### WHITLEY COUNTY BOARD OF ZONING APPEALS STAFF REPORT

19-W-SE-10

SPECIAL EXCEPTION

New Cingular Wireless PCS, LLC

10800 S. 700 East

NOVEMBER 26, 2019 AGENDA ITEM: 1

### **SUMMARY OF PROPOSAL**

Current zoning: AG, Agricultural Property area: 38.47 acres

The petitioner, lessee of the subject property, is requesting special exception approval for a communications tower to be constructed on the subject property located on west side of South 700 East, approximately 1,300' north of State Road 114 in Jefferson Township. The property is currently improved with a single-family dwelling and a barn, and is roughly half wooded. The tower would be located about 290' south of the north property line.

The proposal is for a 199' tall monopole tower, inclusive of the lightning rod, within an 80' X 80' leased equipment compound (additional acreage is to be leased for the access drive). The site of the tower and equipment would be 70'x70' and enclosed by an 8' tall chain link and vinyl slats fence topped with barbed wire (9' total height). Evergreens (American Arborvitae) are to be installed on 10' centers around the perimeter of the fence.

A 12' wide gravel access drive located within an access/utility easement would be constructed from 700 East to the tower site.

In the AG, Agricultural District, communication towers require a special exception through the Board of Zoning Appeals, and the requirements of Section 5.16, Telecommunication Facilities Standards, apply.

### **REVIEW CRITERIA**

Indiana Code §36-7-4-918.2 and Section 10.9(A) of the Zoning Code authorize the Board to review special exceptions and state the criteria listed below upon which the Board must base its review. Staff's comments/proposed findings of fact under each criterion.

1. The special exception shall not involve any elements or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards;

The proposed monopole tower, in conjunction with the various required setback and development standards, is designed to minimize danger to other property and person by avoiding collapse and mitigating injury if a collapse does occur. More generally, communications towers typically do not include noxious elements and would be expected to comply with the specific performance standards of §5.7, with the following comment:

"B. Electrical Disturbance: No use on a property shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity."

Telecommunications towers of all kinds can produce interference to radio, television, and "other equipment" in the area, depending on the frequencies utilized by the equipment. However, the zoning code is specific in stating that no use shall cause "electrical disturbance," which, for example, can occur when using unshielded electric industrial equipment. Resolving radio signal interference

caused by other radio sources should be expected to fall under the authority of the Federal Communications Commission.

2. The special exception shall be sited, or oriented and landscaped to produce a harmonious relationship of building and grounds to adjacent buildings and properties;

The proposed tower appears to comply with the landscaping and siting/setback requirements of the code.

3. The special exception shall produce a total visual impression and environment that is consistent with the environment of the neighborhood;

A telecommunications tower is an obviously different structure than the residences, horse stables, and farm buildings in the immediate neighborhood and would have a different visual impression than those structures. However, given that the need for a telecommunications tower in this vicinity has been shown by the petitioner, the Board may consider whether the proposed monopole design would be more or less visually consistent than other tower designs and heights that may be proposed to fulfill the stated need.

4. The special exception shall organize vehicular access and parking to minimize traffic congestion in the neighborhood; and

The proposed communication tower would likely not create traffic congestion or access problems since there is negligible traffic generated from this use.

**5.** The special exception shall preserve the purpose of this Ordinance as stated in Section 1.4. For the Board's reference, the following is Section 1.4 of the Ordinance:

This Ordinance is intended to guide the growth and development of the County in accordance with the Whitley County Comprehensive Plan and for the following purpose [sic].

- A. To secure adequate light, air, and convenience of access; and safety from fire, flood, and other dangers;
- B. To promote the public health, safety, comfort, convenience, morals and general welfare;
- C. To plan for the future development of the County to the end;
  - 1. That the community grows only with adequate public ways, utility, health, educational, and recreational facilities;
  - 2. That the needs of agriculture, industry, and business be recognized in future growth;
  - 3. That residential areas provide healthful surroundings for family life;
  - 4. That the growth of the community is commensurate with and promotes the efficient and economical use of public funds; and
  - 5. That the community strives for high aesthetic value, quality planning and design.

The Comprehensive Plan generally does not give recommendations on wireless facilities, but it does give general recommendations in Objectives 4.4 and 4.7 about promoting infrastructure, particularly broadband infrastructure, for economic development. Objective 1.6 discusses protection of "rural character" from suburban or urban development, but telecommunications towers do not obviously fall into those two development types.

For convenience, Staff suggests that the purposes listed in §1.4 might be narrowed down to striving for high aesthetic value and the promotion of public comfort and convenience as the primary

considerations for the Board in this criterion. However, other purposes of course may factor into the Board's decision and findings.

### **SUGGESTED CONDITIONS**

If the Board moves to grant the special exception, the following are suggested conditions of the approval:

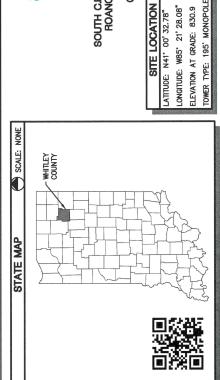
1. The Special Exception is granted as presented and per the site plan.

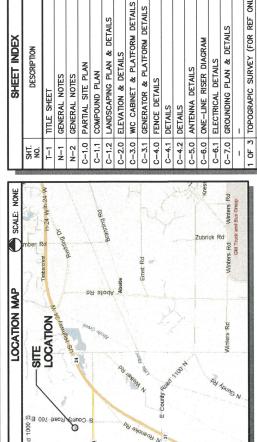
In the case of either an approval or denial, it is suggested that the Board formally move to delegate authority to the Staff and Legal Counsel to cause Findings of Fact to be prepared in support of the Board's decision.

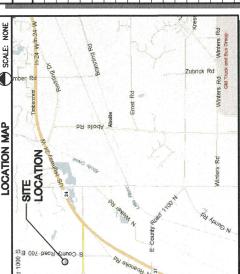
Date report prepared: 10/23/19.

### BOARD OF ZONING APPEALS ACTION

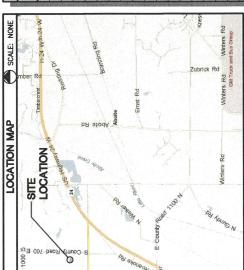
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|---------|---------|---------|-------|------------|----------|
| Motion: |         |         | By:   |            |          |
| Vote:   | Deckard | Denihan | Lopez | Wilkinson  | Wright   |
| Yes     |         |         |       |            |          |
| No      |         |         |       |            |          |
| Abstain |         |         |       | 17         |          |







| PROFESSIONAL CERTIFICATION                             |
|--|
|  |
| Winters Rd Winters Rd Winters Rd GM Took and Bus Group |



3 TOPOGRAPIC SURVEY (FOR REF ONLY)

2 OF 3 TOPOGRAPIC SURVEY (FOR REF ONLY) 3 OF 3 TOPOGRAPIC SURVEY (FOR REF ONLY)

PROJECT TEAM GRANMI1038 SOUTH CR. 700 EAST 92 (NOT E911 ADDRESS) ROANOKE, IN 4678 - WHITLEY COUNTY RAWLAND - MONOPOLE CDS PROJECT #18-32-01-30

ROANOKE

CUSTOMER:
AT&T MOBILITY
220 N. MERIDIAN ST., RM 1800
INDIANAPOLIS, IN 46204

(-85.3578)(41.009106\*)

SITE LOCATION INFORMATION

APPLICANT:
BLACK & VEATCH
3811 ILLINOIS RD., SUITE 100
FORT WAYNE, IN 46804

PROPERTY OWNER. GALE E. & MARTHA A. RUST 10900 SOUTH C.R. 700 EAST ROANOKE, IN 46783 (260) 672-3331

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SHEET INDEX DESCRIPTION

R.S.

DESIGN FIRM:
PBM WIRELESS SERVICES
3620 DEVELOPERS ROAD
INDIANAPOLIS, IN 46227
BRANDON WRIGHT

LANDSCAPING PLAN & DETAILS

COMPOUND PLAN

GENERAL NOTES GENERAL NOTES **JURISDICTIONAL** INFORMATION

JURISDICTION: WHITEY COUNTY, IN ZONING

DETAILS

4' LIGHTINIG 195' MONOPOLE w/ ROD TOWER TYPE BG BG



CONTRACTOR SHALL VERIEY PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGN FIRM IN WRITING OF DISCREPANCES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

SHEET NUMBER

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SHEET TITE TITLE SHEET

SCOPE OF WORK

PROPOSED AT&T MOBILITY EQUIPMENT CABINET WITHIN PROPOSED LEASE AREA/FENCED COMPOUND.

**T&TA** 

PROPOSED AT&T MOBILITY TOWER EQUIPMENT:

(6) Antennas (12) Rendote Radio Heads (RRHs) (2) Squids (4) do Pomer Trunks (1) Fiber Trunks

VICK & VEATCH

PROPOSED MONOPLE.
PROPOSED COMPONID FENCE.
PROPOSED SHAVEL DRIVE.
PROPOSED MULTI TENANT UTILITY RACK WITHIN THE FENCED

PROPOSED ELECTRIC, COMMUNICATIONS, GROUNDING AS OUTLINED IN ATTACHED PLANS. COMPOUND.

**BBM** 

NOTE:
1. PROJECT DESCRIPTION DOES NOT INCLUDE ALL
EQUIPMENT & MATERIALS FOR A COMPLETE INSTALLATION.

THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A PLECHOIGAN WILL VIST THE STEAR SERVIGHED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAIMAGE, NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED. DRAWNGS BASED ON AT&T MOBILITY RFDS DATED: 07/09/19 GC TO COORDINATE WTH AT&T/BLACK & VEATCH PM FOR FINAL EQUIPMENT BASED ON MOST RECENT RF INFORMATION.

09/13/19 90% REVIEW CD

UTILITY INFORMATION ELECTRICAL UTILITY CONTACT:

NORTHEASTERN REMC (260) 625-3700

AT&T (800) 288-2020

COMMUNICATIONS UTILITY CONTACT:

CODE COMPLIANCE

WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY COUNTY OF WHITLEY / STATE OF INDIANA & OTHER CONCENUR, ALTHORPITES, NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

bbon # 18-25-01-20 DMC BJ: JJZ CHKD BJ:BWM

HONONE, IN 46783 - WHITEY COUNTY
ROANOKE, IN 46783 - WHITEY COUNTY
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INDIANA BUILDING CODE: TA/EIA-222G OR (2012 IBC w/ 2014 STATE AMENDMENTS) LATEST ADOPTED EDITION (2012 IMC w/ 2014 STATE AMENDMENTS) INDIANA MECHANICAL CODE:

INDIANA ELECTRICAL CODE: (NFPA 70-2008 w/ 2009 STATE AMENDMENTS)

1-800-382-5544

- 1. WORK UNDER THIS CONTRACT SHALL BE DONE IN STRICT ACCORDANCE WITH ALL APPLICABLE MUNICIPAL, STATE, AND LOCAL ELECTRICAL CODES THAT GOVERN EACH PARTICULAR TRADE AND THE NATIONAL ELECTRICAL CODE (LATEST EDITION).
- THE CONTRACTOR SHALL EXAMINE DRAWINGS AND SHALL INSPECT THE EXISTING CONDITIONS OF THE SITE, FAILURE TO COMPLY WITH THIS REQUIREMENT WILL NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY FOR COMPLYING WITH THE CONTRACT DOCUMENTS.
- ٤ THE DRAWINGS INDICATE THE GENERAL ARRANGEMENT OF THE ELECTRICAL INSTALLATIONS. DETAILS OF PROPOSED DEPARTURES DUE TO ACTUAL FIELD CONDITIONS OR OTHER CAUSES SHALL BE SUBMITTED FOR APPROVAL PRIOR YEARLATION, REWORK OF COMPLETED ITEMS DUE TO IMPROPER FIELD COORDINATION SHALL BE AT THE CONTRACTOR'S EXPENSE.
- PROVIDE SUFFICIENT ACCESS AND CLEARANCE FOR ITEMS OR EQUIPMENT REQUIRING SERVICING AND MAINTENANCE.
- THE CONTRACTOR SHALL PREPARE THREE (3) COPIES OF A RECORD , INFORMATION BOOKLET. THE BOOKLET SHALL BE BOUND IN A THREE I LOOSE—LEAF BINDER AND INCLUDE ITEMS OF ELECTRICAL EQUIPMENT.
- UPON COMPLETION OF THE ELECTRICAL INSTALLATION, THE CONTRACTOR SHALL PROVIDE A COMPLETE SET OF PRINTS OF THE ELECTRICAL CONTRACT DRAWINGS WHICH SHALL BE LEGIBLY MARKED IN RED TO SHOW CHANGES AND DEPARTURES OF THE INSTALLATIONS COMPARED WITH THE ORIGINAL DESIGN. THEY SHALL BE SUITABLE FOR USE IN PREPARATION OF RECORD DRAWINGS.
- CUARANTEE: NEW ELECTRICAL INSTALLATIONS SHALL BE CUARANTEED FOR A PERIOD OF OWE (1) YEAR BEGINNIOR. THE FINAL ACCEPTANCE OF THE OWNER, WHICHEVER OCCURS FIRST. THE ABOVE SHALL NOT IN ANY WAY VOID OR ABROGATE EQUIPMENT MANUFACTUREST SUARANTEE OR WARKANTY. CERTIFICATES OF GUARANTEE SHALL BE DELIVERED TO THE OWNER, UPON RECEIPT OF NOTICE, FROM THE OWNER OF FAILURE OF ANY PART OF THE ELECTRICAL INSTALLATION DURING THE GUARANTEE PERIOD, NEW REPLACEMENT PARTS SHALL BE FURNISHED AND INSTALLED PROMPTLY AND AT NO COST TO OWNER.
- ELECTRICAL, WORK WHICH MIL INTERFERE WITH THE NORMAL USE OF THE ELECTRICAL SYSTEM IN ANY MANNER SHALL BE DONE AT SUCH TIME OR TIMES AS SHALL BE MUTUALTY ARRED UPON BETWEEN THE CONTRACTOR AND THE AS SHALL BE MUTUALLY CONSTRUCTION MANAGER.
- MOUNTING AND SUPPORTING OF EQUIPMENT PROVIDED BY THIS CONTRACTOR SHALL BE COORDINATED WITH CONSTRUCTION MANAGER IN THE FIELD.

