the “sound pressure level from the proposed equipment is predicted to be 60 dBA at the nearest receiving property.” This means the proposed equipment violates both day and nighttime noise requirements.

### 8.28.040 Unlawful noise levels.

 SHARE

A. A noise measured as provided above from any source, other than as provided in this chapter, which is equal to or in excess of the dBA established for the time period and zones listed below is declared to be unlawful:

Zone	7:00 a.m. to 10:00 p.m.	10:00 p.m. to 7:00 a.m.
Residential	60 dBA	50 dBA
Commercial	60 dBA	55 dBA
Light Industrial	70 dBA	65 dBA

## Melody Osborne

---

**From:** Ryan Harris <Ryan@domaineserene.com>  
**Sent:** Wednesday, July 01, 2020 2:25 PM  
**To:** Melody Osborne  
**Cc:** Evan Karp  
**Subject:** Written Testimony at the July 1 Planning Commission Hearing

Dear Melody,

Please submit this written testimony to the Planning Commission to be read out loud in tonight's meeting as I am unable to attend via Zoom.

Dear Members of the Planning Commission,

My name is Ryan Harris and I am a founding member of Wine Country Legacy Partners, LLC. Our Company owns multiple Central Business District tax lots directly across from the Dundee Fire Department as well as a single tax lot adjacent to the Dundee Fire Department.

Our goal at Wine Country Legacy Partners is to develop wine country properties to build long-term value for ourselves and for the community. We aim to do this in Dundee with appropriate and sustainable investments that enrich the local community and quality of life of residents while enhancing residential and commercial property values in the area.

We are attracted to Dundee for many reasons, including the high potential we see for it and by the vision of the Mayor, City Council and Planning Commission to beautify the town while encouraging high-end development. We believe that the aesthetic improvements and resultant increasing land values will attract new investment into the community that will build the tax base and ultimately benefit the community in the form of increased resources for schools, infrastructure and public services. We believe strongly that Dundee can benefit from this "Virtuous Cycle" of investment well into the future.

Concurrently we believe that the proposed cell tower proposed to be located in downtown Dundee would be a major step back from the positive progress that the city has made and aspires to make in the near future. Why would the City go to such efforts and expense to masterplan and beautify the City and take such a major step back by building an eyesore in the center of town? I have to wonder why the Planning Commission would impose a 3-story limit on buildings and then approve a 10-story cell tower that would be far less attractive than a well-designed building.

We are convinced as businesspeople that this move would drastically and negatively impact our property values due to the ugly nature of the tower. It would certainly change our opinion about the direction of Dundee and therefore impacts our desire to invest in the future development of Dundee. We were shocked to learn that the City could be willing to sell out the aesthetic future of the town for a meager amount of revenue that would be more than offset by the lost tax revenue associated with the declining values due to the tower.

We are surprised to see the City of Dundee taking advantage of the zoning exception that it received for the Fire Department to now extend into non-related, revenue producing activities. We firmly believe this kind of self-dealing is immoral and possibly illegal.

We feel strongly about this matter and are prepared to appeal this matter to the Oregon Land Use Board of Appeals and beyond to the Oregon State Supreme Court, if necessary. We hope that the City of Dundee will vigorously pursue other options, so they do not unnecessarily scar the town forever and deplete financial resources to fight our appeal that could better spent on urban development and the betterment of the community.

We would also like to point out that this is the fourth attempt by Verizon to receive approval to construct an 80-foot tower. We are squandering taxpayer resources on this matter and should remain focused on more important matters.

Thank you,

Ryan

## Melody Osborne

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**From:** Jacob Denbrook <jakedenbrook@gmail.com>  
**Sent:** Wednesday, July 01, 2020 3:10 PM  
**To:** Melody Osborne  
**Subject:** No Cell Phone Tower

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,  
Jacob Denbrook

## Melody Osborne

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**From:** Jill D <jilldenbrook@gmail.com>  
**Sent:** Wednesday, July 01, 2020 3:11 PM  
**To:** Melody Osborne  
**Subject:** No Cell Phone Tower in Dundee

Dear Planning Commissioners:

I am a resident of Dundee and I'm asking that you DENY Verizon's cell tower application for the following reasons:

1. An 80-foot fake tree cell tower in the heart of Dundee would be unattractive and unappealing and would fail to meet the "aesthetic considerations" criteria of DMC 17.404.030(A)(1);
2. The Planning Commission must base its findings on ALL criteria, including aesthetic considerations, per DMC 17.404.030;
3. The proposed tower's aesthetics would have negative impacts on the appeal and attractiveness of downtown Dundee and the applicant has failed to mitigate these impacts, in violation of DMC 17.404.030(A)(2). Just because the applicant throws more money into a "stealth" tree does not mean the negative impacts are mitigated, as required by the Code.
4. The noise of the proposed tower and associated electrical cabinets would violate Dundee's nighttime noise requirements.
5. The tower would violate the purpose of the Public Zone. DMC 17.202.010(I) only allows uses in the Public Zone which don't "unreasonably disrupt" other areas of the community. The unattractiveness of the tower would disrupt the "attractive" downtown intended for the CBD by DMC 17.202.010(G).
6. The Oregon Land Use Board of Appeals (LUBA), the agency to whom the City's decision could eventually be appealed, has determined that a purpose statement imposes an "affirmative duty" on decision makers. Accordingly, the Commission has an affirmative duty to consider the fact that the proposed tower violates the purpose statement of the Public Zone.
7. Verizon doesn't need a cell tower in the heart of Dundee. Page 65 of the staff report shows that Verizon already has moderate to good cell service in Dundee.
8. There's an AT&T tower only 1.3 miles away from the proposed site and the applicant hasn't satisfied the DMC 17.203.170 requirement of providing written verification as to why co-location on the AT&T tower isn't feasible.
9. The #1 Statewide Land Use Planning Goal for the State of Oregon is citizen involvement. The Planning Commission has a duty to consider public input. As a Dundee resident, I don't want an unattractive 80ft cell tower in the heart of our beautiful City.

Sincerely,  
Jill Denbrook

## Melody Osborne

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**From:** Evan Karp <evan@domaineserene.com>  
**Sent:** Wednesday, July 01, 2020 4:27 PM  
**To:** Melody Osborne  
**Subject:** Meeting  
**Attachments:** Letter To Planning Commission 7.1.20.pdf

Hi Melody,

I would like to attend and speak at this evening's meeting.

Will you please forward me the invite?

Attached is my written testimony.

Kind regards,  
Evan

**Evan Karp**  
Chief Financial Officer  
Domaine Serene Vineyards & Winery / Château de la Créé  
t. 971.545.2240  
[www.domaineserene.com](http://www.domaineserene.com)



#1 PINOT NOIR IN THE  
WORLD - 2016 DECANTER  
WORLD WINE AWARDS



#1 WHITE WINE IN THE  
WORLD - 2016 WINE  
SPECTATOR TOP 100



WINE SPECTATOR'S HIGHEST  
HONOR AWARDED IN  
OCTOBER 2018



#1 AMERICAN PINOT NOIR  
2017 DECANTER WORLD  
WINE AWARDS



#1 PINOT NOIR IN THE  
WORLD - 2013 WINE  
SPECTATOR TOP 100

July 1, 2020

Dear Members of the Planning Commission,

My name is Evan Karp and I am a founding member of Wine Country Legacy Partners, LLC. Our Company owns multiple Central Business District tax lots directly across from the Dundee Fire Department as well as a single tax lot adjacent to the Dundee Fire Department. Our goal at Wine Country Legacy Partners is to develop wine country properties to build long-term value for ourselves and for the community. We aim to do this in Dundee with appropriate and sustainable investments that enrich the local community and quality of life of residents while enhancing residential and commercial property values in the area.

We would like to thank the Planning Commission for continuing this hearing so that other members of the Community could have a voice in this process. Now that there is greater transparency into this issue, it is not surprising to see so many well-established businesses as well as local residents unite in their opposition to the massive 80 foot tower in the heart of the city.

Given time constraints, we will be clear and concise with our concerns:

**Concern 1: Aesthetics**

We concur with attorney Baird's position on the aesthetics, and would like to remind the Planning Commission that your decision must be based on findings of fact with respect to all criteria, including aesthetic considerations, as per DMC 17.404.030. As a reminder, you are fully empowered to deny based on aesthetic considerations.

