



# WASHOE COUNTY

Integrity Communication Service

[www.washoecounty.us](http://www.washoecounty.us)

## STAFF REPORT

BOARD MEETING DATE: May 28, 2019

**DATE:** April 26, 2019

**TO:** Board of County Commissioners

**FROM:** Julee Olander, Planner, Planning and Building Division, Community Services Department, 328-3627, [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

**THROUGH:** Mojra Hauenstein, Architect, AICP Planner, LEED AP, Director of Planning and Building, 328-3619, [mahuenstein@washoecounty.us](mailto:mahuenstein@washoecounty.us)

**SUBJECT:** Public hearing: Appeal of the Washoe County Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole).

The project is for:

1. The construction of a new wireless cellular facility consisting of a 117-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility; and
2. A minor deviation to vary the height standard and increase the monopine by 5 feet, to a total height of 117 feet.

The Board of County Commissioners may affirm, reverse, or modify the decision of the Board of Adjustment.

The appellants are Robert Holman, Wayne Ford, Peter Todoroff, Ronda Tycer, Jack Dalton, Amanda Bloomer, and Michael and Helen Abel. The property owner is KBS Inc. and applicant is Incline Partners, LLC. The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd. The Assessor's Parcel Number is 132-221-11. The Master Plan Category is Commercial (C) and the Regulatory Zone is General Commercial (GC). The project is located within the Tahoe Area Plan and within the Incline Village Crystal Bay Citizen Advisory Board boundary. The request comes under WCC Chapter 110, Article 324 Communication Facilities; Article 810, Special Use Permits and Article 804, Minor Deviations. (Commission District 1.)

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### SUMMARY

The appellants are seeking to overturn the Washoe County Board of Adjustment's (BOA) approval on April 4, 2019. The appellants have appealed the approval providing justification for denial that the application did not meet any of the four findings- first finding

AGENDA ITEM # \_\_\_\_\_

(Consistency), second finding (No Detriment), third finding (Site Suitability) and fourth finding (Issuance Not Detrimental). The BOA was able to make all of the findings.

Washoe County Strategic Objective supported by this item: Stewardship of our Community.

### **PREVIOUS ACTION**

On March 4, 2019, the special use permit (SUP) was heard by the Incline Village/Crystal Bay Citizen Advisory Board (IVCB CAB). The CAB made no specific recommendation and recommended to forward the CAB minutes. There were numerous people at the meeting who spoke. (See Attachment B, Exhibit D)

On April 4, 2019, the SUP was considered in a public hearing, before the BOA. The BOA took action to approve the SUP, with two members in favor and one against. The board was able to make all of the findings.

### **BACKGROUND**

The Washoe County Board of Adjustment approved the proposed SUP based on the ability to make all of the findings required by Washoe County Code (WCC) Section 110.804.25. The appellant's application indicates that none of the findings were met. (See Attachment E)

The parcel where the tower is proposed to be located has a Regulatory Zoning of General Commercial (GC). This zoning is identified in WCC 110.106.15(r) as "intended to create and preserve areas for businesses that provide a variety of wholesale and retail goods and services and serve a community or regional market." Washoe County Code Article 324 provides the requirements for communication facilities. Section 110.324.50(e)(1) addresses monopole antennas and specifically provides that "Antennas shall be allowed with approval of a Special Use Permit in..." followed by the list of regulatory zones, including General Commercial (GC).

Washoe County is limited by federal and state rules reviewing "personal wireless service facility", which is protected by federal law (Telecommunications Act of 1996, 47 U.S.C. Section 332 (c) (7)) and state law (NRS 707.550 – 707. 920). Generally, federal and state laws provide that when regulating the placement, construction or modification of wireless facilities:

- We shall not unreasonably discriminate among providers of functionally equivalent services;
- We shall not prohibit or have the effect of prohibiting the provision of personal wireless services;
- We must act within a reasonable time on applications for permits (presumed to be 150 days under FCC "shot clock" rules);
- If we deny a request to place, construct, or modify personal wireless service facilities, we must do so in a separate writing, and the decision must be supported by substantial evidence (evidence that a reasonable mind might accept as adequate to support a conclusion) contained in a written record. State law (NRS 707.585) requires that a decision denying an application must set forth with specificity each ground on which the authority denied the approval of the application, and must describe the documents relied on by the Board in making its decision.
- We may not regulate the placement, construction and modification of personal wireless facilities on the basis of environmental effects of radio frequency

emissions to the extent that such facilities comply with FCC regulations concerning such emissions.