## CONDUIT AND BOXES NOTES:

- CONDUIT BELOW GRADE SHALL BE SCHEDULED 40 PVC UNLESS NOTED OTHERWISE. +:
- COVERS. క BOXES (WHETHER OUTLET, JUNCTION, PULL, SHALL BE FURNISHED WITH APPROPRIATE CO 5
- NO SECTIONALIZED BOXES SHALL BE USED

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EMT CONDUIT FITTINGS SHALL BE COMPRESSION TYPE.

4.

- FIELD CUTS OR GALVANIZED ITEMS SHALL BE BRUSHED WITH MARINE GRADE GALVANIZING.
- METALLIC OBJECTS EXPOSED TO WEATHER SHALL BE HOT DIPPED GALVANIZED OR STAINLESS STEEL. ė,

## GROUNDING NOTES

- 1. GROUND RODS WILL BE 5/8" X 10 FOOT COPPER CLAD NOT LESS THAN 10 FOOT OR MORE THAN 15 FOOT APART AND 6 INCHES BELOW LOCAL FROST
- 띪 CONNECTIONS TO THE GROUND RING, AND PERIPHERAL EQUIPMENT WILL MADE VIA EXOTHERMIC PROCESS UNLESS OTHERWISE SPECIFIED.

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BELOW GRADE GROUND WIRES SHALL BE SOLID TINNED BARE COPPER UNLESS OTHERWISE SPECIFIED.

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- METALLIC COMPONENTS ON THE SITE MUST BE GROUNDED TO THE GROUND RNG. THIS INCLIDES STEEL CONDINTS USED TO BELIVER THE TRICO AND POWER UTILITY LINES TO THE SITE OR USED TO PROVIDE ACCESS BY UTILITIES OR CONTRACTORS TO THE VARIOUS CABINETS.
- WHEN EARTH RESISTANCE TEST INDICATE THAT THE SOIL IS ABOVE MINIMAL ALLOWABLE RESISTANCE, THEN CONTRACTOR SHALL ESTIMATE. THE TYPE, NUMBER AND ARRANGEMENT OF EARTH ELECTRODES. CONTRACTOR SHALL ALSO CONSIDER OWNER'S SITE SPECIFIC APPROACHES FOR IMPROVING EARTH RESISTANCE AT THE SITE BY THE METHODS INDICATED BELOW: 'n
- USE MULTIPLE RODS. LENGTHEN THE EARTH ELECTRODE. TREAT THE SOIL. USE CHEMICAL RODS. 4 思じ口

THE EXISTING TOPOGRAPHY AND VERTICAL GEOMETRY REPRESENTED

GENERAL NOTES:

## THE CONTRACTOR SHALL OBTAIN, PAY FOR AND DELIVER REQUIRED PERMIX. CERTIFACTES OF INSPECTION, INCLUDING UILLITY CONNECTION FEES, ETCREQUIRED BY THE AUTHORITIES HANNE, JURISDICTION, DELIVER CERTIFICATES TO THE OWNER PRIOR TO FINAL ACCEPTANCE OF THE WORK

THE CONTRACTOR SHALL MAINTAIN BENCHMARKS, CONSTRUCTION STAKING, AND OTHER ELEVATION CONTROL POINTS AND SHALL RESTYABLISH, IF DISTURBED OR DESTROYED, AT NO ADDITIONAL COST TO THE OWNER.

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SERVICES, CONTRACTOR IS TO IMMEDIATELY NOTIFY ENGINEER OF DISCREPANCIES OR INTERFERENCE THAT WILL EFFECT THIS PROJECT. EXISTING UTILITIES SHALL BE PROTECTED AND REPAIRED © THE

AND LOCATION OF UNDERGROUND AND OVERHEAD UTILITIES AND

CONTRACTORS EXPENSE IF DAMAGED, EXTREME CAUTION SHOULD USED BY THE CONTRACTORS WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES. CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW.

CONTRACTOR SHALL PROVIDE SAFETY

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIR AND OR RESTORATION OF DAMAGE TO THE EXISTING ACCESS ROADWAY AND ADJACENT SITE AREAS AS A RESULT OF USE DURING CONSTRUCTION. DISTUREDED AND DAMAGED AREAS SHALL BE RESTORED TO THEIR ORIGINAL CONDITION OR BETTER UPON COMPLETION OF WORK AT THE EXPENSE OF THE CONTRACTOR.
- SITE AND DISPOSE OF IN A LEGAL MANNER ON A DAILY BASIS. CONTRACTOR SHALL REMOVE WASTE, DEBRIS AND TRASH 불 Ö.

EXISTING INACTIVE UTILITIES, WHICH PROHIBIT CONSTRUCTION, SHALL BE REMOVED, CAPPED, PLUGGED OR OTHERWISE DISCONTINUED AS REQUIRED TO ALLOW CONSTRUCTION TO CONTINUE, COORDINATE WITH PROJECT MANAGER, OWNER, AND /OR LOCAL UTILITY COMPANIES FOR

DAMAGE TO THE EXISTING FACILITY SHALL BE REPAIRED OR REPLACED TO MATCH EXISTING ORIGINAL CONDITIONS AT THE CONTRACTOR'S

EXPENSE.

- CONTRACTOR SHALL COORDINATE THE CONSTRUCTION STAGING AREA AND PARKING WITH THE PROPERTY OWNER PRIOR TO THE CONSTRUCTION START DATE. Ë
- THE CONTRACTOR SHALL NOT INTERFERE "/ THE NORMAL OPERATIONS. ACCESS TO THE WORK AREA SHALL BE AS DIRECTED BY THE FACILITY'S OWNER. 2
- THE CONTRACTOR SHALL CONFINE THEIR OPERATIONS TO THE DESIGNATED AREAS AND SHALL KEEP THE CONSTRUCTEON AREA CLEAN. AISLES AND PATHWAYS SHALL BE KEPT UNOBSTRUCTED. ŭ
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THE CONTRACTOR SHALL FURNISH AND INSTALL MATERIALS AS REQUIRED FOR COMPLETE. SYSTEMS, INCLUDING PARTS GENOUSLY OR REASONABLY INCIDENTAL TO A COMPLETE INSTALLATION, WHETHER SPECIALLY INDICATED OR NOT. SYSTEMS SHALL BE COMPLETELY ASSEMBLED, TESTED, ADJUSTED AND DEMONSTRATED TO BE READY FOR OPERATION PRIOR TO OWNER'S ACCEPTANCE.

PROVIDE LABOR, MATERIAL, TOOLS, EQUIPMENT, TRANSPORTATION AND IEMPORARY POWER SERVICES NECESSARY FOR, AND INCIDENTAL TO COMPLETION OF WORK AS INDICATED ON THE DRAWINGS AND/OR AS

| GROUNDING MATERIALS AND INSTALLATION METHODS SHALL BE DONE IN ACCORDANCE WITH OWNER SPECIFICATIONS. |     |
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- ଞ ဥ THE CONTRACTOR MUST VERIFY THAT NEW GROUNDING SYSTEM RESISTANCE IS EQUAL. LESS THON 6 SYOTH PIVE (5) OHMS PER OWNER SPECIFICATIONS.
- POSSIBLE RUN GROUND WRES IN AN ORGANIZED MANNER, C—TAPPING PRE OWNER SPECIFICATIONS WHERE POS TO REDUCE THE NUMBER OF GROUND WRES. AVOID GROSSING OF WRES WHEREVER POSSIBLE.

COMMENT OF 72318
4100 FIELD TO THE T

- INSTALL GROUND WRES IN A DOWNWARD SLOPE FOR MAXIMUM LIGHTNING PROTECTION.
- MAINTAIN MINIMUM BENDING RADII THE GROUNDING WIRES. ö

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**BBM** 

GROUND WRES THAN NECESSARY WHEN EXOFESS I EXOTHERMING, IF EXCESS INSULATION IS REMOVED, THE CONNECTION WILL BE CONSIDERED UNACCEPTABLE AND WILL BE CONSIDERED UNACCEPTABLE AND WILL BE CONRECITED PRE THE OWNER PROJECT MANAGER'S DIRECTION. DO NOT REMOVE MORE INSULATION FROM THE

# THESE DRAWINGS IS TO BE VERHEID BY CONTRACTOR. CONTRACTOR SHALL CONTACT UTILITY LOCATE SERVICES A MINIMUM OF 72 HOURS PRIOR TO THE START OF CONSTRUCTION TO IDENTITY THE EXISTENCE

09/13/19 90% REVIEW CD

- FROM

bb01 # 18-25-01-20 | DMC BJ: JJS | CHKD BJ:BWM

ROPANOKE, IN 46783 — WHITLEY COUNTY MONOPOLE

SEO LIMNA 93

**BOYNOKE** 

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CONTRACTOR SHALL NOTIFY THE PROPERTY OWNER OF THE CONSTRUCTION START WELL IN ADVANCE (MIN. 1 WEEK) OF "CONSTRUCTION DATE."

- : CONTRACTOR SHALL COORDINATE THE WORK OF VARIOUS TRADES AS TO INSURE PROPER SEQUENCING AND INSTALLATION.
- SHEET NUMBER ł

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## EQUIPMENT FOUNDATION STRUCTURAL NOTES:

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PLATFORM DESIGN LOADS
a. ASCE 7-10/NBC 2015 100 MPH WND LOAD, EXPOSURE B.
b. MAX. ANAL COMPRESSION PER LEG = 3000 LBS
c. MAX. UPLIF PER LEF = 800 PSF.
d. MAX.HORIZONTAL SHEAR = 800 PSF.

**TSTA** 

A992 OR A572, Fy = 50KSI A36, Fy - 36KSI A500, GRADE B, Fy = 46KSI A325

A307 OR A36 SCH 40 PIPE

MATERIAL, UNLESS OTHERWISE NOTED, SHALL CONFORM TO THE FOLLOWING ASTM SPECIFICATIONS:

a. STRUCTURAL WIDE FLANGE & M. SHAPES A992 OR 4572, Fy = 501 b. OTHER STRUCTURAL. SHAPES AND PLATES A36, Fy - 36KS c. STRUCTURAL TUBING A500, GRADE B, Fy = 46 d. HIGH STREAGTH BOLTS A325 e. THEADED ROOS.

PRESUMPTIVE SOUL PARAMETERS:

a. SOIL UNIT WEIGHT, Y=90 PCF

b. ANGLE OF INTERNAL FRICTION = 30°

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DESIGN PARAMETERS
OCCUPANCY CAFEGORY II
STIF CASS = D
SEISMIC USE GROUP = SUG II
SEISMIC DESIGN CATEGORY = CAT

BOLTS SHALL BE DOMESTIC, NEW ½ INCH DIAMETER HIGH STRENGTH CALVANIZED DIACLS, BEARING TYPE X; UNLESS NOTED OTHERWISE IN THE DRAWINGS AND SHALL CONFORM TO ASTM A325 SPECIFICATIONS. USE ANCO LOCKNUTS & FLAT WASHERS ON BOLTS.

STEEL SHALL BE HOT DIPPED GALVANIZED AS PER ASTM A123 SPECIFICATION

ANCHOR BOLTS PIPE (HANDRAIL)

STEEL HARDWARE SHALL BE HOT DIPPED GALVANIZED PER ASTM A153.

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16.

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FINISHED BOLT HOLES SHALL NOT BE MORE THAN 1/16 INCH LARGER THAN THE BOLT DIAMETER UNLESS NOTED OTHERWISE.

17. FABRICATION AND INSTALLATION SHOULD BE DONE BY A CONTRACTOR EXPERIENCED IN SIMILAR WORK.

> 4. ις 6

CONTRACTOR SHOULD OBSERVE OSHA AND OTHER APPLICABLE SAFETY GUIDELINES DURING INSTALLATION.

FABRICATION AND INSTALLATION PRECEURE AND SITE SAFETY ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR SHOULD FIELD VERIFY DIMENSIONS AND FIT BEFORE FABRICATION.

