

Martin & Lauri Koch  
960 Mesa Drive  
Oregon, WI 53575  
March 21, 2018

VIA EMAIL

Supervisor Mary Kolar  
Chair, Dane County Board Zoning and Land Regulation Committee  
City-County Building, Room 354  
210 Martin Luther King Jr. Blvd.  
Madison, WI 53703

RE: Cup Application 02396, AT&T Communications Tower Proposal

Dear Supervisor Kolar and Members of the Committee,

We are compelled to write you on the eve of your deliberations and decision regarding the placement of a cellular communications tower near our home on Mesa Drive, in the Town of Rutland. We have been present for each and every hearing, both at the county level and the township, including giving our voice to public comment. As you may already be aware, we are opposed to the placement of this tower, at this site. Unfortunately, we will not be able to attend what we hope is the final meeting of the ZLR committee on this issue. We are concerned that our absence at this upcoming meeting (3/27/18) not be construed as acquiescence on this issue. We are steadfast in our opposition to this proposal.

Due to the excellent quality of the staff reporting regarding this CUP application, there is not much that we can add to any of the technical aspects of this proposed tower siting. Both the staff reporting and the third party engineer's report are objective analyses that conclude this tower siting will not achieve the objectives that AT&T has enumerated in their application materials. A careful examination of the coverage maps provided by AT&T itself, clearly demonstrate that this tower siting will not provide wireless internet service to target residences in the Town of Dunn, and significantly diminishes mobile coverage available to the west and southwest of the search ring.

AT&T has made the assertion that housing values in the Mesa Drive neighborhood will not be affected by the siting of a 199 foot cell tower adjacent. AT&T cites a study which they contend support that assertion. A simple Google search on the subject will quickly reveal that the issue is not quite that clear cut.

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**For example:**

- [The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods by Sandy Bond, PhD, and Ko-Kang Wang.](#)
  - “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 results of the sales analysis show prices of properties were reduced by around 21% after a CPBS was built in the neighborhood.”
  
- [EMF Real Estate Survey Results: “Neighborhood Cell Towers & Antennas—Do They Impact a Property’s Desirability?”](#)
  - “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.”

Quarry owner Richard Reindahl attended the Town of Rutland public comment meeting regarding this application. Mr. Reindahl informed the Rutland Planning Commission that there were other areas on his 20 acre site which could support the tower. Mr. Reindahl stated that he was still willing to host the tower on his property. The Reindahl site not only satisfies the engineering requirements of AT&T’s mobile service (e.g. search ring), it also represents a more appropriate use of land which ultimately is not suitable for either farming or housing. The quarry property is also at the center of the search ring submitted by AT&T engineers, and as you know, was already approved by this committee for a tower.

AT&T asserts in a recent letter (dated 2/19/18) to the committee:

“For the reasons noted above, AT&T believes the proposed location tucked in the northwest corner of Mr. Martinson’s property where visibility of the compound and a portion of the tower is restricted by the existing building is the best location.”

This is a patently false statement. Utilizing a construction drawing provided in the CUP application, it is trivial to demonstrate that nearly all eastern residents of Mesa Drive will have a direct line of site to the tower, and the tower compound. Only the two northern most homes on Mesa Drive will have a limited view of the tower. This is due to a monstrous steel building in their backyard. See Figure 1.

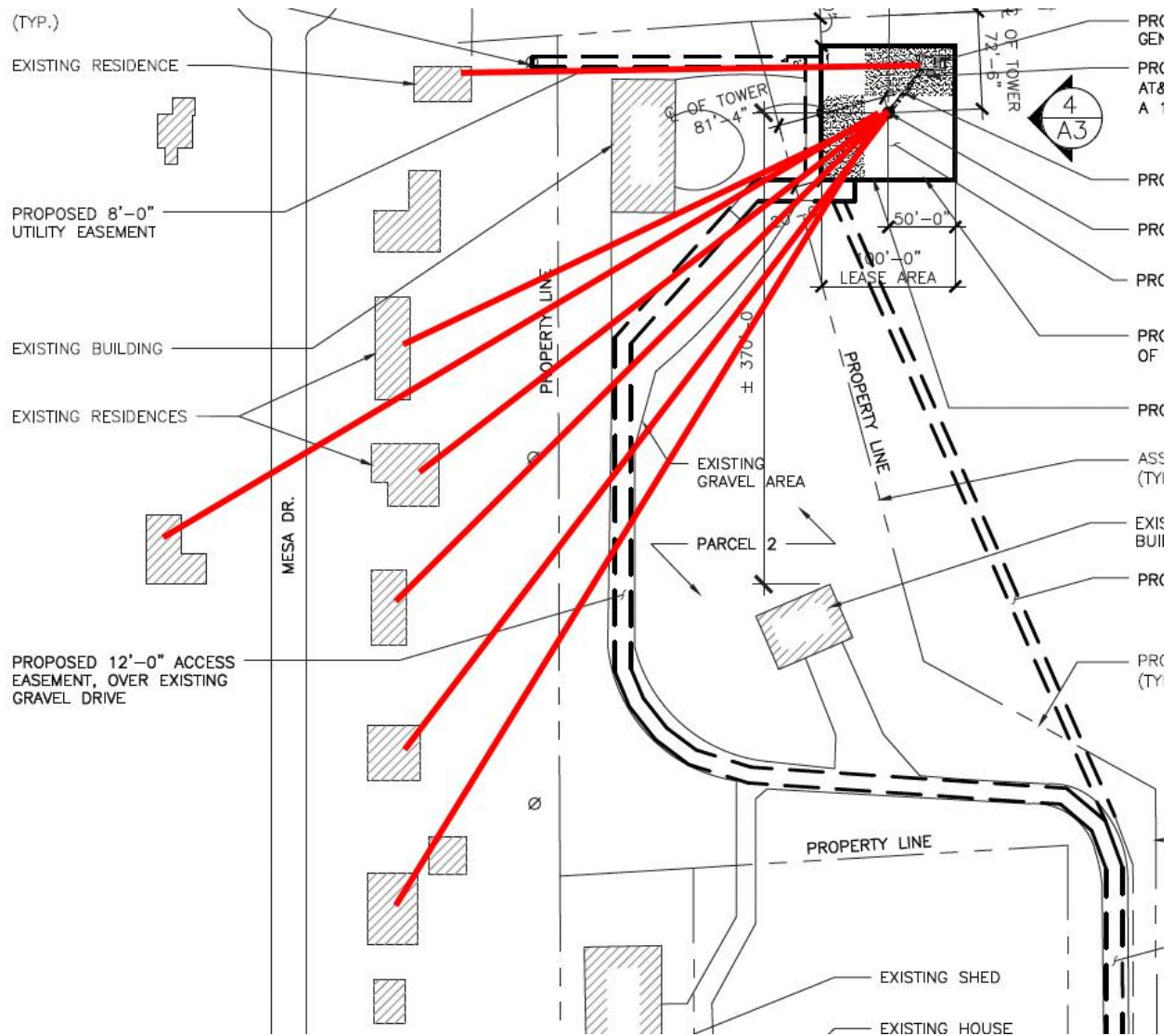
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Figure 1:



The Martinson property has a consistent history of violations of zoning regulations. Zoning staff have done an admirable job detailing these violations. This information is available on the county's legistar site located [here](#) and relate to a conditional use permit (CUP 1613, revoked June 2014) issued to the Martinson property sometime around the year 2000. For reference, we have owned our property on Mesa Drive since 1997.

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For 18 years we have had to deal with the constant traffic through this property, junk stored openly, open ground fires, unlicensed vehicles, excavating equipment, dump trucks and semi-trucks. By far the worst part of this though, is the noise.

The noise which emanates from this property is quite annoying and stressful. In particular, low frequency noise is able to easily penetrate our home, despite a modern hyper-insulated energy efficient construction. The source of this noise is often trucks left idling for upwards of an hour, or longer. The sounds generated by accelerating trucks also produce this low frequency sound.

A good analogy for what this experience is like, is what most people experience sitting in traffic, near a vehicle playing extremely loud music, complete with a thunderous subwoofer. Or, trying to sleep in a bedroom, adjacent to a room with a home theater system, playing an action/adventure movie.

The noise, junk and constant vehicle traffic significantly diminishes the enjoyment of our property. Whether inside or outside our home there is no escape from this noise. Activity typically begins around 5 AM and may continue well after darkness, sometimes as late as midnight. There here have been many mornings that we have been awoken by noise emanating from this property.

Need proof? Please contact Pat Klinkner. The Martinsons will no longer allow your inspectors onto their property. We have become your eyes, and ears, providing invaluable evidence in the form of photos and video.

In the application for this tower, AT&T provided photos of the site which, inadvertently, also clearly demonstrate these ongoing violations (see Figure 2).

Why does this matter? What do these zoning violations have to do with the siting of a cell tower?

Simple, if the committee can answer the following question.

What message does the County Zoning and Land Regulation Committee send to law abiding Dane County residents if it issues a conditional use permit to a land owner that is in open violation, openly hostile to zoning inspection, and is currently being prosecuted by the County for these violations?

See Wisconsin Circuit Court Access page for Dane County case [2018CX000001](#).

Given the history of this property, an approval of this tower is akin to rubbing salt into the wounds of every Mesa Drive resident adversely impacted by the Martinson property for all of the last 18 years.

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A few final points. The applicant land owner, Tomas Martinson, does not reside on the parcel where the tower is proposed to be located. These parcels have no further development rights. The activities of his brother Kenneth and family members on this parcel have no nexus to any agricultural use. This landowner benefits from the Farmland Preservation status and pays virtually no property tax on this parcel. Mr. Martinson will benefit financially from the placement of this tower on his property. Certainly, a more deserving, law abiding landowner could be found to accept a tower, along with the financial benefits.

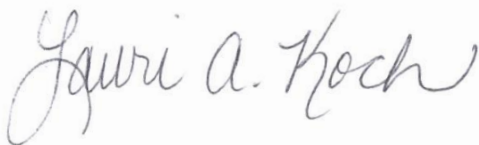
For all of the aforementioned reasons, we respectfully request the committee vote to deny CUP 02396.

Thank you for your time, consideration and service to the residents of Dane County.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martin Koch".

Martin Koch

A handwritten signature in cursive script, appearing to read "Lauri A. Koch".

Lauri Koch

cc: Roger Lane, Dane County Zoning Administrator  
Majid Allan, Senior Planner, Dane County Planning & Development  
Pat Klinkner, Dane County Zoning Inspector

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Figure 2:

