

PC 12/11/14
3

RICHARD GREGG & PAMELA GREGG

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530-573-1111

El Dorado Planning Commission

In response to the proposal to install a wireless telecommunication facility with a 113 foot tower, sound barrier walls, close to a property my wife and I bought in 2010 APN 034-773-03-100, 1722 Skyline Dr. and are doing an extensive remodel to reflect the quality of homes in our area, concerns us. We did not know of this proposed antenna or we would have reconsidered.

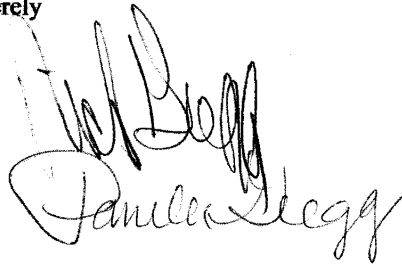
We don't see any positive affects to this construction in our neighborhood, it's a neighborhood of quiet folks who constantly walk up and down the level Skyline drive because of its flat grade, perfect for a stroll here in the mostly hilly mountains.

We have not seen any study of the long term physical effects of antenna this size close to residential homes. Also we have not seen the traffic plan generated for T.R.P.A. of the increased flow for construction and maintenance. We also do not know the duration of the proposed construction. From my observations: I have noticed a lot of action at these antenna locations here in South Lake Tahoe, not construction but maintenance equipment compressors generators work trucks small tractors. Too much for a residential neighborhood.

It would be better for the Skyline/Crystal Air community if the antenna were to be located on a piece of Calif. Conservancy property not so close to a well established residential neighborhood.

We are opposed to this project because there are many other locations out of our neighborhood away from children young adults, adults, and seniors not to mention all the pets.

Sincerely



Pamela Gregg

RECEIVED
PLANNING DEPARTMENT
DEC - 8 AM 11:30

12/8/2014

Edcgov.us Mail - Fwd: Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive



PC 12/11/14
3 (7 pages)

Planning Unknown <planning@edcgov.us>

Fwd: Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive

1 message

Planning Unknown <planning@edcgov.us>
To: Charlene Tim <charlene.tim@edcgov.us>

Mon, Dec 8, 2014 at 3:55 PM

Public comment.

Thanks, Debbie Ercolini

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

From: **paul baybutt** <paulbaybutt@gmail.com>

Date: Mon, Dec 8, 2014 at 2:32 PM

Subject: Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive

To: planning@edcgov.us

I submitted a letter opposing construction of the cell tower on November 25, 2014. The attached letter enumerates additional concerns and reasons the tower should not be constructed.

I am also mailing a signed copy of the letter.

Paul Baybutt
1741 Crystal Air Drive
South Lake Tahoe, CA 96150

 **El Dorado Planning Services - Additional Concerns.pdf**
25K

County of El Dorado Planning Services
2850 Fairlane Court
Placerville, CA 95667

1741 Crystal Air Drive
South Lake Tahoe, CA 96150

December 8, 2014

Re: Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive - Parcel Number 081-102-01

To whom it may concern:

I am the owner of a home located approximately 100 feet from the proposed cell tower. I expressed my objections to the construction of the proposed cell tower in a November 25, 2014 letter and enumerated multiple grounds for my opposition. There are further concerns that I want to add to those I expressed previously.

In listing these concerns, I should note that besides being a homeowner who would be adversely impacted by the proposed tower, I am a professional risk and safety analyst and my spouse is an environmental engineer who has worked for the US EPA.

My additional concerns include:

- The County Staff has tried to make an objective case to support the request for a Special Permit. However, many of the issues involved are intangibles that cannot be quantified and depend on the perceptions of the people involved. Indeed, perception is actually reality for people. Affected people in the neighborhood uniformly perceive the tower to be unacceptable for multiple reasons. That is the reality that must be recognized by the County. Notwithstanding these perceptions, there are various objective reasons why the application for a Special Use Permit should be denied which I describe below.
- The proposed tower is on the approach path to Lake Tahoe Airport. I find it inconceivable that anyone would propose the construction of a cell tower on this flight path. I have found no evidence that a Safety Assessment was conducted. General aviation pilots who use the airport have much less experience than their commercial counterparts and, during landing, frequently come very close to trees on the ridge where the tower would be located.
- Many of the homes in the immediate area of the proposed tower have values in excess of a million dollars. Has the County determined the amount of the loss of real estate taxes from the lowered values of these homes through construction of a cell tower in their backyards?
- I believe the FCC requires warning notices to be placed in locations where people may be exposed to radio-frequency radiation. Not only are such signs an eyesore but there are numerous vacation rental homes in the neighborhood that

would likely be affected by the willingness of vacationers to rent in an area where such signs are posted. Has this economic impact been assessed?

