

Dear Planning Commission,

I am writing in support of the monthly rental units at 10110 Soquel Drive, Aptos. I am a county social worker supporting low-income elderly persons in their search for housing. Finding affordable housing for this population is extremely difficult in our county. The affordable units at 10110 Soquel Dr. provide a critical opportunity for housing some of my clients.

Thank you,

Whitney Barnes
Senior Social Worker
Home Safe Program Specialist
Adult Protective Services
Human Services Department
County of Santa Cruz
T) 831-454-4359
F) 831-454-4290

Dear Ms. Cramblet,

I have just reviewed the July 22, 2020 Planning Commission agenda and information on the public website. I am concerned that the staff report for Item #6 includes none of the photographs or public correspondence, including my own.

Also, the Zoning Administrator hearing information submitted as Exhibit 1K for consideration by Commissioners has no correspondence from the public, or any of the photographs of the significant landslide below the proposed Verizon cell tower site or other important information that Mr. Seth Baron submitted at the November 16, 2018 Zoning Administrator hearing.

You assured me in your July 17 message that you had just sent all materials to the Commissioners. Why are the materials not included in the agenda packet for Item #6?

Ms. Cramblet, please help me understand the reason for the incompleteness of the materials provided to both the Planning Commissioners as well as the public.

It seems that to legally address the problem and comply with Brown Act requirements, you would need to provide any and all missing documentation to the Commissioners and the public on the website by 9:30am on Sunday, July 18. Otherwise, the incomplete agenda packets for the Commissioners and public to review will seemingly violate civil due process.

Please respond. Thank you.

Sincerely,
Becky Steinbruner

Santa Cruz County Planning Commissioners...

I recently submitted a letter opposing the cell tower proposed for 682 Buena Vista, but it is not included in the staff report shown on the website for this Wednesday's appeal hearing (see attached below again).

I have been deprived of any meaningful ability to comment on the aesthetic impact because the current mock-up is a much thinner pole than the tower would be, and the other equipment that would be present is not represented in the mock-up. The current mock-up is not at all a valid representation of what the tower, and nine panel antennas, and nine remote radio units, disguised as a fake eucalyptus tree, would actually look like.

I would hope that the County Planning Commission's decision to allow this large cell tower would not be mainly for financial reasons, but would seriously include a broad and comprehensive look at the impact to that area and community in Watsonville, as well as our beautiful county.

Sincerely,
Jeanne Thompson

Begin forwarded message:

From: Jeanne Thompson <thejeannietouch@gmail.com>
Subject: Cell Tower Project #171213
Date: July 1, 2020 at 8:38:43 PM PDT
To: Michael.lam@santacruzcounty.us, Elizabeth.cramblet@santacruzcounty.us, mguth@guthpatents.com, fr8tus@aol.com, rachel.dann@santacruzcounty.us, judilazenby@aol.com, renee@reneesgarden.com

To Whom It May Concern...

As a long time Santa Cruz County resident for over 40 years, I am very concerned about the appealed denial by Verizon for the Cell Tower Project #171213. Not only is this proposed site one of the most naturally beautiful areas of our County, but it is also located close to the Watsonville Airport.

This cell tower could be a potential hazard for air traffic or future plans for the airport. Other risky conditions may be a problem, such as power lines to the east of the site, landslides to the west, a house to the north, another neighbors property line to the south, as well as the air traffic issues above this proposed site.

The large tower would be located on a highly visible ridge top in such a beautiful valley, would be aesthetically extremely unsightly, and certainly decrease the property values in that area.

I have also heard that the tower has significantly less broadcast coverage, due to it's shorter height and inferior secondary location, making it fall squarely into the "indiscriminate proliferation" category of the 1996 Telecom Act, due to the above reasons.

I hope that our County officials that are responsible for this decision have the greater picture in mind, and are not swayed by any financial gain that Verizon has certainly bated us with. The abundance of cell towers in our County is another health risk all of its own.

I implore you all to look very closely at this project before giving it the green light.

Sincerely,

Jeanne Thompson

Dear Ms. Cramblet and Mr. Lam,
I am writing regarding my opposition to the proposed 65' new cell tower at 682 Buena Vista Road, Watsonville, and request my letter below be made public record and available for the July 22, 2020 Planning Commission continued hearing.

Thank you.
Sincerely,
Becky Steinbruner
3441 Redwood Drive
Aptos, CA 95003
831-685-2915

Dear Santa Cruz County Planning Commission,
I am writing again to oppose Verizon's appeal of the Zoning Administrator's decision re: Application 171213 for a 65' new cell tower with nine panel antennas and nine remote radio units camouflaged as a eucalyptus tree. There are many reasons to deny this project, but the most critical issue, in my opinion, is the safety risk related to the proximity of the Watsonville Airport.

I urge you to deny this appeal.

First of all, I want to file protest that my correspondence sent on July 7 has not been included in the agenda packet for the Commission's review on July 22. In fact, no letters from the public are included in the staff report for Commissioners and the public on the website. This is a violation of Santa Cruz County Code 18.10.330(C):

(C) Planning Commission Consideration. *The Planning Department shall transmit to the Commission all records related to the appeal* and shall upon request furnish such further information relative to the proceedings as may be requested by the Commission. At the hearing on the appeal, the Commission shall consider the records related to the appeal, and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it will be operated or maintained, particularly with respect to the findings required by this chapter for the application.

What's more, after spending time reviewing the files for this Application at the Planning Department Records Room, I note that neither the July 8 nor July 22 staff report includes aerial photographs of a significant landslide below the proposed cell tower. These materials were submitted by members of the public to you for the November 16, 2018 Zoning Administrative hearing but have been omitted in subsequent staff reports. There were also materials submitted by members of the public at the ZA hearing, but are nowhere to be found in the project files.

Following are reasons to deny the appeal:

1) The proposed 65' tower would violate Santa Cruz County Code 13.12.050 Airspace Protection and cause an airspace obstruction for pilots:

According to the letter submitted to you by Watsonville Airport Planning and Construction Supervisor, Mr. Robert Robertson, the proposed 65' Verizon cell tower penetrates RWY 27 Initial Climb Area (ICA) 18'. (letter attached) This would create an airspace obstruction, which is prohibited by SCCC 13.12.050: *"Except as provided in other sections of this chapter, no object, including mobile objects such as a vehicle, or temporary objects, such as a construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for the Airport in Figure 2-23. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction."*

2) The proposed tower would be located within Airport Safety Zones:

The proposed 65' tower would be located in Airport Safety Zones 1,2 and 4 for the Watsonville Airport, according to letters submitted to you by Mr. Ryan Ramirez and Mr. Barry Porter, President and Vice-President, respectively, of the Watsonville Airport Pilots Association. These two officers also state:

*"...Watsonville Municipal Airport is actively using their current FAA grant on future planning and growth which might alter or extend runways and thus extend the safety zones to comply with the California Airport Land Use Planning Guidelines. **When these plans take effect, if this cell tower is built in its proposed location, it could end up well within our Primary and Secondary safety zones.**"*

These letters are not included in the staff report, but are attached below in entirety.

Further comment in opposition to the project, also omitted from the staff report, was submitted to you by pilot Renwick Curry, describing an additional hazard of the proposed tower placement so close to the Airport, and is copied at the end of this letter (apologies for the magnified font).

3) The Watsonville Airport is upgrading Airport Layout Plans that may expand necessary safety zones in the proposed tower project location:

According to the letter submitted to you by Watsonville Airport Planning and Construction Supervisor, Mr. Robert Robertson, FAA grant funding is currently making it possible to update the Airport Master Plan and Airport Layout Plan. This update could extend existing runways and require expanded safety zones and restrictions. This process will take 18 months, according to Mr. Robertson.

Verizon has no proof of emergency or urgent need for this project to be built, and has by choice postponed bringing this appeal before the Commission. Therefore the Commission should require Verizon to wait until the Watsonville Airport Master Plan and Airport Layout Plan are completed and re-submit their application if the need still exists.

4) The proposed tower lies within the two-mile radius of the Santa Cruz County Airport Combining District and would violate County Airspace Protection Codes.

The staff report provides inadequate discussion regarding the fact that the proposed project lies within the two-mile radius of the airport, as defined in the AIA and must comply with those regulations:

Article III-B. AIA Airport Combining District

13.10.437 Purpose of the Airport "AIA" Combining District.

The purposes of the Airport "AIA" Combining District are to protect public health, safety, and welfare by ensuring the orderly expansion of airports, and to implement land use measures that protect the public from exposure to excessive noise and safety hazards within specified areas around the Watsonville Municipal Airport. [Ord. 5307 § 3, 2019].

13.10.438 Designation of the Airport AIA Combining District.

The Airport AIA Combining District shall be applied to properties within two miles of the boundary of the Watsonville Municipal Airport.

[Ord. 5307 § 3, 2019].

13.10.439 Use and development standards in the Airport AIA Combining District.

In addition to the regulations for development and use imposed by the basic zone district, **all projects shall be subject to the provisions of the Airport Combining Zone District Ordinance, Chapter 13.12 SCCC.**

[Ord. 5307 § 3, 2019].

13.12.050 Airspace protection.

(A) Airspace Obstruction Compatibility Criteria. The criteria for determining the acceptability of a project with respect to height shall be based upon the standards set forth in Federal Aviation Regulations (FAR) Part 77, Subpart C, Objects Affecting Navigable Airspace; the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the FAA. These standards apply to the following to the extent they require a discretionary permit:

- (1) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.
- (2) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.

No object shall be limited to a height of less than the basic height limit applicable to the underlying zone districts even if the object would constitute an obstruction. **Antenna structures shall not exceed 20 feet in height.**

Except as provided in other sections of this chapter, no object, including mobile objects such as a vehicle, or temporary objects, such as a construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for the Airport in Figure 2-23. **Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction.**

5) Safe Airport operation must be maintained and prioritized for Santa Cruz County Emergency Preparedness:

It is critical that Santa Cruz County prioritize and preserve the ability to maintain an effective and safe Airport because of the importance the airport plays in natural disasters, when the County can become isolated. In 1989, emergency supplies were delivered by air to the County via the Watsonville Airport.

"In addition, several Bay Area general aviation airports have been involved in airlift operations in past earthquakes and are familiar with the process. For example, after the 1989 Loma Prieta earthquake, approximately 300,000 pounds of emergency supplies were flown to the Watsonville and Hollister airports from the Hamilton Field, Buchanan, and Reid Hillview airports (J. White, California Pilots Association, personal communication, 2000)."

<http://resilience.abag.ca.gov/wp-content/uploads/2010/10/FAAcurrent.pdf>

6) This Project is not exempt from CEQA and Verizon must conduct independent Environmental Assessment under NEPA and submit it to the FCC before Project approval. The potential interference with pilot navigational instrumentation and radio communication must be analyzed.

Page 2 of the EMF analysis by Hammet & Edison states a **75' (not 65' as is the project description)** steel pole would support nine panel antennas and nine remote radio units that would emit

13,760 watts at maximum operation. However, the report offers no analysis of potential interference with aeronautic controls or communication due to the project electromagnetic fields.

Under Title 47CFR 1.1307 Subpart 1

(1) The appropriate exposure limits in §§ [1.1310](#) and [2.1093](#) of this chapter are generally applicable to all facilities, [operations](#) and transmitters regulated by the [Commission](#). However, a determination of compliance with the exposure limits in § 1.1310 or [§ 2.1093](#) of this chapter (routine environmental evaluation), and preparation of an EA if the limits are exceeded, is necessary only for facilities, [operations](#) and transmitters that fall into the categories listed in table 1, or those specified in paragraph (b)(2) of this section. All other facilities, [operations](#) and transmitters are categorically excluded from making such studies or preparing an EA, except as indicated in paragraphs (c) and (d) of this section. For purposes of table 1, *building-mounted antennas* means [antennas](#) mounted in or on a building structure that is occupied as a workplace or residence. The term *power* in column 2 of table 1 refers to total operating power of the transmitting [operation](#) in question in terms of [effective radiated power \(ERP\)](#), equivalent isotropically radiated power (EIRP), or peak envelope power (PEP), as defined in [§ 2.1](#) of this chapter. For the case of the Cellular Radiotelephone Service, subpart H of part 22 of this chapter; the Personal Communications Service, part 24 of this chapter and the Specialized Mobile Radio Service, part 90 of this chapter, the phrase *total power of all channels* in column 2 of table 1 means the sum of the [ERP](#) or [EIRP](#) of all co-located simultaneously operating transmitters owned and operated by a single licensee. When applying the criteria of table 1, radiation in all directions should be considered. For the case of transmitting facilities using sectorized transmitting [antennas](#), [applicants](#) and licensees should apply the criteria to all transmitting channels in a given sector, noting that for a highly directional [antenna](#) there is relatively little contribution to [ERP](#) or [EIRP](#) summation for other directions.

