



EDH AREA PLANNING ADVISORY COMMITTEE

EDC Planning Department
EDC Planning Commission

RE: Supplemental Comments on CUP 23-0010

Date: January 21, 2024

Dear Commissioners:

Please accept this supplement to the previous EDH APAC letter dated December 6, 2023, for CUP 23-0010 Verizon Cell Tower Proposal. APAC's previous comments, questions and concerns are included by reference. My personal observations as an impacted area resident are noted and should be regarded as individual public comments.

The following views focus on the location of the proposed installation and are based upon new information and in reaction to Planning Commission records.

1. The pictorial representation provided by the applicant does not accurately reflect the visual impact of the proposed tower from the vantage of homeowners in Heritage village. The picture below attempts to illustrate how the tower could "tower" over Heritage Village. Much like the artists rendering provided by the applicant, the precise relation of the tower to existing foliage can be debated. Regardless, it is important to note that the community is situated below the grade of Carson Crossing Road. The tower will be located on a bluff that is 20-30 feet higher than Carson Crossing. Visually, the tower is significantly higher than the 97 feet structure itself.



2. The California Supreme Court affirmed that aesthetic considerations can be used to deny an application. In *T-MOBILE WEST LLC et al., Plaintiffs and Appellants, v. CITY AND COUNTY OF SAN FRANCISCO et al., Defendants and Respondents. S238001*, the Court ruled on the validity of an ordinance dealing with Cal. Pub. Util. Code 7901.1. Further, EDC code requires Code § 130.40.130(D)(1) that stealth technology facilities must be designed to blend with the surrounding area and with the architecture or natural features of the site. The fake pine tree tower design is aesthetically dubious.

It should be noted that: “Verizon Wireless will plant new landscaping on the west side of the equipment area facing Carson Crossing Drive.” Even with such visual cosmetic mitigation, the tower will remain visually obstructive.

Many residents, including the undersigned, contend that the proposed tower is aesthetically unacceptable.

3. During the hearing, Commissioner Lexi Boeger inquired about the potential loss of the cell phone service for emergency calls. We noted that loss of emergency transmission could potentially outweigh other considerations. A validation of such a problem was deemed appropriate. Accordingly, an inquiry was made to EDH Fire Deputy Chief and head of EDC newly established emergency services office Mike Lilienthal. We asked if there existed recorded evidence of cell phone emergency transmission losses or disruption in the service area approximating the EDH Business Park, Four Seasons and Heritage Village. Without requiring an audit of all dispatch calls, Chief Lilienthal indicated he was unaware of evidence that dropped calls were known or documented as a persistent issue during emergency incoming or outgoing transmissions.
4. The proposal is facially in violation of EDC Code § 130.40.130(A)(1)(b) restricting the height within R&D zoned areas to 50 feet. At the proposed 97 feet (and 100 feet as represented in other Verizon documents), this proposal should not be approved without formal code revision. Further, CUP is requirement for new towers within 500 feet of a residential zone per Code § 130.40.130(B)(7) is incomplete.
5. The applicant contends that significant gaps exist in coverage within the region. While evidence to the contrary is largely antidotal, user experiences should still be considered. As one individual residing within the 500 feet radius designed by EDC Planning as impacted, I rely on the Verizon network. I have not experienced dropped calls. My in-building, in-vehicle and on-foot signals register is consistently strong. This is similar to the experience of the neighbor I interviewed. To be clear, my personal observation is only a point of reference and should not be regarded as representative of the entire Heritage Village population.
Another independent unmonitored poll was taken on the public Facebook site *Current Issues Impacting El Dorado Hills*. The results of the 54 respondents:
 - My cell phone service is good 52%
 - My cell phone is good, but drops in specific areas/streets 12%
 - Occasionally I have service issues 15%
 - My bad service affects my quality of life 19%In contrast, the January 11, 2023, Verizon letter to the Commission states reports “a near- complete lack of reliable in-building low-band 700 MHz coverage in the Heritage and Blackstone residential areas, each with hundreds of homes, as well as the El Dorado Hills Business Park, which includes areas around Golden Foothills

Parkway, Hillsdale Circle and Investment Boulevard and employs thousands of workers.”

Where observational experience differs from Verizon documentation, deference to the more “scientific” *Statement of Verizon Wireless Radio Frequency Design Engineer Ericson Malana* should be viewed as weighty.

The Commission should assume that Verizon is correct that their research shows a substantial gap in **their** service coverage.

