

(Related: S17-0016, site #3)

File Number: CUP-918-0004

Receipt No.: 3452

Date Received: 8-9-2018

Amount: \$ 239

APPEAL FORM

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT Ellen Vaughn

ADDRESS 4611 Pleasant Valley Court, Placerville CA 95667

DAYTIME TELEPHONE 530-957-0592

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT _____

ADDRESS _____

DAYTIME TELEPHONE _____

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

Approval of Application S17-0016, Site 3 by the Planning Commission on July 26, 2018

and request the Board of Supervisors Deny Application S17-0016.

See attached for full body of appeal.

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PLANNING DEPARTMENT

DATE OF ACTION BEING APPEALED July 26, 2018

Ellen Vaughn
Signature

8-9-18
Date

Action Being Appealed:

Approval of Application S17-0016, Site 3 by the Planning Commission on July 26, 2018 and request the Board of Supervisors Deny Application S17-0016.

We do so for the following specific reasons:

1. The approval is inconsistent with the required findings for Conditional (Special) Use Permits per Section (130.52.021. C. 2.):

"The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;"

We believe it is *injurious to the neighborhood* as it will be constantly visible from our Residential Parcels and is therefore an Aesthetic intrusion into our lives and for the rest of our lives, or until we sell our home. There are viable alternative locations that have not been identified or explored.

2. The Approval is inconsistent with the required findings for Conditional (Special) Use Permits per Section (130.52.021. B.) that a project is OK with CEQA policy and requirements regarding "Alternative Analysis":

"The approval of a Conditional Use Permit is a discretionary project and is subject to the requirements and procedures of CEQA".

We believe the CEQA analysis is severely flawed and there was considerable testimony at three hearings and staff did not respond to these concerns via any responses "suggested" by CEQA Process. We believe the CEQA Analysis of Alternatives was virtually non-existent and only (poorly) conducted by the applicant to point only to their 'contracted' site. We believe that this lack of meaningful Alternative Location and Co-Location analysis is inconsistent with the intent of CEQA to consider such analysis. Similarly, we believe the current process is flawed and a county-wide approach to antenna location must be undertaken through an overlay mapping program to identify current and approved locations, their coverage via all providers, including "Hardline Providers" (Comcast, AT&T, etc.) as well as other over-the-air providers, to clearly identify "Coverage Needs" County-wide. A Program EIR is needed to achieve this goal, and then we can go about providing service to our rural community as envisioned by CAF technology and Federal desires (not mandates) to provide such service.

3. The Approval is not consistent with the Wireless Ordinance: (130.40.130. A.):

"The Board finds that minimizing the number of communication facilities through co-locations on existing and new towers and siting such facilities in areas where their potential visual impact on the surrounding area is minimized will provide an economic benefit and will protect the public health, safety and welfare."

We believe the proposed location and the "System" proposed by ATT (and others) is not consistent with this "Finding" the BOS used to adopt the Wireless Ordinance.

4. The approval is not consistent with just plain common sense of who bears the price of these facilities without compensation. We will have to suffer all the impacts of these

towers and if we are served by this or that provider, we might gain better internet connection. But at what cost? Is there an alternative? Yes, but that has not been clearly analyzed and illustrated to our satisfaction.

Therefore, the Remedy requested is: The El Dorado County Board of Supervisors DENY S17-0016 in total and direct Staff to address the above issues and suggestions to develop a systematic approach to providing "Wireless Internet" from all providers (and other sources) to the residents of El Dorado County. A program (or some other) EIR should be the tool to provide a firm base for our decision makers.

Thank you for your consideration of our Appeal.

Ellen & Floyd Vaughn
4611 Pleasant Valley Court
Placerville CA 95667

Scott Schilling
4601 Pleasant Valley Court
Placerville CA 95667

Judi Green
4591 Brock's Ln
Placerville CA 95667

Mike Kopping
4595 Alameda Road
Placerville CA 95667

John Niebuhr
7692 Sly Park Road
Placerville CA 95667

Ana Goulden
3559 Alameda Court
Placerville CA 95667

Miklos (Nick) Nemeth
4500 Strauss Dr
Placerville CA 95667