From Table 1, Evaluation is required if:

Cellular Radiotelephone Service (subpart H of part 22)

Non-building-mounted antennas: height above ground lowest point of antenna <10 m and total power of all c >1000 W ERP (1640 W EIRP).

7) This proposed Project is not CEQA exempt due to nearby landslides and references to archaeological concerns of the location that require Verizon to complete and submit an Environmental Assessment under NEPA to the FCC for pre-application review and approval.

Responsibility for NEPA and compliance rests with the FCC. Actions that trigger agency NEPA obligations include registering and licensing towers and facilities.

https://www.fcc.gov/sites/default/files/NEPA_Factsheet_111816.pdf

Photos of the significant landslide below the proposed 65' tower location were submitted by local residents to staff at the November 16, 2018 Zoning Administrative hearing but have been omitted from Planning Commission packet documentation. I have attached one of the photos to my letter. Despite applicant's representative Mr. Moore telling Zoning Administrator Mr. Guiney upon his questioning the lack of a geotechnical report that "one is in the works", there is no geotechnical report included in the staff report now.

A full geotechnical evaluation of soils and slope stability must be done before this project is considered for approval.

Furthermore, there is a potential archaeological concern at the site, as stated on the Parcel Description (page 63 of July 8 staff report). **To provide full**



respect to Native American culture, Verizon must be required to have a local Native American observer on site during any and all earth disturbance activity if this project is approved.

§ 1.1311 Environmental information to be included in the environmental assessment (EA).

(a) The [applicant](#) shall submit an EA with each [application](#) that is subject to environmental processing (see [§ 1.1307](#)). The EA shall contain the following information:

(1) For [antenna towers](#) and satellite earth stations, a description of the facilities as well as supporting structures and appurtenances, and a description of the site as well as the surrounding area and uses. If high intensity white lighting is proposed or utilized within a residential area, the EA must also address the impact of this lighting upon the residents.

(2) A statement as to the zoning classification of the site, and communications with, or proceedings before and determinations (if any) made by zoning, planning, environmental or other local, [state](#) or Federal authorities on matters relating to environmental effect.

(3) A statement as to whether construction of the facilities has been a source of controversy on environmental grounds in the local community.

(4) A discussion of environmental and other considerations which led to the selection of the particular site and, if relevant, the particular [facility](#); the nature and extent of any unavoidable adverse environmental effects, and any alternative sites or facilities which have been or might reasonably be considered.

(5) Any other information that may be requested by the Bureau or [Commission](#).

(6) If endangered or threatened species or their critical habitats may be affected, the [applicant](#)'s analysis must utilize the best scientific and commercial data available, see [50 CFR 402.14\(c\)](#).

(b) The information submitted in the EA shall be factual (not argumentative or conclusory) and concise with sufficient detail to explain the environmental consequences and to enable the [Commission](#) or Bureau, after an independent review of the EA, to reach a determination concerning the proposal's environmental impact, if any. The EA shall deal specifically with any feature of the site which has special environmental significance (e.g., wilderness areas, wildlife preserves, natural migration paths for birds and other wildlife, and sites of historic, architectural, or [archeological value](#)). In the case of historically significant sites, it shall specify the effect of the facilities on any district, site, building, structure or object listed, or eligible for listing, in the National Register of Historic Places. It shall also detail any

substantial change in the character of the land utilized (e.g., deforestation, water diversion, wetland fill, or other extensive change of surface features). In the case of wilderness areas, wildlife preserves, or other like areas, the statement shall discuss the effect of any continuing pattern of human intrusion into the area (e.g., necessitated by the [operation](#) and maintenance of the facilities).

(c) The EA shall also be accompanied with evidence of site approval which has been obtained from local or Federal land use authorities.

(d) To the extent that such information is submitted in another part of the [application](#), it need not be duplicated in the EA, but adequate cross-reference to such information shall be supplied.

(e) An EA need not be submitted to the [Commission](#) if another agency of the Federal Government has assumed responsibility for determining whether of the facilities in question will have a significant effect on the quality of the human environment and, if it will, for invoking the environmental impact statement process.

[[51 FR 15000](#), Apr. 22, 1986, as amended at [51 FR 18889](#), May 23, 1986; [53 FR 28394](#), July 28, 1988]

<https://www.law.cornell.edu/cfr/text/47/1.1307>

For these and all the reasons stated in my letter to your Commission for consideration at the July 8 hearing, I respectfully request that you deny the appeal of Application 171213. I have attached my previous letter below because it has been omitted from the July 22, 2020 staff report.

Thank you.
Sincerely,
Becky Steinbruner
3441 Redwood Drive
Aptos, CA 95003
831-685-2915

From: **seth baron** <baronseth@gmail.com>

Date: Sat, Jul 18, 2020 at 11:24 PM

Subject: My Story and Letter of Opposition to Cell Tower Item # 171213

Dear Commissioners, Ms. Cramblet, Mr.Lam,

Thank you for taking the time to read my letter. I live at 688 Buena Vista Drive, and was the first choice parcel for this project in 2017. I knew nothing about cell towers or Verizon's avarice at the time. My home has been here for 85 years and I have lived here for 20 years. (during that time it was apparently rezoned from SU to A, and I do not recall any notification) The proposed cell tower will be 600 feet from my home, and visible from my bedroom, livingroom, patio, front door and driveway.

I have repeatedly heard the Verizon reps smear me as someone who wanted a tower and I would like to set the record straight on just what took place. Yes they "walked my property", yes I communicated with them about this in order to determine if this was something I thought would be possible and beneficial. I asked Verizon to send me a rendering of just what the tower would look like. When I received their proposal and saw what this thing would look like, I knew this would be a permanent scar on the hilltop and my neighbors would be devastated and I would hate myself for causing such a visual impact and financial impact on others, and I would in no way be able to live in this home I love so much with this monstrosity in my beautiful field, even though I stood to make over 1 MILLION DOLLARS in 20 years, I simply could not imagine such a thing,

Now, my closest neighbor, who's brother lives in Yuma Arizona, right after their mother died, has signed the lease(to the opposition of his own brother living at the property- this may actually not be legal in the Henry trust) and my property will be used as a transmission corridor for the very same tower 40 feet further away right over the fence, squeezed into a horse corral. I WILL NOT BE ABLE TO REMAIN IN MY HOME with an 18 panel tower literally in my backyard which is why I declined in the first place, along with neighborhood impacts. I love the Larkin Valley area, it's undeveloped nature and nature rich environment is precisely why we all live here and I would fight any tower here that was as visible and unnecessary as this. We all have a right to the enjoyment of our properties without public nuisance or harm to our health, safety and welfare. Govt. Code 3479

All properties within view will be devalued by a minimum of \$250,000, and will surely apply for reassessment greatly reducing county income. I have been a Realtor for 20years and specialize in rural properties.

90% of the people living in the area do not want this tower. I know this because I posted signs to notify others of what is coming to our beautiful valley. Of the 30 calls I received, 28 were opposed to the tower and two were supportive, but lived on either Nunes Road in a canyon, or below Manfre Rd where the tower will not help them.. WHERE ARE THE SUPPORTERS OF THIS TOWER? Where are the well attended meetings at the county with throngs of people wanting better cell service? Of all the calls I got NOT ONE CALL was dropped or garbled and everyone thanked me for my work notifying the public. One caller, Jake, was at the Buena Vista Landfill, Nancy from Calabassas Rd in the hills, Paul, from the bottom of Larkin Valley/Buena Vista intersection, Mark from upper Larkin Valley near Mar Monte, just to name a few. I am essentially at the proposed cell site. This real time, real people, real callers event begs the question of just why this tower is needed at all. Where is the "significant gap"? Clearly there is not a current need for this and all callers agree and vigorously oppose the tower, even if it looks like a fake tree.

Speaking of opposition, why are none of the public email comments or exhibits clearly heard being offered and accepted in 2018 and 2020 not included in the staff reports for either hearing? Why are you, the honest hard working commissioners not seeing these comments or exhibits? Just what has the project planner decided to do with these numerous items and why? I received many many emails cc'd to Ms. Cramblet and Mr. Lam that somehow never made it to the file for your review, and I personally gave her and was heard on the recording handing over, my several documents in 2018, yet they are missing as of today at 4pm July 18th, 2020. Drone photos of a significant landslide directly below the proposed tower site is one such item that I believe has now been provided again. A geologic survey is certainly in order I would think.

This incredible situation of missing items is obstruction of justice, and a violation of the Brown Act. All the while Ms Cramblet keeps recommending approval of the project.

Besides the unprecedented favoritism toward Verizon and granting of unprecedented time, augmentation to the General Plan, forgiveness of numerous application errors, there still are problems:

1. Obvious visual impact on a prominent ridge that will not "blend in seamlessly to the surrounding environment"
2. Potential hazard to aircraft and limiting future plans of Watsonville Airport as the tower can be added to 20' without notice
3. Landslides just below, power lines 20' to the East, a residence 100 feet away to the North, and my property 20' to the South - minimal setbacks and fire risk
- 4.. The current mock up site has no photo simulation of the tower when built..as a flagpole does not represent a 9 panel tower.. County Code 13.10.662 (D)
5. The digitally enhanced "red balloon" on the J5 exhibits do not exist on the nearly invisible flagpole- if it did it should be 6 feet in diameter, making it highly visible.

This erroneous digital enhancement can be construed as fraud, as it is deliberately misleading to the public, clearly seeks to deflect attention, and defeats the whole purpose of a mock up/simulation. All of these circumstances are clearly designed to diminish the purpose of proper public notification and pass the project through with minimal attention and objection.

This tower is the poster child for " Indiscriminate Proliferation" with numerous issues on all sides, lack of need, risks, objections, visual impacts, loss of enjoyment and wealth.

Commissioners, please know that these approved towers will never go away. Every time you, your children and your children's children drive by, it will speak to the legacy of those who approved them. I know you all work very hard to make the right decisions every day at your jobs, and I beg you to make the right one again, and deny this project.
thank you very much,

--

Seth Baron

--

Seth Baron, Realtor
Century 21 Sandcastle
29 Rancho Del Mar Aptos, 95003
DRE# 01313604

Sands Palumbo

June 19, 2020

802 Senda Ladera Ln

Watsonville CA 95076

Michael.Lam@santacruzcounty.us

Elizabeth.Cramblet@santacruzcounty.us

cc: baronseth@gmail.com

Honorable Commissioners:

I wanted to express to you my strong objection to the addition of a cell tower at Buena Vista near Larkin Valley Rd. There are many reasons that I think this infrastructure is wrong for our neighborhood.

First of all, there is no need for the additional cell service in our neighborhood of ranch homes on large parcels of land. We have perfectly good cell service with very few dropped calls. Also, most of us have many options for internet service including cable and satellite.

This cell tower will be a major eye sore to our beautiful neighborhood. A giant tower disguised as a plastic tree will be so out of place and ugly. It will stand out as a real eye-sore and look out of place in a rural setting.

The tower will also be an obstruction to aircraft using the nearby airport as it is located in a "safety zone 3". This location will interfere with the viability of choices in the future for our airport. The safety zones around the airport need to be seriously considered as low development areas.

