

11/12/2014

Edcgov.us Mail - Planning Commission Nov 13th Mtg item #6 S14-0004 1521 Lake Vista Way Verizon Wireless

PC 11/13/14
#6
5 pages



Charlene Tim <charlene.tim@edcgov.us>

Planning Commission Nov 13th Mtg item #6 S14-0004 1521 Lake Vista Way Verizon Wireless

sponable98@aol.com <sponable98@aol.com>
To: planning@edcgov.us
Cc: charlene.tim@edcgov.us

Wed, Nov 12, 2014 at 9:35 AM

Please provide the attached documents to the Planning Commission, I apologize for the timing. I just received the MetroPCS Termination last night, brother emailed me a copy from home, and I am attempting to send from a foreign country. Hope it works.

Thank You very much!

2 attachments

 **MetroPCS_termination_letter.pdf**
242K

 **letter_to_Planning_Comm.docx**
21K

To: El Dorado County Planning Commission

Date: November 13, 2014

Re: November 13th 2014 Meeting, item 6 – Special Use Permit S14-0004/Verizon Wireless Communications Facility (Mono pine)

From: Bill and Sandy Sponable (1668 Arroyo Vista Way, EDH)

My wife and I have lived at 1668 Arroyo Vista way since 1988, with a brief absence from 1999 to 2001 to accommodate my wife's promotions and career. Arroyo Vista is a marvelous rural area/neighborhood with many homes having spectacular views of the Sierra's to the East and Expansive views of Sacramento Valley, Folsom Lake, Coastal Ranges, The Buttes, and Mt Diablo. In 1993 Nextel Communications selected our property to install a 45' cellular tower, that site was enhanced to an 80' mono pine in 2007. Owner of the tower is American Tower Corporation ATC, current tenants are:

Sprint (1994) Original 45' tower (merger/takeover with Nextel (2005))

Metro PCS (2007) (Merger/takeover with T-mobile in May 2013 over 18 mos. ago, *common knowledge in the cellular industry*, final discussions and federal approval likely many months prior to actual merger/takeover). **Terminating contract on 1/31/2015, due to merger.**

T-Mobile (2008) (Merger/takeover w/MetroPCS, see above)

AT&T (2014) Discussions and option contract with AT&T in 2002/2003. They dropped the option after their merger/takeover of Cingular Wireless in October 2004.

Please find attached letter from T-Mobile/MetroPCS terminating MetroPCS contract effective January 31, 2015. I received this letter by UPS last night Tuesday Nov 12th 2014. Though I have had no contact from MetroPCS/T-Mobile, prior to this letter, we have known for over 18 months that this would eventually occur. We did not request the termination.

I apologize for the short history on this tower, but I thought it was appropriate as this ATC cellular facility (Mono pine 80') is in very close proximity to S14-0004/Verizon Mono pine, approximately 2-300 yards, significantly higher in elevation, and is located along the ridge (Does not block Sac Valley/Folsom Lake/Coastal Range views of neighbors), with all roads (paved) and utilities currently in place at the tower site. Including an approximate 10'x20' fully wired and conduit installed to the equipment area being vacated by MetroPCS and available Feb 1st 2015.

We are currently on a long planned vacation and out of the country, thus we are unable to attend the November 13th 2014 meeting, we are requesting the following:

That the Planning Commission delay this agenda item to a later date into 2015, or deny the application and have Verizon's consultant resubmit the item with more complete and accurate documentation.

