



South Truckee Meadows/Washoe Valley Citizen Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the South Truckee Meadows Citizen Advisory Board held May 14, 2015 at 6:00 P.M. at the South Valleys Library at 15650A Wedge Parkway, Reno, Nevada.

1. *CALL TO ORDER/ DETERMINATION OF QUORUM – Pat called the meeting to order at 6:05pm.

Member Present: Patricia Phillips, Thomas Daly, Jim Rummings, Eric Scheetz, Brad Stanley, Thomas Judy. A quorum was determined.

Absent members: Dennis Wilson, Steven Miles, Kimberly Rossiter, Patrick Ty Whitaker.

2. *PLEDGE OF ALLEGIANCE – Pat led the pledge of allegiance.

3. *PUBLIC COMMENT –

Shannon Windle gave an update about the wild horses. She said the Cooperative Agreement between advocates and state of Nevada has been signed in March. That means there is more control with what happens with the horse. She said she is working with Department of Agriculture. Additional fencing will be installed. She said they need resources and volunteers. She said they have an update with new development Palisades; they are working with planners and land owners about the wild horses. She said they have been very cooperative. They have a tentative plan approved at the City of Reno meeting.

Bill Naylor spoke about the Washoe Valley Alliance 'Celebrate Washoe Valley' event on May 16, 10am-2pm. He invited everyone to attend. There will be 21 organizations attending.

4. APPROVAL OF AGENDA FOR THE MEETING OF MAY 14, 2015 – Tom Daly moved to approve the agenda for the meeting of MAY 14, 2015; Brad Stanley seconded the motion to approve the agenda. The motion carried unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF APRIL 9, 2015 - Eric Scheetz moved to approve the meeting minutes for the meeting of APRIL 9, 2015. Brad Stanley seconded the motion. The motion carried unanimously.

6. *COMMISSIONER UPDATE

A. *Washoe County Commissioner Update – Commissioner Bob Lucey will provide updated information on discussions and actions by the Board of County Commissioners (BCC). The presentation will include video from the 2015 State of the County. To contact Commissioner Lucey, visit www.washoecounty.us/bcc, email blucey@washoecounty.us or call (775) 328-2005. *(This item is for information only and no action will be taken by the CAB).*

Sarah Tone, Washoe County Manager's office gave an update:

- On June 10th the County will host a Town Hall meeting, 5:30pm-7:30pm. The topic will be medical marijuana.
- The Aces Ballpark settlement of \$1.9 million in back taxes accrued over the past 5 years has been paid.
- Fire consolidation item continues to move forward at the legislature.
- On May 19, 10am, City of Reno Council Meeting, there will be a Fire Commissioners agenda item.
- State of the County: The new County Manager took it in a new direction with video to highlight the region. Sarah showed the video of some of the services the County provides. The video highlighted the Sheriff's Huey rescue team. She said there are 4 other videos which highlight services for veterans, seniors, and County citizens.

Tom Judy asked about community forums. The County has guidelines, when someone submits a request for special use permits with timeframes, the CAB only meet every two months, it's easy for someone to avoid the CAB and someone wouldn't have opportunity to comment on the project. Sarah Tone said the County has given direction to change the CAB format, including some programmatic changes for the CABs. She said the worksheets are still being sent out. She said they are looking to host a meeting if there is a development project. She said they will host a town hall meeting with the CAB members to discuss changes and resolutions. She said the first official town hall meeting is June 10th on Medical Marijuana. She said they are open for suggestions, but will have specific topics for the town hall meetings.

Pat Phillips said she is concerns about projects going before the appropriate County Commission or department without it going before the neighborhood or public. Pat said she is concerned for projects moving forward without public input. Sarah said they will look into this. She said specific projects were administrative permits, which wouldn't go before the board. Pat said a particular project was completely out of character and would set a precedent.

Brad Stanley asked about the NAB and CABs. Sarah Tone said she has been meeting with their staff regularly to discuss issues.