It has also been brought to my attention that the chosen location of the tower is not on the up and up. By law the site is supposed to have a balloon or some other physical indicator as to the location and height of the proposed tower, so that the public can see for themselves what the visual impact of the project is. This has not been done.

The location chosen for the tower is also poorly chosen in that it is located just up the hill from a parcel that has had a large landslide in its past. The site has also been leased by an absentee landlord that could care less about the impact on the neighborhood.

The building of this cell tower is only for the financial benefit of the cellular provider and the out of town landlord. Both of these parties have no right to impose this blight on our beautiful neighborhood, especially if 90% of the residents are opposed to the cell tower. The wireless companies are trying to build something that there is no current need for.

If it is your concern that the residents of Buena Vista and Larkin Valley have better internet service then make sure that they **all** have access to cable and fiber optic phone services. The hard-wiring of these services is not only safer but also has most of the infrastructure in place. It is more dependable and unobtrusive.

The bottom line is that the residents and home owners in the area are overwhelmingly in opposition to this project. We moved to this rural area of the county to get away from big city infrastructure and pollution. We do not need or want any more wireless service than we already have. What we want is for this cell tower to be rejected on Buena Vista and in Larkin Valley. The placement of this tower should be in a more populated and useful area such as Highway 1. It should also not be in any way an obstruction to the Watsonville Airport.

Thank-you for your consideration.

Sincerely,

Sands Palumbo

Dear Planning Commissioners

I am contacting you directly to oppose the construction of a cell tower near the Watsonville Airport. I am doing this because it has been brought to my attention that my letter of July 4 (see below), and other letters, were not made available to you for the July 8 meeting, nor are they part of the staff report for the upcoming meeting on Wednesday.

Please do not approve this project because, as a pilot, I know the so-called safe zones do not adequately represent the hazard this presents as I outlined below.

Renwick E. Curry
Santa Cruz, CA
FAA Certificate# 1421063

> On Jul 04, 2020, at 1:14 PM, Ren Curry <rcurry@ucsc.edu> wrote:

>

> Allowing construction of the cell tower in the proposed location will create a hazard to flight operations. This is especially true for landing on runway 09 because it has a right hand traffic pattern, and airplanes will be turning from base leg to final leg exactly at the point of proposed cell tower location, something not reflected in the depicted safety zones.

>

> Please do not approve the cell tower construction in the proposed location.

>

> Sincerely,

>

> Renwick E. Curry

> FAA certificate# 1421063

>

----- Forwarded message -----

From: **J Walker** <chewaka9@gmail.com>

Date: Sun, Jul 19, 2020 at 4:48 PM

Subject: Item 6. 65' cell tower

To: <elizabeth.cramblet@santacruzcounty.us>

Ms. Cramblet and to whom else it may concern,

I am writing you all a letter again. And I suspect it was not given to the correct folk. So I will try again.. Please do your job!!

Regarding Item #6. Cell Tower. Just say NO. And listen to the concerns of others, who do not want this tower. Can we please keep some land clean and sacred and free of radio waves.

The current mock up is not at all a valid representation of what this proposed tower with 9 panels and 9 remote radio units disguised as a fake eucalyptus tree would actually look like. At 682 Buena Vista Item 6.

I work near the airport and I certainly do not want to be exposed to any more cell towers. I mean, how many cell towers do you think we need? Why are we so afraid to stand up to these telecom monsters?? it's time we do just that, take a brave stand. Health over PROFIT.

I think we have quite enough cell tower activity. People need to weigh the risks of their cell phone device addiction and their health. My health matters and I am tired of seeing these dangerous and ugly cell towers and antennas all over my beloved community. Enough is enough. I am working with a lawyer to let the County know, it's time to put a pause on this growth. So, please do your part to research the risks of putting these towers up. And please be well rounded in your research.

Thank you. A very concerned and smart community member.

Dear Commissioners and Staff,
<PLEASE INCLUDE IN STAFF REPORT>

I am writing in opposition to the proposed cell tower, (Application 171212) on 682 Buena Vista. This application has not satisfied the County Code 13.10.662 (Application requirements for wireless communication facilities) among other standard requirements and therefore is illegal.

Section D of 13.10.662 states that

At minimum, the on-site demonstration structure shall be in place prior to the first public hearing to consider project approval... A project description, including photo simulations of the proposed facility, shall be posted at the proposed project site for the duration of the mock-up display. The Planning Director or his/her designee may release an applicant from the requirement to conduct on-site visual mock-ups upon a written finding that in the specific case involved said mock-ups are not necessary to process or make a decision on the application and would not serve as effective public notice of the proposed facility.

This project was denied at the Zoning Administrator, for, among other reasons, an incomplete application, including the failure to provide mock-up, or project description at the proposed site. Both Verizon as well as County Planning are fully aware of these requirements as they were neglected during the La Selva Beach Verizon application. Incomplete applications like this are routinely pushed through planning, and as objections are raised, the applicant is allowed to clean up their application in an Ad Hoc manner, or threaten legal action against the County.

These repeated application errors can no longer be glossed over as negligence, and are revealing possible collusion between the Project Planners and the Applicant. The omission of last hearings public comments and exhibits was an egregious error, further implicating the County in malfeasance.

If there were one application that this Commission should deny, it would be this one. Do not bend to the threats of the applicant. Deny the application on its merits, and restore integrity to our local government.

David Date

My name is Julie Anderson and I live at 388 Larkin Valley Road. I saw signs about a cell tower proposed for an exposed location across from Old Adobe Rd.

I do not approve of this. It will be so obvious and obtrusive and ugly even if it tries to look like an artificial tree.

I have lived here all my life and have perfectly good reception in the valley from one end to the other.

Just why is such a thing needed? All of my neighbors object too. Please consider this and do not approve this tower, please!!

Julie Anderson

Hello,

Attached is a letter of objection for the proposed cell tower and facility at 682 Buena Vista Dr. Watsonville, CA. APN:049-171-17.

Thank you for your attention.

Jan and Rick Candau

Dear Planning Commissioners,

I am writing in support of approval of the Permanent Room Housing (PRH) permit for the Bayview Hotel at 8041 Soquel Drive in Aptos Village for a number of reasons. However, I request that you add a Condition of Approval regarding management of the six rooms under consideration that would require the owner, Ms. Cristina Locke, to hire a professional licensed and experienced property manager to handle all matters related to the PRH units for the first five years of operation.

The Bayview Hotel is on the National Historic Registry, and has a rich history of being centrally involved in the commerce and community activities in Aptos Village. The private at-grade railroad crossing to Soquel Drive hosts a deed signed on December 30, 1876 by Hotel founder Mr. Jose Arano, granting the Santa Cruz Railroad an easement over his property but stipulating the access must be kept forever open and unobstructed. Mr. Arano reserved the right to put a fence across the railroad access if the conditions of the deed were not honored.

Times have changed. Modern development now surrounds and dwarfs the Bayview Hotel. What has not changed is the historic significance of the Hotel and the rich history that many in the Community still appreciate.

The Hotel has been the subject of public concern and complaint, some of which has been politically-driven by the modern subdivision adjacent. I believe it is true that Bayview Hotel owner, Ms. Cristina Locke, has made some unwise business decisions, such as agreeing to the offer by Santa Cruz Housing Authority (now known as Housing Matters) to provide transitional housing for persons experiencing homelessness. However, I believe that she has attempted, to the best of her abilities, to help the less fortunate but has not always professionally managed the resulting circumstances.

In interest of preserving the rich historic and cultural resource inherent of the Bayview Hotel, I have attempted to assist Ms. Locke in various matters. I feel that including the Hotel in the PRH Zoning Overlay will help bring a stable source of income for Ms. Locke that will allow the Hotel to once again become vibrant while honoring the historic presence in Aptos Village.

Ms. Locke has stated to me that she unfortunately learned her lesson in trying to offer rooms to any County-authorized program that would provide shelter to persons experiencing homelessness or a transitional program related. She has stated that she would not consider renting any PRH rooms to persons experiencing homelessness or any transitional housing program clients.

Instead, she would like to pursue a possible cooperative agreement with the Cabrillo College Culinary Arts and Hotel and Restaurant Management Departments that could offer apprenticeship programs at the Bayview Hotel with possible student housing in the six PRH units.

I feel this could be a mutually-beneficial business plan.

Therefore, I support the PRH idea for the Bayview Hotel. However, I would like to request that the Planning Commission add a Condition of Approval for PRH permitting that Ms. Locke is required to hire a professional, licensed and experienced property manager to handle any and all matters related to the PRH units. I feel that this will alleviate Ms. Locke of this burden, while assuring the Aptos Village community that affairs relating to any tenants are effectively managed and that any consequences of problematic tenants would be dealt with swiftly and decisively.

I have discussed this proposal with Ms. Locke, and she is agreeable. Therefore, I hope that you will make it a Condition of Approval for the operation of the PRH permit units for the first five years.

Thank you for your consideration of this matter. I stand with the Aptos Village Community in caring deeply about the historic gem that the Bayview Hotel represents, and hoping to see it return to a grand place in the Community. Legally allowing long-term tenants could help provide the steady source of income to support that, but only if it is well-managed.

Sincerely,
Becky Steinbruner
3441 Redwood Drive
Aptos, CA 95003
831-685-2915

Daisy,

Please let the Planning Commission Board know that as a neighboring business owner, property owner, and fellow hotelier, I oppose the request for the Bayview Hotel to be converted into long term rental housing.

The Bay View has a multi-generational history of providing hospitality services to Aptos Village. There is no other property in the Village currently zoned for nightly and weekly rentals. Where will Aptos Village friends, relatives and tourists stay? How will we create a dynamic live/work community without a hotel?

Please leave things zoned as they are and encourage the current owner to either repair or sell the property.

Sincerely,
Steven Allen

To whom it may concern,

Attached please find a version of a letter previously provided on 07 July 2020 to Ms Cramblet and Mr Lam regarding the Verizon tower proposed at 682 Buena Vista Drive, which will be the subject of discussion at the 22 June 2020 Planning Commission meeting.

Thank you for considering my input.

Regards,

Karin Kerber
369 Larkin Valley Rd
Watsonville CA 95076

Mike, Please distribute this as you would any
Late Correspondence.

Members of the Commission, I have asked Ms. Cramblet to distribute this to inform you of the research I have done with the help of Ms. Cramblet into determining who the verifiable owner of the property at 682 Buena Vista Drive really is. Agenda item #6 Appeal of Zoning Administrator denial of Application 171213 by the Applicant, J5 Infrastructure Partners for Verizon Wireless.

At our meeting on July 8, 2020, I had asked why there was no Deed or other evidence in the file to determine that the owner of the subject property was Stephen Henry, as set out in the Application. and Staff Report to Zoning Administrator pages 78 - 91. I was surprised, and confused, when reviewing the Report for this hearing, July 22, 2020, to discover that according to the Agenda page 2, the owner is now shown as William Henry.

Attached to this email is the copy of the most recent deed for the property, that establishes ownership of this project property remains in the name of the 2001 trust created by William L. and Margaret Henry. Both of these trustors are deceased, and our research has shown that the property remains in the trust.

In our most recent email exchange, Planner Cramblet, explains her reliance on a lease recorded in 2017, in determining the owner(s) of this property at 862 Buena Vista Drive, as follows:

I found another recorded document (2017-0027240) recorded 8-17-17 that is a 5-year land lease agreement between Verizon and Stephen Henry and Pauline Henry (Co-Death Trustees) for William Henry and Stephen Henry and Pauline Henry, as Co-Death Trustees for Margaret Henry. This document is signed by Stephen and Pauline in William and Margaret's absence. *This tells me all are co-owners.* [emphasis added]

I appreciate the help Ms Cramblet has provided, but I disagree with her conclusion. In order to determine the identity of the owner(s) of 862 Buena Vista Drive we need the William L. Henry and Margaret Henry trust document. To date I have been unsuccessful in finding that document.

