

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Thursday, October 02, 2014 10:11 AM
To: Steven Robertson; Amanda Crosby; Andy Holak; Art Johnston; Edwin Hall; Emily Larson; Eric Viken; Erik Torch; Frank Jewell; Joel Braun; John Schmidt; Jon Welles; Michael Schraepfer; Patrick Boyle; Tiersa Dodge; Tom Albright; Barb Russ; Howie Hanson; Jay Fosle; Jennifer Julsrud; Joel Sipress; Linda Krug; Sharla Gardner; Zack Filipovich
Cc: Jim Filby Williams; Kathy Bergen; chesterbowlpark@gmail.com; David Montgomery
Subject: DANGEROUS INSTALLATION OF TEMP. CELL TOWER?

To: The Honorable Duluth Parks Commissioners
The Honorable Duluth City Councilors
The Honorable Duluth Planning Commissioners

We would like to discuss the phone company installation in Chester Public Park and the greatly altered illegal temporary cell tower which is not the antenna that was on Big Chester. A professional has stated there are dangerous improperly installed issues with this greatly altered illegal temporary cell tower. It is my understanding that a recent electrician, Dave's Electric, working at the greatly altered illegal temporary cell tower site has expressed concerns that 'it' isn't even grounded.

Why does the Park Dept. allow such infrastructure in the Chester Public Park that park personnel are not trained or capable of assessing or dealing with, along with the many unknown and unforeseen problems from such?

The Park Department does not have personnel that is capable of making even daily operational decisions that must be made in relation to the presence of such technology and infrastructure, or the unknown future impact of. Nor should the Park Dept. or its employees be expected to operate in relation to such unknown complexities. A perfect example is: The Park Department's decision to destroy Big Chester directly led to the installation of the current greatly altered illegal temporary cell tower and controversy. The Park Dept. made an operational decision that has now created a massive problem that extends far beyond the Park Dept. involving the phone company and the City of Duluth and Duluth taxpayers. The Park Department should have foreseen such problems and addressed to prevent.

Other examples of operational problems:

--snow and ice falling off of the cell tower onto trails and possible injury to park staff and the general public using park trails

--park workers exposure when working in the park or maintaining the chairlift-- It is a fact not to be argued with that workers time working on the cell mono towers is strictly limited.

--teenagers treating the current phone company site as a playground--we have seen teens playing hacky sack on the roof of the current building

The Park Department should be raising more of these concerns. This is a responsibility of the Parks Department and we expect the Parks Department to protect public parks and public park users.

Is it not the Parks Department responsibility to keep the general public safe in a Public Park? The Parks Dept. is not capable of assessing the current alterations to or unknown problems with the greatly altered illegal temporary cell tower or the proposed Cell Mono Tower. Why does the Parks Dept not insist this installation be outside the Chester Public Park Boundaries? Why does the Parks Dept. not insist that there be NO cell tower installation in ANY City of Duluth Public Park? The complexity of this installation is beyond the ability of the Parks Dept. to assess and work around and expose the general public to.

<http://www.duluthmn.gov/media/245282/Sep-23-2014-Citizen-Petition.pdf>

Please make part of the Public Record.

We are on Chester Public Park ground daily and our goal is to protect Chester Public Park, it's invaluable Green Space, and its users, today, and for future generations.

Sincerely,

Steve & Ann Holtz
1511 Belmont Rd.
Chester Park
Duluth MN 55805

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Thursday, October 09, 2014 6:56 PM
To: Steven Robertson
Subject: To: Planning Commissioners -- CP Cell Mono Tower

To: The Honorable Duluth Planning Commissioners

Subject: [PL 14-121 Special Use Permit for New 75 Foot Tall Monopole Cell Tower](#) at 1805 East Skyline Parkway (Chester Creek Park) by Sprint PCS

Sprint has "looked" at other possible locations to install on existing structures on property other than City owned property. They also looked at placing the tower in the bowl (down in the soccer fields), but would need a 130 foot tower there. They appear to have not looked at placing the tower in the gravel staging area. If the apartments across Kenwood Ave would have worked if they were tall enough, then the tower should be able to be placed in this gravel staging area. All utilities would be present there without an easement that cuts Chester Park in half. Please explain why Sprint has not been required to check this site for their installation?