**FISCAL IMPACT**

No fiscal impact.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners affirm the decision of the Board of Adjustment and uphold the approval of Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole).

**POSSIBLE MOTIONS**

Should the Board agree with the Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole), staff offers the following motion:

“Move to deny the appeal and affirm the decision of the Board of Adjustment to approve Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole). The approval is based upon the ability to make the findings required by WCC Section 110.804.25, *Findings*.

Should the Board disagree with the Board of Adjustment's approval of Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole), staff offers the following motion:

“Move to approve the appeal and reverse the decision of the Board of Adjustment and deny Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole). The denial is based on the Board's inability to make all four of the findings required by WCC Section 110.804.25, *Findings*.”

Attachments:

Attachment A: Board of Adjustment Action Order dated 4/4/19

Attachment B: Board of Adjustment Staff Report dated 4/4/19

Attachment C: Additional BOA Correspondence

Attachment D: Additional Letters/Information submitted at BOA Meeting

Attachment E: Appeal Application dated 4/12/19

Attachment F: BOA Minutes of 4/4/19

cc:

Appellant: James M. Walsh c/o Walsh, Baker & Rosevear, 9468 Double R Blvd., Suite A, Reno, NV, 89521, Email: [jmwalsh@wbri.net](mailto:jmwalsh@wbri.net)

Applicant: Incline Partners, LLC, PO Box 3740, Incline Village, NV 89450, Email: [jpetersen@surewest.com](mailto:jpetersen@surewest.com)



# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Planning and Building

1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512-2845  
PHONE (775) 328-6100  
FAX (775) 328.6133

## Board of Adjustment Action Order

Special Use Permit Case Number WSUP19-0001

Decision: Approval with Conditions  
Decision Date: April 4, 2019  
Mailing/Filing Date: April 8, 2019  
Applicant: Incline Partners, LLC  
Assigned Planner: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division  
775.328.3627  
Phone: 775.328.3627  
E-Mail: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

**Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole)** - For possible action, hearing, and discussion:

1. To approve a special use permit for the construction of a new wireless cellular facility consisting of a 117-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility; and
2. To approve a minor deviation to vary the height standard and increase the monopine by 5 feet, to a total height of 117 feet.

The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd.

- Applicant: Incline Partners, LLC
- Property Owner: KBS Ltd.
- Location: Approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
- APN: 132-221-11
- Parcel Size: 8,078 sq. ft.
- Master Plan: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 324 Communication Facilities; and Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler

Notice is hereby given that the Washoe County Board of Adjustment granted approval with conditions for the above referenced case number based on the findings in accordance with Washoe County Development Code Article 810, Special Use Permit and Article 324, Telecommunications Facility. If no appeals have been filed



INTEGRITY



EFFECTIVE  
COMMUNICATION



QUALITY  
PUBLIC SERVICE

To: Incline Partners, LLC  
Subject: Special Use Permit Case WSUP19-0001  
(Incline Village Monopole)  
Date: April 8, 2019  
Page: 2

within 10 calendar days from the Mailing/Filing Date shown on this Action Order, the approval by the Washoe County Board of Adjustment is final. If filed, an appeal stays any further action on the decision until final resolution of the appeal. An appeal shall be filed in accordance with the provisions found in Article 912 of the Washoe County Development Code.

