







Incline Village



Incline Village

3/15/18

Looking Northwest from Village Blvd.



Incline Village

3/15/18

231Village Blvd. Incline Village, NV Looking Southeast from Incline Way



Incline Village

Looking Northeast from Incline Way

231 Village Blvd. Incline Village, NV



Incline Village

Looking South from Hwy 28 Tahoe Blvd.

# SPECIAL USE PERMIT REQUEST; WSUP19-0001 INCLINE VILLAGE MONOPOLE THERE SHOULD BE ONE OUTCOME FOR THIS APPLICATION ; DENIED

Wayne Ford / 731 LYNDA COURT INCLINE VILLAGE, NV. MY HOMES LOCATION ON THE APPLICANTS MAP SHOWED NO COVERAGE THAT IS A LIE, I HAVE FULL COVERAGE WITH AT&T

SCENIC EVALUATION

THAT IS ALSO A FALSE REPRENSENTATION ; NOT THAT THE PHOTOS ARE OFF, NO THEY ARE CORRECT.

WHAT IS OFF IS WHERE THEY WERE TAKEN FROM, NOT IN FRONT OF THE PROPERTY WHERE THERE IS A CLASS 1 WALK PATH WHERE 1000'S OF PEOPLE WALK EACH DAY. WE WERE THERE ON THE 2, RAIN AND SNOW AND 4 PEOPLE WALED BY IN A 20 MINUTE TIME PREIOD. JUST WAIT UNTIL SUMMER.

THE SENCINC AREA IS IN FRONT OF THE PARCEL.

FIRST: THE SITE PLAN SUBMITTED TO THE COUNTY LEFT OFF THE FOLLOWING;

THE DENTAL BUILDING WHICH IS PART OF THE PROJECT AREA WITH IT'S PARKING ON THE LOT . THE DENAL OFFICE IS 87 FEET FROM THE TOWER. THE BULDING IS ONLY 39 FEET TALL. THE PROPOSED TOWER WILL BE SOME 117 FEET. NEXT TO THE DENTAL BUILDING

THE EQUIPMENT YARD IS 87 FEET AWAY. THE APPLICANT LEFT OFF ALL GRADES FOR THE SITE. SO THE REAR OF THE YARD, BEING LEVEL WILL BE SOME 4 FEET TALL AND HAVE A FENCE 6 FEET ABOVE THAT. THAT IS 10 FEET TALL.

THE APPLIANT LEFT OFF THE CORRECT TREE SIZES, WHICH UNDER TRPA CODE ARE 24.5 INCHES IN DIAMETER AND 30 INCHES IN DIAMETER. THEY ARE PROTECTED TREES, THE 24.5 CAN ONLY BE REMOVED IF A SPECIAL REVIEW PROCESS IS DONE. THEY MISLED THE TRPA PLANNER. LIKE THEY ARE TRYING TO MISLEAD THIS BOARD FOR THE CELL COVERAGE AND VISUAL IMPACT.

THE PICTURE IN THE PACKED SHOWES THE FENCE THAT WILL BE SEEN FROM THE PATH. NOTE: THE OPEN AND NATURAL SITE, NOW WILL BE FILLED IN WITH A YARD WITH A GENERATOR, GAS TANK, EQUIPMENT AND SHELTERS, RIGHT IN THE MIDDLE OF THE MAIN TOURIST, COMMERCIAL AREA OF INCLINE.

INCLOSED IS THE TRUE PICTURE OF THE SITE PLAN THAT WILL OVERWELM THE AREA. NOT WHAT STAFF HAS PUT UP. I HAVE A FULL SIZE SHEET FOR YOU TO LOOK AT IF YOU OPEN IT UP.

THIS SPECIAL USE DOES NOT MEET THE STRICTER CODE OF TRPA. THAT IS REQUIRED IN SECTION 110.406.10 TRPA STANDARDS. (OF THE COUNTY CODE) THE PROJECT IS NOT OF THE OF THE NATURE, SCALE, AND TYPE WHICH IS APPROPRIATE USE OF THE PARCEL. THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD. IT WILL ALTER THE PURPOSE OF THE

# APPLICABLE PLANNING AREA STATEMENT . THE PROJECT WILL IMPACT THE ENJOYMENT AND WELFARE OF PERSONS IN THE AREA OR OTHER PROERTY.

THIS PROJECT NEEDS TO BE DENIED . THERE ARE OTHER WAYS TO PROVIDE CELL COVERAGE IN OUR AREA.