Judi
Lazenby

Commissioner 4th District

Hello, my name is Bob Idarola and I've lived in Apartment #9 @ 10110 Soquel dr. Aptos since 2017. I've found Lissner Properties has consistently attended to any/all concerns we tenants have had quickly and well. I intend to continue my tenancy @ this address. Please give your consideration to approval of the Application listed above.

With thanks for your time,

Bob Idarola

I am a resident of the Arabian Apartments located at 10110 Soquel Drive, Apt #7, Aptos CA. This has been my permanent home since 2013.

I support the Arabian Apartments Permanent Room Housing application.

The Arabian Apartments are a beautiful part of Santa Cruz County, and as a resident I plan on living here for years to come.

Thank you for your consideration.

Anna Bagnall
apfbagnall@yahoo.com
(831)359-3633

My name is Nichole Ousley and I have been a resident at 10110 Soquel Dr., Aptos, California (the "Arabian") for several years. I am also a student at Cabrillo College with my only source of income coming from Supplemental Social Security (disability). I have enjoyed and hope to continue to enjoy residing at this location as it allows me to live on my own, in a safe and comfortable environment, especially given my limited financial resources.

I strongly support the approval by the Commission of the PRH application for 10110 Soquel Dr., Aptos, California. Doing so will allow me (and my neighbors) to continue to have safe and affordable housing.

Thank you for your time.

Nichole Ousley
Resident

Good afternoon,

Please accept my support for the Permanent Room Housing ("PRH") application at 10110 Soquel Dr., Aptos, California (the "Arabian").

My name is Evan Carter and I am currently - and happily - a resident at the Arabian. The complex has provided me safe, comfortable and affordable housing - a combination that is increasingly difficult to find in the county. I greatly hope the Commission approves the PRH application for this complex to ensure continued housing for myself, my neighbors, and others seeking affordable housing in the county.

Thank you for your consideration,
Evan Carter

From: Luis Licon <loulights7@gmail.com>
Sent: Tuesday, July 21, 2020 12:42 PM
To: Daisy Allen <Daisy.Allen@santacruzcounty.us>
Subject: .

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

I've lived at the ar.apts.for 16 yrs.ive lived in this area sence 1970 .this is the best Landlord I've ever had .im a retired vet if you kick us out I won't be able to stay in [aptos.im](https://www.aptos.im) going to be contacting NBC and [cnn.to](https://www.cnn.to) let them know what the county is trying to do to us.the want affordable housing well this .all are responsible adults either working or retired no dead beats or section8.we put allott of money into

Everyone who lives in the Arabian apt are retired or working we put allott of money into this town.ill bee contacting major news outlets lett them know what the county's trying to do to us .ive lived at this location for [16yrs.im](https://www.16yrs.im) a retired 78yr.old vet .because someone in the planing com dosent like listener don't take it out on us

Planners and Commissioners,

On behalf of the Santa Cruz county pilot community, I am writing in preparation for the July 22nd Planning Commission meeting for Verizon's re-application for a cell tower in the Buena Vista area. *The Watsonville Pilots Association continues to oppose this application.*

Based on the information we have from Staff Report PLNP725-20200715104706, it is to be placed extremely close to, if not within Safety Zones 2, 3 and 4 approach/departure of runways 09/27 and within Safety Zone 6. As you know, Watsonville Municipal Airport is actively using their current FAA grant on future planning and growth which might alter or extend runways and thus extend the safety zones to comply with the California Airport Land Use Planning Guidelines. When these plans take effect, if this cell tower is built in its proposed location, it could end up well within our Primary and Secondary safety zones.

Furthermore, we learned in the July 8 planning commission meeting that according to section 6409(a) of the Spectrum Act, there is the potential of administratively approved height increases without further public discourse. We are unclear if a height increase would still require another FAA evaluation and approval and we hope to have this question answered in the July 22nd meeting.

Thank you for your consideration,

Ryan Ramirez
President - Watsonville Pilots Association

Patrick Mulhearn

From: Zach Friend
Sent: Thursday, May 9, 2019 9:10 PM
To: Patrick Mulhearn
Subject: Fwd: Bayview Hotel Aptos

From: Christine Kiebert-Boss <christine.kiebert.boss@gmail.com>
Sent: Wednesday, May 8, 2019 6:11 PM
To: Zach Friend
Subject: Fwd: Bayview Hotel Aptos

----- Forwarded message -----

From: **Christine Kiebert-Boss**<christine.kiebert.boss@gmail.com>
Date: Wed, May 8, 2019 at 6:09 PM
Subject: Bayview Hotel Aptos
To: <Stephanie.Hansen@santacruzcounty.us>, <Daisy.Allen@santacruzcounty.us>

I am very concerned that the historic Bayview Hotel has been so neglected and mishandled by the property owners. It's an outrage that they can now become a rooming house and collect subsidized rent. As a central icon of Aptos, I can only imagine how it will be taken care of going forward. I don't expect much considering how they have already misused the place. As a State and Nation registered Historic Landmark it is a terrible shame!

Christine Kiebert-Boss
456 Seaview Drive
Aptos since 1971

Patrick Mulhearn

From: Zach Friend
Sent: Tuesday, May 7, 2019 11:21 AM
To: Patrick Mulhearn
Subject: Fw: Bay View

From: Meredith Ramona Mat <mer327@aol.com>
Sent: Monday, May 6, 2019 5:54 PM
To: Zach Friend
Subject: Bay View

Dear Mr. Friend, we need the Bay View Hotel returned to its original glory and that woman to go. Thank you, Bob and Meredith Mata
Sent from Meredith

Patrick Mulhearn

From: Zach Friend
Sent: Monday, May 13, 2019 9:40 AM
To: Patrick Mulhearn
Subject: FW: Permanent Room Housing Zone

-----Original Message-----

From: Lois Ketterlin <4loisek@comcast.net>
Sent: Tuesday, May 7, 2019 8:24 AM
To: Stephanie Hansen <Stephanie.Hansen@santacruzcounty.us>
Cc: Zach Friend <Zach.Friend@santacruzcounty.us>
Subject: Permanent Room Housing Zone

Dear Stephanie Hansen:

As an Aptos resident I respectfully request that you NOT consider the area at Trout Gulch Road and Soquel Drive in Aptos appropriate for Permanent Housing Zone. (specifically Bay View Hotel at this time) It is a severely congested area with an overload of traffic issues already (secondary to poorly planned development).

Please have consideration for the people who already live in this very congested area and for Aptos in general. It is becoming too densely populated and the infrastructure does not support the traffic flow or accommodation of people already living here.

I have been unsuccessful in even getting extremely rutted torn apart main roads fixed - we simply can't support more traffic.

Water issues are another thing.

We don't have enough water.....already our water bills are going up. (And in addition Aptos residents will soon be drinking treated sewage water.) We have too many people for this area already.

We don't have the resources! There apparently isn't even enough money to fix what we already have.

More housing only adds to these issues so please do not add another permanent housing zone.

Sincerely,
Lois Ketterlin
9927 Monroe Ave.,
Aptos CA 95003

Sent from my iPad

Patrick Mulhearn

From: Zach Friend
Sent: Tuesday, May 7, 2019 10:33 AM
To: Patrick Mulhearn
Subject: Fw: Bayview Hotel Permanent Room Housing

From: Daisy Allen
Sent: Monday, May 6, 2019 4:18 PM
To: Sebastian Frey; Stephanie Hansen
Cc: Zach Friend
Subject: RE: Bayview Hotel Permanent Room Housing

Hi Sebastian,

Thank you for your comment. Please note that the purpose of the Planning Commission's public hearing on Wednesday, May 8, is to consider the Permanent Room Housing zone district only – not the inclusion of any specific properties in the zone district. Later, once the zone district has been created, there will be public hearings for individual properties applying to join the district. I will make sure you are on the contact list for the Bayview Hotel if that property owner decides to move forward with an application, and this letter will be included in the materials for any public hearing that occurs in the future regarding that application.

Best,
Daisy

Daisy Allen, AICP, LEED AP
Planner IV, Sustainability and Special Projects
County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-2801
daisy.allen@santacruzcounty.us

From: Sebastian Frey <broker@realtyvirtuoso.com>
Sent: Monday, May 6, 2019 3:58 PM
To: Stephanie Hansen <Stephanie.Hansen@santacruzcounty.us>; Daisy Allen <Daisy.Allen@santacruzcounty.us>
Cc: Zach Friend <Zach.Friend@santacruzcounty.us>
Subject: Bayview Hotel Permanent Room Housing

Stephanie, Daisy -

Hi! I just wanted to write in and lend my voice to those opposed to seeing the historic Bayview Hotel converted into Permanent Room Housing. Next to the SS Palo Alto, the Bayview is the most iconic structure in Aptos. It is a treasure. It deserves to be shared with visitors to Aptos, and if it were wisely redeveloped and managed it would be an incredible

Patrick Mulhearn

From: Zach Friend
Sent: Tuesday, May 7, 2019 11:21 AM
To: Patrick Mulhearn
Subject: Fw: Bay View

From: Meredith Ramona Mat <mer327@aol.com>
Sent: Monday, May 6, 2019 5:54 PM
To: Zach Friend
Subject: Bay View

Dear Mr. Friend, we need the Bay View Hotel returned to its original glory and that woman to go. Thank you, Bob and Meredith Mata
Sent from Meredith

Patrick Mulhearn

From: Zach Friend
Sent: Wednesday, May 8, 2019 8:56 AM
To: Patrick Mulhearn
Subject: Fw: Bayview "Eyesore" Hotel

From: Delia Gilligan <dgilligan53@gmail.com>
Sent: Tuesday, May 7, 2019 9:44 PM
To: Stephanie Hansen
Cc: Zach Friend
Subject: Re: Bayview "Eyesore" Hotel

Good morning,
My note lacked substance. Please disregard it and do not include it in further communications.

My primary upset is do to the increase in traffic which creates substantial delay in Aptos Village, but that is due to the market. I really don't care for my opinion to be shared.

Thank you.
Delia Gilligan

On Tue, May 7, 2019 at 4:51 PM Stephanie Hansen <Stephanie.Hansen@santacruzcounty.us> wrote:
Good afternoon Ms. Gilligan,

Thank you for your comments. We will pass these on to the Planning Commission. By way of clarification, please note that the purpose of the Planning Commission's public hearing on Wednesday, May 8, is to consider the Permanent Room Housing zone district and zoning code amendments only – not the inclusion of any specific properties in the zone district. Later, once the zone district has been created, there will be public hearings for individual properties applying to join the district. We will include you are on the contact list for the Bayview Hotel if that property owner decides to move forward with their application, and this email will be included in the materials for any public hearing that occurs in the future regarding that application.

Cci'ing the project planner for the zoning district work in this email.

Best,
Stephanie

Stephanie Hansen, AICP
Principal Planner
Sustainability and Special Projects
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
(831) 454-3112

Patrick Mulhearn

From: Zach Friend
Sent: Tuesday, May 7, 2019 10:20 AM
To: Patrick Mulhearn
Subject: Fw: Permanent Room Housing Zone

From: Stephanie Hansen
Sent: Tuesday, May 7, 2019 9:03 AM
To: Lois Ketterlin
Cc: Zach Friend; Daisy Allen
Subject: Re: Permanent Room Housing Zone

Good morning Ms. Ketterlin,

Thank you for your comments. By way of clarification, please note that the purpose of the Planning Commission's public hearing on Wednesday, May 8, is to consider the Permanent Room Housing zone district and zoning code requirements only – not the inclusion of any specific properties in the zone district. Later, once the zone district has been created, there will be public hearings for individual properties applying to join the district. We will make sure you are on the contact list for the Bayview Hotel if that property owner decides to move forward with their application, and this letter will be included in the materials for any public hearing that occurs in the future regarding that application.

Cc'ing the project planner for the zoning district work in this email.

Best,
Stephanie

Stephanie Hansen, AICP
Principal Planner
Sustainability and Special Projects
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
(831) 454-3112
stephanie.hansen@santacruzcounty.us

On May 7, 2019, at 8:24 AM, Lois Ketterlin <4loisek@comcast.net> wrote:

Dear Stephanie Hansen:

As an Aptos resident I respectfully request that you NOT consider the area at Trout Gulch Road and Soquel Drive in Aptos appropriate for Permanent Housing Zone. (specifically Bay View Hotel at this time)

It is a severely congested area with an overload of traffic issues already (secondary to poorly planned development).

Patrick Mulhearn

From: Jeana De La Torre <jeanadlt@baymoon.com>
Sent: Monday, May 6, 2019 7:09 PM
To: Stephanie Hansen
Cc: Zach Friend; Patrick Mulhearn; Clay Kempf
Subject: Bayview Hotel application

As a resident of Aptos since 1969, I would strongly oppose allowing the current owner to become a part of the subsidized housing program. Her administrative skills are poor, and she has allowed the property to sink into degradation, as the health inspectors have previously determined. I have spoken with Supervisor Friend regarding this situation and he agrees. That property, which is on the Historic Register, deserves better management in order to restore it and preserve its originally lovely (as well as healthy and safe) features.

Jean Hanley De la Torre, Aptos Knoll Mobilehome Park

jeanadlt@baymoon.com



Dear Santa Cruz County Planning Commission,
I am writing you with concerns regarding the Appeal Hearing for a new 65' high cell tower at 682 Buena Vista Drive, very near the Watsonville Airport. This is item #6 on the July 8 Commission agenda, Application 171213.

I respectfully request that your Commission deny the appeal for the following reasons:

1) Verizon has stalled the appeal action until their Counsel felt conditions were favorable.

I am confused as to why the County Planning Department would allow Verizon to stall the processing of this appeal for so long, simply because Verizon has wanted to wait until the rules changed to potentially favor the desired outcome. The appeal was filed on November 29, 2018, over a year and a half ago.

According to Santa Cruz County Code:

18.10.330 Appeals to Planning Commission—From Level V (Zoning Administrator).

(A) Who May Appeal. Any person whose interests are adversely affected by any act or determination of the Zoning Administrator under this chapter may appeal such act or determination to the Planning Commission. Appeals from any action of the Zoning Administrator shall be taken by filing a written notice of appeal with the Planning Department not later than the fourteenth calendar day after the day on which the act or determination appealed from was made.

(B) Notice of Hearing. Upon receipt of a notice of appeal from a decision or action at Level V, **the Planning Director or designee shall schedule a hearing to occur before the Planning Commission. The date of the scheduled hearing shall be no more than 60 calendar days following the date of receipt of the notice of appeal.** If no regular meeting of the Planning Commission is scheduled to occur within 60 calendar days after receipt of the notice of appeal, the scheduled hearing date shall be that of the next regular meeting of the Planning Commission. Written notice of the time and place set for hearing the appeal shall be given the appellant and the original applicant, if he or she is not the appellant, at least 21 calendar days prior to the hearing. Public notice of the appeal hearing shall be given in the same manner as required for the original action appealed from, except that no large sign or signs regarding the appeal hearing shall be required pursuant to SCCC [18.10.224](#).

2) Staff's Report is incomplete because no public correspondence is included in the appeal materials provided to you, despite a statement that the Zoning Administrative hearing was very well-attended. Santa Cruz County Code 18.10.330(C) states:

(C) Planning Commission Consideration. **The Planning Department shall transmit to the Commission all records related to the appeal** and shall upon request furnish such further information relative to the proceedings as may be requested by the Commission. At the hearing on the appeal, the Commission shall consider the records related to the appeal, and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it will be operated or maintained, particularly with respect to the findings required by this chapter for the application.

3) The on-site mock up that Verizon has recently created is insufficient and does not meet the intent of the requirement of Santa Cruz County Code 13.10.662(D). The 65' single metal pole lacking any lateral antenna panels that Verizon has installed fails to convey the information needed to the neighboring residents the true visual impact that this new cell tower would impose. Therefore, Verizon has failed to provide members of the community who would be visually affected by the 65' tower and antenna panels disguised to look like either a eucalyptus tree, as stated in the Staff Report, or a pine tree, as stated on pages 41 and 100, with any meaningful mock-up simulation that would facilitate meaningful public comment on the visual impacts of the tower and 9 panel antennas or the 8'-tall fence surrounding it. Verizon's lack-luster attempt at a mock-up also make it impossible to prove they have adequately addressed ridgeline visual impacts, as required in Santa Cruz County Code 13.10.663(A)(3).

4) The staff report claims the proposed tower height complies with County Codes regarding parcels zoned Ag, citing Planning Administrative Practice Guidance document WFC-01, but neglects to acknowledge the existence of the nearby Watsonville Airport restrictions for flight safety and Airport Combining District regulations. This 65'-tall cell tower is located in Flight Safety Zone 6. The Santa Cruz County Code clearly states:

13.12.050 Airspace protection.

(A) Airspace Obstruction Compatibility Criteria. The criteria for determining the acceptability of a project with respect to height shall be based upon the standards set forth in Federal Aviation Regulations (FAR) Part 77, Subpart C, Objects Affecting Navigable Airspace; the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the FAA. These standards apply to the following to the extent they require a discretionary permit:

- (1) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.**
- (2) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.**

No object shall be limited to a height of less than the basic height limit applicable to the underlying zone districts even if the object would constitute an obstruction. *Antenna structures shall not exceed 20 feet in height.*

Except as provided in other sections of this chapter, no object, including mobile objects such as a vehicle, or temporary objects, such as a construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for the Airport in Figure 2-23. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction.

5) There is no letter included in the Application from the Watsonville Airport Manager, as is required in Santa Cruz County Code 13.12.070 for projects within the Airport Combining District ("AIA"):

13.12.070 Review by airport owner and operator.

The City of Watsonville and the airport manager shall be notified of all discretionary applications for projects located within the AIA and be provided an opportunity to review and comment on the application pursuant to the timelines and procedures in Chapter [18.10](#)

Further, the staff report provides no discussion regarding the fact that the proposed project lies within the two-miles radius the airport, as defined in the AIA and must comply with those regulations:

Article III-B. AIA Airport Combining District

13.10.437 Purpose of the Airport "AIA" Combining District.

The purposes of the Airport "AIA" Combining District are to protect public health, safety, and welfare by ensuring the orderly expansion of airports, and to implement land use measures that protect the public from exposure to excessive noise and safety hazards within specified areas around the Watsonville Municipal Airport. [Ord. 5307 § 3, 2019].

13.10.438 Designation of the Airport AIA Combining District.

The Airport AIA Combining District *shall be applied to properties within two miles of the boundary of the Watsonville Municipal Airport.* [Ord. 5307 § 3, 2019].

13.10.439 Use and development standards in the Airport AIA Combining District.

In addition to the regulations for development and use imposed by the basic zone district, *all projects shall be subject to the provisions of the Airport Combining Zone District Ordinance, Chapter [13.12](#) SCCC.* [Ord. 5307 § 3, 2019].

6) The EMF analysis has inaccurate and confusing information. The Hammet & Edison RF analysis is based on a 75' pole, not a 65' one with antenna. The analysis is based on directional antenna at 71' above the ground, with no downtilt. (see page 100).

7) There is no title report included in the application to prove required legal access. The proposed project would be on a parcel that relies on a driveway adjacent to other properties (page 89). Santa Cruz County Code Section 13.10.662(B)(3) requires Verizon submit a title report with the application to identify and verify legal access:

(B) Submittal Information—All Applications. For all wireless communication facilities, in addition to the submittal requirements for Level V projects as specified in SCCC [18.10.210](#)(B), the information listed below must accompany each application (for the purpose of permit processing, the Planning Director or his/her designee may release an applicant from having to provide one or more of the pieces of information on this list upon a written finding that in the specific case involved said information is not necessary to process or make a decision on the application being submitted):

(1) The identity and legal status of the applicant, including any affiliates.

(2) The name, address, and telephone number of the officer, agent or employee responsible for the accuracy of the application information.

(3) The name, address, and telephone number of the owner, and agent representing the owner, if applicable, of the property upon which the proposed wireless communication facility is to be built and **title reports identifying legal access.**

8) There is no data presented by Verizon to verify and justify the need for this new 65' tall cell tower and 9 directional panel antennas. There is no data to support gaps in service, as required in Santa Cruz County Code 13.10.662(C)(1) and therefore this application is indiscriminate placement of new wireless facilities and violates the County Code and FCC wireless anti-proliferation language.

9) There is insufficient alternatives analysis submitted by Verizon to verify that 682 Buena Vista is the only site available. A cursory summary on page 98 in Exhibit G proves nothing. There is no proof that Verizon actually contacted any other possible property owners in areas that could have been considered as an alternative site. There are no response letters from PG&E to verify or dismiss the ability for Verizon to explore the real possibility of collocation on PG&E poles if Verizon were to replace or structurally fortify them.

10) There are no geotechnical studies provided to demonstrate the proposed hilltop location and nearby slope would be seismically stable or to clearly define the amount of soil excavation that would be necessary to meet required civil engineered-soil compaction levels for the concrete pad supporting the project. While the staff report states there would only be a 50SF concrete pad to support the 132-gallon diesel tank, and the Findings state CEQA exemption due to "minor digging and grading" and "no grading proposed" (page 63) the fact is there would be substantial excavation to create stable foundational material for the 65'-tall tower and 9 panel antennas to provide required wind-resistance, as well as concrete pads for the electrical cabinets.

11) There is no description of how Verizon would supply the necessary electricity to the proposed site to supply operations. Hammet & Edison EMF analysis (page 100) states the 9 panel antennas would radiate 13,760 watts at maximum operation. Construction diagrams on page 81 show utility service entering the fenced compound to the proposed tower but no construction details or descriptions of associated trenching and potential erosion control measures are included in the application. Staff Finding #4 on page 66 vaguely states that the proposed wireless facility would not overload utilities in the area, but presents no valid analysis at all to justify the claim.

12) There is no analysis of noise impacts associated with the proposed project. There would be a diesel generator on the site that would require regular and frequent operation for maintenance, and constant operation in the event of a

power failure. Noise disturbances could be potentially significant and adverse to not only the local residents but also to the herd of bison that are kept at the farm adjacent. It is unknown how these large and unpredictable animals would be affected by the noise and EMF impacts of the proposed project. Hammet & Edison EMF states "there would be no significant impact on the environment.(page100). However, this is a vague and seemingly unsubstantiated claim without any noise impact study.

13) Staff makes no mention of the County requirement that Verizon must submit a Non-Ionizing Electromagnetic Radiation (NIER) Report as a Condition of Approval, as is required in County Code 13.10.659(g)(2)(ix). this Report must include EMF radiation levels of all other towers during peak operation periods at ranges of 50'-1000', taking into account the cumulative NIER exposure levels from proposed sources in combination with all other existing NIER transmission sources within a one mile radius. Verizon's map of other wireless facilities in the project area on page 45 show several within a one-mile radius.

14) There is no archaeological survey included in the Application , despite Findings in the Parcel Description that there are archaeological concerns (page 63). The fact is that there would be potentially significant excavation required to create well-engineered soil foundation for the proposed tower as well as electrical cabinets, and utility trenching associated, and the 50SF concrete pad for the diesel tank.

Staff has neglected to require an archaeological survey, and instead would allow Verizon's contractors to be self-policing and stop work if human remains were to be found. This is very disrespectful of the significant Native American heritage of the area.

If this project is approved, I respectfully request that there be an added Condition of Approval that Native American observer Ms. Anne Marie Sayers or her appointed agent be required to be on site during all earth disturbance work.

For all the reasons stated above, I respectfully ask that your Commission DENY this appeal. Thank you for your careful consideration of my concerns, and for protecting good planning practices and public safety.

Sincerely,

Becky Steinbruner

3441 Redwood Drive

Aptos, CA 95003

831-685-2915

13.10.437 Purpose of the Airport "AIA" Combining District.

The purposes of the Airport "AIA" Combining District are to protect public health, safety, and welfare by ensuring the orderly expansion of airports, and to implement land use measures that protect the public from exposure to excessive noise and safety hazards within specified areas around the Watsonville Municipal Airport. [Ord. 5307 § 3, 2019].

13.10.438 Designation of the Airport AIA Combining District.

The Airport AIA Combining District shall be applied to properties within two miles of the boundary of the Watsonville Municipal Airport. [Ord. 5307 § 3, 2019].

13.10.439 Use and development standards in the Airport AIA Combining District.

In addition to the regulations for development and use imposed by the basic zone district, all projects shall be subject to the provisions of the Airport Combining Zone District Ordinance, Chapter [13.12](#) SCCC. [Ord. 5307 § 3, 2019].

Chapter 13.12 AIRPORT COMBINING ZONE DISTRICT

13.12.050 Airspace protection.

(A) **Airspace Obstruction Compatibility Criteria.** The criteria for determining the acceptability of a project with respect to height shall be based upon the standards set forth in Federal Aviation Regulations (FAR) Part 77, Subpart C, Objects Affecting Navigable Airspace; the United States Standard for Terminal Instrument Procedures (TERPS); and applicable airport design standards published by the FAA. These standards apply to the following to the extent they require a discretionary permit:

- (1) Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus.
- (2) The alteration of any permanent or temporary existing structure by a change in its height, including appurtenances, or lateral dimensions, including equipment or material used therein.

No object shall be limited to a height of less than the basic height limit applicable to the underlying zone districts even if the object would constitute an obstruction.

Antenna structures shall not exceed 20 feet in height.

Except as provided in other sections of this chapter, no object, including mobile objects such as a vehicle, or temporary objects, such as a construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for the Airport in Figure 2-23. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction.

(B) Requirements for FAA Notification of Proposed Construction. Proponents of a project containing structures or other objects that exceed the basic height standards applicable to the underlying zone districts must submit notification of the proposal to the FAA where required by the provisions of FAR Part 77, Subpart B. The FAA notification requirements apply to all objects including structures, antennas, trees, mobile objects, and temporary objects such as construction cranes. Notification is required if the proposed structure or other object is within 20,000 feet of any runway and would exceed a slope of 100:1 from the nearest point of the nearest runway. The notification requirement can be determined using the following equation:

$$(D/100 - H) + 160 < E$$

where D equals the distance from the runway, the established elevation of the airport is 160 feet above mean sea level, H equals the height of the building or object above highest existing grade adjacent the building or object, and E equals the highest existing grade adjacent the building or object based on the North American Vertical Datum of 1988 (NAVD 88). If the result is less than E then notification is required. Notification shall be made on FAA Form 7460-1. If the structure or object would be an obstruction and the FAA determines it would be a hazard to air navigation, the structure shall be lowered or include markings or lighting as directed by the FAA.

(C) No permit shall be granted that would allow the establishment or creation of a hazard to air navigation or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation.

13.12.070 Review by airport owner and operator.

The City of Watsonville and the airport manager shall be notified of all discretionary applications for projects located within the AIA and be provided an opportunity to review and comment on the application pursuant to the timelines and procedures in Chapter [18.10](#)

Chapter 18.10 PERMIT AND APPROVAL PROCEDURES

SCCC, consistent with the Permit Streamlining Act as well as any public comment periods associated with environmental review of a proposed project. [Ord. 5307 § 4, 2019].

Morning Elizabeth

In providing the full context to the letter generated from the Watsonville airport director, attached is an email the FAA rep sent to the Watsonville director on 6/22...prior to the letter drafted on 6/29.

If the Verizon continuance is granted, VZW will seek to work with the Watsonville airport regarding the letter of concerns from the airport.

Per the email chain attached, the Airport director originally sought FAA rep interpretation of the FAA clearance documents prepared for the hearing.

The FAA rep offered clarification on 6/22 in the email, noting the proposed tower offered no interference with current Watsonville airport FAA filed/approved flight patterns (see attached email chain and last email from Mr Oleck)

In the letter dated 6/29 provided by the airport rep 7 days later (other attached email), Mr. Robertson (airport rep) mentions they have received an FAA grant for “future” changes to the airport that are in the review phase over the next year and half that may or may not affect future flight patterns near this project.

So what we have is:

1. An email from the FAA rep that verifies the project as fully compliant as of today's date.
2. The Watsonville Airport rep reason cited in the letter for non-support of the project by the airport is due to possible changes to the future flight patterns.

My concern after initially reading the Watsonville airport letter.... the reason cited for non-support in the letter is speculative, **not something currently in existence legally**, and may not affect this project even with changes to future flight patterns a year and half from now.

Hopefully the continuance will be granted and these issues can be resolved by the 22nd.

Best Regards,

Yvonne Pinto

Project Manager
J5 Infrastructure Partners

☎ Cell: **415.610.0698**

✉ ypinto@j5ip.com



RE: County zoning project 171213, Old Adobe road, VZW Faux Eucalyptus site proposal, zoning hearing date July 8th

FYI,

From a Flight Procedures (TERPs) perspective, this tower has no effect on any of the flight procedures at Watsonville Muni (WVI). There is not currently, nor have we been notified of any future planned instrument departures using runway 27. So, while this Verizon tower does penetrate the ICA, there is no changes to any published procedures there. If there are any questions please let me know.

Respectfully,

Perry J. Oleck
AreoNav Program Specialist
Oakland District (TWOA) and VOR MON Program
Flight Procedures Team (AJV-W24)
Western Service Center
Phone: (206) 231-2276
Perry.J.Oleck@faa.gov
[IFP Information Gateway](#)

From: Rayvon Williams <rayvon.williams@cityofwatsonville.org>
Sent: Friday, June 19, 2020 3:27 PM
To: Yvonne Pinto <YPinto@j5ip.com>
Cc: Robert Robertson <robert.robertson@cityofwatsonville.org>; Oleck, Perry J (FAA) <perry.j.oleck@faa.gov>; mike.mangiantini@verizonwireless.com; Paul Albritton <pa@mallp.com>
Subject: Re: County zoning project 171213, Old Adobe road, VZW Faux Eucalyptus site proposal, zoning hearing date July 8th

We've cc'ed the FAA on this and will also reach out to our Planning Consultants early next week.

We are attempting to avoid [this](#).

Rayvon Williams, C.M., C.A.E.
Municipal Airport Director
(831) 768-3574



On Fri, Jun 19, 2020 at 2:57 PM Yvonne Pinto <YPinto@j5ip.com> wrote:

Thank you Rayvon for letting me know of the additional review.

Given the July 8th hearing coming up, if you could please advise when the additional review will be completed.

Best Regards,

Yvonne Pinto

Project Manager

J5 Infrastructure Partners

☎ Cell: **415.610.0698**

✉ ypinto@j5ip.com



From: Rayvon Williams <rayvon.williams@cityofwatsonville.org>

Sent: Friday, June 19, 2020 2:34 PM

To: Yvonne Pinto <YPinto@J5IP.Com>

Cc: Robert Robertson <robert.robertson@cityofwatsonville.org>; Oleck, Perry J (FAA) <perry.j.oleck@faa.gov>

Subject: Re: County zoning project 171213, Old Adobe road, VZW Faux Eucalyptus site proposal, zoning hearing date July 8th

Good afternoon Yvonne....that's not quite my understanding at this point.

We have skimmed over the aeronautical studies. This cell tower appears to penetrate RWY 27 Initial Climb Area (ICA) 18 feet.

We note the following:

This aeronautical study revealed that the structure does exceed obstruction standards but would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

__X__ At least 10 days prior to start of construction (7460-2, Part 1) __X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

/// At 259 AMSL 1A, Watsonville Muni (WVI) Watsonville, CA. Obstacle penetrates RWY 27 Initial Climb Area (ICA) 18 feet. Qualifies as low, close-in penetration with climb gradient termination altitude 200 feet or less above DER, requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES, NOTE: RWY 27,

monopole 3148 feet from the departure end of the runway, 655 feet right of centerline, 65 AGL, 259 AMSL

Given this, we need to complete some additional investigation.

Rayvon Williams, C.M., C.A.E.

Municipal Airport Director

(831) 768-3574



www.watsonvilleairport.com

On Fri, Jun 19, 2020 at 1:50 PM Yvonne Pinto <YPinto@j5ip.com> wrote:

Thank you again Rayvon for speaking with me the other day.

Per our conversation and my understanding... as long as the Verizon project is in compliance with all Federal, state and Jurisdictional requirements, there would be no objection from the Watsonville airport.

If you could please confirm this is your understanding as well.

Thank you!

Best Regards,

Yvonne Pinto

Project Manager

J5 Infrastructure Partners

☎ Cell: **415.610.0698**

✉ ypinto@j5ip.com



From: Yvonne Pinto

Sent: Thursday, June 18, 2020 1:31 PM

To: Robert.robertson@cityofwatsonville.org

Cc: rayvon.williams@cityofwatsonville.org

Subject: County zoning project 171213, Old Adobe road, VZW Faux Eucalyptus site proposal, zoning hearing date July 8th

Good afternoon Mr. Robertson,

I spoke with Mr. Williams briefly and he was kind enough to direct me to you for airport compliance review of the Verizon project proposal to install a Faux Eucalyptus treepole at 682 Buena Vista Drive in Watsonville.

He mentioned as long as the project is in compliance with all Federal, state and Jurisdictional requirements, there would be no objection...so I am getting these over to you quickly in hopes we can verify compliance prior to the July 8th zoning hearing.

If you should have any questions, please don't hesitate in letting me know or we can set up a call.

Attached you will find the following for your review:

1. FAA clearance for temporary structure, the Mockup.

A COW mockup was installed earlier today, to replicate the height proposed. I will forward pictures once they are received.

- 2. FAA clearance for a permanent structure, the Mono Eucalyptus treepole proposed**
3. Set of the plans with details of the MonoEucalyptus treepole proposed.

These plans are also currently with Santa Cruz county planner Elizabeth Cramblet.

Best Regards,

Yvonne Pinto

Project Manager

J5 Infrastructure Partners

☎ Cell: **415.610.0698**

✉ ypinto@j5ip.com



21 July 2020

To whom it concerns,

I am contacting you again concerning the proposed cell tower proposed by Verizon to be constructed at 682 Buena Vista Drive in unincorporated Santa Cruz County.

I am opposed to placing a cell tower so close to the county's only regional airport and in area surrounded by homes.

It is difficult to believe that this location - in a residential area (even though on a parcel zoned for Commercial use) and in close proximity to a regional airport and under a flight path - is the only viable location Verizon could identify for a cell tower. Safety should be the number one factor taken into consideration for any proposed development around the airport. The FAA has issued a *Determination of No Hazard to Air Navigation*, which includes language notifying the Applicant that the determination "does not relieve the sponsor of compliance responsibilities related to any law, ordinance, or regulation of any federal, state, or local government body". The Watsonville Pilots Association (WPA), through their legal counsel, have already gone on record in 2018 as opposing this site for safety-related reasons, not only for the pilots using the airport but also for those on the ground around the airport property. They have also cited various documents/ordinances/regulations that need to be in compliance when considering development around the airport. Please carefully consider their input. While the FAA may not have submitted objection to the location of the tower on the basis of their theoretic evaluations, the WPA - the local experts most familiar with the conditions of the Watsonville Airport - have expressed concern that the proposed location of the subject tower has substantial potential to interfere with the safe use of the airport. Their concerns should not be ignored by the Planning Commission which has a duty to ensure land use decisions do not impose safety hazards to the public. Please consider whether this is truly the only viable option available to Verizon for placement of a tower or whether perhaps more work is needed to explore other location options. Co-location on existing PGE poles with additional reinforcement may be a possible option to help to minimize visual impact and support safety around the airport.

The original proposal by Verizon and denied by the county in 2018 included as one of the issues to be addressed, the need to erect a "mock-up" visual representation prior to any subsequent review. The planning document calls for a "monoeucalyptus wireless communication facility with an initial installation of 9 panel antennas and 9 remote radio units", along with a host of additional associated equipment installed at ground level. It is hard to imagine the very narrow flagpole-like structure placed to satisfy the need for a "mock-up" is truly representative of the size and stature of the tower being proposed and I believe it does not provide residents of the area with an accurate visual of what is actually planned. This and the fact that only very few residents in the area seem to have received a notice from the county informing them of the planned development, calls into question the adequacy of issuing an effective public notice, as required by Santa Cruz County Code.

Though the "mock-up" pole is clearly visible from my home, I only became aware of its inconspicuous presence and the proposed tower construction after seeing very visible signage placed around my neighborhood by one of my neighbors who *did* receive a notice from the county. I wonder how many other affected property owners were similarly not notified and are still unaware of the planned tower construction in their own neighborhood? Yes, there are folks in favor of a tower with hope of better cell reception. Unfortunately, some of those who have expressed to me support for the tower happen to live in other parts of Larkin Valley that appear to be outside of the expanded coverage area as per the coverage maps shown in the meeting package. Again, the lack of information communicated to local residents is seemingly leading to misunderstandings about the benefits of this project.

Thank you for considering my opinions.

Regards,
Karin Kerber
369 Larkin Valley Rd
Watsonville CA 95076

RECORDING REQUESTED BY:
WILLIAM HENRY
682 BUENA VISTA DRIVE
WATSONVILLE, CA 95076

WHEN RECORDED MAIL TO:
WILLIAM HENRY
682 BUENA VISTA DRIVE
WATSONVILLE, CA 95076



2001-0018349

| | | |
|------------------|---------|-------|
| Recorded | REC FEE | 10.00 |
| Official Records | TAX | .00 |
| County Of | CC CONF | .00 |
| SANTA CRUZ | SURVEY | 10.00 |
| RICHARD W. BEDAL | | |
| Recorder | | |

08:02AM 04-Apr-2001 JRS
Page 1 of 2

TRUST TRANSFER DEED

The undersigned Grantor declares under penalty of perjury that the following is true and correct:
Documentary transfer tax is \$0, based on the fact that the realty was not sold, transfer is to a trust and the consideration is less than \$100.00.

Signed: William Henry Margaret Henry
WILLIAM HENRY MARGARET HENRY

FOR no consideration, WILLIAM HENRY AND MARGARET HENRY, HIS WIFE, AS JOINT TENANTS, hereby grants real property to

WILLIAM L. HENRY AND MARGARET HENRY, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE HENRY LIVING TRUST, DATED MAR 19 2001 AND ANY AMENDMENTS THERETO

Said real property may be described as in the City of WATSONVILLE and County of SANTA CRUZ, State of California:
See attached Exhibit A

Commonly known as: 682 BUENA VISTA DRIVE, WATSONVILLE
APN: 049-171-17

William Henry
WILLIAM HENRY

Margaret Henry
MARGARET HENRY

Dated: MAR 19 2001

STATE OF CALIFORNIA)

) ss.

COUNTY OF SANTA CLARA)

Carol S. Litherland

On MAR 19 2001 before me, _____, a Notary Public, personally appeared, WILLIAM HENRY, MARGARET HENRY personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in their authorized capacity, and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Carol S. Litherland
Notary Public



MAIL TAX STATEMENTS TO: WILLIAM HENRY, 682 BUENA VISTA DRIVE, WATSONVILLE, CA 95076

EXHIBIT A.

BEING a part of the Rancho Corralitos, and being also a portion of the lands conveyed by Lowell O. Gibson et ux to John R. Van Natta et ux by Deed dated April 26, 1946 and recorded May 24, 1946 in Volume 657 at Page 237 Official Records Santa Cruz County, and being more particularly bounded and described as follows, to wit:

BEGINNING at a $\frac{1}{4}$ " pipe set in place of a 2" x 2" old stake scribed V H at the northwesterly corner of said lands of Van Natta, thence from said point of beginning and running along the northwesterly boundary of Van Natta, North $68^{\circ} 50'$ East 208.47 feet to a $\frac{1}{4}$ " pipe driven through an old stake, from which a 2" x 2" stake scribed V H bears North $68^{\circ} 50'$ East 16.50 feet distant; thence running along the southwesterly boundary of a 16.50 foot wide strip conveyed by Anna M. Haselhofer to Lorenz V. Haselhofer by Deed dated June 27, 1923 and recorded in Volume 15 at Page 328 Official Records Santa Cruz County, South $20^{\circ} 58'$ East 534.00 feet to a $\frac{1}{4}$ " pipe; thence leaving said boundary and running South $68^{\circ} 52'$ West 281.01 feet a $\frac{1}{4}$ " pipe set on the westerly boundary of said lands of Van Natta; thence running along said last named boundary, North $13^{\circ} 13'$ West 539.01 feet to the point of beginning and containing 3.000 Acres more or less.

I join Ryan Ramirez in opposing the cell tower construction at its planned location. It poses an unacceptable risk to flight navigation and to the safety of those in the air, and consequently on the ground.

Thank you for your time,
Barry J Porter
Vice President, Watsonville Pilots Association
www.watsonvillepilots.org

On Tue, Jul 7, 2020 at 4:48 PM Ryan Ramirez <ramizzan@gmail.com> wrote:
Hello,

On behalf of the Santa Cruz county pilot community, I am writing in response to Verizon's re-application for a cell tower to serve the Buena Vista area. The Watsonville Pilots Association continues to oppose this application.

Based on the information we have from the Staff Report, it is proposed to be placed extremely close to, if not within Safety Zones 1,2 and 4 approach/departure of runways 09/27.

As you know, Watsonville Municipal Airport is actively using their current FAA grant on future planning and growth which might alter or extend runways and thus extend the safety zones to comply with the California Airport Land Use Planning Guidelines. When these plans take effect, if this cell tower is built in its proposed location, it could end up well within our Primary and Secondary safety zones.

Proposed Verizon Cell tower at 682 Buena Vista

kkerbersmith@baymoon.com

07 July 2020

To whom it concerns,

I am contacting you concerning the proposed cell tower proposed by Verizon to be constructed at 682 Buena Vista Drive in unincorporated Santa Cruz County.

I am opposed to placing a cell tower so close to the county's only regional airport and in area surrounded by homes.

It is difficult to believe that this location - in a residential area (even though on a parcel zoned for Commercial use) and in close proximity to a regional airport and under a flight path - is the only viable location Verizon could identify for a cell tower. Safety should be the number one factor taken into consideration for any proposed development around the airport. The FAA has issued a *Determination of No Hazard to Air Navigation*, which includes language notifying the Applicant that the determination "does not relieve the sponsor of compliance responsibilities related to any law, ordinance, or regulation of any federal, state, or local government body". The Watsonville Pilots Association (WPA), through their legal counsel, have already gone on record in 2018 as opposing this site for safety-related reasons, not only for the pilots using the airport but also for those on the ground around the airport property. They have also cited various documents/ordinances/regulations that need to be in compliance when considering development around the airport. Please carefully consider their input. While the FAA may not have submitted objection to the location of the tower on the basis of their theoretic evaluations, the WPA - the local experts most familiar with the conditions of the Watsonville Airport - have expressed concern that the proposed location of the subject tower has substantial potential to interfere with the safe use of the airport. Their concerns should not be ignored by the Planning Commission which has a duty to ensure land use decisions do not impose safety hazards to the public. Please consider whether this is truly the only viable option available to Verizon for placement of a tower or whether perhaps more work is needed to explore other location options. Co-location on existing PGE poles with additional reinforcement may be a possible option to help to minimize visual impact and support safety around the airport.

The original proposal by Verizon and denied by the county in 2018 included as one of the issues to be addressed, the need to erect a "mock-up" visual representation prior to any subsequent review. The planning document calls for a "monoecalyptus wireless communication facility with an initial installation of 9 panel antennas and 9 remote radio units", along with a host of additional associated equipment installed at ground level. It is hard to imagine the very narrow flagpole-like structure placed to satisfy the need for a "mock-up" is truly representative of the size and stature of the tower being proposed and I believe it does not provide residents of the area with an accurate visual of what is actually planned. This and the fact that only very few residents in the area seem to have received a notice from the county informing them of the planned development, calls into question the adequacy of issuing an effective public notice, as required by Santa Cruz County Code. In fact, though the "mock-up" pole is clearly visible from my home, I only became aware of its inconspicuous presence and the proposed tower construction after seeing very visible signage placed around my neighborhood by one of my neighbors who *did* receive a notice from the county. I wonder how many other affected property owners were similarly not notified and are still unaware of the planned tower construction in their own neighborhood? Yes, there are folks in favor of a tower with hope of better cell reception. Unfortunately, some of those who have expressed to me support for the tower happen to live in other parts of Larkin Valley that appear

to be outside of the expanded coverage area as per the coverage maps shown in the meeting package. Again, the lack of information communicated to local residents is seemingly leading to misunderstandings about the benefits of this project.

Lastly, and on somewhat of a tangent but relevant to overall considerations for development, the Buena Vista/Larkin Valley scenic corridor has somehow seemingly become a targeted choice for development that is unwanted elsewhere. In the 25 years that I have lived in this beautiful rural area I have been aware that it has been proposed for (1) an additional dump site, (2) annexation within the Watsonville city limits for future development of high density housing (and the traffic and resource constraints etc. that goes with such development) and, now (3) a 65-foot cell tower with ancillary equipment including a 132-gallon diesel fuel tank, all in the midst of what has been declared as a wildfire zone. I think it's fair to say these are the kinds of projects whose presence would understandably impact the natural beauty of any rural residential area. People make a conscious choice to live in this area because of its rural character and natural beauty. There are many, many residents/property owners in the area that are not supportive of development uncharacteristic to the area. It is also flanked by the county's only regional airport whose future may be someday be at risk at the hand of encroaching development. For these reasons and the others described above, I urge you to deny the application made by Verizon to construct a cell tower at 682 Buena Vista Drive.

Thank you for considering my opinions.

Regards,
Karin Kerber
369 Larkin Valley Rd
Watsonville CA 95076

WATSONVILLE MUNICIPAL AIRPORT

100 AVIATION WAY □ WATSONVILLE, CALIFORNIA 95076

MAIN: 831 768-3575 □ FAX: 831 763-4058



June 26, 2020

Ms. Yvonne Pinto
Project Manager
J5 Infrastructure Partners
2030 Main Street Suite 200
Irvine, California 92614

RE: Verizon project proposal at 682 Buena Vista Drive, Watsonville

Dear Ms. Pinto,

The Municipal Airport has reviewed the proposed installation of a Faux Eucalyptus tree pole at 682 Buena Vista Drive in Watsonville. Our initial review determined the proposed project lies within the least restrictive Safety Zone (Zone Six) as defined by the California Department of Aeronautics' Airport Land Use Planning handbook.

As you know Airport Staff also reviewed the Federal Aviation Administration's (FAA) Form 7460 "Notice of Proposed Construction or Alteration" given the planned construction may affect navigable airspace. The Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) stated that "...the structure does not exceed obstruction standards..." but "This cell tower appears to penetrate RWY 27 Initial Climb Area (ICA) 18 feet."

The analysis further stated the proposed cell tower "...qualifies as low, close-in penetration with climb gradient termination altitude 200 feet or less above DER (Departure End of Runway), requiring Take-Off Minimum and (Obstacle) Departure Procedures. Although the FAA's Flight Procedures Team (Oakland California District) noted that "...this tower has no effect on any of the flight procedures at Watsonville Muni (WVI)" that perspective does not address future procedures.

Watsonville Municipal Airport was recently awarded a FAA planning grant to update the Airport's Master Plan and Airport Layout Plan (ALP). Substantial consideration and review of future approaches and departures per Terminal Instrument Procedures (TERPS) are part of the eighteen month planning process.

An endorsement of the proposed tower project at this time would be a premature commitment without consideration of the pending ALP update. At this time the Municipal Airport cannot support the proposed project.

Sincerely,

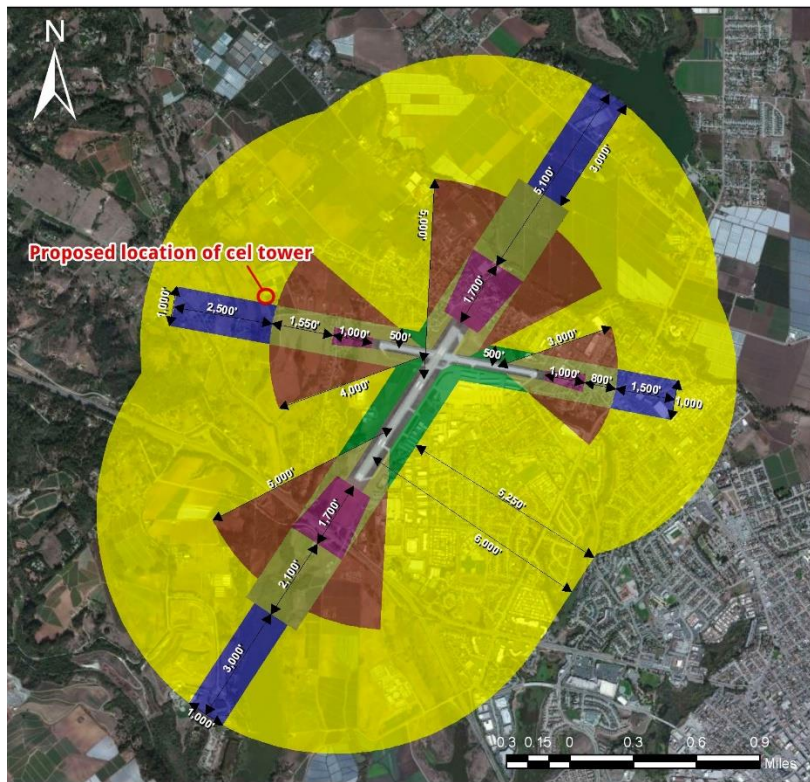
Robert Robertson
Airport Planning and Construction Supervisor

Hello,

On behalf of the Santa Cruz county pilot community, I am writing in response to Verizon's re-application for a cell tower to serve the Buena Vista area. The Watsonville Pilots Association continues to oppose this application.

Based on the information we have from the Staff Report, it is proposed to be placed extremely close to, if not within Safety Zones 1,2 and 4 approach/departure of runways 09/27.

As you know, Watsonville Municipal Airport is actively using their current FAA grant on future planning and growth which might alter or extend runways and thus extend the safety zones to comply with the California Airport Land Use Planning Guidelines. When these plans take effect, if this cell tower is built in its proposed location, it could end up well within our Primary and Secondary safety zones.



| Legend | |
|-----------------|---------------|
| Safety Zone 1 * | Safety Zone 4 |
| Safety Zone 2 | Safety Zone 5 |
| Safety Zone 3 | Safety Zone 6 |

* Airport Safety Zone 1 for small runway is 250' X 450' X 1,000'
Airport Safety Zone 1 for medium runway is 1,000' X 1,510' X 1,700'
Airport Safety Zone 1 for Runway 08 is 250' X 450' X 1,000'

I implore you NOT to allow this tower in this location. It is simply too close to well established safety zones and an approval would be premature considering active and ongoing 2020-2030 City General Planning and 2020-2030 Airport Planning. There are so many alternative locations that would serve Verizon's purposes while maintaining the safety and security of our local and visiting pilots.

Regards,

Ryan Ramirez
President, Watsonville Pilots Association
www.watsonvillepilots.org



July 6, 2020

VIA EMAIL

Planning Commission
County of Santa Cruz
701 Ocean Street, Suite 400
Santa Cruz, CA 95060
c/o Elizabeth.Cramblet@santacruzcounty.us

Re: Agenda Item 6, July 8, 2020
682 Buena Vista Dr., Watsonville 95076 (APN: 049-171-17)
Appeal of the Zoning Administrator denial of application 171213; Verizon

Dear Members of the Commission:

This law firm represents the Watsonville Pilots Association (“WPA”). WPA is dedicated to protecting the environment, the safety of pilots and the public on the ground in the area around the Watsonville Airport (“Airport”). For the reasons stated below, we respectfully request that you deny the appeal and the application.

The proposed siting of the cell tower in Airport Safety Zone 6 poses a potential safety hazard to pilots and members of the public, especially considering proposed reductions in the minimum landing approach heights in relation to the airport. Approval of the Project poses a unique and substantial danger to pilots, passengers of aircraft, and the public.

To approve the project, the Commission must make a finding that the Project is consistent with the County General Plan. When the Zoning Administrator first considered the project, the County’s General Plan was noncompliant with state law and the decision in *Watsonville Pilots Association v. City of Watsonville* (2010) 183 Cal.App.4th 1059 [hereinafter “Watsonville Pilots Association”]. The County could not approve any development within the Airport Influence Area until it has incorporated the California Airport Land Use Planning Handbook into mandatory provisions in its General Plan. The County has now incorporated the Handbook into its General Plan and County Code as noted in the Staff Report. However, what is lacking is analysis of the project’s consistency with the General Plan and County Code. State law establishes Airport Safety Zones around airports and makes compliance mandatory as to the Airport. (Pub. Util. Code § 21670.1(d), (e); *Watsonville Pilots Association*, *supra*, 183 Cal.App.4th at 1071.)

The Staff Report mentions the FAA’s determination that the project does not present a hazard. However, this is an oversimplification. The FAA did not determine there was no obstruction. Instead, it determined that “Obstacle penetrates [Runway] 27 Initial Climb Area

(ICA) 18 feet. Qualifies as low, close-in penetration with climb gradient termination altitude 200 feet or less above DER, requiring TAKE-OFF MINIMUM AND (OBSTACLE) DEPARTURE PROCEDURES.” In other words, this tower does not present no risk to pilots and their passengers ***unless the tower height is reduced 18 feet***. More importantly, County Code section 13.12.050 specifically states:

Except as provided in other sections of this chapter, no object, including mobile objects such as a vehicle, or temporary objects, such as a construction crane, shall have a height that would result in penetration of the airspace protection surface depicted for the Airport in Figure 2-23. Any object that penetrates one of these surfaces is, by FAA definition, deemed an obstruction.

(See also General Plan Policy 2.25.11.) The obstruction violates the County General Plan and County Code by allowing the obstruction.

The Watsonville Airport has also expressed similar concerns. To clarify, the FAA based its finding on old data — the previous Runway 27 departure procedure. Until a new airport master plan is done that fixes current visibility problems at Runway 27, it is not known exactly where the ICA will be, and part of the solution will likely be moving the ICA a few hundred feet to the west, which will make the tower penetration worse.

Finally, because of the serious airport safety issues, which can be catastrophic for pilots and passengers, the project is not exempt from environmental review pursuant to the California Environmental Quality Act (CEQA). CEQA is applicable to hazards related to airports. We believe a tower of 65 feet next to the airport is not exempt as a small structure or minor alteration land pursuant to CEQA Guidelines section 15303 and 15304 as claimed. Nevertheless, even if the project is exempt from CEQA, it falls within the exception to the exemption:

Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(14 Cal. Code Regs. § 15300.2(a).) In this case, the project is located within Zone 6, which is designated by state and local law, and is protected from obstructions. Moreover, the project also qualifies as the exception to the exemptions due to unusual circumstances. (14 Cal. Code Regs. § 15300.2(c).) Therefore, the County cannot claim that the project is exempt from environmental review pursuant to CEQA.

Planning Commission
Re: 682 Buena Vista Drive
July 6, 2020
Page 3

Thank you for your consideration of these comments.

Very truly yours,
WITTWER PARKIN LLP

A handwritten signature in blue ink, appearing to read 'W. Parkin', with a long horizontal flourish extending to the right.

William P. Parkin

Verizon Cell Phone Tower

Nancy Eder <nancyeder831@gmail.com>

I am in support of this tower. My cell phone is my ONLY phone. I tried to have a landline installed and AT&T said they won't install them in my area. I only have one tiny bar left on my cell phone for my Verizon service. I won't have any phone at if this disappears. Verizon is the best carrier in my area and it's almost non-existent. Please approve installation of this tower!

Sincerely,
Herb & Nancy Eder





7/20/2020.

Opposition to the proposed cell tower and facility at 682 Buena Vista Dr, Watsonville CA 95076
APN:049-171-17, Project #171213.

We are property owners directly across from the proposed site. We are opposing the cell tower and facility that is being proposed.

We now take issue that our previous letters of objection were not part of the last hearing's staff report. We do object in the misleading "story pole". It does not adequately represent the project's mass, which is completely one of main subjects of opposition.

Our many issues are as follows:

It would be a huge unsightly structure and facility visible from my property. All our east facing views would be affected, inside and outside of our home.

It would be an eyesore in the area which borders on a "scenic byway". Larkin Valley Road is the border.

Seeing a 65' tall tower and nine panel antennas and nine remote radio units would be a negative, ugly effect on the peaceful enjoyment of our property. The tower's visual blight imposed on my household, our property, and the area would be a Public Nuisance, under Govt. Code 3479.

It would adversely effect resale values for us and any other direct neighbor, thus bringing values down of the extended neighboring properties. Not only by it's unsightliness, but by the perceived negative effects people have of living near a cell tower.

The site is not stable. From our property we can plainly see two landslide locations.

The tower location would be a lightening strike threat, and fire hazard in a high priority fire zone.

The tower would be in near proximity to PG&E electric lines. The tower and fuel tank would pose added fire danger, whether from the tower falling, or the tank exploding.

The tower would be a dangerous distraction to pilots and aircraft using the Watsonville Airport. We, who live under a flight path, can not stress this point enough!

The site is in an area which because of its open spaces has wildlife which needs protection. This area is a habitat for insects as small as the bees, which pollinate the berries and apples and flower growers in the area, to the animal species that are an important part of the native food chain, such as the Western Screech, the Saw Wet, and Great Horned owls, the Red Tail and Cooper Hawks and White Tailed Kites, and several species of bats. These mentioned species are seen DAILY in the immediate area and help to manage the gophers, rabbits and rodents. The animals, from A to Z, (and yes, A also includes amphibians) will not fair well in such a close proximity from the cell tower's exposure. The larger animals may also be effected, including the deer, coyote, and bobcat. The proposed tower's strength may pose a threat to sensitive creatures.

Thank you,
Rick and Jan Candau
100 Old Adobe Rd.
Watsonville, CA 95076

MACKENZIE & ALBRITTON LLP

155 SANSOME STREET, SUITE 800
SAN FRANCISCO, CALIFORNIA 94104

TELEPHONE 415 / 288-4000
FACSIMILE 415 / 288-4010

July 2, 2020

VIA EMAIL

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

Re: Request for Continuance
Verizon Wireless's Appeal of Zoning Administrator's Denial
Application 171213, Telecommunications Facility, 682 Buena Vista Drive
Planning Commission Agenda Item 6, July 8, 2020

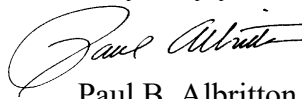
Dear Chair Freitas and Commissioners:

We write on behalf of Verizon Wireless regarding its appeal of the denial by the Zoning Administrator of the above-referenced wireless facility (the "Proposed Facility").

Verizon Wireless requests to continue the Planning Commission hearing for this appeal from July 8, 2020 to July 22, 2020. Verizon Wireless requests this continuance to confer with the Watsonville Municipal Airport to address any of their concerns. Because the Federal Aviation Administration already has issued a determination of no hazard to air navigation,¹ Verizon Wireless is confident that it can address any issues prior to July 22, 2020.

Thank you for your attention to this request.

Very truly yours,



Paul B. Albritton

cc: Jason Heath, Esq.
Daniel Zazueta, Esq.
Elizabeth Cramblet

¹ See Planning Commission Staff Report, July 8, 2020, Item 6, Application 171213, p. 3; Exhibits 1C, 1D