6. The applicant’s *Alternative Analysis* dated January 16, 2024, raises a set of concerns and questions. This view leads to the dubious impression that the 100 foot cell tower was the “least intrusive” alternative. Verizon uses the following criteria:

“In addition to seeking the least intrusive alternative, sites proposed by Verizon Wireless must be feasible. In this regard, Verizon Wireless reviews the available height, elevation, local terrain, radio frequency propagation, proximity to end users, equipment space, access, and other factors such as a willing landlord in completing its site analysis.’

Little documentation is provided on how those criteria objectives are measured. Verizon concludes that other locations are not feasible.

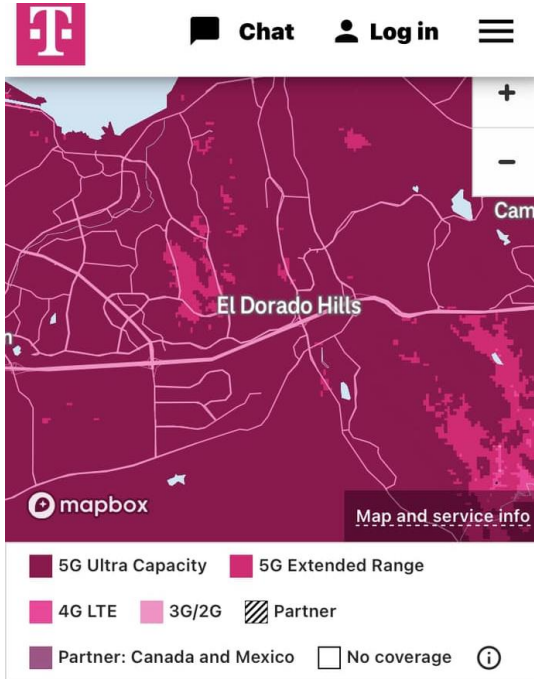
Verizon claims that 30 alternative locations were considered. Of that number, thirteen (13) were disqualified because the property owner declined or did not respond to Verizon inquiry about use leases, bringing the actual number of alternatives to 17. Among those analyzed, 8 alternatives were ruled out because of inadequate in-building coverage for homes Heritage north of Carson Crossing (also known as Heritage Reflections). As previously noted, my personal anecdotal experience living within this subdivision, this inadequate coverage was not confirmed.

Questions about configuration and base level design then arise. What changes in the positioning of antennas could influence the signal strength for each alternative location that would improve the coverage gap? Can directional adjustments or employment of other technology be applied to enhance the signal strength? Answers to those types of questions may be available from Verizon engineering resources. However, the report does not provide the necessary information to examine the impact of variable configurations. Validation of configuration alternatives for each location has not been addressed.

As final note, the report’s cover page is taken from a remote high bluff looking down at the proposed site. This presents a questionable impression that this location is the least intrusive alternative.

7. During the December hearing, the applicant was asked if other carriers have similar service gaps in the impacted area. Understandably, the Verizon representative

declined to comment on the other carrier's service area. However, this response does not answer the question. While we cannot authenticate the accuracy of service coverage claims from Verizon competitors, a quick internet search from T-Mobile presents the following service claims:



We have no way of verifying the T-Mobile coverage claims. The graphic is provide as a point of reference.

However, if other carriers can demonstrably show sufficient service coverage in the area, has Verizon then not considered collocating with those facilities rather an erecting a new cell tower at the proposed location? In its application, Verizon notes in their design: "There will be space on the tower and in the equipment area for future collocation of antennas and equipment by additional wireless carriers, minimizing the need for future towers in the vicinity, as required by the Code."

8. We previous provided alternative resources calling into question possible health risks. We recognize that the Planning Commission has a narrow scope in determining the potential public health impacts of cell tower technology. The FCC has already made that determination for you. However, still contend a serious review is appropriate so that independent and informed decisions can be made by nearby residents or parents of school aged children.

We also reached out to EDC new public health officer for comment. No response was forthcoming.

9. The application states “the tree pole will be placed within a 1,305-square foot lease area, surrounded by an eight-foot chain link fence with slats. The equipment area will also contain radio cabinets and a diesel generator to provide continued service during power outages and emergencies.” Does the proposed chain link fence provide sufficient noise and air quality mitigation? More information is required.

CONCLUSION

Based upon the foregoing information, the Planning Commission is asked to consider a denial of the proposed negative environmental declaration and approval of the Conditional Use Permit based on location. That said, enhanced communication technology to support the internet of things (IoT) is view favorably.

Respectfully submitted,
Robert Williams, EDH APAC secretary/treasurer