Reasons supporting request:

1. Failure to provide accurate negative declaration regarding adjacent cellular facility, existing site has room for Verizon's antennas and ground equipment. Not conceivable that Agent's did not know a vacancy was to occur shortly on the ATC Tower!
2. Aesthetics: Site will have a "potentially significant impact" upon "scenic views" and "will significantly degrade the visual character quality" from residences located along the ridge east of this project. Should a second site be needed, in this immediate area, it should be located somewhere along the ridge to avoid blocking neighbor's views.
3. Aesthetics: Site is described as a "gray pine"; agent advised me it was to resemble tall pines in the area. (Digger pines do not look like mono pine cellular towers).
4. Aesthetics: Simulated photo should have been taken from higher elevation along ridgeline, immediately east of Lake Vista and Arroyo Vista; to accurately depict impact of the Mono pine on these home's scenic views.
5. Properties most impacted by Mono pine are outside 500' public notice area and have received no official notice; they should be noticed prior to approval.
6. District 1 Supervisor advised us that this site was actually in Sup. District 4.
7. Coverage of local area for up to 20+ years by past and present tower tenants: Nextel-Sprint-TMobile-MetroPCS-AT&T
8. There are only 4 major carriers in our market, with consolidation efforts continuing, multiple towers in the same neighborhood are not necessary.
9. Per D-7 elevation diagram showing elevation relief lines the proposed tower base height is 50'to 55' lower than the ATC site (1045' vs. 1100' at ATC site). These antennas will **not** be above the local homes, not the ideal situation. Coverage most also be reduced with this lower height.

Verizon's Agent's will likely state that their current location is their best option to provide coverage for the Salmon Falls Road/Bridge area. It is nearly impossible to refute their claims without any prior disclosure of their data to the public. All things considered, better options exist for this section of Salmon Falls Road and South Fork Canyon. Salmon Falls Road near the Bridge will continue to be a problem for radio transmission due to its canyon like characteristics as you approach the Bridge. Should a second tower be needed in this area, it should be situated on an opposing hilltop with line of site views to these areas. Additionally, this would likely provide enhanced coverage up the canyon for boaters and white water rafters. A second tower in this location is a better use of resources and would improve coverage for citizens and greatly enhance any cellular/GPS use by emergency services in this high fire danger and remote area. Obviously, I am not a radio expert, but am relying on 36 years as a firefighter/Officer who has experienced many radio issues over the years in terrain such as this area. Time and details are needed to respond to the Verizon Agent's claims. Disclosure: I am retired, and do not represent any emergency services in this letter.

Verizon's Agent claims they already evaluated the ATC site. No one at our household was ever contacted by an Agent representing Verizon Wireless. If he contacted us he must have been representing AT&T at the time.

Verizon Agent accused me of contacting and “marshaling” neighbors against his project, he advised me that I would fail. The only neighbor I spoke with is Geoff Miller; I did not contact any other neighbors.

Verizon’s agent may also claim that I am only interested in the potential revenue derived from a Verizon Co-location on the ATC tower. Obviously, no one wants to lose income, but we are fortunate and do not need the cell tower revenue to survive economically. In fact, we have shared a portion of our revenue with our immediate neighbor (south) since the onset of the first tower. And, when approached by my immediate neighbor to the north, Jack Greenhalgh, who advised me that he was in negotiations with AT&T for a tower on their property, (located along the ridge), I fully supported him. Ultimately, he became frustrated with their contract proposal and withdrew.

I contacted Verizon’s Agent after receiving the initial notice, knowing that we would be away for most of the 28 days left, I wanted more details. We talked for several minutes and he provided the above insights, and agreed to send me simulated photos and information on the site, and that is why these comments are included. He called back in about 15 minutes enraged and shouting. Attempts to calm him were unsuccessful, he was not polite, and I was. He ended the conversation advising me that he was a multimillionaire and only did this work for the public good. He never did send the promised documents.

Finally, the current ATC Tower is undergoing re-branching that was unsuccessful in returning the Tower to a condition that was acceptable to the County. Tom Dougherty advises me that ATC has agreed to correct the issue. I believe Mr. Dougherty can attest to my complete cooperation in getting the Tower to be as attractive as possible, I truly believe ATC similarly has that goal.

The ATC Mono pine was quite inconspicuous in its youth. An El Dorado County Homicide Detective was investigating a sad and infamous incident and was looking for exact cell tower locations that they use to position phone calls for the 2009 case. He drove up and stood in the driveway with the Mono pine about 100’ away. He walked to me and asked if I knew where the cell tower was around here? He laughed, and was a little embarrassed; when I pointed to the cell tower a mere 70’ from the front of his vehicle. In his defense, the sun was starting to go down!