THE DRAWINGS DO NOT INCLUDE ALL THE EXISTING FIELD CONDITIONS, SOME OF WHICH MAY INTERFERE WITH THE INSTALLATION. CONTRACTOR SHOULD CONDUCT A FIELD SURVEY TO IDENTIFY POTENTIAL DIFFICULTIES IN THE INSTALLATION BEFORE WORK COMMENCES. CONTRACT THE ENGINEER IF THE FIELD CONDITIONS REQUIRE CHANGES IN THE DESIGN.

CONTRACTOR IS RESPONSIBLE FOR OBTAINING LICENSES, PERMITS AND OTHER APPROVALS REQUIRED FOR CONSTRUCTION. 6

PAINT THE NEW MEMBERS TO MATCH THE EXISTING STRUCTURE. 10. THE STRUCTURAL STEEL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE AND MENCHOR BOLT LOCKTION, ELECTOR STEEL ERECTION.
ALIGNMENT FIC. PRIOR TO START OF STEEL ERECTION. ≓

THE LATEST EDITION OF THE FOLLOWING SPECIFICATIONS SHALL GOVERN:

a. AISC. — ALLOWABLE STRESS DESIGN SPECIFICATION FOR STRUCTURAL STEEL. 12

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AISC — 'ALLOWABLE STRESS DESIGN SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS.

BULLONGS.

CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES' AWS — 'D1.1 STRUCTURAL WELDING CODE — STEEL'

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BETORE FIELD WELDING CLEAN PAINT AND GALVANIZING TO BARE METAL PREHEATING AND POSTHEATING OF THE BASE WETAL SHOULD BE A PER ANS D1.1 PSECIFICATION AND APPLICABLE CODES REGARDING PREHEATING AND FORTHEATING.

CONTRACTOR TO PROVIDE FIRE PROTECTION BEFORE FIELD WELDING.

22

26.

CLEAN THE SITE OF DEBRIS UPON COMPLETION OF THE WORK. STORE SURPLUS MATERIALS NEATLY IN AN AREA APPROVED BY THE OWNER.

DO NOT HEAT STRUCTURAL MATERIAL FOR STRAIGHTENING BENT OR WARPED MEMBERS. FIELD CUTS MUST BE THOROUGHLY CLEANED AND DOUBLE COATED W/ RUST PROHIBITIVE PRIMER AND PAINT.

HOLES IN STEEL SHALL BE DRILLED OR PUNCHED. SLOTED HOLES SHALL BE PROWDED WITH SMOOTH EDGES. BURNING OF HOLES AND TORGAUDING AT THE SITE IS NOT PERWITTED. HOLES IN BEARING PLATES SHALL BE DRILLED.

EPOXY ANCHORS TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS

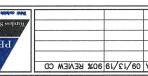
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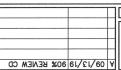
6601 ¥ 18-25-01-20 DMC BJ: JJZ CHKD BJ:BMM ROPNOKE, IN 46783 — WHITLEY COUNTY MONOPOLE GRAUMI1038















SHEET NUMBER SHEET TITL GENERAL Z-7



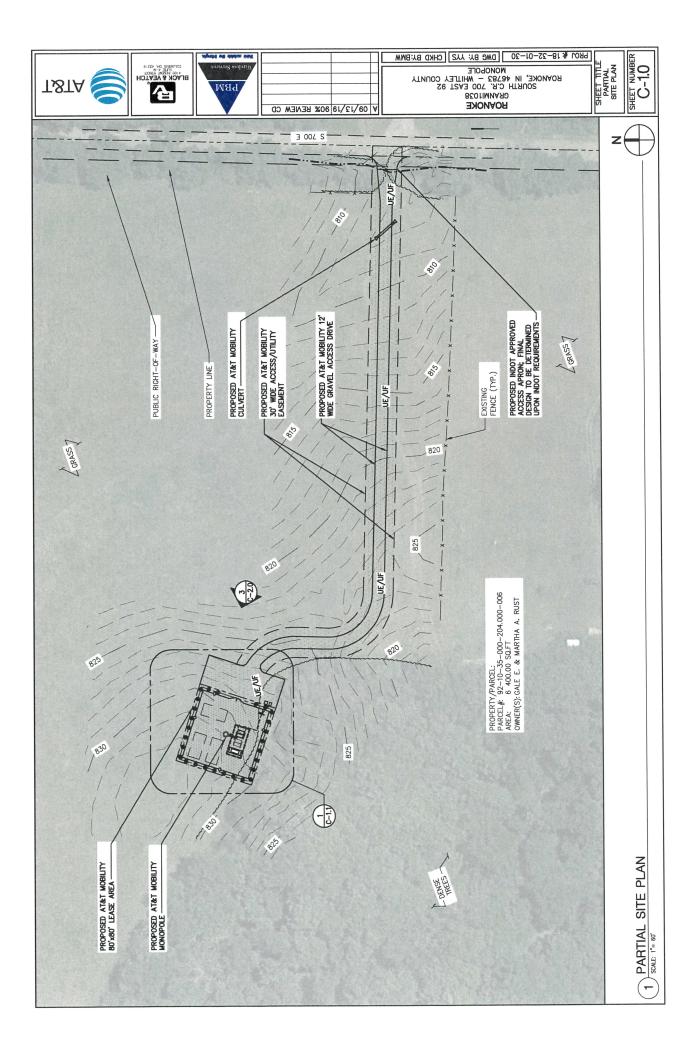
WELDING SHALL BE DONE USING E-70 ELECTRODES AND IN ACCORDANCE WITH THE AMERICAN WELDING SOCIETY STANDARDS AND SPECIFICATIONS.

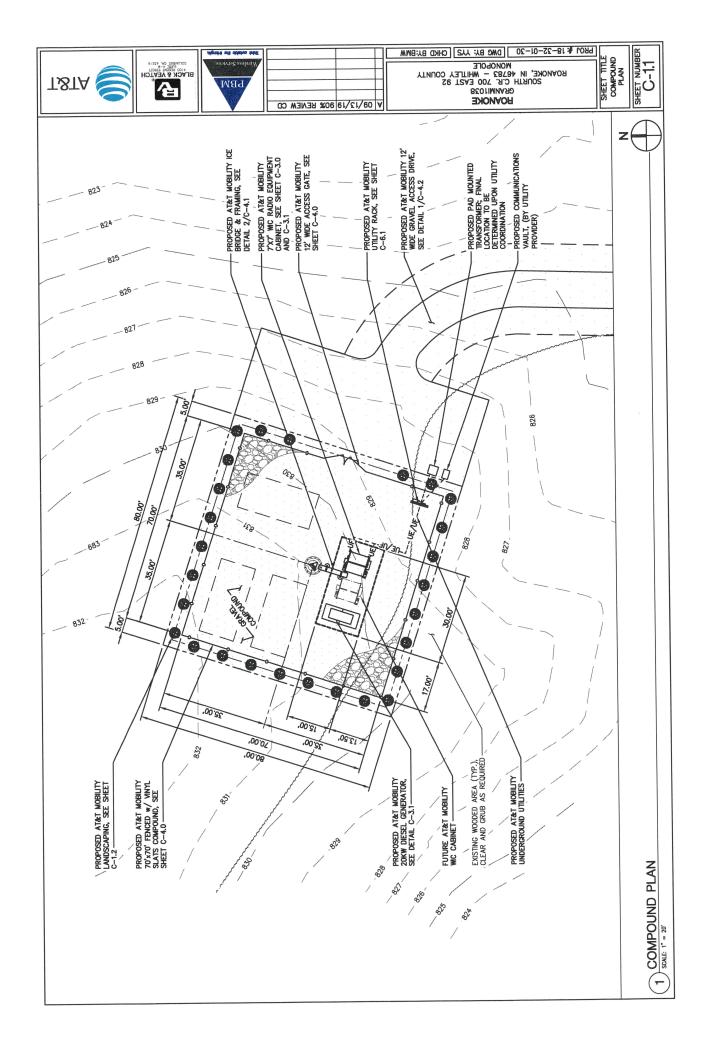
BOLT HOLES EDGE DISTANCES SHALL BE 1 1/2 INCH UNLESS OTHERWISE NOTED.

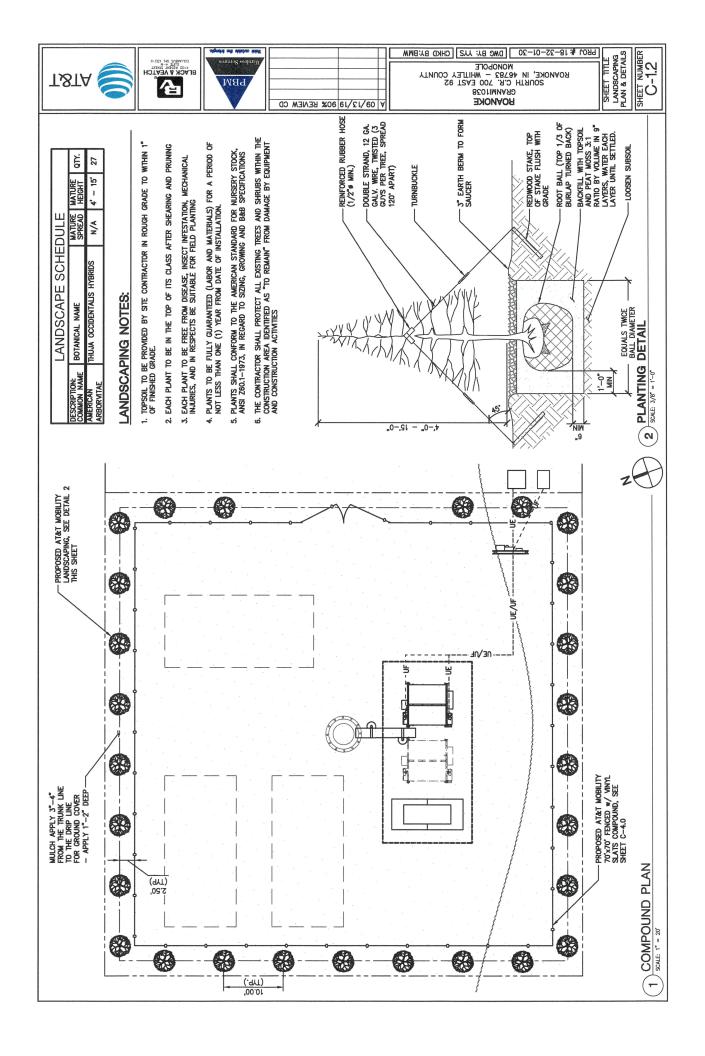
BOLTS SHALL BE TIGHTENED USING TURN-OF-THE-NUT METHOD.

