

# Opposition Petition

*Against*

Conditional Use Permit 2343, Dane County, WI, Town of Christiana  
Submitted by: United States Cellular Operating Company LLC., and Dale and Karen Stenjem

Prepared: May 25, 2016

By: Dr. John M. Bell  
603 Woodhaven Court  
Cambridge, WI 53523

On The Behalf of: The Woodhaven Neighborhood, Surrounding Neighborhoods,  
and Residents of Cambridge, WI, et.al.

## BACKGROUND

United States Cellular Operating Company LLC (USCOC) and Stenjem's et.al., submitted Conditional Use Permit (CUP 2343) to the Dane County Zoning and Land Regulation Committee on April 08, 2016 for consideration and approval. USCOC is proposing to construct a 195' Self-Supporting cellular transmission tower off Lagoon Drive in the Town of Christiana, Dane County, Wisconsin (Figure 1). USCOC proposes to lease a 0.229-acre parcel on a greater 23-acre property owned by Dale and Karen Stenjem (Figure 2). USCOC site location and structural engineering information is available but the report was either inadequate or deficient on key topics important to the surrounding property owners and the Cambridge Community as a whole. The town of Cambridge Board and Planning Commission unanimously approved CUP 2343 on May 10, 2016.

USCOS initial site of choice is the existing water tower off S.T.H. 134 however, structural analysis to confirm the structure usability identified that the railing is inadequate to support their equipment and the cost to upgrade the structure is prohibitive. Additionally, USCOC evaluated the lighted guy tower near the town's recycling center but determined it too was inadequate. No other additional information was provided regarding viable alternative sites even though USCOC states they conducted a "comprehensive evaluation of the area". Further, no information was provided defining the area search ring or "macrocell" for identifying an optimal location.

**OBJECTION ONE:** The community a Notice of Public Hearing 14-days in prior to the schedule hearing. USCOC employed independent contractors to conduct the feasibility diligence 9+ months in advance of the hearing but made no attempt to notify the public of its intentions, did not solicit community feedback and/or survey the surrounding property owners that are in the visually aesthetic impact line-of-sight or potentially likely to experience a decrease in property value and marketability. Consequently, the affected property owners did not have sufficient time to provide their opinion to USCOC initiative prior to the May 24, 2016 Zoning & Land Regulation Committee hearing.

**OBJECTION TWO:** Providers and Carriers of telecommunication services intending to erect a new equipment tower are required to prove that no other places exist to set the tower. USCOC did a minimal effort and not conduct a reasonable investigation into alternative potential locations. Further, they did not provide any supporting documentation for the general public's review and consideration.

**OBJECTION THREE:** USCOC and its retained contractors conducting a feasibility study strictly relating to the zoning ordinances for free-standing transmission towers, and the structural worthiness of the proposed structure. The feasibility study was deficient in providing any supporting documentation to the following:

1. Reasonable negative (property values) aesthetic impacts and,
2. RF microwatt impact assessment on the surrounding property owners ensuring they did not exceed the federally mandated guidelines.

**OBJECTION FOUR:** The engineering report provided by Evans Associates to the Town of Cambridge, Dane County WI, states the "USCOC worked on trying to stay in the immediate area to meet their needs and to also keep the tower out of the direct view of any residents." The larger Stenjem property is bounded on both the south and west by extensive residential properties that are within 500 yards of the proposed site. It is argued that the tower is in fact in direct view by many neighboring residents and negatively affects their aesthetic visual surroundings.

**OBJECTION FIVE:** The proposed location for the 195' cell tower is in a sub-optimal location due to the surrounding topography and radio frequency (RF) shadow created by the 50'+ increase in elevation of the topography, plus the height of the residential structures, and trees to the west of the proposed site.

**OBJECTION SIX:** The proposed telecommunications tower is less than 300 yards away from a Cambridge Wildlife and Fishing Area (Figure 3,4). The community objects on the premise that the tower would substantially impair both the visual and the peaceful atmosphere natural area aesthetic setting of the Cambridge Wildlife and Fishing Area.