

Exhibit E - APPEAL

Executive Summary

Dark Sky Standard

Sensory Processing Disorder and Exposure to Flashing Lights

MCC 39.6850, MCC 39.7700

INTRODUCTION

There is a resident who lives approximately 1,000-1020' in straight-line view of the proposed cell tower and will be greatly and adversely affected by this proposed cell tower with required FAA flashing marker lights. This resident has Sensory Processing Disorder.

Sensory Processing Disorder or SPD (originally called Sensory Integration Dysfunction) is a neurological disorder in which the sensory information that the individual perceives results in abnormal responses.

Sensory processing refers to the way the nervous system receives messages from the senses and turns them into responses. For those with Sensory Processing Disorder, sensory information goes into the brain but does not get organized into appropriate responses. Those with SPD perceive and/or respond to sensory information differently than most other people. Unlike people who have impaired sight or hearing, those with Sensory Processing Disorder do detect the sensory information; however, the sensory information gets "mixed up" in their brain and therefore the responses are inappropriate in the context in which they find themselves.

A more formal definition is: SPD is a neurophysiologic condition in which sensory input either from the environment or from one's body is poorly detected, modulated, or interpreted and/or to which atypical responses are observed. Pioneering occupational therapist and psychologist A. Jean Ayres, Ph.D., likened SPD to a neurological "traffic jam" that prevents certain parts of the brain from receiving the information needed to interpret sensory information correctly.

ARGUMENT:

MCC 39.6850 purposes that Dark Sky Lighting standards are designed **to protect and promote public health**.....and to minimize obtrusive aspects of exterior lighting uses that degrade the nighttime visual environment and **negatively impact** wildlife and **human health**.

MCC 39.7700 notes within its purpose and intent that regulations contained herein are **designed to protect and promote public health, safety, community welfare**.

As stated in MCC 39.6850 and MCC 39.7700, there is purpose to protect and promote public health in addition to community welfare. In the case of this resident who is in straight-line view and in close proximity to proposed cell tower with required FAA flashing red/white lights, both

her physician and her mother say that these flashing red/white lights will greatly affect her welfare and any progress she has made in coping with this disorder. The flashing red/white lights will set her off and set her back in any progress she has made through therapy. As noted by her physician (see Exhibit MAK9), she requires complete darkness for sleep and when she does become agitated, she goes outside to walk her therapy dog and walks in the dark. But if the proposed cell tower is constructed, there will no longer be dark skies for her to calm down in. She will be exposed to agitating flashing red lights. Not to mention during the day she will get agitated by the flashing white lights. She will have nowhere to go for refuge.

CONCLUSION:

- It is asked that this proposed cell tower with required FAA flashing red/white lights is located at an alternative site because it will greatly and adversely affect this resident behaviorally as well as her sleeping pattern as she has Sensory Processing Disorder.
- If cell tower is not able to be located elsewhere, it is asked that FAA approved Aircraft Detection System Lighting is used in lieu of the continuous flashing red/white marker lights.

Exhibits:

MAK8 – Map showing proximity of resident to proposed cell tower with required FAA flashing lights.

MAK9 – Resident's physician Letter

MAK10 – Mother's letter

MAK7 – Documentation on Aircraft Detection Lighting System

Google Maps



Imagery ©2020 Maxar Technologies, Metro, Portland Oregon, State of Oregon, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2020

200 ft

Measure distance

Total distance: 1,021.80 ft (311.44 m)

DENNEY, PAIGE OLIVIA A (id #18327, dob: 08/19/2009)

Calcagno
PEDIATRICS

24850 SE STARK, SUITE 150

GRESHAM, OREGON 97030

phone 503-492-0714

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Exhibit MAK 9

Patient: Denney, Paige Olivia A

DOB: 08/19/2009

Address: 29635 E Woodard Rd
Troutdale, OR 97060

Date: 08/29/2020

Patient ID: 18327

RE: Sensory Processing Disorder and exposure to flashing lights

To Whom It May Concern:

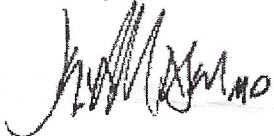
Paige Olivia Denney has been my patient for years, since she was 5. By report, she had delayed development of language skills and she continues to work with speech therapy on both expressive and receptive language. She's had issues with sensory processing since infancy, affecting her sleep and behavior. She works with occupational therapy for sensory processing disorder. I am treating her for outbursts of anger which have impacted school and family life.

I'm told that Paige requires complete darkness for sleep and the family keeps their whole house somewhat dim in the evenings to increase the chance of her sleeping. Even an hour of screen time is too much and will "set her off." When Paige is agitated, she goes outside with her therapy dog and walks in the dark. Her family is concerned that if there are constant flashing lights outside that refuge will be lost to her.

I'm not clear on the regulations surrounding cell towers and lights but I've learned that smaller towers don't require lights and that technology exists which can make the lights activate only when there is an aircraft in the area. I'm hopeful that some compromise can be reached where a tower goes in but Paige's family is still able to enjoy their rural dark sky.

Sincerely,

Electronically Signed by: JULIA W. MASON, MD



August 29, 2020

Paige – Sensory Processing Disorder

My daughter, Paige, has had sensory issues since birth. As a baby she was extremely fussy and had trouble sleeping. She would wake up crying at night and could only be soothed being held outside, in the dark. Today, she still has trouble sleeping and takes melatonin to help her relax.

Paige's occupational therapist stated in her 8/30/2019 evaluation that "She presents with sensory dysregulation". She attends occupational therapy every week and is continuing to make progress in learning what her brain is telling her.

Though there is no formal diagnosis for this disorder, doctors have said that Paige has Sensory Processing Disorder, formally known as Sensory Integration Disorder. It is a neurological condition that interferes with the body's ability to interpret sensory messages from the brain and convert those messages into appropriate responses. These misinterpreted sensations can, at times, disrupt and overwhelm her everyday life. For Paige, lights, loud noises and textures are what affect her the most.

The lights on the Cell Tower will greatly affect Paige's ability to learn to work within her disability. White lights, strobe lights and/or the Red/Green FAA lights will disallow her brain to rest in order for her to regulate her emotions and responses.

As a family, we have been working with Paige on this disability for 11 years and this Cell Tower with it's lights and a sometimes humming generator, that would be loud given the silence of the night, could take us back at least 5-7 years if not more of work. We need the quiet and the darkness in order for her to continue to learn and become the best she can be.

Alyssa Denney