On page 5 of the new Staff Report, there is a map showing Recreational and Preservation designations within Chester Park. The area designated Recreation appears to be arbitrarily drawn, particularly to the southeast (toward the ski jumps). Who is responsible for these designations?

If the tower is not allowed to be built in the areas designated as Preservation, why are they going to be allowed an easement through that same area?

These are important issues that must be addressed in regard to the unknown future of Chester Public Park.

Thank-you for your considerations.

Respectfully,
Steve Holtz
1511 Belmont Rd.
Chester Park
Duluth MN 55805

Steven Robertson

From: Jane Hovland <jhovland@d.umn.edu>
Sent: Friday, October 10, 2014 1:27 PM
To: Steven Robertson
Subject: Please distribute the attached to staff, Sprint PCS applicant, and to Planning Commission Members
Attachments: October 10 Hovland Comments.doc

Dear Steve:

I know you have been inundated with commentary from people concerned about the special use permit for Sprint PCS. I draw your attention to the last paragraph of the attached letter. I am seriously interested in assisting Sprint and the City in this matter, providing Sprint makes a good faith effort to reconsider the location of the tower. The health concerns, which staffers want to minimize, are significant. The unfortunate problem is that policy has not caught up to science in this matter. We can all do better.

Jane

Jane Hovland, RN-MS, PhD, LP
Associate Professor, Biomedical Sciences,
Associate Director, Center for Rural Mental Health Studies
227 Medical School
University of MN Medical School Duluth
1035 University Drive
Duluth, MN 55812

218 726 7118

October 10, 2014

To: Members of the Planning Commission

From: Jane Hovland (janehovland@mac.com)

As a member of the Chester Park Neighborhood, I continue to object to granting a special use permit for a cellphone tower in Chester Park. It is my understanding that a Special Use Permit should in some way be related to a property's characteristics or purposes. I am at a loss to relate a commercial cellphone tower to any of Chester Park's purposes, and would hope that this alone would be reason to deny the Application.

I would also like to counter some of the rationale given for moving ahead with this project.

1. "The city has signed a contract with Sprint and we will be sued if we don't grant this special use permit."

The license agreement indicates that the deal between Sprint and the City is subject to governmental approvals. The license agreement states that approvals must be obtained before the contract is enforceable.

Therefore, there isn't really a contract with Sprint until they obtain a permit do to what they propose. Citizens are more likely to sue the city than Sprint is. Denial of approvals essentially voids the license agreement. The licensing agreement indicates that the City (as Licensor) shall cooperate...in the efforts to gain these approvals, but it doesn't say that the Planning Commission approval is guaranteed. Sprint has known that, as have city staffers. The cooperation of Planning Department Staff has been painfully evident to those citizens who have protested this installation.

[http://duluthmn.granicus.com/MetaViewer.php?view_id=&clip_id=27&meta_id=6168]

2. This is a "replacement tower." The original agreement with Sprint was for up to 6 antennas "attached to the ski jump." Sprint and some of the City's Planning Department have referred to the proposed pole as a "replacement." However, Sprint is constructing a new pole, using more parkland, and increasing the limit on the antennas that were originally permitted on Big Chester. A "replacement" would be no more than 6 antennas on a new ski jump.

3. "We have to grandparent this structure in, and then not allow this to ever happen again."

This argument abrogates the very rights of citizens to be heard and to influence their government. If it isn't right in any other place, it certainly can't be right in Chester Park. In relation to grand parenting, the Commission has told private citizens that they won't grandparent related to the Skyline Parkway Overlay, so why grandparent a billion dollar corporation asking to do something that will change public parkland

forever where that park is also part of the Skyline Parkway Overlay (or 2 mile limit of Lake Superior).