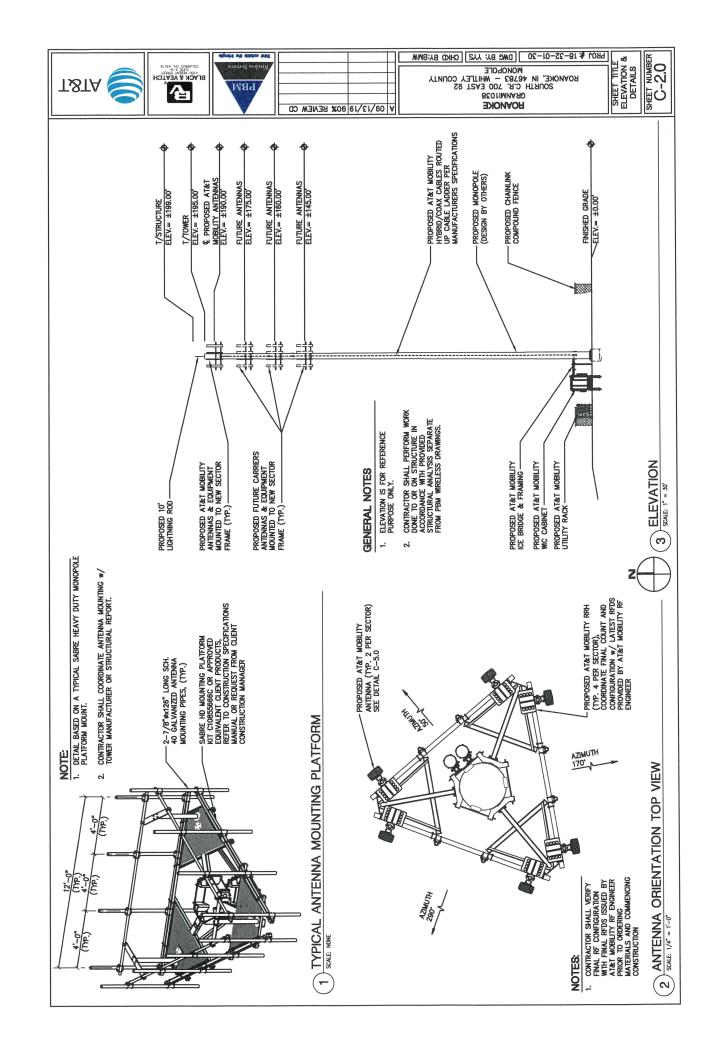
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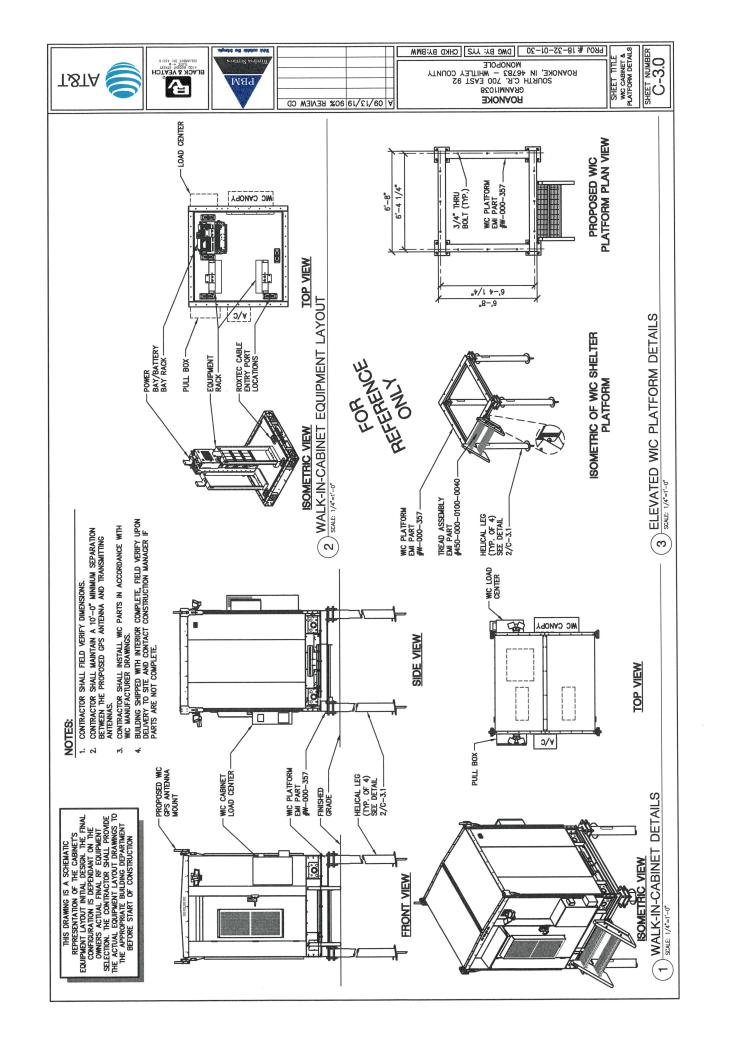


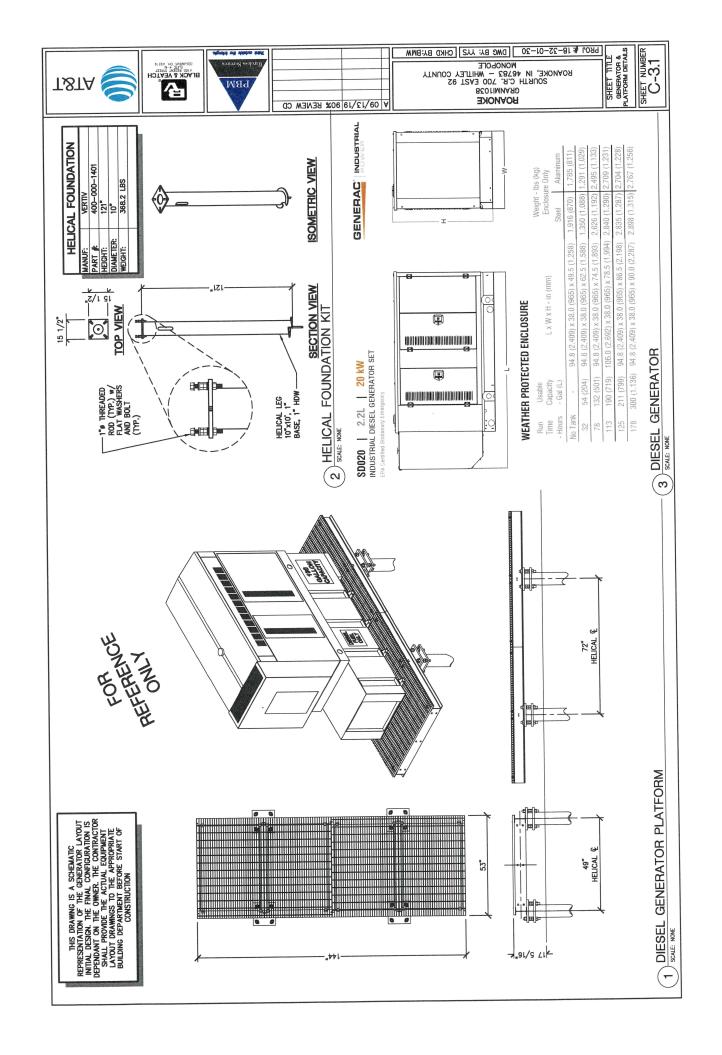


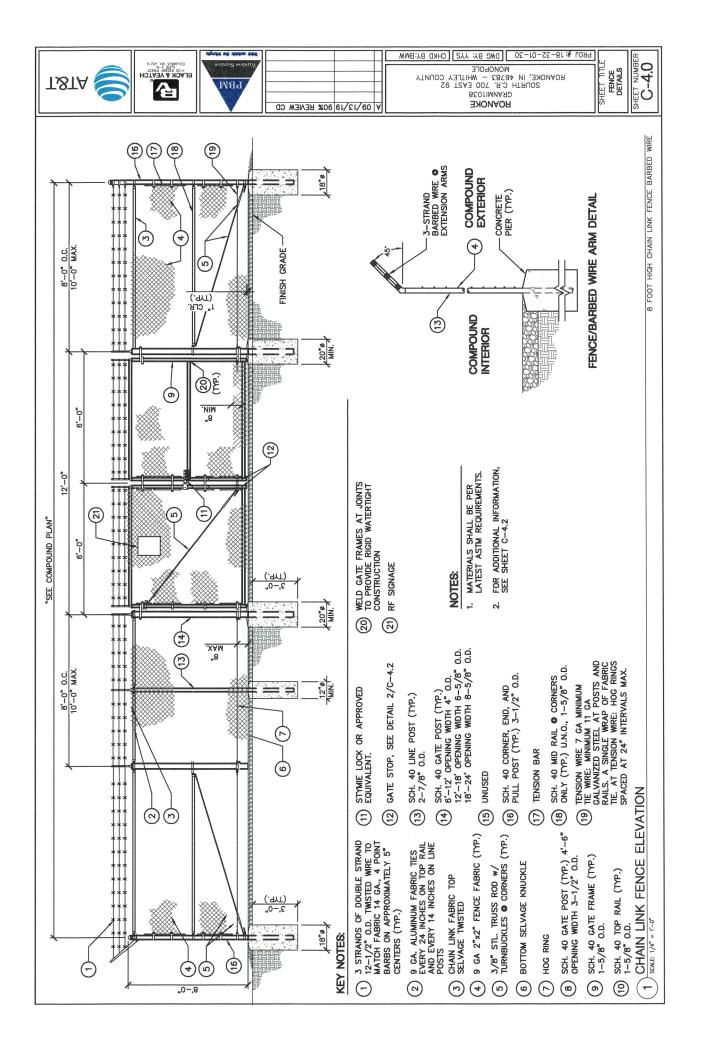


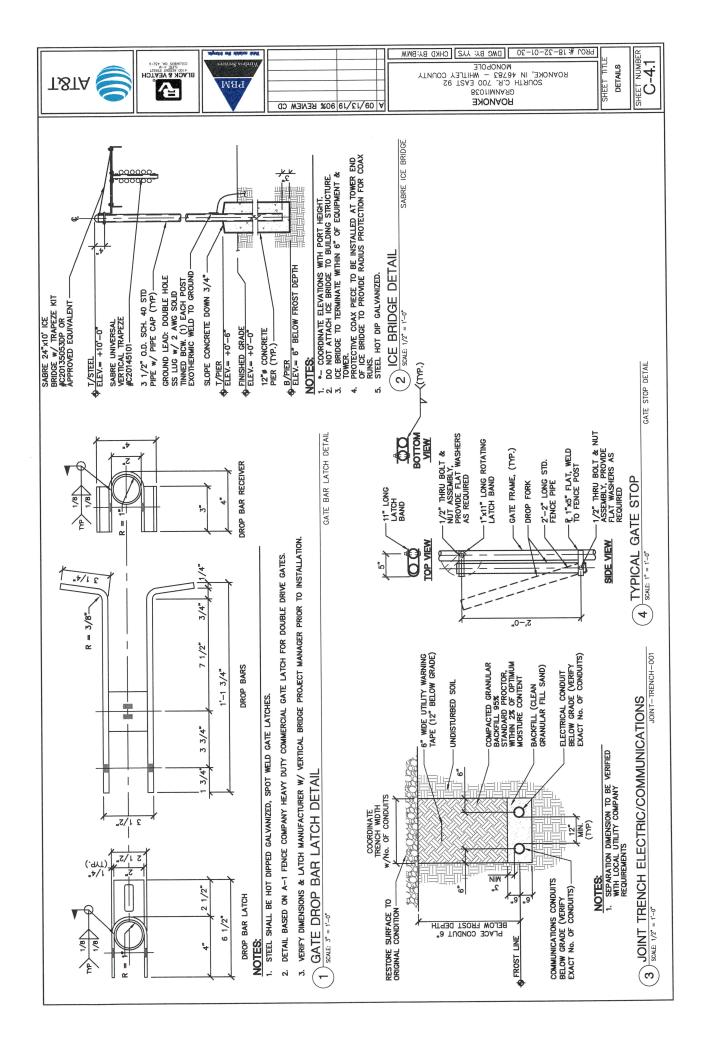


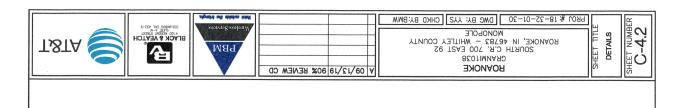


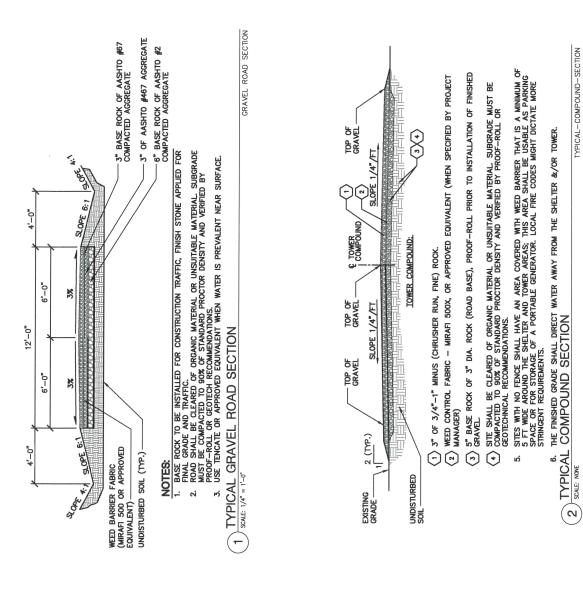


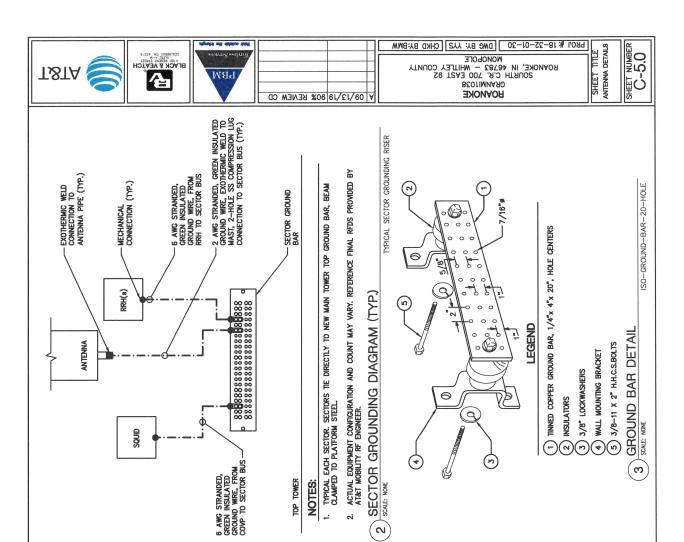












96" x 19.6" x 7.8"

