

**From:** David Earle <[david.earle@sottogroup.com](mailto:david.earle@sottogroup.com)>  
**Sent:** Thursday, February 9, 2023 8:12 AM  
**To:** Jonathan DiSalvo <[Jonathan.DiSalvo@santacruzcounty.us](mailto:Jonathan.DiSalvo@santacruzcounty.us)>  
**Subject:** Application 211097

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

Hello Jonathan,

I wrote to you last year expressing my disagreement with the proposed 5g cell tower construction at 165 Robin Meadow Lane. ASP# 109-341-19 #211097

I see that they are starting on this project again. Of course I am still opposed to this project.

As well as being opposed for all the reasons in my previous email (attached below) I have some questions:

First - Can you provide all the setback information to me?

Second - Can you provide the information regarding disclosure to the close by residents. No one around here was notified.

This is my original letter to you:

To Jonathan Di Salvo and Jocelyn Drake

I am writing with regard to the Notice of Proposed Development APN 109-341-19, application #211097 at 165 Robin Meadow Lane Watsonville. Installation of a 5G phone tower.

I am contacting you to share my opposition to this development. I represent not only myself but the rest of the people that live at both 250 and 290 Robin Meadow lane.

The reasons for our opposition are as follows:

1. Health concerns:
  - a. While the main stream current data states currently there are no known effects on health it also very clearly states that more research needs to be done and currently it is too early to say definitively yes or no. Please see this webpage from the American Cancer Society. <https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>. It very clearly says again and again more research is necessary.
  - b. Even if correct setbacks were being followed, which they are not, it should be noted a number of workers in the greenhouses will be in VERY close proximity to the tower on a daily basis.
2. Property value loss:
  - a. The Board of Realtors show the property values decline between 2-20% depending on many factors when a cell tower is installed. It is not fair to have one person in the

neighborhood benefit financially while the others carry that burden through loss of value on their home, likely their biggest investment in their life.

3. Generally unsightly and degraded quality of life for the residents here.
  - a. Recently the county granted the farmers here the ability to grow hemp and marihuana. I am not against legal marihuana however what was berries and flowers and a nice place to be has been replaced with a foul odor of skunk weed. Now the county wants to allow the scenery of our little farmland to also be degraded. I just feel like... why us and where will it stop?

I urge the county to reconsider this project and build the tower in a location that will not affect the residents of our, or any, community. There is a lot of open land out here, please find a more suitable less damaging place to put this.

Regards,

David Earle and Reja Chang, Roger Bournique, Athena Hoyt, Eileen Chin-quee, Philip Bailey.

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David Earle  
Sotto Group

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**From:** Diane Dutton <[oneforallok@yahoo.com](mailto:oneforallok@yahoo.com)>

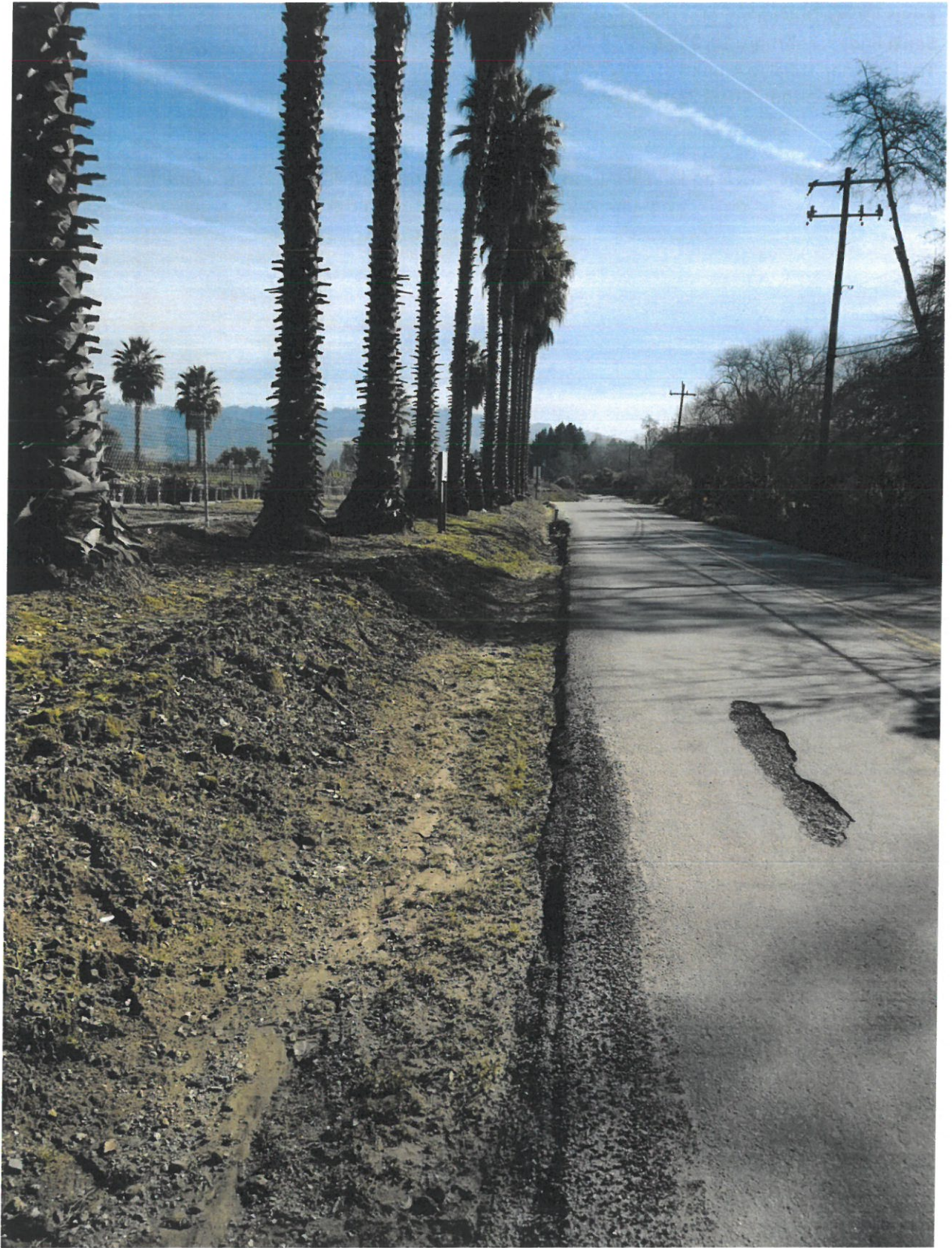
**Sent:** Friday, February 10, 2023 11:54 AM

