

From: **Kristin Dotterrer**

Date: Fri, Jun 7, 2019 at 4:05 PM

Subject: How Carmel's Findings of R-1 Cell Tower Denial Affect Monterey

To: Clyde Roberson <roberson@monterey.org>, <albert@monterey.org>, <haffa@monterey.org>, <smith@monterey.org>, <tyller@monterey.org>, Jenny Leinen <leinen@monterey.org>

Dear Ms. Leinen:

Would you please forward the following email and attachment to the individual members of the Planning Commission and the Wireless Sub-Committee. I would like to request that this information be included in the record for the next upcoming Wireless Sub-Committee meeting.

Dear Mayor, Council Members, Planning Commissioners, and Wireless Sub-Committee Members:

You may have heard that Verizon submitted use permits for five small cell towers to be placed on utility poles in the Golden Rectangle residential neighborhood of Carmel. These applications are very similar to the 13 that Verizon/ExteNet proposed for the Monterey Vista area last year. Carmel's Planning Commission addresses these five applications at its meeting this upcoming Wednesday, but I wanted to pass along to you their department's "Findings for Decision" that recommend a denial of all five. (Please see attached.)

Carmel has a wireless ordinance that retains strong local control in wireless facility design and placement. They prohibit wireless facilities in R-1 residential districts. Last year ours only discouraged them in residential districts. Some other reasons for denial stand out, and deserve emulation by our own permit process, such as:

1. Their swift conclusion that the RF emissions report done by Verizon-hired Hammett & Edison, Inc. was inadequate proof of FCC compliance due to that consultant's use of false assumptions. Hammett & Edison is the same firm that created a report with blaring mistakes that residents themselves had to point out during last year's PC meeting in Monterey. Although the burden of proof ought to lie with those wanting to install wireless facilities, our local government should never at any point in the permit process take at face value information presented by the very parties who are in position to financially benefit.
2. Important phrases were used to describe the city's requirement to maintain its residential character, such as "unreasonable visual clutter," "orientation towards private residences is incompatible with the residential village character," "unreasonably diminishes public and private views," and "significantly out of scale with the neighborhood context."
3. It is very wise that Carmel requires that approving a permit **shall not set precedent** for similar uses or incremental effects that will be detrimental to the city. They found that approval of these would encourage others that would further add to a detrimental effect on the aesthetics of the R-1 district.

I have to point out that adding an exemption based on size of equipment to Monterey's wireless ordinance draft is a terrible idea that would encourage precedent and essentially strip away the city's legal right to decide "time, place, and manner." The public would have no notice or opportunity for input for equipment placed directly outside their homes. It would be worse than the original ordinance and is in direct conflict with the reason the City Council stated for convening the Wireless Sub-Committee. All wireless facilities need to undergo the permit process that the city has a right to create. That the future will likely entail more permit applications and therefore more work is not an adequate reason to forgo your power.

Carmel's findings were made even after Verizon publicly threatened litigation. I should hope that Monterey would follow a similar path in the face of the telecom industry's fear tactics during their rapid attempt to deploy cheap 4G/5G small cells whose cost will ultimately be borne by us.

Sincerely,
Kristin & Daniel Dotterrer
Monterey Vista Residents