MECHANICAL
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4.3-10 FEMALE

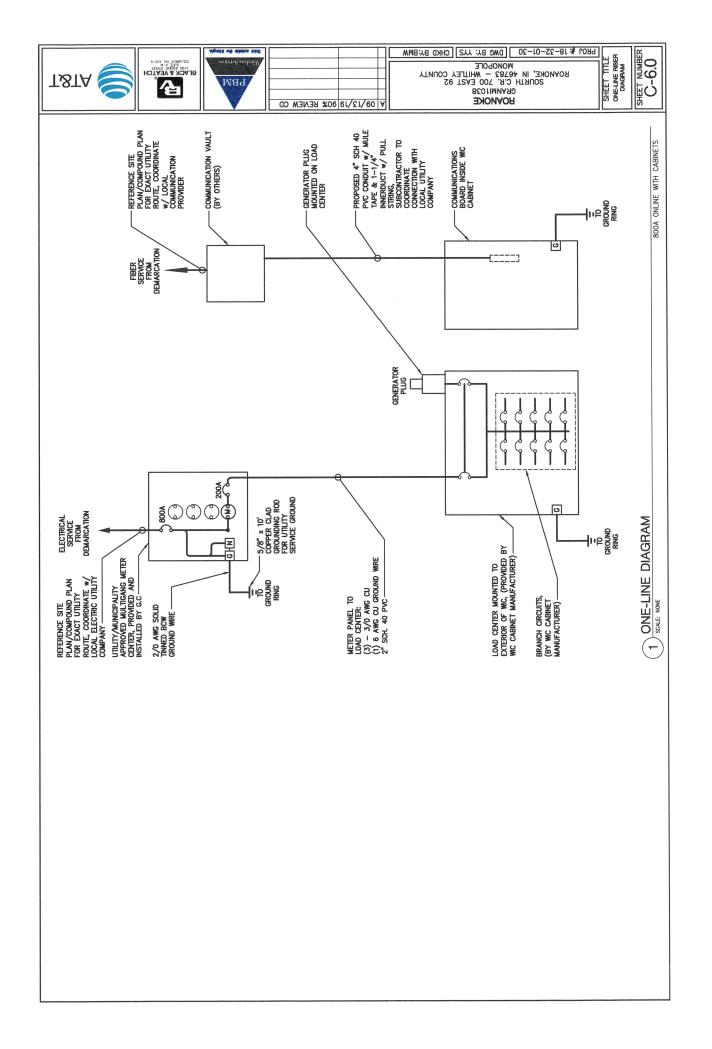
BOTTOM

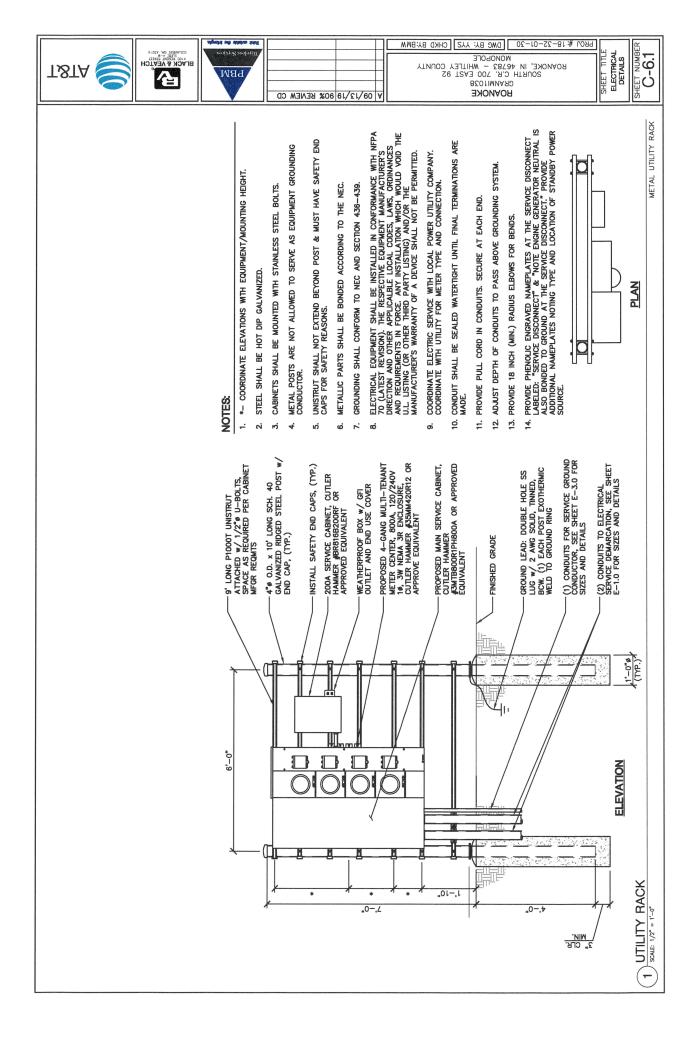
103.2 lbs > 150 mph

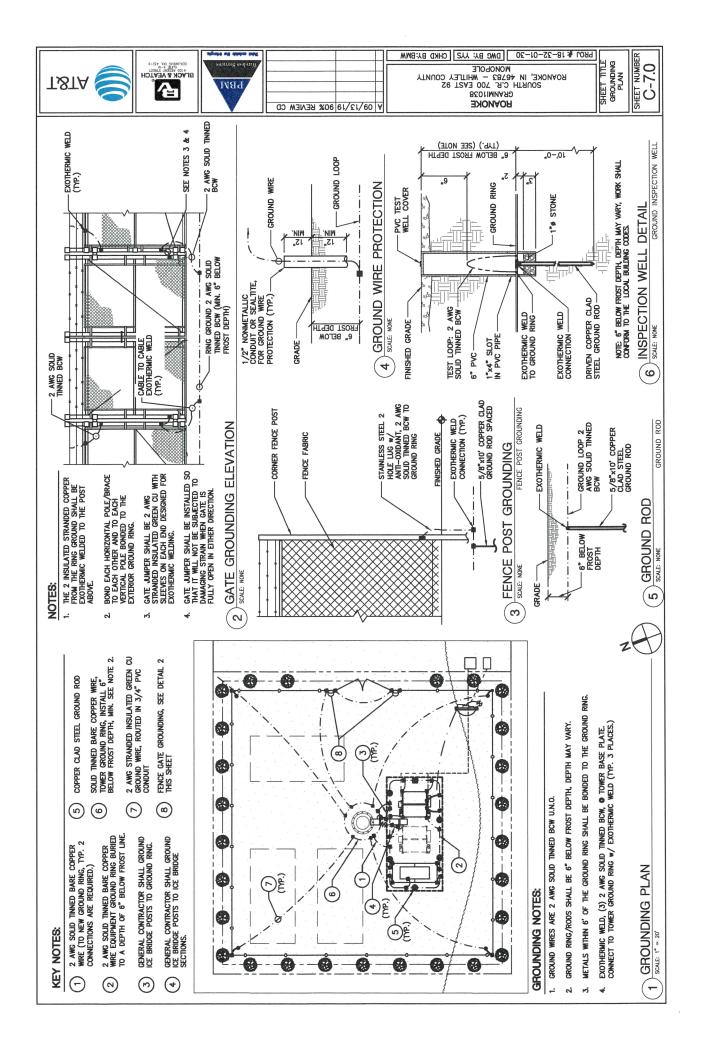
WEIGHT W/O MOUNT BRACKET 1 SURVIVAL WIND SPEED RF CONNECTOR INTERFACE 4 RF CONNECTOR LOCATION E COMMSCOPE - NNH4-65C-R6

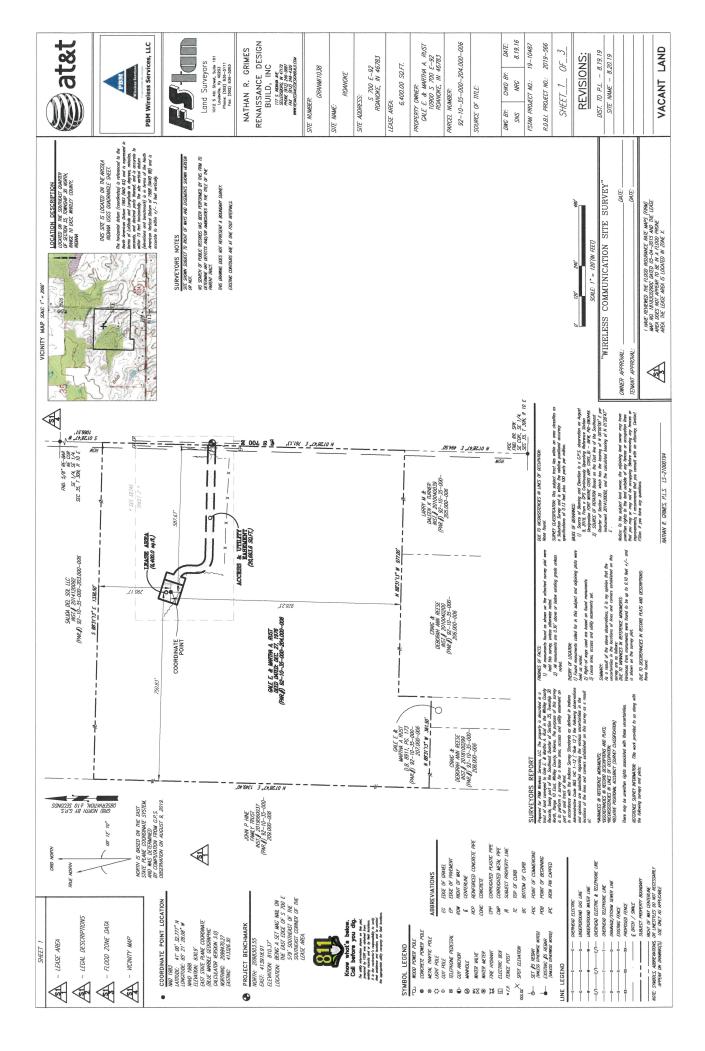
**BOTTOM VIEW OF ANTENNA** 

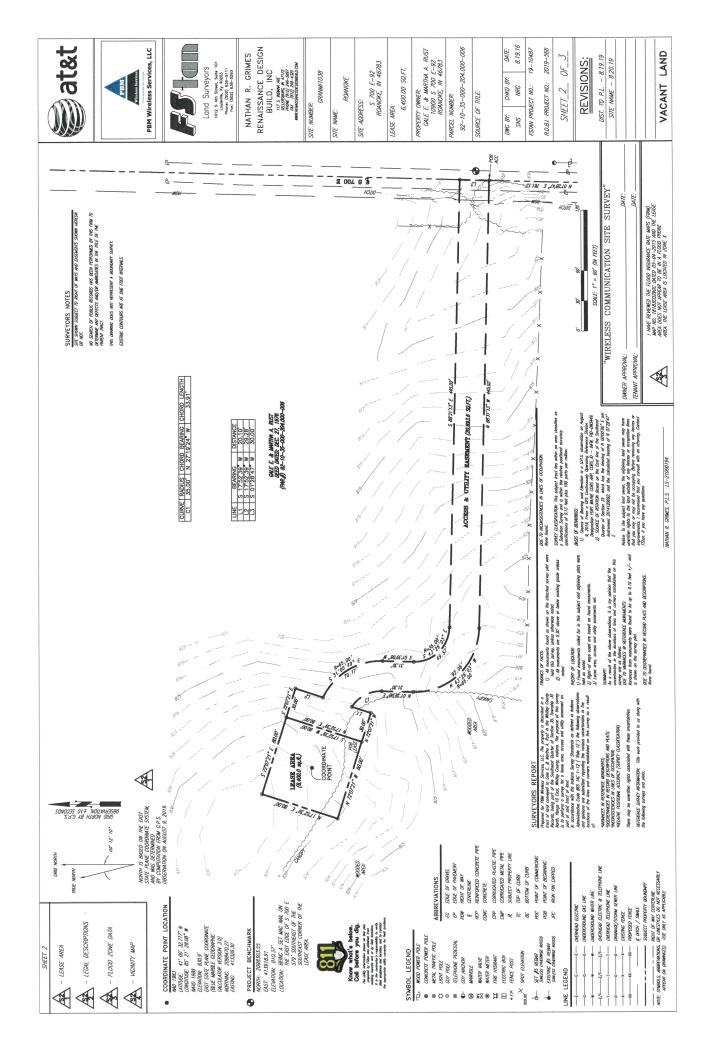
1 ANTENNA DETAILS SCALE: NONE











### SHEET 3

- LEGAL DESCRIPTIONS (LEASE AREA)

- LEGAL DESCRIPTIONS (PARENT TRACT) 



### LEASE AREA

Being a part of the Southeast Quarter of the Southeast Quarter of Section 35 Township 30 North, Range 10 East, Milley County, Indiana which is further described as follows:

Commercing of a conflood spake found of the Southeast corner of the property conveyed to Gale. It has the East line of Quarter Section NI 1284-16. E. 1865.30 to the Southeast corner of the property conveyed to Gale. It has the East line of Said Quarter Section with the East line of Said Quarter Section lines that County Recorder's Office, thence continuing with the said East line of Said Quarter Section lines and said property line and town the being the Southeast corner of the Access & Unity Eastment for the next six (6) calle: (1) leaving said Quarter Section line and said property line and townsign said Access & Unity Eastment (2), with a BESTIST W — 445021 to a set 50° re—Low with a cop stamped N GRIMES 12 21000194\*; thence (2), with a CRIMES 12 21000194\*; thence (3) N 1'39'08° E — 31.30\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence (3) S 1'72'2'3' W — 50.00\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence (3) S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence (6) S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence (6) S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low with a cop stamped N GRIMES 15 21000194\*; thence S 1'72'3' W — 2.000\* to a set 50° re—Low w

### LEGAL DESCRIPTIONS.

This is a description for ARE, of a lease area to be located on the property of the Cale E. & Martino A. Rost, and being a part of the Southeast Quarter of Section 35. Township 30 North, Range 10 East, Whiley County, Indiano which is further described as Pollowsis.



## ACCESS & UTILITY EASEMENT

Baing a part of the Southeast Quarter of Section 35, Township 20 North, Range 10 East, While County, Indiana which is further described as follows:

Commencing of a railwood spike found of the Southeast corner of said Southeast Quarter of Section 35; thence with the East line of a said Rost Progress of Differ; there continuing with the said East line of said and being the Southeast corner of the property conneged to Cabe E. & Martha A. Rost in the Whiled County Recorder's Office; there continuing with the Said Rost property of Cabe E. & Section with the East line of said Rost property N 1294.71 E. 781.13 to a set May Mail and being the True Point of Beginning of the Access & Utility Eastment; thence leaving said Quarter Section line and said property line and the Cabe Interesting said Rost property N 1294.71 W - 445.61.15 to a set May Mail and being the True Point Corners and the property N 1891.11 W - 445.61 to a cabe Mail and being the True Point Corners and the property N 1891.11 W - 445.61 to a cabe Mail and being the True Point Corners and the Cabe Interest With a company of Cabe Interest Line Cabe Interest Will a cape Stanged Y Cabe Interest Mail a cape Stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set 5/8" re-bar with a cap stanged W 1891.82 to a set May Hair a cap stanged W 1891.82 to a set May Hair a cap stanged W 1891.82 to a set May Hair a cap stanged W 1891.82 to a set May Hair a cap stanged W 1891.82 to a set May Hair a cap stanged



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SURFY CLASSIFICATION: This subject boot less within an area classifies as Solvation Surey and is within the relative positional accumaly specifications of 0.1.3 feet plus 100 parts per million.

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WATHAN R. GRIMES, P.L.S. 15-21000194

VACANT LAND









NATHAN R. GRIMES

RENAISSANCE DESIGN BUILD, INC

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SULFACEN N 4772

HANC (19.2 146-387)

KN (612) 246-4220

NWM.FEWICKNERSCHERLEICH

SITE NUMBER:

GRANM11038 ROANOKE SITE NAME:

SITE ADDRESS:

S 700 E-92 ROANOKE, IN 46783

6,400.00 SQ.FT. LEASE AREA:

PROPERTY OWNER: CALE E. & MARTHA A. RUST 10900 S. 700 E-92 ROANOKE, IN 46783

92-10-35-000-204.000-006 PARCEL NUMBER:

SOURCE OF TILE:

8.19.16 DWG BY: CHKD BY: NPG SWS

19-10487 FSTAN PROJECT NO.:

2019-566 R.D.B.I. PROJECT NO.:

OF 3 SHEET 3

DIST. TO P.L. - 8.19.19 SITE NAME - 8.20.19 REVISIONS:

TO:

Whitley County Boards of Zoning Appeals

FROM:

Mark Cullnane

SUBJECT:

Comment RE: 19-W-SE-10

To whom it may concern,

I received a telephone call from Robert Fahl, 10460 S. 700 E-92, Roanoke, IN 46783, at 11:00 A.M. on Monday, September 23, 2019 regarding potential special exception 19-W-SE-10. Mr. Fahl expressed multiple concerns pertaining to a special exception to permit a wireless telecommunication facility at 10900 S. 700 East-92, Roanoke, IN 46873.

Mark Cullnane

Planner I

Columbia City/Whitley County Joint Planning & Building Department

From:

Robert Fahl <robertfahl48@gmail.com>

Sent:

Tuesday, October 15, 2019 1:10 PM

To:

Mark Cullnane

Subject:

Docket...19-W-SE-10

### To All Whom It May Concern:

My name is Robert S. Fahl. My wife and I own our residential property at 10460 S700E-92. We also own agricultural property located at 10382 S700E and at 10196 S700E.

I am sending this E-mail in reference to the request for a "cell phone" tower construction site at 10900 S700E-92. The distance from the tower site to our home is approximately 1,500 ft.

It is important to note and to take into serious consideration

before approval, that there are six residential properties with appraised tax values in excess of \$400,000 and at least 3 more properties that are between the \$200,000 to \$300,000 value within this 1,500 ft. proximity. One of the \$400,00 plus homes is the upscale horse and equestrian complex known as The Salida del Sol located at 10680 S700E. The residence is approximately 250 ft. from the tower site and the building for the horses is within 450 ft. of the tower.

The duration of this land lease for the tower is upwards of 100 years. There would be one family benefiting financially from the erection of this 200 ft. tower. Several families in the close proximity of this tower site address also received registered information from a law firm in Indianapolis concerning the contract by AT&T and the financial terms. My wife and I read the information several times before agreeing that we could not, in good conscience, be responsible for blighting this area with such an eye sore for the next three generations to come.

Therefore, we sincerely ask that you deny the request for this tower construction site on the basis of location near so many residences and wondering..."surely there must be other sites available which are not in such close proximity to houses and families".

Thank you for reading and considering our thoughts.

Submitted by neighbor, Robert S. Fahl

From:

Nathan Bilger

Sent:

Friday, October 4, 2019 2:13 PM

To:

Mark Cullnane

Subject:

FW: 19-W-SE-10 (Les & Marti McFarren)

From: Marti McFarren [mailto:martimcfarren@live.com]

Sent: Friday, October 4, 2019 2:08 PM

To: Nathan Bilger < wcplanning@whitleygov.com > Subject: 19-W-SE-10 (Les & Marti McFarren)

Les & Marti McFarren 10383 S 700 E -92 Roanoke, IN 46783 martimcfarren@live.com / 260-760-0206 Docket number: 19-W-SE-10 Cellular tower exemption

### Hello Mr. Cullnane~

I am sending this email in regards to Singular's request to put in a 199 ft cell tower. We are opposing their request. This is a residential area. The request would be out of place. It could hinder my neighbors values that are directly in contact with or across the road from this location and possibly ours as well. It will be an eye sore near the road. We request that you deny this request.

Thank you,

Les & Marti McFarren

Marti McFarren, REALTOR RE/MAX Results 7806 A W Jefferson Blvd Fort Wayne, IN 46806 martimcfarren@live.com cell: 260-760-0206 Total Control Panel <u>Login</u>

To: wcplanning@whitleygov.com From: martimcfarren@live.com

You received this message because the domain live.com is on the enterprise allow list. Please contact your administrator to block messages from the domain live.com

From:

Diana Creative <designbyd@yahoo.com>

Sent:

Friday, October 11, 2019 3:13 PM

To:

Mark Cullnane

Subject:

docket number: 19-W-SE-10

Dear Mr. Cullnane;

I am attaching my letter for you to review. I hope you understand my concerns and will stop the cell tower.

October 11, 2019

Subject: Docket Number: 19-W-SE-10

Dear Mr. McCullnane:

I am writing about the cell tower that the company is trying to get a special exemption in order to place the tower in residential area. This should say it all, but I will state my case. Needing an exemption is the first problem, it is going to ruin what we call a "peaceful" residential area. The sound that the facility will make will be annoying and may to be heard from our property.

This brings me to my second point: The tower will be too close to houses. If you do your research, you will see that cell towers are placed in industrial areas or in areas that are not near houses. This tower will be too close to my house along with the other houses in the area. I should not have to give up my right to a peaceful existence for someone's profit. What next!!! A gas station in my back yard??? We live in the country for a reason. We have a horse farm. We are peaceful people that keep to ourselves and we protect our horses. If this tower is built and cause problems for my family or my horses, you can believe I would seek a legal remedy. If one of my riders were to get hurt because of the tower spooking the horse, this would be because the exemption was granted. You never can know when a horse will spook, even with a good rider. The key is to keep things the same and peaceful, so no one gets hurt. The tower will be seen by all my horses and the noise could very well cause problems along with the sight of it.

My next point is this. This company sent letters to anyone with property in the area. The neighbors that I have talked to and myself have no desire to allow a cell tower on our property. This company wants to profit from using our peaceful land for their gain without any respect for our land values or concern with animals and children. This is why the tower should be placed in a properly zoned area which will minimally effect the neighboring residents.

Children are a big issue also. Children will be able to access this tower and play near it. This is another reason why these towers are NOT near houses, so our children are not exposed to an element that has potential harm. Whether or not this is true, this certainly is

the perception of many people in our society. What about Climbing the tower!!!? I would like to think parents watch their children, but teenagers can be very intent on doing what they want. This danger, near our houses, should not be allowed?

I am also concerned about land values. Well established research and public opinion have shown that a cell tower lowers property values. The company that owns the tower profits, but we lose??? We are residents that have paid our taxes for years and should have the right to stop this. Would you want your house and children next to the tower?

STOP this tower. We abide by all laws; you need to respect the rights and wishes of your taxpayers. STOP the tower.

Diana Vandeman

10680 S. 700 E.-92

Roanoke, Indiana 46814

260-312-3410

P.S. I will be at the meeting to oppose the exemption.....

TO:

Whitley County Boards of Zoning Appeals

FROM:

Mark Cullnane

SUBJECT:

Comment RE: 19-W-SE-10

To whom it may concern,

I received a telephone call from Fred Vandeman, 5928 N. Bridge Road, Fort Wayne, IN 46814, at 10:50 A.M. on Thursday, September 26, 2019 regarding the potential special exception 19-W-SE-10. Mr. Vandeman is an owner of 10680 S. 700 East-92, Roanoke, IN 46783, adjacent to the property upon which the telecommunication facility associated with 19-W-SE-10 is planned. Mr. Vandeman expressed his opposition to a special exception to permit a wireless telecommunication facility at 10900 S. 700 East-92, Roanoke, IN 46783.

Mark Cullnane

Planner I

Columbia City/Whitley County Joint Planning & Building Department

Oct 11, 2019

Fred N Vandeman 10680 S700E-92 Roanoke, IN 260-438-8219 fvandeman@comcast.net

Topic: Cellular tower exemption Docket number: 19-W-SE-10

Dear Mr. Mark Cullnane wcplanning2@whitleygov.com

My name is Fred Vandeman and I live next-door to the proposed site for a new cell tower. My address is 10680 S700E, Roanoke, IN.

I purchased my property in Whitley County in 2006. I had dreams of owning a beautiful site for our house and horses. I found that beautiful country place. I purchased this property based on a number of important factors which include the tranquil country setting, beautiful surroundings and the peacefulness and quiet nature setting.

Recently some of my neighbors and myself received a proposal from a wireless cellular company wanting to lease space for a cell tower to be placed on our property. All of my neighbors, except one, have refused this proposal. I strongly feel that this will negatively impact our community and property values. There is more than ample documentation for this happening in communities throughout this region of the country. I have no argument that the community needs wireless cellular coverage but I feel strongly that this should not negatively impact homeowners in a residential/agricultural area where such tower placement is restricted by zoning. I will outline some of my reasons for this below.

Home and property investment as one of the largest single investments that family's make. This is why a great deal of care and planning goes into such a important decision. We naturally do everything we can to protect our investment. There is considerable documentation that establishes the solid connection between a reduction in property values and placement of cell towers. This is estimated to be 2-20%. I feel that this will negatively affect my property and potentially the property value.

My neighbor is now planning to allow a cellular tower (199+/- ft) to be placed within about 300 feet of my house and barn. This structure will project 34 degrees into the sky as viewed from my house and barn/arenas. This will absolutely ruin the visual landscape and pollute the tranquil soundscape with the never ending electrical hum produced by these sites.

Our horse farms viability also depend on a pleasant, safe and attractive environment for the horses and riders. This cell tower could potentially limit our ability to retain and attract clients. The public's perception (right or wrong) is that cellular radiation present health risks. As we know, for many people - "perception is reality". This "reality" could impact our ability the retain and attract new borders for the farm and renters for the house. Especially parents of children riders or renters with children. Not to mention the potential difficulty securing interest in a potential buyer, should I decide to sell the property some day.

The proposed site for the tower is zoned Agricultural, and this prohibits construction of this cell tower without an exemption. I feel strongly that any request for an exemption to the zoning should be denied. There are many, more acceptable, sites for this cell tower in this part of the county without damaging the local environment. The cell tower should be placed in a location which is zoned for such a structure/construction or granting an exemption will not cause substantial environmental damage and financial hardship to neighboring property owners.

Thank you for listening and respectfully representing my interests in this matter. I do not support granting the zoning exemption to build a wireless cell tower on the proposed site.

Land Donderon, vot

Thank you,

Fred N Vandeman

Oct 17, 2019

Fred N Vandeman 10680 S700E-92 Roanoke, IN 260-438-8219 fyandeman@comcast.net

Topic: Cellular tower exemption Docket number: 19-W-SE-10

Dear Mr. Mark Cullnane wcplanning2@whitleygov.com

This represents an additional letter to supplement the previous response to docket number 19-W-SE-10. I am writing this to add references and bibliography to justify comments made in my original letter.