**To:** Jonathan DiSalvo <[Jonathan.DiSalvo@santacruzcounty.us](mailto:Jonathan.DiSalvo@santacruzcounty.us)>

**Subject:** Attention - Public Notice photo

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Hi Jonathan,

I want you to see how ineffective the Public Notice is for the proposed cell tower at 165 Robin Meadow Rd. #211097,

ASP 109-341-19

Your department may be able to check this off of your requirements list, but it is woefully inadequate for its stated purpose.

In the RR, rural residential area out here having only to notify residents 300ft from the proposed tower site is pathetic. The home owners requesting this cell tower are the only ones who fall into this category at 267ft.

These are shameful attempts at notifying the public, because in reality they do not.

The mock up tower is also a flimsy representation of what will actually be there. Please wrap it in a bright orange material so it is more visible in representing what will actually be there.

Postponing the approval for this project until other points of concern are dealt with would be the wisest and fairest thing to do.

Respectfully,

Diane Dutton-Jones

[Sent from Yahoo Mail on Android](#)



**From:** The office of Jazz VaVerka-Piatt <piattjazz@gmail.com>  
**Sent:** Monday, February 13, 2023 9:32 PM  
**To:** Jonathan DiSalvo  
**Subject:** (Time sensitive) POSTPONE 2/17 HEARING for Proposed Cell Tower

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

Re: Request to postpone 2/17 hearing of the cell tower at 165 Robin Meadow Lane, Watsonville due to insufficient notice.

**Summary points:**

1. Obstruction of nearest residents' view; devaluation of newly-purchased property.
2. Negative impact of EMFs on documented-disabled resident; ADA accommodations.
3. AT&T gross negligence leading to massive equipment failure.
4. Compliance of setbacks.

Dear Mr. DiSalvo,

I'm the new owner of the property at 96 Wheelock Road, Watsonville. My family moved into the house on January 31, 2023 and on February 5, a passerby informed us of the proposed cell tower at 165 Robin Meadow Lane (**parcel #109-341-19**), only approximately 420 feet from my house.

Additionally, we happened to learn that a virtual hearing on this matter (**#1:211097**) is scheduled for February 17, 2023. This short timeline and lack of prior notification—not disclosed to our realtor—does not allow us time to research and digest the critical County documents pertaining to the proposed cell tower.

1. The cell tower would obstruct our view of the landscape that we made great sacrifices to purchase, infringing on our rights as property owners.

Accordingly, the cell tower would devalue our property—leading to monetary loss.

2. One member of our household has documented medical disabilities which would be negatively impacted by a cell tower's EMFs.

The ADA requires accommodations for those with disabilities. Thus we need a postponement of the February 17 hearing in order to obtain a doctor's—and, if necessary, a lawyer's—written statement affirming the harmful effects of a cell tower in such close proximity to my disabled family member.

3. We would also like time to research the safety protocol of AT&T, in light of their track record which I can speak to first-hand.

Currently, my AT&T Internet and landline service have been disabled for four weeks, due to massive failure of their equipment. An AT&T supervisor disclosed to me that their outage, affecting millions of Californians, was caused by thousands of wires that had failed “because they are old.”

A cell tower would use new equipment, but it too will age—and AT&T has not proven themselves competent at maintaining their equipment.

Also, cell towers sometimes burst into flames—all the more likely if AT&T is as negligent with this proposed cell tower as they've been with thousands of old, tangled wires serving their current customers.

(Similarly: Would you want to board an airplane whose maintenance crew had been so careless that they had caused multiple planes to crash?)

4. We would also like to investigate and affirm that the proposed cell tower involving our property meets SCCO regulations for setbacks—in an area that already has sufficient cell phone coverage.

We respectfully ask that you give our request the consideration it deserves.  
Postpone this hearing to allow a reasonable window of time to those residents  
whom it most impacts.

Sincerely,

Nancy Sondel (redacted)  
with Jazmine VaVerka-Piatt and Nicholas VaVerka



February 15, 2023

Dear Zoning Administrator Drake,

Re: comments to be placed in public record of meeting  
application number 211097  
APN 109-341-19, 165 Robin Meadow Lane Watsonville, CA  
Agenda date: February 17, 2023

I am in opposition to the 85-foot cell tower as proposed.

I have reviewed AT&T's project support statement (exhibit H). In the section labeled location, I have repeatedly seen Robin Meadow Lane described as a 20' wide right-of-way. For the record, when the property was subdivided in the 1970's the county changed it to a 40 foot right-of-way. Continuing to refer to a 20ft right-of-way cannot apply to this property anymore. The deeds to property on this road bear that out, it is a 40' right-of-way.

Next, in the variance analysis, besides again referencing this non-existing 20' right-of-way, both in the support statement from AT&T, as well as in the staff report, the phrase "unused 40 foot right-way" is used. Why? Within the deeded 40' right-of-way running the length of the parcel, through the years, the applicant has made it **unusable** because:

1. constructed a fence the length of the property in and parallel to the right-of-way
2. extended an already existing pond into the right-of-way
3. placed U.S. postal mail boxes into the right-of-way
4. planted or allowed the planting of a row of palm trees after leasing land for the expansion of Bay West Nursery into the right-of-way

Also, the right-of-way to the east of Robin Meadow Lane once was usable. It was almost level with the gravel road. I used it to pull off the road when I needed to allow another vehicle to pass as it was driving toward Wheelock. The property was sold and the nursery fenced and created a dirt wall further up the road that is present today not only making the right-of-way **unusable** but making it difficult to allow two cars to pass safely.

As far as no plans to make use of the right-of-way as stated in the AT&T project support statement, it is legally in our deeds and not something that can be taken away because they deem it isn't being used and they need it to further their project. Their plans continue to show this take away. I personally use that right-of-way almost daily since I purchased it over 30 years ago. Others with it written in their deeds also use the road. Especially those on their dead end road called Gilchrist who see it as a secondary point of escape when needed. I refer to the proceeding paragraphs as to why it would seem to have no plans to be used. My only recourse I guess for it to deemed to be used would be to take a legal path which I don't really want to be forced to do.

I have stated why there indeed exist a deeded 40 foot right-of -way that has been ignored and abused and now the staff report, under zoning & general plan, constantly says it should be ignored because the

staff, along with AT&T, deem it unused, therefore specific findings have been met to grant a variance. "These findings can be met in that the subject parcel is constrained by surroundings including the location of an unused 40 foot right-of-way transecting the subject parcel and the adjacent parcel to the north". As stated above, it was not only the applicant and the property owner to the east that made the deeded 40 foot right-of-way unusable, but the adjacent greenhouse property to the north also ignored that such a right-of-way exists. With the planting of trees, extension of a green house, a bottle neck that occurs crossing a culvert that plugs and floods with heavy rains they have made it an unusable deeded 40' right-of-way.

Now, regarding the set back variance. Just like in 2021, it is too close to the right-of-way. The AT&T project support statement under New Santa Cruz County Wireless Code states, "The facility does not encroach within the unused 40' right of way". According to the zoning code, the phrase, "excepting fencing or barriers" [13.10.660 (E) (2)], is used. They say the 40X40 lease area would measure 33.5 feet from the property line. But if you use the code above, the granting of the reduction of the 20 foot setback to 3 feet, that same lease area could technically be 23 feet from the property line (3 feet from the right-of-way). The gate attached to the 6 foot tall chain linked fence would swing open into the right-of-way, the walk way would encroach, and if there is any additional screen that is supposed to camouflage the facility, that would encroach. Because there is a note about attaching a fence to an already existing fence, which is in the right-of-way, there is more encroachment on all levels. It is stated that the AT&T is doing this to minimize the amount of pasture the property owner would be giving up for the facility, but besides their concern for the property owner loss of pasture land, by the way who went into this knowing he would be compensated for the leasing of his land, they do not show the same consideration for all the other deeded 40' right-of-way holders on Robin Meadow Lane. They say "no public interest in enforcing the setback".

I understand that the county made some significant revisions to its wireless code. But in the report, there is a mention of what the distance from dwellings are but not what is required. Within the code itself I see no code setback requirements from residential property lines unless you live in the coastal zone. With only the prior knowledge, the distance from the nearest residential property line has not changed and is not enough. Before, such requirements were stated and why or why not they applied. These were once included in the analysis of the project.

Exhibit B commercial development permit findings (6), minimize visual impacts to surrounding properties, except for one. One property to the west, which was just recently purchased without knowledge of a cell tower proposal, a home approx. 420ft from, even less from the residential property line, has that burden of a front seat view of an 85ft fake tree out in an open field.

If this does go through, then the approval by the Pajaro Valley Fire Protection District needs to be addressed. In zoning code 7.92.503.1, under the exceptions, #2 states that access road shall be a minimum of 18 feet wide if it serves more than 2 habitable structures (homes). Robin Meadow Lane serves at least 3 habitable structures between two separate parcels. The Pajaro Valley Fire Protection District approved a 12 foot road with turnout. The applicant should, for the safety of all concerned, meet the requirement of 18 feet at the minimum. Over 90% of that road can meet that width as there is a 40' right-of-way. Citing the need to remove trees as a reason to not meet the requirements, the trees

are Palm trees hardly a species natural to this area. As stated earlier, when the land was leased to Bay West Nursery they were purposely planted where they should not have been, in the right-of-way,. We do not need to repeat an incident that occurred years ago. A fire broke near the out across from the proposed site. Workers accidentally started a fire, for whatever reason the workers abandoned their cars in the middle of the road, blocking access for the fire truck. If the road was the width it is required or the right-of-way not blocked this would have been avoided. With a 190 gal above ground diesel fuel tank also in the mix, the road should at least meet the standards.

The application should be denied because it is too close to the deeded right-of-way. Also the use of false statements that the 40' right-of-way being unused, the portion of the right-of-way that is available is used, and implying that no plans are for its use because of the take-over of that 40' right-of-way by the property owners. That the facility could technically be 23 feet from the property line not the 33 feet cited. The visual degree of impact on one specific property owner and lack of what setbacks are required from dwellings, just saying the nearest off-site residence is approximately 420 feet without referencing the setback parameters. Also no mention how far from residential property lines it needs to be (as was noted back in 2021, it would still be too close) and can't seem to find any mention in the zoning code for parcels in the non-coastal zone. Lastly, the issue of the fire apparatus access road being insufficient as planned.

Boni Haduca  
Jean Young Haduca  
255 Robin Meadow Lane





Hi Jonathan,

This picture was taken less than 50ft from the pole. Can you see the pole and the flag at the top? This is what I mean by inadequate representation of the proposed tower. Nearby neighbors are being left uninformed by the actions your dept(?) has gone to in order to provide "Public Notice".

Will you postpone the meeting on the 17th until this and the road sign have been addressed, please?

Thank you,

Diane Dutton-Jones

[Sent from Yahoo Mail on Android](#)

From: Diane Dutton-Jones  
Feb. 10, 2023  
Re: Public Notice Sign – Ineffective

Hi Jonathan DiSalvo,

I want you to see how ineffective the Public Notice is for the proposed cell tower at 165 Robin Meadow Rd. #211097, ASP 109-341-19. It is located in the picture on the left in front of a palm tree trunk. I have sent you a picture, via my phone, of the above-mentioned public notice sign that has a photo you can refer to.

Your department may be able to check this off of your requirements list, but it is woefully inadequate for its stated purpose.

In the RR, rural residential area out here having only to notify residents 300ft from the proposed tower site is pathetic. The homeowners requesting this cell tower are the only ones who fall into this category at 267ft.

These are shameful attempts at notifying the public, because in reality, they do not.

The mockup tower is also a flimsy representation of what will actually be there. Please wrap it in a bright orange material so it is more visible in representing what will actually be there.

Postponing the approval for this project until other points of concern are dealt with would be the wisest and fairest thing to do.

Respectfully,  
Diane Dutton-Jones



FEB 2023

RECEIVED  
Planning Dept.  
County of Santa Cruz