- The recommendation by the County Staff to adopt the Negative Declaration is inappropriate for multiple reasons including:
 - Parts of the impact assessment were based on opinions, not facts, and uncorroborated analyses.
 - Only radio-frequency levels in publicly-accessible areas were addressed. Electromagnetic radiation exposure to neighborhood residents and the expected effects were not addressed. Furthermore, no specific comparison of those levels with FCC standards was provided. Additionally, notwithstanding the FCC standards, the chronic, long-term health effects of exposure to cell tower radiation are unknown owing to lack of sufficient data. My understanding is that there have already been two cancer fatalities in the neighborhood with the victims being people who lived in proximity to the current cell installation.
 - The combined effects of electromagnetic radiation from three installations on the tower were not addressed.
 - Noise levels from ground equipment were addressed for only one cell company installation. The site is intended to accommodate three cell companies and three ground installations. The combined effects of the three installations were not addressed. The noise level from one installation alone is barely below the permissible nighttime level.
 - The projected noise level of 43.2 dBA from the HVAC units is much louder than the sound of rustling leaves which at 10 dBA is the sound level for which we purchased a house in the neighborhood. Furthermore, the HVAC units run during the day and at night.
 - Installation of the necessary ground equipment creates a fire hazard that does not currently exist and will be concentrated in the midst of multiple home sites. This risk was not addressed adequately or at all by the County Staff.
 - Hazardous materials used and/or stored on-site were not identified. The effects of the use and storage of hazardous materials on the site and their possible release in close proximity to residences were not addressed.
 - The possibility of interference with television reception and other electrical interference from the close proximity of the tower to residences were not addressed. Some people depend on life-critical electrical equipment that

could be affected by the proposed tower.

- No detailed assessment of the earthquake risk to a tower over 100 feet tall and the impact of its collapse on adjacent homes was provided.
- The impact of increased traffic flow from service vehicles in what has been a quiet residential neighborhood was not adequately addressed. Claims made are not consistent with the actual experience of homeowners that has been documented previously.
- The aesthetic impact of the required light on top of the tower was not assessed.
- The design of the proposed project to “blend with surrounding trees and colors” does not justify a finding of land use compatibility.
- The analyses of sound levels and radiofrequency electromagnetic fields were conducted by Hammett & Edison, Inc. The company is a consultant to the wireless telecommunications and broadcasting industries and as such cannot be seen as independent. At a minimum, a qualified peer review of their reports should be performed due to the reliance the County has placed upon them.
- No comparative analysis was provided of alternative potential sites that would be better suited for the installation.
- The County has not applied the principle of de minimis risk in evaluating the Special Use Permit application. This principle is used by regulators around the world, including the US EPA.
- The County has not addressed the issue of unintended consequences of placement of a cell tower in a residential neighborhood, and specifically, the proposed site for the tower.
- I believe that ordinances, deed restrictions, zoning, and other restrictions prohibit construction of the proposed tower.
- I specifically purchased a house in the neighborhood for its tranquility and one that is surrounded on all sides by Conservancy or Forest Service lots that will never see construction. The peace and quiet and my enjoyment of my home will be destroyed by the commercial construction activities required for the tower and the operation of equipment in the completed facility.
- The Special Use Permit indicates that 0.32 acres are available for the tower but a house already substantially occupies the lot. I believe there is insufficient

TRPA coverage for the additional new impervious surface areas.

