

FROM THE PLANNING COMMISSION MINUTES OF DECEMBER 11, 2014

3. 14-1588 Hearing to consider a request to allow the construction of a wireless telecommunication facility [Special Use Permit S14-0009/AT&T Cell Tower Skyline Drive]* on property identified by Assessor's Parcel Number 081-102-01, consisting of 0.32 acre, in the South Lake Tahoe area, submitted by New Cingular Wireless, LLC/AT&T; and staff recommending the Planning Commission take the following actions:

1) Adopt the Negative Declaration based on the Initial Study prepared by staff; and
2) Approve Special Use Permit S14-0009 based on the Findings and subject to the Conditions of Approval as presented.

(Supervisory District 5)

Joe Prutch presented the item to the Commission with a recommendation for approval. Mr. Prutch informed the Commission he received 14 public comment letters opposing the project. The main concerns were health and safety and property value dropping.

Chris Hatch, Shore to Shore Wireless, on behalf of AT&T. He gave an overview of the project to the Commission and was available for questions.

Commissioner Stewart concerned with lighting on the tower, the visual effects of the pine trees if the tops are trimmed and the running of the air conditioning units. He was also concerned with the fence height and how the shelter looked.

Commissioner Shinault described the existing beacon light and his concern with the visual effects if the pine trees were trimmed.

Lori London, resident, provided photos to the Commission of the view from her home of the cell tower site and asked them if this was their property would they want a cell tower in their yard or in their neighbors yard? Would they want their children or grandchildren playing under the cell tower? What are the long term health effects? There are no long term health studies. What about the peaceful sierra nights disturbed by the air conditioning units? If any of their answers are no, then they should vote no.

Lew Green, resident, discussed Tahoe Regional Planning Agency (TRPA) denial in 2007 and read a quote from the minutes. He stated that TRPA has not received an application for the project from the applicant. He has plenty of cell coverage. He is opposed of the project and wants the project to be denied.

Marc Royer, resident, is opposed of the project and concerned about health risks, safety, renters, property value and he stated that nothing good will come of this project.

Richard Ginsky, resident, is opposed of the project, too much commercial activity in a residential neighborhood, concerned with health and safety and property value declining and if 2 more carriers that might mean more shelters and more noise due to the air conditioning units.

Chair Mathews closed public comment.

Chris Hatch stated that AT&T does value all comments and opinions made by the public. He discussed how microwaves and florescent lights in a home have high electromagnetic exposure and health concerns are not a legitimate factor for a governing body to deny a project and asked the Commission to consider approving this project.

Commissioner Heflin asked if there were more carriers on the cell tower will there be more base units. Chris Hatch responded yes, however the base units are now smaller and are able to fit inside much smaller shelters. Commissioner Heflin commented the project does impact the character of the neighborhood and was not in favor of it.

Commissioner Stewart asked if AT&T could locate their equipment outside the shelter. Mr. Hatch stated that AT&T does not have the ability to locate equipment outside the shelter. Their equipment has fans and does not meet the noise requirements. Commissioner Stewart commented he could support the project with a lot of changes and he was not in favor of it.

Commissioner Shinault commented that the project would be an irritant to the residents downhill as well as the visual effects on the neighborhood and he was not in favor of it.

Commissioner Mathews commented on the concerns of health issues, property values and would like to wait and see what the Tahoe Regional Planning Agency was going to do.

Ensued discussion between County Counsel and the Commission regarding alternative coverage analysis.

There was no further discussion.

Motion: Commissioner Stewart moved, seconded by Commissioner Mathews, and carried (4-0), to conceptually deny without prejudice and directed staff to return on the January 22, 2015 meeting with Findings for Denial.

AYES: Heflin, Shinault, Stewart, Mathews

NOES: None

ABSENT: Ridgeway

[Clerk's Note: At 10:35am Commissioner Shinault left his seat on the Commission]