4. **“Somewhere on the hill in Chester Park is the only place a tower can go.”** We have been repeatedly told that there were 3 proposed sites reviewed by city staffers and Sprints’ representatives. Two of the sites have been disclosed, while the third purported site has not been disclosed, even when it was requested. Citizens have suggested alternate sites that would be acceptable and that are on city property. Each time we have suggested those sites, we are deflected and told that the hill in Chester is the only acceptable site. Acceptable to whom? The Duluth Community or a multibillion-dollar corporation vying for greater market share in the Duluth area? Citizens are not against contracts between our city and corporations. We are against those contracts when cherished parkland is “preferred” over other available sites.
5. **“We talked to a lot of people about this. We walked all over the park to find a site. The director of the park wants lighting near the chair lift, so a cellphone tower would be good for that.”**
The Chester Bowl Improvement Club director does not represent citizen users of the park. The CBI is dedicated to promoting ski activities in the park. It is readily apparent that skiing represents only a small portion of park activity. Therefore to conclude that the director of CBI is the “voice” of the park’s users is not supported by data.
6. **“We’ll dress up the pole to look like a tree and we will plant screening trees around the 20’x 20’ sites.”** This is truly an unbelievable comment, to which the only response is: a pig wearing pearls and lipstick is still a pig.” Aesthetics aside, the growing awareness of health concerns associated with proximity to cellphone antennas makes this pseudo-tree surrounded by a tree “screen” even more troubling. Camouflaging a public danger makes it even more dangerous because those “not in the know” will be unable to protect themselves.
7. **“We are obligated to support this.”** The City of Duluth has an obligation to its citizens first. All public officials take oaths agreeing to support government in its role of working for its citizens. This permitting process has been so flawed that citizens’ rights to participate in decision-making has been hampered and interfered with. An agreement with Sprint was well in the works before real citizen input was sought. The process has been upside down and backwards in relation to citizen input, and because of this, city staffers imply that we are wrong to oppose the permit application.

8. **The Park Commission supports this.** Our answer to this is “maybe.” There was no public notice and little discussion when the Park Commission approved a resolution related to the tower. The Chester Park Mini Master Plan was recently discussed in the community, and nowhere on the plan was there an indication of a cellphone tower and related acreage. The Park Board Director refused to discuss the tower at the Mini Master Plan meeting, referring everyone to Keith Hamre. Keith Hamre, also charged with protecting historic structures in the city, has continued to be unresponsive to citizens related first to the demolition of the Ski Jumps and second to the placement of a tower in the park. The behavior of paid city staffers has significantly interfered with due process rights of citizens.

I encourage the Planning Commission and its staff to rethink this application. The neighborhood is not against good cellphone coverage. The neighborhood is not against cellphone towers on city property and has suggested reasonable alternatives that would allow all parties to achieve their goals. The neighborhood wants the right to use the park for its intended purposes without concern for commercial intrusions. I am hopeful that the Planning Commission will direct Sprint to withdraw its application and to resubmit it after seeking and USING citizen input. Sprint, and city staffers, might be surprised at the help we are willing to render providing Sprint and city staffers agree to move a tower outside of Chester Park.

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Friday, October 10, 2014 3:24 PM
To: Steven Robertson; Barb Russ; Emily Larson; Howie Hanson; Jay Fosle; Jennifer Julsrud; Joel Sipress; Linda Krug; Sharla Gardner; Zack Filipovich; Amanda Crosby; Andy Holak; Art Johnston; Edwin Hall; Eric Viken; Erik Torch; Frank Jewell; Joel Braun; John Schmidt; Jon Welles; Michael Schraepfer; Patrick Boyle; Tiersa Dodge; Tom Albright; Don Ness; David Montgomery; Jim Filby Williams; Kathy Bergen
Subject: Fwd: Previous Lawsuit Lesson
Attachments: Park Lawsuit 1.pdf

To All Concerned,

I have been asked to send the following forward and attachment from Karl Hodil to be distributed to Duluth Planning Commissioners, Duluth City Council, Duluth Parks and Recreations Commissioners, Mayor Don Ness, and All. Please make Karl Hodil's forward and attachment a part of the public record.