WAYNE FORD

4/3/19

# Table 110.406.05.1

## STANDARDS

Part One: Density/ Intensity Standards	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	тс	1	PSP	PR	os	GR
Dwelling Unit Per Acre (du/ac)	0.1	0.2	0.4	1	3	7a	10b	21c	42c	n/a	5	n/a	n/a	n/a	n/a	n/a	0.025
Height (feet)	35	35	35	35	35	35	40	70	70	80	60	45	65	65	65	n/a	35

Notes:

a - 7 dwelling units per acre single-family detached; 9 dwelling units per acre for attached single-family and mobile home parks.

b - 10 dwelling units per acre for single-family detached; 14 dwelling units per acre for multi-family and 12 units per acre for mobile home parks.

c - Multi-family.

Part Two: Lot Size	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	тс	1	PSP	PR	os	GR
Minimum Lot Area (1,000's of square feet unless otherwise indicated)	8ac	4ac	2ac	35	12	5	3.7d	8e	8f	10	10	10	10	n/a	n/a	n/a	40ac
Minimum Lot Width (feet)	150	120	120	120	80	60	60	60	60	75	75	100	100	100	n/a	n/a	1000

Notes:

d - 3,700 square feet for single-family detached and 8,000 square feet with two (2) attached single-family dwelling units. e - 3,700 square feet for single-family detached and 8,000 square feet with four (4) multi-family units. f - 3,700 square feet for single-family detached and 8,000 square feet with eight (8) multi-family units.

Part Three: Yard and Setback Dimensions	LDR	MDR	HOR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	тс	I	PSP	PR	os	GR
Front Yard (feet)	30	30	30	30	20	20	15	15	20	10	15	20	15	20	20	n/a	30
Side Yards (feet)	50	15	15	12	8	5	, 5	5	5	10	15	10	10	15	15	n/a	50
Rear Yard (feet)	30	30	30	30	20	20	10	20	20	10	20	10	15	20	20	n/a	30

Source: Sedway Cooke Associates.

<u>Section 110,406.10</u> TRPA Standards. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards shall be the most restrictive of Tahoe Regional Planning Agency standards and Washoe County standards.

Section 110.406:15 Double Counting Yards. No required yard or open space around any building shall be considered a yard or open space for any other building on an adjoining lot or parcel.

<u>Section 110.406.20</u> <u>Combining Lots.</u> If two (2) or more lots must be combined to meet the minimum yard requirements of this article, the lots shall be legally merged into one (1) lot before a building permit will be issued.

<u>Section 110.406.25</u> <u>Unobstructed Yards.</u> Any yard required by the Development Code shall be open and unobstructed from the ground to the sky except as provided in this article.

Section 110.406.30 Front Yards. Front yards shall comply with the provisions of this section.

(a) <u>Through Lots.</u> On through lots, either end lot line may be considered the front line, except when the access would be from a street classified as a collector or an arterial. The minimum rear yard shall not be less than the required front yard in the regulatory zone in which such lot is located. After development of the lot has

TRAA

# **CHAPTER 21: PERMISSIBLE USES**

# 21.1. PURPOSE

This chapter sets forth the allowable uses for the land areas within the region. Allowable uses for the nearshore, foreshore, backshore, and lakezone are set forth in Chapter 81: *Permissible Uses and Structures in the Shorezone and Lakezone*. The concept of "use" includes any activity, whether related to land, water, air, or other resources of the region. The primary uses are "allowed", "special," and "nonconforming," the applicability of which terms to a particular parcel shall be determined by reference to the plan area statements and maps, community plans, redevelopment plans, and specific or master plans, as the case may be. The list of primary uses is in Section 21.4.

# 21.2. APPLICABILITY

All parcels have one or more primary uses as defined in this Code, except for parcels that are undeveloped or unimproved and have no established use. Such parcels are considered vacant parcels. Vacant parcels are entitled to apply for a use pursuant to the provisions of the Code. The regulation of projects and activities pursuant to primary uses is described in this section.

# 21.2.1. Allowed Uses

Uses listed in applicable plan area statements, community plans, redevelopment plans, or specific or master plans as "allowed" ("A") are appropriate uses for the specified area, and projects and activities pursuant to such uses may be permitted. Allowed uses are assumed to be compatible with the direction of the Regional Plan and the surrounding uses.