7. *PUBLIC SAFETY AND COMMUNITY REPORTS/UPDATES

A. *Washoe County Sheriff's Office (WCSO) – A representative of the WCSO may be available (unless on a call for service) to address public safety questions and concerns. For more information call (775) 328-3001 or via the webpage at www.washoesheriff.com. *(This item is for information only and no action will be taken by the CAB).*

Lt. Jeff Clark, Washoe County Sheriff's office, gave an update

- No recent crime trends
- Montreux golf course club house was broken into with stolen items; they are looking into this burglary.
- Schools are getting out and they are preparing for summer trends which include open space and parking lots with burglaries. He reminded everyone to lock up their vehicles and valuables. He said 80% of burglaries can be prevented if you lock your doors.
- He reported the budget include above base requests were due. Requests for additional dispatch and staff.
- Tom Daly asked for a copy of the agreement between City of Reno and Washoe County from 1990s. He asked for documents regarding the forensics lab. Lt. Clark said he would look into it and bring it to the next meeting.

B. *Truckee Meadows Fire Protection District (TMFPD) – www.washoecounty.us/tmfpd or (775) 326-6000. No representative was present.

9. DEVELOPMENT PROJECT – The project description is provided below with links to the application or you visit the Planning and Development Division website and select the Application Submittals page:

http://www.washoecounty.us/csd/planning_and_development/applications/apps_commish_district_two.php

A. Special Use Permit Case Number SB14-014 (Verizon Wireless Timberline) - For discussion and possible action, a request to construct a new wireless facility consisting of a sixty-one (61) foot monopole utilizing a stealth design disguised as a pine tree, three (3) antenna sectors with two (2) panel antennas per sector, a prefabricated equipment shelter measuring 11'6" x 16'11", a 48kw emergency standby diesel generator with a 210 gallon fuel tank and associated equipment enclosed within a 50' x 50' lease area surrounded by a 6' chain link security fence with tan colored screening slats and a retaining wall. *(This item is for possible action)*

Applicant/Consultant: Verizon Wireless

Location: 150 Timberline View Court, Reno, NV 89511.

Assessor's Parcel Number: 049-070-49.

Washoe County Staff Representative: Chad Giesinger, AICP, Senior Planner, 775-328-3626, cgiesinger@washoecounty.us.

Hearing Date: This case was heard by the STM/WV CAB on April 9th. It is scheduled to be heard by the Board of Adjustment on June 4, 2015.

Brenden Lenard, Verizon Representative, gave an update:

- He gave a handout including the coverage maps. He said this document was compiled by a radio frequency engineer.
- Brenden showed a slideshow presentation including pictures and maps
- The monopine is a 61 foot faux pine tree in Washoe Valley. He said this monopine tower is designed to look natural with the branches have to be tapered. The antennas will be a little thicker. Needle socks are cloth material with foliage to camouflage the antennas.
- All the necessary utilities are within the fence and landscape to cover
- He said the tree is camouflaged well.
- Brenden showed coverage maps with gaps. He said coverage isn't reliable. They identified in this area where there is little or no coverage. He said they want to be efficient by using one tower to close the service gaps in two areas.
- He there are demands on the network from the traffic and neighborhood.
- He talked about the elevation. He said the co-location isn't possible due to the terrain and the other location is 300 feet lower. The tree will be 61 feet tall; however, the antennas would be approximately at 55 feet.
- He said they are in favor of co-location, however, the elevation and height limitation of the facility at the fire station wouldn't be adequate to cover service gaps. Their proposed location doesn't have any obstructions. He showed a map of coverage if they had co-located at the fire station facility. He showed

a map of service coverage if they co-located on the facility at the fire station. He showed the elevation difference of 250 feet between the proposed location and the other co-location facility. He said the one proposed facility would close the gap effectively.

- Brenden addressed the Issues brought up by the public from the last meeting:
- CCRs for this area: prohibition for wireless. Their legal department and County said it's a moot point. It's not enforceable and not applicable on this parcel. It's allowed on the property.
- Scenic corridor: staff agreed this is outside of the scenic corridor of Mt. Rose Highway
- Maintenance of facility: He said they would be happy to accept a condition of approval that would make Verizon do the right thing and maintain the towers.
- White's Creek trail head: According to the County's code said it has to be outside 1000 feet, however, if significant coverage is justified, it can be approved. Brenden showed a picture of the trailhead. He said it's not visible from the trail. it's within the 1000 feet, however, it's permissible if coverage gaps are met.
- These facilities require a long term contract. The co-location facility wouldn't create a contract longer than 5 years. For the amount of resource and maintenance, 5 years isn't enough of a reliable timeframe to co-locate.

Tom Daly said he isn't a Verizon customer. He listed communities that would have approved services for those with Verizon. He spoke to the esthetic issues; he said the tower will be camouflage. He said he would support this project.

Pat Phillips read into public the petition to oppose the tower: we the undersigned oppose special use permit case #SB14-014, communication tower and compound. Reasons to oppose the tower: It would ruin the rural aesthetics; it would lower property values, NV energy tower looks bad enough; flood light at compound; fuel containment slab not on plan; how long before the next tower company wants to add another tower or replace fake limbs with more antennas; nobody wants to hear the generator, even for 15 minutes; within 1000 feet of trail head; silhouette above horizon; short burst of high level of radio waves.

Brad Stanley asked Chad about the objections that are part of the conditions and what else is binding to the approval of the project. Chad said they are still in the reviewing process. He said there will be conditions of approval. He said the access roads to the pad sites. That is the biggest concern to staff. That has the biggest visual impact rather than the monopine. He said there isn't much more they can do to camouflage the monopine. The tower is within the height code.

Eric Scheetz asked about the road location. Chad showed on the map, and said it's right at the switchback. Verizon wants to avoid the TMWA parcel.

Brad Stanley asked about the tower being within the 1000 feet of the trail. Chad said there is a relief in that provision if they meet a significant gap in service. Chad said you won't really be able to see it from the trail head. Chad said they provided additional evidence of service gap coverage.

Brad Stanley asked about the legal position on the CCRs. Chad said they don't have anything to do with the CCRs, but the subdivisions can bring it up. Chad said he advised the subdivision to look into in, and the subdivision didn't feel it was out of CCR.

Public Comments:

Kathy Chapin spoke in opposition for the tower.

Kathy DiCenso said Timberline is not a big neighborhood, maybe 20 houses. There are 13 houses from the trail head down to Mt. Rose. She said those 13 people are opposed to it. She said the tower is twice as big as the water tower. She said that is a concern. It's camouflaged from the highway and trailhead, but it's not camouflaged from those 13 houses. It's depreciating the property value. She asked the Board to please don't consider voting for this tower. Verizon can't guarantee another tower will go up. She said they are trying to save money by putting one tower, but that might be it. There are other locations. She said it's within the subdivision and homeowners would need to take action.

Steve Rueb asked about the zoning. Chad said its Commercial Use Zoning. County allows certain commercial use such as cell tower use in General Rural Zoning. Steve Rueb asked what happens if the next property owner doesn't want it there. Steve asked the audience to please stand if you are for this project: only two people stood. And asked those to stand who oppose it, and everyone except for two people stood.

Julie Savage said she is strongly against this project. She said they have given the board information against this tower. She asked when they have this 58 ft tower tree, what tree do you think a tree will grow to camouflage this project to blend into the environment? Brenden said specific landscaping plants have not been determined in the design that can best accomplish it to satisfy their need. She said she is concerned about the road as an eye sore. She asked how is the service gaps determined. She said she hasn't heard anyone have service gap problems.

Pat Phillips said the past fires have created lack of trees and this tower stands out. Additional trees being planted might help. It would take a while, but it wouldn't hurt. Brenden said similar plants that are planted in front of the water tower will also be planted in front of the monopine. Chad said they will be consistent with the water tower landscaping. He said landscaping can be installed at the road as well.

Tim Sherry, MD, said the private company wants to bend guidelines and get exceptions to benefit the community. He asked if it is worthwhile of the community to have one tower. He suggested two towers in the area. He asked why we have to go outside of guidelines if the only benefit is for the company to save money. He said if they would like coverage; why not go with co-location at existing site at fire station with good coverage. He said stay within the guidelines.

Dave Kladney thanked the board for their service. He said he has no problem with coverage and there are plenty of trees around his neighborhood. He asked if more mature trees be planted. He asked what hours will the generator run and what about the noise level. He asked how many complaints have the County or Verizon received regarding this project. He asked if there have there been complaints about coverage.

Pat Phillips said the generator will run for 15 minutes at the most. She asked Brenden about the trees. Brenden said that there needs to be a balance of visual screening and obstruction. Brenden said the generator runs to circulate the oils and make sure it's running well during an emergency. He said it's private and confidential regarding coverage complaints. Pat said the previous meeting minutes indicate it was 36 decibels.

Tom Daly said he use to have Verizon, and he had to switch to ATT. Eric Scheetz said he gets dropped calls all the time and wished he had better coverage.