Thank You for your time and consideration!

Regards,

William B Sponable, Retired Fire Chief



22309 30th Drive SE
Bothell, WA 98021-4419

SENT VIA: UPS

November 7, 2014

William B. Sponable and Sandra G. Sponable
1668 Arroyo Vista Way
El Dorado Hills, CA 95762

RE: Termination of Communications Site Lease Agreement dated on or about October 9, 2004, as the same may have been amended from time to time ("Agreement") by and between William B. Sponable and Sandra G. Sponable, Husband and Wife as Joint Tenants, and MetroPCS California/Florida Inc., a Delaware corporation, d/b/a MetroPCS ("MetroPCS")

Site Address: 1668 Arroyo Vista Way, El Dorado Hills, CA 95762

To William B. and Sandra G. Sponable,

This letter is written notice that MetroPCS, or the applicable affiliate of MetroPCS, is terminating the above-referenced Agreement pursuant to Section 13 of the Agreement. The Agreement will therefore terminate at 11:59 pm on January 31, 2015.

MetroPCS requests the return of any security deposit or other funds previously paid to you or any predecessor landlord. All refunds should be mailed to the address set forth above. MetroPCS will and expects that each party will execute any further documentation reasonably requested to evidence the termination of the Agreement, including, but not limited to a release of any bonds or other form of security and release of memorandum of lease.

MetroPCS highly values the relationship that was established with you. We would like the opportunity to contact you in the future should our network or business requirements change. Should you have any questions or need additional information, please do not hesitate to contact me. I may be reached at richard.dressel@T-Mobile.com or 425-302-5899.

Sincerely,

Richard Dressel
Leasing Specialist

Site ID: SAC154 Draft Date: 9/22/14
Lease ID: SAC154-G



HAMMETT & EDISON, INC.
CONSULTING ENGINEERS
BROADCAST & WIRELESS

WILLIAM F. HAMMETT, P.E.
STANLEY SALEK, P.E.
ROBERT P. SMITH, JR.
RAJAT MATHUR, P.E.
ANDREA L. BRIGHT, P.E.
KENT A. SWISHER
NEIL J. OLIJ
BRIAN F. PALMER

ROBERT L. HAMMETT, P.E.
1920-2002
EDWARD EDISON, P.E.
1920-2009

DANE E. ERICKSEN, P.E.
CONSULTANT

BY E-MAIL A.HEINE@COMCAST.NET

November 12, 2014

Mr. Alan Heine
On Air, LLC
4305 Hensley Circle
El Dorado Hills, California 95762

Dear Alan:

Thanks for passing along the questions posed by the property owner to the south of the proposed site for a new Verizon Wireless base station (Site No. 249699) at 1521 Lake Vista Lane in El Dorado Hills.

Mr. Bob Hablitzel, at 1500 Lake Vista Lane, asks two basic questions. First, what effect does the existing American Tower site have on cumulative radiofrequency exposure levels? The answer is that the effect is negligible, in terms of compliance with the FCC limits, being some 900 feet away from the American Tower site, and certainly this is true as well at the 1100-foot distance from the American Tower site to Mr. Hablitzel's property.

Second, is "uneven terrain" factored in, "to obtain more accurate projections"? (The quotations are from the description of our calculation methodology, attached to our report dated June 2, 2014.) The answer is yes, with ground elevation variations from the rolling terrain in this area, rising toward the northeast. Of note is that, in order to be conservative in our projections, we did not consider blockage from terrain or heavy vegetation, though in such situations the actual power levels would be substantially reduced.

I trust that this discussion helps to address Mr. Hablitzel's questions. Please let us know if you need anything further at this time.

Sincerely yours,

William F. Hammett

CZ

cc: Ms. Jennifer Robson – BY E-MAIL JROBSON@ONAIRLLC.COM