I would like to also include for your review, some small excerpts from these articles. This research is easily referenced online based on the individual URL provided. This sampling only includes a small portion of well-documented research on these topics. These references examine potential health and cancer risks, Decrease in property values near cell towers and aesthetics.

https://scientists4wiredtech.com/what-are-4g-5g/cell-tower-installation-plans-lower-property-values/

https://www.nar.realtor/cell-phone-towers#section-165807

http://www.emfsa.co.za/news/property-values-desirability-cell-towers/

https://uhs.berkeley.edu/sites/default/files/cellphonescelltowerswirelesssafety.pdf

https://www.vox.com/2018/7/16/17067214/cellphone-cancer-5g-evidence-studies

http://greenwoodmeadows.org/cell-towers-and-property-values/

http://greenwoodmeadows.org/cell-towers-and-property-values/

I can provide many additional references if needed.

and Dandeman, vas

Thank you for listening and respectfully representing my interests in this matter. I do not support granting the zoning exemption to build a wireless cell tower on the proposed site.

Thank you,

Fred N Vandeman

wireless antennas placed on top of or on the side of a building, would impact a home buyer's or renter's interest in a real estate property.

The overwhelming majority of respondents (94%) reported that cell towers and antennas in a neighborhood or on a building would impact interest in a property and the price they would be willing to pay for it. And 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antenna.

### **Study Results**

- · 94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it.
- 94% said a cell tower or group of antennas on top of, or attached to, an apartment building would negatively impact interest in the apartment building or the price they would be willing to pay for it.
- 95% said they would opt to buy or rent a property that had zero antennas on the building over a comparable property that had several antennas on the building.
- 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas.
- · 88% said that under no circumstances would they ever purchase or rent a property with a cell tower or group of antennas on top of, or attached to, the apartment building.
- · 89% said they were generally concerned about the increasing number of cell towers and antennas in their residential neighborhood.
- · 57% had previously experienced cognitive effects from radiation emitted by

a nar.realtor NATIONAL Association of Realtors\* Search **Cell Phone Towers** Mike Mozart / Flickr

Real Estate Topics Land Use & Property Rights

REFERENCES

Cell phone towers may bring extra tax revenue, greater reception, and security to a city or town. Despite these benefits, many remain skeptical of towers due to potential health risks, environmental aesthetics, and the impact on property values.

Percentages of adults and children living in households with only wireless telephone service or no telephone service: United States, 2003-2009

a cell phone, wireless router, portable phone, utility smart meter, or neighborhood antenna or cell tower

The National Institute for Science, Law and Public Policy (NISLAPP) was curious if respondents had previous experience with physical or cognitive effects of wireless radiation, or if their concern about neighborhood antennas was unrelated to personal experience with the radiation. Of the 1,000 respondents, 57% had previously experienced cognitive effects from radiation emitted by a cell phone, wireless router, portable phone, utility smart meter, or neighborhood antenna or cell tower, and 43% had not experienced cognitive effects. 63% of respondents had previously experienced physical effects from these devices or neighborhood towers and antennas and 37% had not experienced physical effects.

The majority of respondents provided contact information indicating they would like to receive the results of this survey or news related to the possible connection between neighborhood cell towers and antennas and real estate decisions.

### Comments from real estate brokers who completed the NISLAPP survey:

'I am a real estate broker in NYC. I sold a townhouse that had a cell tower attached. Many potential buyers chose to avoid purchasing the property because of it. There was a long lease.

'I own several properties in Santa Fe, NM and believe me. I have taken care not to buy near cell towers. Most of these are rental properties and I think I would have a harder time renting those units... were a cell tower or antenna nearby. Though I have not noticed any negative health effects myself. I know many people are affected. And in addition, these antennas and towers are often extremely ugly-despite the attempt in our town of hiding them as chimneys or fake trees."

'We are home owners and real estate investors in Marin County and have been for the last 25 years. We own homes and apartment building here in Marin. We would not think of investing in real estate that would harm our tenants. All our properties are free of smart meters. Thank you for all of your work."

**8** 



We are guinea pigs in a massive technological experiment that threatens our health. Our government needs to determine what constitutes a safe level of long-term exposure to wireless radiation and strengthen the FCC's radio frequency exposure guidelines. In the meantime, the government should impose a moratorium on technologies that increase our exposure to wireless radiation, especially new forms of wireless radiation like 5G cellphone radiation.

**NTP Cell Phone Radiation Study: Final Reports** 

### References

### References for this presentation are available at:

http://www.saferemr.com/2016/08/key-cell-phone-radiation-research.html



From:

Katy Harris <katy@twoees.com> Monday, October 14, 2019 1:20 PM

Sent: To:

Mark Cullnane

Subject:

19-W-SE-10 - Katy Scheer

To Whom it May Concern,

I am writing in regards to the building of a cell tower at 10900 S700 E-92, docket number 19-W-SE-10.

I am extremely concerned about the radiation emitted from these towers. While studies and information out there regarding these towers seems to be conflicting and uncertain, everyone seems to agree that there is radiation put off from these towers and can sometimes cause averse health affects.

This tower would be within close proximity to where I board my horse at 10680 S 700 E-92, directly next door, and placed within 200 feet of the barn and house on the property. I would certainly be concerned for the well being of my horse, but also for my own, anyone else who came to the property and the people who reside in the home on the property, which includes an infant.

Additionally, I am concerned for the owner of the property and her business, as anyone could surmise this would affect her ability to conduct business. I have kept my horse with Diana Vandeman at Salida del Sol for six years with no intention of leaving, however, this would certainly give me concern enough to do so.

Not only would this affect Mrs. Vandeman's ability to conduct business, I can safely assume this would dramatically reduce the value of her property that she has kept immaculate and invested a tremendous amount of money into.

Permitting this tower would be reckless on behalf of Whitley County in regards to the safety of the citizens who would reside near this tower, and on behalf of a business owner of this County. I strongly recommend that an ordinance not be granted for this tower.

Thank you.

Katy Scheer 526 Commercial St. Roanoke, IN 46783

katy@twoees.com/404-955-9816

KATY SCHEER

Head of Tasting Room Operations

Two-EE's Winery

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From:

Nathan Bilger

Sent:

Tuesday, October 22, 2019 8:09 AM

To:

Mark Cullnane

Subject:

FW: Petition # 19-W-SE-10 - Chapter 3 zoning exception request

### Another remonstrance letter.

Nathan Bilger, AICP Executive Director Columbia City/Whitley County Joint Planning & Building Dept 220 W Van Buren Street, Ste 204 Columbia City, IN 46725 (260) 248-3112

From: mike alteryourhealth.net [mailto:mike@alteryourhealth.net]

Sent: Tuesday, October 22, 2019 12:08 AM

To: Nathan Bilger < wcplanning@whitleygov.com>

Cc: Alysia Alter <alysia.alter@gmail.com>

Subject: Petition # 19-W-SE-10 - Chapter 3 zoning exception request

To Whom It May Concern,

We are writing to express staunch opposition to a zoning special exception that would allow the construction of a 199 foot tall cellular communications tower on property very near to our residence. Included below is our concerns and documentation to support the position. Please take the time to read this message in it's entirety.

The opposition is based primarily on 4 points.

1. **Health:** There are well documented health issues connected with exposure to cellular tower emissions. Rapid advancement in microwave communication technology has admittedly limited the number of legitimate long-term exposure studies however, there is still a great deal of well researched scientific evidence indicating that there are documented and significant health concerns associated with exposure to cell tower emissions. Below the signature line are some of the referenced studies.

We will not allow our children or ourselves to be put at risk for damage caused by radiation from the proximity of this Cell Tower. Our residence includes sleeping quarters significantly elevated from ground level, further increasing direct line of site exposure to Cell Tower radiation. Studies indicated that, in similar situations, there are significant increases in cancer rates, cognitive decline, sleep disruption and chromosomal damage that have been documented, to name a few. If constructed, since the associated health risks are legitimately documented, we will encourage anyone in proximity to this Cell Tower who develops any potentially related health issue to pursue legal action against those associated with the Cell Tower installation, operation, maintenance or land leasing. We feel they should be held financially liable for all related medical and legal costs incurred.

### 2. Safety:

**Collapse:** Cell Towers may be built to be economically sensible rather than being built to be as safe as possible. Moreover, the rapid pace of Cell Tower installations across the country makes "quality control" over the manufacturing and installation processes very suspect.

As such, they present a very real danger of collapse, and the potential to cause harm such as property damage, and personal injury or death to anyone who might be unlucky enough to be near a 19 to 20 story Cell Tower when it fails. Cell Towers are constructed of multiple individual components, the failure of one or more of which can cause a complete structural failure, and concomitant collapse. Some of the most common areas and elements of failure which result in the collapse of Cell Towers are baseplates, flanges, joints, bolts and guy wires.

In some cases, Cell Towers have caught fire. With a simple visit to YouTube, you can watch multiple videos of a Cell Tower burning as it collapsed to the ground. Even their foundations have the capacity to fail.

In this area, where sudden, violent storms with high winds, including wind bursts and tornadoes do occur, placing this structure so near many residences would be reckless.

**Lightning Strike:** This area is already highly active for seasonal lightning storms. Placing a 200 foot tall lightning rod in close proximity to several residences increases the risk of property damage, fire, injury and even death.

Is the following an unlikely scenario? A tower is constructed and shortly thereafter damage begins to occur to equipment on nearby private property. The property owner suspects that it might have something to do with that recently erected tower. The property owner contacts the tower owner that unequivocally states that it cannot be their tower that is the problem, and the tower owners have the money and lawyers to wear down any private property owner to eventually try to find alternate solutions for themselves. The private property owner then has to deal with repetitive damage during lightning season from a tower owner that denies that they are the instigator of the trouble.

So what can a responsible tower owner do to reduce the lightning induced damage that his tower is causing to the nearby private property owners? The tower owner must demand that the tower grounding system be designed to properly dissipate lightning strike energy. Ten radials connected to a ground ring bonded to a tower, will divide lightning current up into ten smaller segments. This will help ensure that the lightning will more likely follow the designated paths for dissipation into the earth and lower the resulting damage to the adjacent private property. The maximum length of these ten radials is approximately 25 m (80 feet). In very limited spaces, the recommended minimum grounding system is at least 60 m (200 feet) of buried bare ground conducting wire composed of five radials, each 12 m (40 feet) in length.

Nothing like this is indicated on the construction plans which gives the impression that this Cell Tower's primary concern has little to do with safety or the well being of those in close proximity.

3. **Property values:** Having a 199 foot tower near a property is not going to increase or enhance its value. There are a number of impact studies available from various real estate and government sources. For example:

#### The Bond and Hue - Proximate Impact Study

The Bond and Hue study conducted in 2004 involved the analysis of 9,514 residential home sales in 10 suburbs. The study reflected that close proximity to a Cell Tower reduced price by 15% on average.

The Bond and Wang - Transaction Based Market Study

The Bond and Wang study involved the analysis of 4,283 residential home sales in 4 suburbs between 1984 and 2002. The study reflected that close proximity to a Cell Tower reduced the price between 20.7% and 21%.

The Bond and Beamish - Opinion Survey Study

The Bond and Beamish study involved surveying whether people who lived within 100' of a tower would

have to reduce the sales price of their home. 38% said they would reduce the price by more than 20%, 38% said they would reduce the price by only 1%-9%, and 24% said they would reduce their sale price by 10%-19%.

The United States Court of Appeals for the 11th Circuit upheld a denial of a Cell Tower application based upon testimony of residents and the following testimony of a real estate broker, that the Cellular Tower would reduce the values of property which were in close proximity to the Cellular Tower. Lawrence Oxman, Licensed Real Estate Broker testified: "As a licensed real estate broker with over 30 years of experience, it is my professional opinion that the installation of a Cellular Tower can significantly reduce the value of neighboring residential properties."

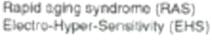
4. **Aesthetics:** Not only is there quite a bit of property value impact analysis available, common sense dictates that no one (other than the person renting the land) wants this monstrosity visible from where they live.

Thank you for your time and consideration on this matter and please support denial of the proposed rezoning of this property for construction of a 199 foot Cellular Tower.

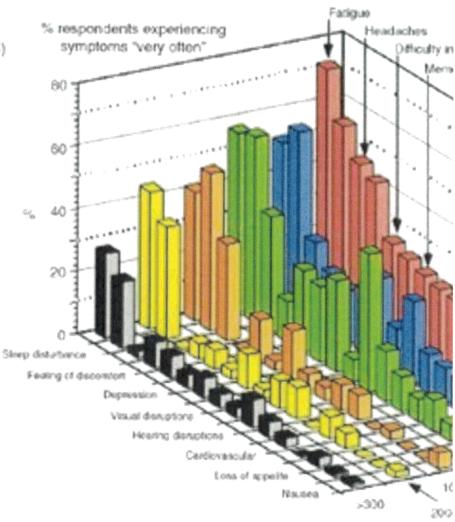
Dr. Michael and Alysia Alter

**Health Studies:** 

# Neurobehavioral Symptoms near



- 1. Fatigue
- 2. Sleep disturbance
- 3. Headachea
- 4. Feeling of discomfort
- Difficulty concentrating
- 6. Depression
- 7. Memory loss
- 8. Visual disruptions
- 9. Irritability
- 10. Hearing disruptions
- 11. Skin problems
- 12. Cardiovascular
- 13. Dizziness
- 14. Loss of appetite
- 15. Movement difficulties
- 16. Nausea



Reside

# Work of Santini et al (France): Pathol Biol. 200

# **Blood Cell Abnormalities Found**

**Zothansiama 2017** – In a recent study from India by Zothansiama et al (2017), researchers examined abnormalities in blood samples in people living at different distances from cell towers. They identified a significant increase blood cell damage in those living within 80 meters of a cell tower versus those living greater than 300 meters from a cell tower. They found 1) A significant increase in micronuclei, which are small remnants of DNA nuclear material appearing within blood cells and a sensitive indicator of genotoxicity and chromosomal abnormalities 2) An increase in lipid peroxidation indicating free radical formation and cell membrane damage 3) A reduction in levels of internally produced antioxidant capacity (glutathione, catalase and superoxide dismutase).