Brad Stanley asked Chad about service gaps: What's been received about service gap. Is the service gap the hardship that justifies this? Chad said they can do it under the GR zoning and it can scale up based on distance from the residents. They are claiming service gap, but they don't have to. Special use permit is required for the monopine. Chad said our code said those can be put in specific areas. They try stealth design. The pole can go there without significant gap. Chad said he will place a condition on the grading of the slope. Brad asked if anyone has asked Verizon to work with TMWA, and they haven't been able to reach terms. Chad said TMWA is difficult to negotiate with. Chad said there is no significant gap definition. Chad said in addition to the original application, he requested a report on dropped calls and additional analysis and additional maps. He said he consulted legal. The 9th and 3rd Circuit Courts are split on the issue. Independent studies aren't required; however, the company has their own studies. Eric Scheetz asked for clarification regarding gap coverage in the code. Chad read the code regarding gap in service. Chad said staff had to ask themselves, how do you prove gap? He said they did a legal review of this process. Most of these guys are using the 'multiple carrier's approach to show a gap in their service. He said there is the 'data side' and the 'cell side' of this. There will always be gaps.

Tom Judy asked a few questions. Tom asked about the 1000 foot issue in the code. Chad said they get relief from that if prove gap in coverage. Tom asked about the road cut; if this goes forward, would you create a condition requiring proper landscape screening. Chad said they Verizon didn't submit for grading. They had to submit grading plans for the road. He said the plan doesn't meet code and they had to be resubmitted. Chad said that would normally be its own special use permit. He hasn't received that information. He will require a special condition to get a special use permit for the road. Tom Judy said aside from the road grading issue, is there anything else that precludes this project. Chad said not from the straight code issue. It's discretionary. It's meeting all elements of the code. They aren't directly violating article 324. All has been satisfied except for the grading.

Brad Stanley said Chad hasn't received a complete package with the grading and has to have a special use permit for grading. Brad asked Chad wouldn't you rather receive that information before moving forward. Chad said that is the reason why it didn't go to the Board of Adjustments meeting in April. Chad said we need to take it forward due to the fact that federal law states it will be approve it at a certain point due to time. Pat Phillips said we don't have the complete clarity of what is needed due to the road situation, and due to the federal statues/regulations. It could be permitted to move forward. Chad said they will get relief by a Federal act if a decision hasn't been made.

Jim Rummings said there needs to be a submission for the tree and another one for the road; by default the tree would be approved, however they still won't have the road access approved. Chad confirmed. He said they will have to pull building

permits, but no public input is needed for that. Jim Rummings asked if Chad can facilitate getting them to use TMWA's road. Chad said they are their own entity. We can ask the applicant to work with them, but if they don't want to, there is nothing we can do about it.

Brad Stanley asked about the grade slope and the timeline of federal approval. Chad said it would be a 30% grade slope. Chad said they have 95 days and it would be deemed complete.

Bill Naylor said significant gap means no service by any vendor. He said somebody isn't trying hard to make an agreement to work with TMWA. He said you can't build a home on a 30% grade; there will be erosion. There is a time consideration; however, we don't have all the information. He said there would be nice to have a clear, concise document to understand.

Randy Collins submitted a letter. He spoke and showed the grading plan provided by Verizon. He said this document was absent from the last meeting. He showed the road cut from the existing road and continue through to their site. The grading areas will be for back and front slope where there will be disruption of soil and vegetation. He said there is an access right-away for equestrian. He said the easement goes down the mountain and it will block this easement. Their grading proposal would have to grade up to average the road. He asked about the significant gap and is there available of testing. This road is a 30-50% grade.

Brad Stanley asked Chad asked about slope construction in regards to the equestrian access road. Chad said grading can't go onto TMWA property. He said there has to be a 2 foot setback. There are no plans of retaining walls, which is a problem. Chad said it's true; there the road will go across this access road.

MOTION: Thomas Daly moved to approve the project with conditions presented by the County. Eric Scheetz seconded the motion. Pat called the vote: Those in favor: Tom Daly, Eric Scheetz, Tom Judy. Those opposed: Brad Stanley, Jim Rummings, Pat Phillips. It was a split vote.

Eric Scheetz said he is concerned about the visual impact of the scare in the hill with the road.

Jim Rummings said after all the comments, the legal issues on the table with regard to court decisions; we don't get a play in that. It's a County decision. He said where we can make an impact is the esthetics and access roads being cut is being extremely important. That road can have a big impact on the community. If there is anything we can do to help the situation, It would be in the community's interest. Other than working on landscaping and esthetics, we don't have impact on the tower.