# 21.2.2. Special Uses

Uses listed in applicable plan area statements, community plans, redevelopment plans, or specific or master plans as "special" ("S") may be determined to be appropriate uses for the specified area, and projects and activities pursuant to such uses found to be appropriate may be permitted. To allow a special use, TRPA shall conduct a public hearing according to the procedures in the TRPA Rules of Procedure. Before issuing an approval, TRPA shall make the following findings:

- A. The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located;
- B. The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners; and
- C. The project to which the use pertains will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable.

My wife and I are owners and residents of a property on Southwood Blvd. in Incline Village. We are located approximately 300-400 feet from the proposed cellular tower. I have already submitted a letter opposing this tower.

We live in an ENVIRONMENTALLY SENSITIVE AREA. It seems to me that our Commissioners have a responsibility first to protect that environment and the residents of the area and last to let Verizon customers get better cellular phone service. As my neighbor Robert Holman stated:

In addition to the Washoe County Code's prohibitions for the tower, paraphrasing TRPA's stated responsibility is: "to preserve and enhance the unique natural and human environment, while improving local communities and peoples' interactions with our irreplaceable environment, and ensuring community health and safety for future generations" This project will indisputably have many negative environmental, economic, health, noise pollution, and safety consequences.

**Property Values?** Despite Incline Village's healthy real estate environment, this project will negatively impact nearby property owners. We will, in essence, be subsidizing the owners of the new cell tower with the depreciation of our own property values.

**Health risks?** Living in proximity to a cellular tower may **substantially increase risks to my health and others who also live in proximity to the proposed tower.** A cel tower located on school property in Ripon, CA was recently removed after 4 students and 3 teachers contracted cancer. Within 200 feet of this proposed tower lies **a sizable housing complex** inhabited mostly by non-English speaking residents. Because of that language barrier and a reluctance to speak in public, I doubt that any of them will be speaking here today. So, I will speak as their advocate. Many children live in this complex. Is the potential risk to their health and lives worth less than Verizon's profit?

The internet is replete with references to cancer caused by cellular radiation. European cellular radiation standards are 1/10 the US standard. They are erring on the side of caution rather than risking their population's exposure to unknown risks.

German and Israeli studies have shown a significant increases in cancer risk after 5 years of exposure to nearby cellular antennas. (see footnote)

Finally, why this location? After the community rejected a similar tower near the Incline Village High School, why here? Why cannot such a tower be located at another place remote from our population center or better yet ignore this imagined "problem".

http://www.emf-health.com/articles-celltower.htm#forward



Content is based on internet search and discussion at community forums

April 2, 2019

5510

# What worries me ... as one neighbor commented: its a

as one neighbor commented: its a Size 12 project for a Size 6 spot located in a central, heavily trafficked area

- What if a tower fire rapidly spreads during wildfire season?
- Fall zone concept: If the tower collapsed, where might it land?
- On the adjacent Dental Office
- Across Village Blvd
- On other adjacent roads/buildings
- Its an industrial install: what about other potential toxicities/nuisance elements?

E.g., Noise – the generator noise isn't even considered in the proposal;

Above ground diesel fuel tank

Will someone get over the fence / climb the tower?

Content is based on internet search and discussion at community forums

April 2, 2019

# Tower Height Diagrams



Source: Personal Snapshot of Galena Fire Station Tower: Tree height estimates from Cell Tower Proposal

# Internet Sources for Adverse Event Examples

- Fire: https://kywnewsradio.radio.com/articles/news/cause-cell-tower-fire-schuylkill-expressway-underinvestigatio
- Ice and Wind: In Feature 2 where the Wineless Estimator / February 27, 2019 •
- あたのわ、約44 時には、2、 2000年3月2日時期本時後はまたまであった。1990年には、1990年には、1990年1月1日、1990年1月1日、1990年1月1日、1990年1月1日、1990年1日、1990年1月1日、19901年1月1日、1990年1月1日、1990年1月1日、1990日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、1990年1月1日、1990年1月1日、1990年1月1日、1990年1月1日、19901年1月1日、19901年1月1日、19901年1月1日、19901年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1日、19900年1月1月1日、19900年1月1月1日、19900年1月1日、19900年1月1月1日、19900年1月1日、19900年1月1月1日、19900年1月1月1日、19900年1月1月1日、19900年1月1月1日、19900年1月1日、19900年1月1月1日、19900年1月1月1日、19900年1月1月1日、19 Wind: •

etas su **Ayimes.com** del 6,85 del 22 de 22 de 21 de 2 de 21 de 2 de 21 de 22 de 21 de 2 Or search "recent cell tower collapse" and/or "recent cell tower fires" 0

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3/22/19







SubjectCell Phone ReceptionFromDee Dee Kincade <ddkincade@charter.net>To<ronda@asgs.org>Date2019-03-26 12:16



Hello I am Dee Dee Kincade and I am a recipient of the IV Forum.