We strongly urge the Duluth Planning Commissioners to DENY the Special Use Permit for the proposed Cell Mono Tower in Chester Park.

Thank-you for your considerations to these important matters that will determine the future of our beloved Chester Park.

Sincerely,
Ann Holtz

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

From: KARL HODIL <karlhodil@msn.com>
Date: Fri, Oct 10, 2014 at 2:37 PM
Subject: Previous Lawsuit Lesson
To: Ann Holtz <amhduluth@gmail.com>

Attached is a summary of a previous lawsuit by ATT against Duluth for denying a a cell tower on Morris Thomas Road in 2005. The city denied the location based on a number of factors not related to health concerns and won the lawsuit. There was an appeal and the courts reversed the denial and granted permission for the cell company based on failure of the city to properly communicate the denial to the cell company in writing within the 60 day time deadline. Charles Froseth and Steve Scholz were the people involved for the city and the cell company, with Froseth losing to Schulz on the appeal. The appeal details can be found by Googling "duluth cell tower lawsuit" or something similar.

Unfortunately, the details of the Chester Park monopole are significantly different than the previous case. The other cell tower was much taller and was located in a developed residential area. The pole was much taller and visible and a case could be made for significant loss of property values in the neighborhood. **One important thing to take away from this is the need to watch the details of the proceedings and official communications to the cell company. Unless an official extension to the 60 day deadline is properly**

obtained and approved (by the City Council?), the Special use permit will automatically be approved after 60 days.

Please have someone check and confirm what this date is. I think it changed and was reset to another 60 days when Sprint had to re-submit the Special Use Permit Application. I think the 60 day deadline should be shown on the first page of the latest Application.

Karl

Note: Send this out to whomever you want. I'm working on the historical stuff also and will send to you when done.

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Friday, October 10, 2014 5:45 PM
To: Steven Robertson; Barb Russ; Emily Larson; Howie Hanson; Jay Fosle; Jennifer Julsrud; Joel Sipress; Linda Krug; Sharla Gardner; Zack Filipovich; Amanda Crosby; Andy Holak; Art Johnston; Edwin Hall; Eric Viken; Erik Torch; Frank Jewell; Joel Braun; John Schmidt; Jon Welles; Michael Schraepfer; Patrick Boyle; Tiersa Dodge; Tom Albright; Don Ness
Cc: David Montgomery; Jim Filby Williams; Kathy Bergen; chesterbowlpark@gmail.com
Subject: Fwd: Chester Cell Facility History

To All Concerned:

Karl and Peggy Rae Hodil have asked us to forward their letter to Duluth Planning Commissioners, Duluth City Council, Duluth Parks and Recreation Commissioners, and Mayor Ness and all concerned.

[Mr. Steven Robertson please distribute to Planning Commissioners and please make part of the public record. Thank-you.]

Hodils' letter further documents that the temporary cell tower in Chester Park is illegal and the phone company site has violated contracts from the beginning and should never be allowed in a Public Park and endanger the general public.

Hodils' letter further documents the **DANGEROUS INSTALLATION OF TEMP. CELL TOWER** Holtz's reference in their Oct. 2, 2014 letter.

We will not accept at any time or for any reason the proposed Cell Mono Tower in Chester Public Park.

For these reasons and all previously raised issues we strongly urge the Duluth Planning Commissioners to DENY PL 14-121 Special Use Permit for NEW 75 ft tall Monopole Cell Tower proposed for Chester Public Park.