Tom Judy said we can't forget all the comments are recorded, the County has heard the comments, and the Board and community messages have gone forward. He voted to move it forward because we have done what we can do. It's up to the County at this point.

B. Amendment of Conditions Case Number AC15-003 for Special Use Permit Case Number SPW 11-37-95 (Lighthouse Baptist Church) – For discussion and possible action to amend the approved height conditions for a fiberglass steeple extending to 79 feet and installation of a wireless antennas that will be housed within the steeple located on top of the Church. *(This item is for possible action)*

Applicant/Consultant: T Mobile

Location: 5350 Pembroke Drive

Assessor's Parcel Number: 021-140-20

Washoe County Staff Representative: Roger Pelham, MPA, Senior Planner, 775-328-3622, rpelham@washoecounty.us

Tentative Hearing Date: Tentatively scheduled to be heard by the Planning Commission on June 2, 2015.

Roger Pelham, Washoe County Senior Planner, spoke about the project:
He gave an overview of the project.

Tom Daly asked about the height conditions. Roger said it's 79 feet from grade. Tom Judy asked what the exception they are requesting. Roger said building elevations were already approved, however, the steeple wasn't included and they are seeking to build it. Roger said he took a pre-cautionary step and created an amendment for the addition to the building. The cellular communication and height are allowed, however, he wanted to create a formal amendment. Tom said it's in the flight path. Roger said the applicant will make the appropriate study to determine if it's detrimental. It won't go forward if it's detrimental. Roger said its based on condition of approval from the airport authority. That can be included as an emphasis.

Tom Daly asked for the height of the church without steeple. Roger said 35 feet. The steeple would double the height.

Pat Phillips asked if there have been any neighbors or businesses who have stated they are not in favor of it. Roger said yes, he received one phone call after the courtesy notices had been released. They communicated general opposition. Roger requested a written letter of opposition to include in a staff report and attend the planning commission. Brad Stanley asked about the individual who opposed the steeple. Roger said they lived to the east of the building in the East Side subdivision.

MOTION: Tom Daly moved to approve the project with condition on the airport authority approval. Eric Scheetz seconded this project. This motion passed unanimously.

10. *OLD BUSINESS:

A. *WASHOE COUNTY SIGN CODE ORDINANCE UPDATE – Citizen Advisory Board members and Manager’s Office staff may provide a status update on the public review process for the Washoe County Sign Code Ordinance. Additional information on the sign code is available online at www.washoecounty.us/comdev/hot_topics/signs.htm, by emailing planning@washoecounty.us, or calling (775) 328-3600. *(This item is for information only and not action will be taken by the CAB).*

Sarah Tone, Office of the County Manager, provided an update:

She said the final draft form of the County Sign Code ordinance was presented and the BCC provided additional direction on definition of recreational and tourism signs. Sarah said to submit comments on sign ordinance: www.washoecounty.us/openwashoe. The ordinance will go before the Planning Commission and Board of County Commission. Roger Pelham said we have been working on the committee and looking to move this forward. Brad Stanley said he is pleased with the movement and community outreach and open public administration. Sarah said there have been multiple boards, committees and meetings working towards this.

11. *CHAIRMAN/BOARD MEMBER ITEMS/NEXT AGENDA ITEMS - This item is limited to announcements by CAB members and topics/issues posed for future workshops/agenda *(This item is for information only and no action will be taken by the CAB).*

Tom Daly asked for staff follow up on the Undersheriff, Spence’s responses. He would like follow up about issues brought up by Cliff Low at the April 9th meeting. He requested those to be in writing prior to the next board meeting. Those topics include dispatch budget and forensic lab agreement.

Jim Rummings said schools in Washoe County are ranked very high on national scale. He said this is contrary to what he has heard. Pat said she believes this is in the school board jurisdiction. Sarah said that it could be a potential town hall forum topic and have the School Board come and present.

Brad Stanley spoke about the Cooperative Agreement between the NDA and horse advocates. He requested to put this on the agenda, and he can give a summary of the implications and public safety.

12. *PUBLIC COMMENT – Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a “Request to Speak” form to the Board Chairman. Comments are to be addressed to the Board as a whole.

Paul asked about the size of the board. Pat said it’s a 9 person board with some people who have resigned and some people are being termed out.

13. ADJOURNMENT – Pat Phillips adjourned the meeting at 8:32pm.

Number of CAB members present: 6
Number of Public Present: 37
Presence of Elected Officials: 0
Number of staff present: 1

Submitted By: Misty Mogas