

CASTRO VALLEY MUNICIPAL ADVISORY COUNCIL

Minutes for October 11, 2010

(Approved as submitted October 25, 2010)

A. CALL TO ORDER: The Chair called the meeting to order at 6:05 p.m. Council members present: Dave Sadoff, Vice Chair, Sheila Cunha, Dean Nielsen, John Ryzanych and Marc Crawford. Council members excused: Cheryl Miraglia, Chair and Jeff Moore. Staff present: Sonia Urzua, Bob Swanson and Maria Elena Marquez. There were approximately eight people in the audience.

B. Approval of Minutes of September 27, 2010

Council member Ryzanych made a motion to approve the minutes of September 27, 2010 as submitted. Council member Cunha seconded. Motion passed 5/0/2 with Council members Miraglia and Moore excused.

C. PUBLIC ANNOUNCEMENTS / Open Forum

John Aufdermauer, resident at 17580 Madison Avenue and board member of the Castro Valley Community Action Network, spoke on behalf of the Eden Area Alcohol Policy Committee, he reported about establishments selling alcohol to minors.

D. Consent Calendar – None

E. Regular Calendar

1. CONDITIONAL USE PERMIT, PLN 2010-00129/T-MOBILE USA/COONES - Application to allow the installation and operation of a telecommunications facility consisting of two cabinets and six antennas on a PG&E tower. The property contains 33,900 square feet (0.78 acres), is zoned R-1-BE-CSU-RV (Single Family Residential, Conditional Secondary Units, Recreational Vehicle) and is located at 5314 Crown Court, northwest side, 284 feet southwest of Greenridge Road, in the unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 085-1601-006-00. **Continued from September 27, 2010. Staff Planner: Sonia Urzua.**

Ms. Urzua summarized the staff report.

Chris Coones representing T-Mobile, agreed with staff findings. He described working with staff and the community. This is a really optimum site for a micro cell facility without building a secondary structure in that area.

Council member Sadoff and Mr. Coones discussed the relationship between this site and the Crane Avenue installation.

Council member Crawford and Ms. Urzua discussed T-Mobile's Crane Avenue right of way installation and the subsequent County moratorium.

Council member Sadoff asked if this application is a replacement for T-Mobile's Crane Avenue installation. Ms. Urzua said yes. Council member Sadoff asked Mr. Coones that if this application is approved if he will dismount and take down the equipment on Crane Avenue. Mr. Coones said yes.

Council member Crawford asked Mr. Coones about the levels of radiation given the distance from residents. Mr. Coones said that there is always a decrease in radiofrequency emissions whether you get away from the site. This site uses less than one quarter of 1% of the federal allowable emissions.

Public testimony was opened.

Gayle Matsimoto, resident at 5438 Greenridge Road, expressed concern with the industrialization of the neighborhood and this tower is not appropriate for the neighborhood. She also expressed concern about the noticing requirements for this project. She asked the Council to deny the application.

Jollen Oslund, resident at 5366 Crown Court, opposed the project. She described the history of the site and expressed concern about the cumulative impacts. She requested a delay to consolidate multiple applications and renewal of conditional use permit on this tower.

Katherine Shea, resident at 5427 Greenridge Road, spoke in support of consolidating this application.

Public testimony was closed.

Council member Crawford recognized the issues surrounding these applications. In contemplating a solution, public testimony was re-opened. He asked Ms. Oslund for her opinion about installations in residential districts and about service coverage concerns.

Ms. Oslund notes her concern with the overall proliferation of telecommunications facilities.

Council member Nielsen said that the carriers are paying a lot of money for individual locations to the public's detriment.

A discussion ensued between Council members Sadoff, Ryzanych and Mr. Coones about PG&E's policy for extending the tower. Mr. Coones discussed the challenges to continue adding to the tower.

Council member Ryzanych asked staff about the current telecommunications operator and about the Clearwire application, which was withdrawn.

Council member Nielsen asked Ms. Urzua about the other applications that are coming to MAC if it would be possible to have an idea of the overall effect on the community and how many applications the Planning Department has for the next 6 months and to let the Council know. Ms. Urzua said the Department does not have projections but does have information about pending applications. Council member Nielsen expressed concerns with coverage issues and protection of property values. Ms. Urzua said that co-location is priority for the County.

Council member Cunha said that she supports co-location and agreed with Council member Nielsen regarding staff informing the Council about other carriers coming before the Council.

Council member Ryzanych asked Ms. Urzua who manages the lease on that additional 12 feet to be installed. Ms. Urzua explained that PG&E owns the easement on that property which is owned by separate parties. Council member Ryzanych asked if it is known what the limits are for that extension as well as additional equipment. Ms. Urzua noted that from the information in the record PG&E's current policy is to allow one 12-foot extension in addition to the towers.

Council member Sadoff said that this is co-locating and this is an opportunity to make a condition of approval that all the apparatus on Crane Avenue be removed, we can take care of one eye sore.

Council member Crawford said that the public's concern is that all applications be looked at, he explored continuing this item until Nextel/Sprint comes up for renewal and evaluating them all at the same time. He opined that this location was preferable to other type of locations. He is inclined to approve the application and asked if there was a way to address the neighbors' concerns that all these applications be looked at the same time.

Council member Nielsen supported monitoring telecommunications for the next six months and taking the community's concerns to heart.

Council member Ryzanych asked staff about synchronizing the expiration dates for Nextel/Sprint and T-Mobile. Ms. Urzua noted that the Department supports synchronizing expiration dates.

Council member Crawford asked staff if there is anything we can do regarding the other 6 foot section. Ms. Urzua said that if a third carrier came on board we look at the community effects and the power line emission and the Nextel emission.

Council member Nielsen emphasized a comprehensive approach to these types of petitions.

Council member Ryzanych made a motion to approve Conditional Use Permit, PLN2010-00129 as it stands. Council member Nielsen seconded. Council member Sadoff requested a friendly amendment that the equipment on Crane Avenue be removed as a condition of approval. Council member Ryzanych added an amendment to his motion that the equipment on Crane Avenue be removed. Council member Nielsen seconded. Motion passed 5/0/2 with Council members Miraglia and Moore excused.

F. Chair's Report

Council member Sadoff reminded Council members that the next general purpose meeting is cancelled.

G. Committee Reports

- **Eden Area Alcohol Policy committee – none.**
- **Redevelopment Citizens Advisory Committee**

Council member Nielsen said that there will be a meeting on Wednesday, October 13.

- **Ordinance Review Committee - none**
- **Eden Area Livability Initiative - none**

H. Staff Announcements, Comments and Reports

Ms. Urzua discussed scheduled discussions for the Climate Action Plan and the Castro Valley General Plan.

I. Council Announcements, comments and Reports

J. Adjourn

The meeting was adjourned at 6:58 p.m.

Next Hearing Date: Monday, October 25, 2010