

Rec'd  
5-15-19  
P. Rosenberg

Date: 12 May 2019

To: Ravalli County Commissioners, and Planning Department

From: Paul and Arlene Rosenberg 295 Barrett Street Hamilton, Montana 59840

Subject: Cell Tower Variance Request – Issues and Concerns

This letter is in response to the Planning Department letter dated April 24, 2019 inviting comments regarding the application for a Cell Tower Variance request on the Osburn property located at 125 Kurtz Lane. The Variance Request is to add an additional 20' to the existing 80' tower. As stated in the letter the additional 20' would violate the setback requirements as set forth in Ordinance No. 13, the Ravalli County Wireless Communication Facilities Ordinance.

**We want to go on record and as being vehemently opposed to this variance request for a number of reasons as follows:**

1. On page 2 of 6 of subject letter under Legal Notification, it states that Adjacent property owners (who are determined to be Adjacent property owners, I live approx. 300 yds from the tower and I did not receive notification) were notified of the variance request by mail postmarked April 19<sup>th</sup>, 2019. If this is the letter of notification, how did you postmark it on the 19<sup>th</sup> of April when the date on the letter is April 24<sup>th</sup> 2019. Also, it states that "Agencies were notified of the variance request on April 24<sup>th</sup>..and that no pertinent comments were received " What agencies were notified? And how could you make a statement about the comments in this letter dated the 24<sup>th</sup> of April, that you allegedly sent out on the 19<sup>th</sup> of April? Also on page 2 of the letter it states under Legal Notification, a legal ad was published in the Bitterroot Star on May 1<sup>st</sup> and May 8<sup>th</sup>. How does that happen, that is, the ad was published in May and the letter is again, 24 April? Interesting too, is that it wasn't published in the Ravalli Republic or the Missoulian, local publications of equal importance to subscribers in our area. Again you say no public comments have been received. Your letter also states that notice of the request was posted on the property. Unless it is posted at the top of the tower, there is no posting on the property.
2. On page 4 of 6 of subject letter under Variance Review Criteria (a.) You state that granting of the variance will not be substantially detrimental to the public health, safety or general welfare or injurious to other adjoining properties. Many articles have been written by those more educated than I about this subject. Some say definitely yes, and others no. The bottom line is that it is uncertain. We are constantly being bombarded by High Frequency radio waves/microwaves from various sources that support the use of cellphones, WiFi, WiMax, Wireless Lans, 802.11 networks Bluetooth support devices etc. They emit microwaves at 1900 MHz, that has to adversely impact every biological organism within one square kilometer. For humans long term effects can include headaches, memory loss, cardiovascular stress, low sperm count, birth defects, and cancer.
3. The variance review states that the general welfare of adjoining properties will not be affected. The property appraisers and realtors throughout the country have stated that the impact of nearness to cell towers on property values is on the average a loss of 20%. It has been documented that 79 to 94 % of people surveyed would not buy or rent a home or apartment within blocks of a cell tower. Yes, the existing 80 foot tower is already on site, and literally appeared over night without any public awareness or input on our part. But adding another 20

feet to the top with it's associated transmitters will make it's presence even more obvious and will have to be included in the listing if and when you try to sell your property. Will I get a 20% reduction in my property taxes? Will the cell tower company or the property owner of said property pay the 20% loss of property value? You and I all live here selfishly for the view of the Bitterroot Mountains and surrounding area. That beauty is taken away when you look out your front window straight into a 100 foot cell tower just 300 yards away.

4. Conclusion of Law – The Variance Report states that the platted subdivison makes it difficult or impossible to meet the setback requirements for the proposed 100' cell tower. Also, I do not believe that the variance proposal is essential to the public welfare. If there was any evidence of that it was not included in the variance report. Other legal issues may be pertinent to this issue, but the short notice time (five days after being told about it by my neighbor) did not allow me to pursue any legal advice.

Therefore, I strongly urge the Ravalli County Commissioners **to disapprove the variance request** to extend the existing tower the additional 20 feet or any part thereof.

Respectfully Submitted,

  
Paul and Arlene Rosenberg