**Concern 2: Seismic Risks / Setbacks**

We agree with Mr. Jivanjee's position regarding seismic risks. The Applicant has not proven that the cell tower could withstand a seismic event. We also believe that Mr. Jivanjee makes an excellent point about requiring additional setbacks given the height of this mammoth tower.

**Concern 3: Colocation on existing tower(s) or alternative sites.**

In his rebuttal letter, Mr. Connors points out that I do "not identify where this alleged tower is located, but he may be referring to a misstatement from an earlier application for a tower on this site." I can confirm that I did in fact retrieve this information from earlier applications. It is good to see that we are in agreement about previous misstatements in earlier applications, but this begs the question, how do we know that there are not misstatements in the current application? In land use law, the applicant bears the burden of proof. Verizon needs to prove that their application meets the approval criteria, and consequently, should be required to provide third party evidence on all major points before this matter should even be considered.

**Concern 4: Conflict of Interest**

We believe that the City Manager has a conflict of interest as the Reviewer of this application. Please remember that the City Manager reports to the City Council. The City Council is very much in favor of this tower. We were very disappointed to see the City Manager provide the minimum legal notice allowable under the code, despite his knowledge that the previous applications from Verizon were widely opposed. We were equally shocked that the City Manager failed to notify Verizon within 30 days that their application was incomplete. During our last meeting, Mr. Connors testified that he too had a different understanding of the date the application was deemed complete. Lastly, the City Manager signed a lease with Verizon approximately 1-2 months before the Applicant had submitted their application.

**Concern 5: Market Values**

During the last Planning Commission meeting, Mr. Connors testified that he did not believe market values would decrease, and could possibly increase. In his rebuttal letter, Mr. Connors is now trying to avoid this issue by stating that "this criteria is not relevant under the City's approval criteria." This directly speaks to the credibility of the Applicant, as well as the lack of alignment between the Applicant and the Dundee Transportation Plan, which cost more to create than the first year rent that would be received from Verizon.

**Concern 6: The Lease**

The tenor of the signed lease between the City of Dundee and Verizon can last up to 30 years. If the Planning Commission approves this application, we will need to live with this decision for what will be the remainder of our lives.

**Concern 7: Service**

During the last Planning Commission meeting, Mr. Connors stated that the cell tower would be used for 4G service, even though 5G service is widely regarded as the future of telecommunications. In previous applications, the Applicant stated that this tower was needed to meet future demand of new technologies. Now, it appears that the story has changed. Is this because Verizon has found already found a way to monetize the proposed 4G tower through colocation with another provider? Or does this mean that Verizon will be coming back to Dundee in a few years and looking to provide a second cell tower on this site?

**Concern 8: Emissions**

Like COVID-19, it is clear that the science around cell towers is constantly evolving, so it is quite possible that we will later discover that there are adverse health effects of cell towers. Does the Planning Commission want to be responsible for the countless lives that could be impacted?

**Concern 9: Economics**

An enormous cell tower in the heart of Dundee will impact the desire of others to invest in the future development of Dundee. We were shocked to learn that the City could be willing to sell out the aesthetic future of the town for \$32,000 per year that would be more than offset by the lost tax revenue associated with the declining values due to the tower. If the math is correct, the City could more than recover this amount with the first \$5MM of development in the CBD. A development on our acreage alone could potentially cost \$50MM - \$100MM.

In closing, we strongly oppose a cell tower in the heart of the Central Business District and are prepared to appeal this matter to the Oregon Land Use Board of Appeals, and beyond, if possible and necessary. We hope that the City of Dundee understands that they are at a tipping point, where the city could live up to its potential and become the next great Oregon wine town (think downtown Carlton or 3<sup>rd</sup> street in McMinnville), or the city can continue to languish in its current state, with a gigantic cell tower as its landmark. We hope that the City of Dundee will pursue other options, so that they do not unnecessarily scar the town forever and deplete resources from the citizens that could be better spent on urban development and the betterment of the community.

Sincerely,



Evan Karp

Wine Country Legacy Partners, LLC