Sincerely,
Steve & Ann Holtz
1511 Belmont Rd.
Chester Park
Duluth MN 55805

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

From: KARL HODIL <karlhodil@msn.com>
Date: Fri, Oct 10, 2014 at 4:59 PM
Subject: Chester Cell Facility History
To: Ann Holtz <amhduluth@gmail.com>

My name is Karl Hodil, I have been working in the electrical industry since 1974 as an electrical engineer, and am a Licensed Professional Engineer in the state of Minnesota. Most of my experience is concentrated in the

commercial and industrial areas and I have been involved in bringing power to five cell phone base stations. As a result I have some experience with, and understanding of, specifications and drawings for cell phone facilities. However, I am not a Radio Frequency (RF) engineer and therefore cannot claim to be an expert on detailed antenna characteristics. My Wife and I live at 15 N. Chester Parkway, the residence closest to the cell facility access gate. The following is my perspective and recollection of the history of the Chester Park cell facility.

The facility was installed in 2000, and consisted of an equipment building, approximately 15' x 20' (300 sq. feet), and a number of antennas, probably 6 mounted in 3 groups of 2 each, mounted on the existing ski jump. It's my understanding that no public input was sought or required. The cell company contract was for a 6' x 12' (72 sq. feet) building so **it appears they were in violation from the beginning.**

Through the next several years various upgrades were allowed, per the contract. At some point, the number of antennas was increased to 12, probably during an upgrade from "1G" to "2G" (CDMA) service. These may have been installed as 3 groups of 4 each. An increased number of antennas such as this is sometimes disguised by putting them in a larger canister, hence the same apparent number of antennas (3) on the ski jump. This has been confirmed by Sprint subcontractors working at the site.

Spring and summer of 2014 there were 3 Special Use Permits issued to cell phone companies for upgrades from "2G" to "3G" service at 112 Spring Street, 100 North central Ave, and 4901 Grand Ave. This involved adding 3 new antennas to 6 existing, at each site. **This indicates the need to get a Special Use Permit for this type of upgrade,** as does the wording of the contract at Chester Park.

The UDC was revised in May, 2014 to allow cell towers in parks; prior to that it was not allowed in the parks.

During the month before the ski jump came down on 8-20-14, technicians worked on the Sprint facilities and another contractor erected a temporary pole. **The UDC requires a Special Use Permit for erection of a temporary pole, but none was issued.**

The week of 8-20-14 other technicians mounted new antennas on the pole. They confirmed that they were upgrading from "2G" to "3G" and informed me that there were **now 18 antennas (3 groups of 6 each)** on the temporary pole and that they would be activated shortly, probably on 8-25-14. As stated above, 3 other similar upgrades with added antennas required a **Special Use Permit to do so, however, none was issued for the Chester facility.**

At the Planning Commission meeting on 9-23-14, the Sprint representative was asked "Why do we need a new monopole? Can't we just use the temporary pole?" His reply was "**No, it's dangerous**". No further explanation was given.

Two days later, a licensed Master Electrician hired by Sprint came to the site to confirm/repair the electrical grounding. He repaired the ground connection at the pole, added more grounding but was not able to make further repairs to the building grounds. The ground ring that usually encircles this type of building had never been completed, and was not completed during this work. (This is something shown on the new drawings and still needs to be done.) Why was this not discovered and corrected some time during the original construction or in the last 14 years?

The form representing the new contract of the City with Sprint was provided to us this week but it appears to have numerous inconsistencies and errors, including Lessee and Lessor being switched around in parts of the document.

The whole Special Use Permit process has been full of errors, omissions, conflicting statements from city

employees and Sprint employees, mis-communication and mid-stream changes. It is our opinion that the Planning Division appears to feel that the rules only apply when it serves their purposes. This has made a bad situation even worse.