Per Pete's request:

I live on Fallen Leaf Way (incorrectly written as Fallen Leave Way). I have lived here for 33 years. I have had perfect AT&T cell phone reception here at the house. I also have Charter internet Wi-Fi and rarely have a problem.

Regards,

Dee Dee

From: rondatycer <rondatycer@aol.com> To: rondatycer <rondatycer@aol.com>

Subject: Fwd: IV Cell Tower Letter to Board of Adjustment Members

Date: Thu, Mar 28, 2019 4:18 pm

-----Original Message-----From: Heather Williams <heather@stanfordwealth.com> To: rondatycer@aol.com <rondatycer@aol.com> Sent: Tue, Mar 26, 2019 4:01 pm Subject: Re: IV Cell Tower Letter to Board of Adjustment Members

Ms Tycer:

I have more than adequate cell phone coverage.

Should you need any additional information, or action on my part. please do not hesitate to contact me.

Heather Williams 569 Len Way From: rondatycer <rondatycer@aol.com>

To: rondatycer <rondatycer@aol.com>

Subject: Fwd: Cell Tower Annotated Application 4 Your Review

Date: Thu, Mar 28, 2019 3:41 pm

-----Original Message-----From: Steven Price <pricese@aol.com> To: rondatycer <rondatycer@aol.com> Cc: ptodoroff1 <ptodoroff1@sbcglobal.net>; waynefordresidentialdesigner <waynefordresidentialdesigner@yahoo.com> Sent: Tue, Mar 26, 2019 8:43 pm

Subject: Re: Cell Tower Annotated Application 4 Your Review

Ronda, Wayne and Peter:

Great letter.

We live close to the proposed tower and have excellent reception (Village).

I passed a summary of personal comments to Wayne. They constitute the opinions of many of my neighbors at McCloud.

I hope the three minute individual testimony policy will be followed at the meeting, as I know a few of my neighbors and business people who are opposed and wish to speak. Wayne gave me the location, but I am hoping a message will be sent to local residents giving the exact time and location of the meeting.

Unfortunately I will be in Hawaii until 5 April.

Thanks, Steve Price

Sent from my iPhone

Subject	Cell coverage
From	Sara Schmitz <schmitz61@gmail.com></schmitz61@gmail.com>
То	<ronda@asgs.org></ronda@asgs.org>
Date	2019-03-25 22:04



Ronda,

We used to live on Allen Way near Martis Peak and James. I walked in that neighborhood for the year we lived there and never experienced cell coverage issues. I lived there from September 2016 to December 2017 and never experienced coverage issues.

Sara Schmitz

Sent from 925-858-4384

From: Wayne Ford <waynefordresidentialdesigner@yahoo.com>
To: Ronda Tycer Phd <rondatycer@aol.com>
Subject: Tried sending to the email in the letter ; Did not go through.
Date: Mon, Mar 25, 2019 5:05 pm

Lynda Ct and Winding Way ; Wayne Ford AT&T 731 Lynda Great Coverage inside and outside.

Amanda Bloomer 732 Lynda Ct. T-Mobile Pour Coverage inside/ good coverage outside.

Wayne Ford

# Fourth Ripon student has cancer. Parents demand removal of cell tower from school

By Ken Carlson

# March 12, 2019 11:13 AM,

Updated March 12, 2019 06:04 PM

Read more here: https://www.modbee.com/news/article227459649.html#storylink=cpy

The Ripon Unified School District said it is talking with a telecommunications company about moving a cellular phone tower from Weston Elementary School because of a public uproar over cancer cases at the campus.

A fourth child who attends the school was diagnosed with cancer Friday. Some parents pulled their children from school, and many came out in force to a Ripon school board meeting Monday evening to demand action.

In a prepared statement, board president Kit Oase said tests done on the tower found it was operating normally within safety standards.

Monica Ferrulli, whose son was treated for brain cancer in 2017, said <u>RUSD has cited an obsolete American</u> <u>Cancer Society study in keeping the tower in place since the controversy erupted two years ago.</u> "It is just denial," Ferrulli told the board. She vowed that parents will continue to fight and keep their children out of the school.

About 200 parents packed the meeting, held in the Ripon City Council chambers. People who want the tower removed say four students and three teachers at Weston have been stricken with cancer. The kindergarten-through-eighth-grade school on Stanley Drive has 400 students.

Richard Rex, whose family lives across the street from Weston School, said a bump appeared on his 11-yearold son's abdomen a month ago. He said his son's classroom is near the tower.

The parents first thought it was a skating injury. Instead of going to science camp, 11-year-old Brad was taken to doctors for examinations and tests that found a tumor wrapped around his liver. The boy now has a portal for starting cancer treatment, the parents said.

Richard Rex said he's hearing different options for treating the cancer. "They said they can shrink it and cut it out. They're also talking liver transplant. It is very scary," Rex said.

In the statement, Oase said the school district sympathized with the families. <u>The statement said the district has</u> <u>no out clause in the 25-year lease agreement with Sprint, the tower's owner. The district and Sprint will have to</u> mutually agree to relocation of the tower.

RUSD receives a negligible amount of revenue from providing campus space for the tower, the statement said.

Adrienne Norton, representing Sprint, said the company's goal is providing wireless service that keeps businesses and residents connected in Ripon.

"When it comes to the deployment of network infrastructure, we always strive to achieve a win/win process with local municipalities and residents," Norton wrote in an email. "We have been working with the community in Ripon to address their concerns."

Potential health effects from electromagnetic fields emitted by transmission lines or cell towers have been debated for years. The National Cancer Institute cites studies that EMFs are a possible human carcinogen based on research looking at childhood leukemia. According to the institute's website, however, no increased risks of brain tumors or other cancers were revealed by epidemiological studies in Europe.

Oase said he would talk with a San Joaquin County epidemiologist about the situation at Weston School. County Health Officer Kismet Baldwin said Tuesday the county does no surveillance on new cancer diagnoses. <u>That's the responsibility of the cancer registry with the California Department of Public Health.</u>

"We have not received anything from the cancer registry," Baldwin said. "We don't know how many newly diagnosed cancer cases there were before the cell tower was installed and how many since it was installed."

According to notices posted by RUSD, the school district hired engineers for an evaluation in 2018 on the cell tower's compliance with guidelines for limiting human exposure to electromagnetic radiation. The testing found exposure levels for people nearby were below the federal standard, the notices says.

# Hammett & Edison Inc. was hired to perform the testing.

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Ferrulli, who watched her son's cancer relapse last year, <u>countered that parents arranged for testing that</u> <u>showed much higher readings.</u> The Cochran law firm of Los Angeles has been hired to look at health effects of the cell tower and water contamination as a possible source. "We are not so naive as to rule out other environmental factors," Ferrulli said.

Richard Rex wants to see the tower moved away from the schoolchildren.

"It is a terrible thing," he said. "How many children with cancer will it take?"

Read more here: https://www.modbee.com/news/article227459649.html#storylink=cpy

# Hey Pete.

I Sent a yes and build it email.

Sent from Yahoo Mail for iPad

On Monday, April 1, 2019, 1:52 PM, Pete Todoroff cptodoroff1@sbcglobal.net> wrote:

# Pete Todoroff iMac 3.06 GHz ptodoroff1@sbcglobal.net

**Begin forwarded message:** 

From: <u>rondatycer@aol.com</u> Subject: Last Chance to Vote on IV Cell Tower before Board of Adjustment Decision 4/4/19 Date: April 1, 2019 at 1:03:14 PM PDT To: <u>ptodoroff1@sbcglobal.net</u>

PLEASE SEND YOUR EMAIL BEFORE APRIL 4 2019 TO: jolander@washoecounty.us

Dear IV Community Forum Members,

Today we learned that Julee Olander of Washoe County will recommend the Washoe County Board of Adjustment approve the Incline Partners application to build a cell tower on Village Blvd. Her recommendation was accompanied by 5 letters in support of the tower and no letters opposing its construction.

We know that the majority of residents in the CAB meeting on 3/4/19 and the IV Community Forum meeting 3/29 were against the cell being built on the proposed parcel. We need to let Julee Olander and the Board of Adjustment know that not all of us are in support of the tower by immediately sending an email to her to that effect.

Although some of us want better cell coverage, most of us do not want a 117-foot monopine cell tower and 1800 sq ft Equipment Yard (with large generator and propane tank) in the middle of Incline Village on the Village Boulevard parcel next to the Dentist Office. We're presenting the revised attached letter to the Board of Adjustment which details our objections to the application's approval and our recommendation for a different site for the tower.

Please take a minute to read the letter and send an email to Julee Olander giving your opinion about the application.

AM