- Besides the tower, the Special Use Permit would allow the construction of a 12 foot by 12 foot by 10 foot tall equipment shelter, two HVAC units with a corrugated metal roof, and two 10 foot tall block barrier walls. If I sought permission for such construction on my lot, I would be summarily rejected even though my house is on a substantially larger lot. Not only does the tower itself not belong on a residential lot but the auxiliary structures do not belong there either.
- The ground equipment listed in the previous paragraph is for one cell phone company and it is just the beginning. Two other companies would install similar equipment on what is already a small lot. This coverage would grossly exceed the TRPA allocation. The major part of the lot would be covered with an impervious surface. My house is located downhill and my property will suffer from the runoff. This issue was not addressed by the County Staff.
- The Special Use Permit would provide for the removal of three mature trees and the topping of three other trees. I can see these trees as I type this letter and their removal would lower the aesthetic value of my property. Again, if I sought approval for similar forestry on my lot, I would be denied.
- Trees around the tower will grow and necessitate further forestry in the future which will adversely affect the aesthetics of the neighborhood.
- My understanding is that the current tower located near the proposed tower is a landing beacon for the airport, and that use of it for cell phone antennas was not subject to much, if any, input from residents of the neighborhood. Many residents oppose use of the existing tower for cell phone antennas. The proposed tower is substantially higher than the existing tower and is in close proximity to it. This represents an unacceptable intensification of non-residential uses in a residential neighborhood.
- This issue inflames people's emotions and has set people against the owners of the property where the tower would be located. I don't think any amount of rental income can compensate them for becoming neighborhood pariahs. I am fearful of what may transpire in the neighborhood, which has been a tranquil one. Many residents believe they and their children are at risk from unknown health effects from proximity to the proposed tower, their property values will decrease, and their enjoyment of the tranquility of the neighborhood will be impaired. This raises the specter of possible violent confrontations and property damage. My house is very close to the proposed tower and I may suffer effects from actions taken by objectors who take the law into their own hands. I really don't think this is a situation the County should allow to develop by approving the Special Use Permit.

- My understanding is that a similar application was made a few years ago and the proposed tower was not approved. What has changed in the interim to merit consideration of this one? The TRPA Governing Board denied the previous application. Does the applicant believe they will have an easier time with the members of the El Dorado County Planning Commission even though the basic facts remain unchanged?
- The neighborhood contains a number of vacation homes with owners who are part-time residents and may not be aware of the proposed tower. Have they been contacted for their input? I found it difficult to identify the location of the proposed tower from the notice I received. Has the County affirmatively determined the views of all property owners on the proposed tower?
- No opportunity was provided for inspection of the proposed site by parties with a vested interest.
- Some of the documents relevant to the application for a Special Use Permit are available only in the County's offices in Placerville. This makes it difficult for owners of vacation homes in the neighborhood to consult them. All relevant documents should have been made available on the County's website to permit a complete evaluation of the Special Use Permit by homeowners. Some issues may have been missed owing to the difficulty of accessing documents.
- Do the members of the County Planning Commission really want to impose the stress and anxiety of devalued properties, unknown health effects, and other consequences on the tax-paying residents of the neighborhood? Many homeowners have young children or grandchildren who will be at risk and the depth of their concern cannot be doubted. I would not have purchased a home in the neighborhood had I known construction of the tower was possible.
- Do the members of the County Planning Commission want to act in the interests of neighborhood homeowners who are uniformly opposed to construction of the tower or in the interests of Corporate America?
- Approval of the Special Use Permit would contravene the mission statement of the Planning Department to maintain the County's unique quality of life and protect public safety and the environment.
- If this Special Use Permit were to be approved, what would come next? It is the top of a slippery slope.

Surely there must be alternative possible locations for the tower, for example across the valley on the next ridge line where there are no housing developments.

I don't see how any case can be made for the construction of the tower in the backyard

of a home in a residential neighborhood. Would any member of the County Planning Commission or Board of Supervisors want a cell tower in the backyard of a home in their neighborhood?

I expect that any official with investments in or ties to the cell phone companies that may benefit from construction of the tower or that have received campaign contributions from parties who will benefit from its construction will recuse themselves from participation in the decision on the Special Use Permit to avoid a conflict of interest.

I am sure that residents of the neighborhood will organize to ensure there are political consequences for any official voting in favor of the Special Use Permit.

I stand ready to take legal action against the County, the developer and the land owner to stop construction of the tower should the County approve the Special Use Permit.

Sincerely,

Paul Baybutt, Ph.D.