Karl and Peggy Rae Hodil
15 North Chester Parkway
Duluth

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Sunday, October 12, 2014 10:51 AM
To: Steven Robertson
Cc: Barb Russ; Emily Larson; Howie Hanson; Jay Fosle; Jennifer Julsrud; Joel Sipress; Linda Krug; Sharla Gardner; Zack Filipovich; Amanda Crosby; Andy Holak; Art Johnston; Edwin Hall; Eric Viken; Erik Torch; Frank Jewell; Joel Braun; John Schmidt; Jon Welles; Michael Schraepfer; Patrick Boyle; Tiersa Dodge; Tom Albright; David Montgomery; Don Ness; Jim Filby Williams; Kathy Bergen; chesterbowlpark@gmail.com
Subject: Chester Park Cell Tower Site - New Details and Alternatives

To: The Honorable Duluth Planning Commissioners

Subject: [PL 14-121 Special Use Permit for New 75 Foot Tall Monopole Cell Tower](#) at 1805 East Skyline Parkway (Chester Creek Park) by Sprint PCS

I wish to extend and augment the argument I made in my October 9th communication:

I urge the Planning Commission to deny the Special Use Permit application PL 14-121 on the grounds that not all viable alternative cell tower sites have been explored. I urge that the applicant be required to explore all alternative cell tower sites.

In the current Planning Staff Report (<http://www.duluthmn.gov/media/250028/PL-14-121-Cell-Tower-Staff-Memo-and-Recommendation.pdf>), the applicant has explored further options under UDC section 50-20.4.E.3, Location Standards ii) "On existing towers or other structures on other property in the city", and has found no viable structures for the installation. This exploration of other potential viable sites is important and I commend the applicant and City Planning Staff for making this happen.

However, I find fault in falling back to UDC section 50-20.4.E.3 Location Standards iii) "A new tower on city owned property" without engaging in this same exploration of viable alternative sites for the installation.

Installing a cell tower in the center of a Chester Park does two things that are unacceptable:

- 1) The installation site becomes the designated location for future installations
- 2) The installation sets a precedent for this type of installation to occur in other City public parks

According to the "Federal Communications Commission Fact Sheet: New National Wireless Tower Siting Policies" provided in <http://www.duluthmn.gov/media/243758/PL-14-121-Revised-Memo-and-Attachments.pdf>, Section 704 of the Telecommunications Act of 1996 "prohibits any action that would discriminate between different providers of personal wireless services...". This means that once this tower is in place and all antenna bays are full, the City will be required under Federal Law to allow other cell tower installations in the center of Chester Park.

The applicant must be required to pursue locating the installation at the perimeter of Chester Park and then the park boundaries redrawn to exclude the installation from the park itself.

There are 3 potentially viable locations at the perimeter of Chester Park. They are circled in the Google Earth / Land Use Map overlay image below:



Proposed alternative location 1: The gravel staging area along Kenwood Ave.

Alternative location 2: On the Chester Park side of the intersection of Kenwood Ave and College St

Alternative location 3: At the top of N Chester Park Dr.

Discussion of the proposed cell tower locations:

Current temporary tower location: According to Google Earth, the land at the location of the current temporary tower installation is approximately 1177 feet above sea level. Part of the PL 14-121 application is a utility easement that runs from the intersection of Kenwood Ave and Hovland Lane to the proposed tower installation site.

Alternative 1 (gravel staging area): Google Earth places the elevation here at 1171 feet above sea level. This potential site is at approximately the same elevation as the current proposed site. The Future Land Use Designation Map indicates that this area has a Preservation designation. However, the gravel staging that the City engages in here is hardly preserving this land. Furthermore, the current Chester Park Mini-Master Plan has proposed that this area be converted to a public parking lot (see <http://www.duluthmn.gov/media/244784/Chester-Plan-Prelim-Design.pdf>). This location would not require the utility easement; all utilities are available at this location. The north end of this area has some large trees that could help to screen the installation from users of Chester Park.

Alternative 2 (Kenwood and College): Google Earth indicates an elevation of 1194 feet above sea level. Thus this site is nearly 20 feet above the location of the current proposed site. The Future Land Use Designation Map indicates that this area also has a Preservation designation. However, there is a curb cut to access this location with a vehicle and there is a gravel parking area here. This location also would not require a utility easement.