The author concluded "The present study demonstrated that staying near the mobile base stations and continuous use of mobile phones damage the DNA, and it may have an adverse effect in the long run. The persistence of DNA unrepaired damage leads to genomic instability which may lead to several health disorders including the induction of cancer." As more base stations are deployed with higher density and with ubiquitous wireless devices at home it will be difficult to find control groups that have not been significantly exposed. The *Antenna Search* website allows people to identify registered cell towers in their area.

# School Cell Tower Study in 2018 Study Shows Cognitive Decline in Students

Meo 2018 – A recent case controlled 2 year scientific study examining the neurologic effects of children, aged 13-16, in schools with nearby cell towers revealed significant decline in cognitive scores when the radiation from the cell tower was higher but still at non-thermal levels. Students in School 1 (124 students) were exposed to cell tower radiation at 2.010  $\mu$ W/cm2 at a frequency of 925 MHz for 6 hr a day, 5 days a week. Students at School 2 were exposed to cell tower radiation at 10.021  $\mu$ W/cm2 at a frequency of 925 MHz for 6 hr a day, 5 days a week. Both groups had exposure for 2 years. Cognitive functions tasks were measured by the Cambridge Neuropsychological Test Automated Battery (CANTAB). Participants were excluded who had any confounding factors , i.e. those with any pre existing illness, on any medications, with history of anxiety or attention problems, frequent use of cordless or cell phones, use of Wi-Fi routers in their bedrooms, or those who lived near high transmission lines or cell towers.

The researchers used the Cambridge Neuropsychological Test Automated Battery (CANTAB) to measure cognitive functions tasks. They found "a significant impairment in Motor Screening Task (MOT; p = .03) and Spatial Working Memory (SWM) task (p = .04) was identified among the group of students who were exposed to high RF-EMF produced by MPBSTs. High exposure to RF-EMF produced by MPBSTs was associated with delayed fine and gross motor skills, spatial working memory, and attention in school adolescents compared to students who were exposed to low RF-EMF. Most notable is that the current FCC safety "guidelines" for 30 minute exposure are  $1000 \, \mu \, \text{W/cm2}$ . This FCC limit is  $100 \, \text{times more RF}$  than the students experienced in the highest exposure group that showed cognitive decline and with non-thermal effects.

Study here-"Mobile Phone Base Station Tower Settings Adjacent to School Buildings: Impact on Students' Cognitive Health. Mao SA et al. American Journal of Men's Health. December 7, 2018. https://journals.sagepub.com/doi/10.1177/1557988318816914

# Cancer and Cell Towers

Wolf and Wolf 2004 investigated the rates of cancer versus distance from cell towers in small towns in Israel. He found the rate of cancer incidence was 129 cases per 10,000 persons per year in those living within 350 meters of a cell tower versus a rate of 16-31/10,000 in those living greater than 350 meters from the cell tower. Eger (2004) also found an increase in the development of new cancer cases within a 10 year period if residents lived within 400 meters of a cell tower. Their results revealed that within 5 years of operation of a transmitting station the relative risk of cancer development tripled in residents near the cell towers compared to residents outside the area.

Dode 2011 performed a 10 year study (1996-2006) examining the distance from cell towers and cancer clusters. He and his colleagues found a highly significant increase in cancers in those living within 500 meters of the cell tower. They noted "The largest density power was 40.78  $\mu$ W/cm2, and the smallest was 0.04  $\mu$ W/cm2." The current guidelines are about 1000  $\mu$ W/cm2. The authors conclude "Measured values stay below Brazilian Federal Law limits that are the same of ICNIRP. The human exposure pattern guidelines are inadequate. More restrictive limits must be adopted urgently."

Ghandi in 2015 used comet assays to determine genetic damage in those living in the vicinity of mobile base stations. He found that genetic damage was elevated in the sample group. He concluded, "analysis further revealed daily mobile phone usage, location of residence and power density as significant predictors of genetic damage... which...may lead to cancer."

### Cell Towers and Metabolic Disorders

Meo (2015) Several studies on cell towers show metabolic changes and dysfunction in persons exposed to cell tower radiation. Meo (2015) looked at the association of exposure to radio frequency radiation from mobile phone base stations with glycated hemoglobin (HbA1c) and occurrence of type 2 diabetes mellitus in 2 different schools. The cell towers were about 200 feet

from each school. One school had about 10 times higher radiation levels. They found a significant increase in elevated levels of HbA1c and risk of type 2 diabetes mellitus in the school with higher RF levels.

**Eskander (2012)** looked at long term exposure to RF from cell towers over a 6 year period. They showed a reduction in volunteers' plasma ACTH, serum cortisol levels and a decrease in the release of the thyroid hormones especially T3. In addition prolactin in young females (14–22 years), and testosterone levels [in males] significantly dropped.

# Biological Effects from Exposure to Electromagnetic Radiation From Cell Towers

Blake Levitt, an award-winning medical and science journalist and former *New York Times* contributor is author of **Cell Towers-Wireless Convenience? or Environmental Hazard? (2000)** The book lists different chapters from different authors who contributed to a "Cell Towers Forum: State of the Science/State of the law" environmental conference December 2, 2000. Her book has valuable information on FCC safety guidelines, legal aspects of the Telecommunications Act, cell tower sitings and case law. She also co-authored **Biological effects from exposure to electromagnetic radiation emitted by cell tower base stations and other antenna arrays.** (2010) Environmental Reviews, 2010, 18(NA): 369-395. <u>Biological effects from exposure to electromagnetic radiation emitted by cell tower base stations and other antenna arrays</u>

## Conclusions From Research Health Effects of Cell Towers

A brief review of some of the research listed is below. Wildlife is effected by cell towers.

Santini 2002, in a French study, reported an increase in fatigue at 300 meters from the cell towers and remaining symptoms at 200 meters. A follow up study by Santini in 2003 revealed that older subjects reported more symptoms and were more sensitive. Duration of exposure of 1 to 5 years did not have an effect on frequency of symptoms but after 5 years there was a significant increase in irritability reported.

Navarro (2003) indicates much lower levels of exposure cause adverse health symptoms. The Navarro (2003) <u>study</u> on cell towers and "Microwave Syndrome" in Spain found that in those living near cell towers symptoms occurred at low power. He looked at distance from the towers and electromagnetic field exposures and concluded, "Based on the data of this study the <u>advice</u> would be to strive for levels not higher than 0.02 V/m for the sum total, which is equal to a power density of 0.0001 μW/cm² or 1 μW/m², which is the indoor exposure value for GSM base stations proposed on empirical evidence by the Public Health Office of the Government of Salzburg in 2002."

**Hutter** (2006), in an Austrian study, looked at cognitive performance, insomnia and well being in relation to power density of radiofrequency radiation versus reported symptoms in those in rural vs urban settings for more than a year. His study showed an increase in health effects with higher radiofrequency exposure. Important conclusions were that these complaints were independent of patients concern over health effects and that at levels well below current safety standards.

Abdel-Rassoul (2006) Researchers looked at neurologic effects of inhabitants living under or across from cell tower base stations versus those far away. They found "The prevalence of neuropsychiatric symptoms such as headache (23.5%), memory changes (28.2%), dizziness (18.8%), tremors (9.4%), depressive symptoms (21.7%), and sleep disturbance (23.5%) were significantly higher among exposed inhabitants than controls: (10%), (5%), (5%), (0%), (8.8%) and (10%)." In addition, "the exposed inhabitants exhibited a significantly lower performance than controls in one of the tests of attention and short-term auditory memory" also, "the inhabitants opposite the station exhibited a lower performance in the problem solving test (block design) than those under the station." All readings were within the standard guidelines. They recommend revision of standard guidelines for public exposure to RER from mobile phone base station antennas.

**Sivan and Sudarsanam 2012 Review of Literature-** The Inter-Ministerial Committee (IMC) covered scientists to review the literature of the effects of RF-EMF radiations on wildlife, humans and the biosphere. In their 2010 MOEF Report they found that out of the 919 research papers collected on birds, bees, plants, other animals, and humans, 593 showed impacts, 180 showed no impacts, and 196 were inconclusive studies

They concluded, "Based on current available literature, it is justified to conclude that RF-EMF radiation exposure can change neurotransmitter functions, blood-brain barrier, morphology, electrophysiology, cellular metabolism, calcium efflux, and gene and protein expression in certain types of cells even at lower intensities. They noted as well that, "Identification of the frequency, intensity, and duration of non-ionizing electromagnetic fields causing damage to the biosystem and ecosystem would evolve strategies for mitigation and would enable the proper use of wireless technologies to enjoy its immense benefits, while ensuring one's health and that of the environment."

# Percentage of studies that reported harmful effect of EMR in various groups in MOEF Report

Human Effects- 62% showed effects, 13% no effect and 25% inconclusive

Plant Effects—87% showed effects and 13% were inconclusive

Wildlife Effects- 62% showed effects, 4% no effect and 36% inconclusive

Bee Effects—85% showed effects and 15% no effect

Bird Effects- 77% showed effects, 10% no effect and 13% inconclusive

Shinjvo and Shinjvo 2014 in an independent cell tower study from Japan, looked at health effects of residents living in a condominium complex from 1998-2009, noting health symptoms before placement of cell towers, during cell tower functioning and after removal of different antennas on the rooftops. They found a significant development of symptoms with placement of the cell towers and a significant reduction in symptoms after removal. The most frequent symptoms were fatigue, loss of motivation, headaches, eye pain, deteriorated eyesight, sleep disturbances, dizziness, jitteriness, rapid heat rate, muscle aches and nasal bleeding.

# **Newest Articles**

- Analysis of mobile tower radiation and its health effects in Champhai District of Mizoram Lallawmzuala L et al. (2019) "Analysis of mobile tower radiation and its health effects in Champhai District of Mizoram. 2019 URSI Asia-Pacific Radio Science Conference (AP-RASC), New Delhi, India, 2019, pp. 1-
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### Published Literature

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#### **Mark Cullnane**

From: Kelsey Schwartz <schwartzke@gmail.com>

Sent: Tuesday, October 22, 2019 3:56 PM

To: Mark Cullnane

**Subject:** Docket number 19-W-SE-10: Kelsey Schwartz **Attachments:** image2.jpeg; ATT00001.txt; image1.jpeg

To Whom it may concern,

I am writing in regards to the proposed cell tower at 10900 S 700 E - 92, docket number 19-W-SE-10.

My name is Kelsey Schwartz and I currently live and manage the barn/property at 10680 S 700 E-92. The house I reside at is approximately 100-150 yards from my back door and I will have an unimpeded view of the tower from my family room window. Below is a picture of the current view from my house. If the tower is built on the proposed sight, this view will be marred by the cell tower which will be placed in the center of what is now an open field. This is demonstrated by the second picture which shows where surveyors have staked out the location of the proposed cell tower (stakes are circled in red).

I am also concerned about the constant noise which will accompany any cell tower built so close to the house with nothing to act as a buffer. Because of the location of the property, noise from traffic and neighbors is almost nonexistent. The lack of noise will only make any noise coming from the proposed cell tower more evident.

My third concern is in regards to negative health risks that may arise due to my close proximity to the proposed cell tower. Because I live and work on the property adjacent to the proposed cell tower, I will spend most of, if not all 24 hours/day within 200 yards of this tower. Studies have been conducted and while some state there are no negative health risks associated with cell towers others say there are health risks associated with cell towers. Simply put, at this time, there is no definitive proof either way of long term health risks, but there IS evidence that my health may be at risk especially considering the amount of time I will be in close proximity to the tower.

My last concern relates to the boarding stable I manage. Boarders pay upwards of \$600 a month to board their horse here. The location of the property and the setting is very appealing to prospective boarders and a cell tower in direct line of sight to both the barn and pastures may have a negative effect on people choosing to board their horses here. The association the public has with cell towers and health risks will undoubtedly make people reconsider boarding their horse here.

In light of the previous three considerations, I implore that the exemption for a cell tower located at 10900 S 700 E-92 not be granted. Thank you four time and consideration in this matter.

Kelsey Schwartz 10680 S 700 E-92, Roanoke, IN 46783 (260)438-0254 schwartzke@gmail.com Docket Number 19-W-SE-10 Cellular tower exemption