Alternative 3 (Top of N Chester Park Dr): Google Earth gives this location an elevation of approximately 1132 feet above sea level. So this site is about 40 feet lower. However, it has several things going for it that the others lack: This site is designated Recreation in the Future Land Use Designation Map. Utilities can easily be brought into the site from the corner of College St and N 19th Ave E with an easement along the edge of the R-2 (residential-urban) zoned Aftenrow property.

Each of these alternative installation locations will have different radio frequency land shadows cast by hills in the area. If there is a coverage problem from any of these proposed locations, then the applicant should be required to separate the installation in two of the locations, like alternative locations 1 and 3 should give much better coverage than the single propose tower would provide. Another option available to the applicant is to apply for a height variance from the restrictions imposed by the Migratory Bird Regulatory Zone.

Being on the edges of Chester Park, any of these three proposed alternative locations can then be excluded from Chester Park by redrawing the park boundaries. Thus a precedent will not be set for future installations in our City parks and the City will not be exposed to having a potential cell tower farm installed inside of Chester Park as other wireless companies request space.

The current proposed cell tower location within the Chester Park boundary is unacceptable.

The applicant must be required to explore all options available under 50-20.4.E.3 Location Standards iii.

I urge the Planning Commission to deny the PL 14-121 application.

Respectfully,
Steve Holtz
1511 Belmont Rd
Duluth, MN 55805

Steven Robertson

From: Ann Holtz <amhduluth@gmail.com>
Sent: Sunday, October 12, 2014 11:30 AM
To: Steven Robertson
Subject: CELL TOWER CORRESPONDENCE

Good Morning Steven:

These are the Titles/Subjects of recent correspondence not yet present in the public record that need to be distributed to Planning Commissioners and made part of the Public Record:

1. **DANGEROUS INSTALLATION OF TEMP. CELL TOWER? -- to srobertson@duluthmn.gov from Ann & Steve Holtz to Planning Commissioners**
2. **Previous Lawsuit Lesson -- to srobertson@duluthmn.gov a forward from Ann Holtz from Karl Hodil to Planning Commissioners**
3. **Chester Cell Facility History -- to srobertson@duluthmn.gov a forward from Ann Holtz from Karl and Peggy Rae Hodil to Planning Commissioners**
4. **To: Planning Commissioners -- CP Cell Mono Tower -- to srobertson@duluthmn.gov from Ann Holtz for Steve Holtz to Planning Commissioners**
5. **Fwd: Please distribute the attached to staff, Sprint PCS applicant, and to Planning Commission Members -- to srobertson@duluthmn.gov from Jane Hovland to Planning Commissioners**
6. **Chester Park Cell Tower Site - New Details and Alternatives -- to srobertson@duluthmn.gov from Ann Holtz for Steve Holtz to Planning Commissioners**

Please advise when will these letters/emails be posted?

The **DANGEROUS INSTALLATION OF TEMP. CELL TOWER?** letter is missing from the recent posting.

The other letters/emails have been sent since Friday.

Please advise when will Planning Commissioners will receive this correspondence?

Please advise when these correspondences will be included in the public record.

Please let us know if we can be of any further assistance.

Thank-you for your communication and assistance.

Sincerely,
Ann & Steve Holtz

Steven Robertson

From: vanbaum@charter.net
Sent: Monday, October 13, 2014 11:32 AM
To: Steven Robertson
Subject: cell phone tower in Chester Park

Dear Mr. Robertson,

I am writing to you in regards to up-coming decision of Sprint's cell phone tower in Chester Park. I understand that the Sprint Company has had a cell phone tower in the park for a number of years now and I'm hoping that, as a new tower now needs to be put up, that moving the tower out of the city park might be an option at this time. Perhaps the gravel staging area on Kenwood road might be a better option for placement. I understand the city's need for this sort of revenue, but I would hope that any revenues that our city parks take in for the city would remain consistent with the philosophy of our parks. A cell phone tower owned and operated by a private company does not seem to be consistent with the purpose and goals of our public city parks.

Thank you for your time,
Liz Vandersteen