The action was based on the following findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable a for a telecommunications facility (monopole) for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

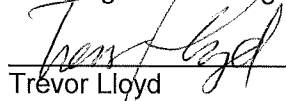
**Findings from WCC Section 110.324.75:**

6. That the communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of Community Development and/or his/her authorized representative;
7. That public input was considered during the public hearing review process; and
8. That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

This Action Order is issued subject to the attached conditions and Washoe County development standards. Please contact the planner assigned to your project at the above-referenced phone number within 7 days of receipt of this Order to review the steps necessary to satisfy the Conditions of Approval. Any business license, certificate of occupancy, or final approval shall not be issued until all of the Conditions of Approval are satisfied. Additionally, compliance shall be required with all federal, state, and local statutes, ordinances, and regulations applicable to the approved project.

**This Action Order does not authorize grading or building without issuance of the necessary permits from the Washoe County Planning and Building Division.**

Washoe County Community Services Department  
Planning and Building Division

  
\_\_\_\_\_  
Trevor Lloyd

To: Incline Partners, LLC  
Subject: Special Use Permit Case WSUP19-0001  
(Incline Village Monopole)  
Date: April 8, 2019  
Page: 3

Secretary to the Board of Adjustment

TL/JO/df

Attachments: Conditions of Approval

Applicant: Incline Partners, LLC  
PO Box 3740  
Incline Village, NV 89450  
Email: Jpetersen@surewest.net

Property Owner: KBS Ltd.  
PO Box3020  
Incline Village, NV 89450

Action Order xc: Michael Large, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office;; Leo Vesely, Engineering and Capital Projects; Incline Village/Crystal Bay Citizen Advisory Board, Chair; Tahoe Regional Planning Agency, Post Office Box 5310, Stateline, NV 89449-5310; North Lake Tahoe Fire Protection District; 866 Oriole Way, Incline Village, NV 89451-9439; Incline Village/Crystal Bay Citizen Advisory Board; Incline Village General Improvement District, 893 Southwood Boulevard, Incline Village, NV 89451





## Conditions of Approval

Special Use Permit Case Number WSUP19-0001

The project approved under Special Use Permit Case Number WSUP19-0001 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 4, 2019. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

**Unless otherwise specified**, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions."

These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.



Washoe County Conditions of Approval

**Washoe County Planning and Building Division**

1. The following conditions are requirements of the Planning and Building Division of the Washoe County Community Services Department, which shall be responsible for determining compliance with these conditions.

**Contact Name –Julee Olander, 775.328-3627, jolander@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County and the Tahoe Regional Planning Agency. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- e. Prior to the issuance of a building permit, the applicant shall provide a certification by a professional that the facility complies with Federal Communications Commission (FCC) regulations for Radio Frequency Emissions (RFE).
- f. Prior to the issuance of a building permit the applicant shall record a statement of assurance that the wireless communications facility shall be removed if the use of the facility is discontinued for a period of twelve (12) consecutive months.
- g. The monopine pole tower shall not exceed 117 feet in maximum height, as approved under this special use permit WSUP19-0001.
- h. The applicant shall submit a landscaping design plan to the Planning and Building Division with the building permit using native vegetation to facilitate screening the wireless equipment from the public right-of-way.
- i. The telecommunications tower owner shall be responsible for maintenance of the tower structure, all branches, and related appurtenances and equipment for said site. If branches break, fade, or blow away, or are damaged in any other manner, whether due to natural, Act of God, or manmade causes, those said branches or other equipment shall be replaced within three (3) months per each occurrence.
- j. The monopine shall match the color of the surrounding evergreen trees and the wood-colored synthetic slats shall match the foliage and be non-reflective.
- k. The following **Operational Conditions** shall be required for the life of the project:

Washoe County Conditions of Approval

- i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
- ii. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Building Division.
- iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Building Division staff to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

**Washoe County Building**

2. The following condition is a requirement of Washoe County Planning and Building Division, which shall be responsible for determining compliance with this condition.

**Contact Name –Leo Vesely, 775.328.2313, [ivesely@washoecounty.us](mailto:ivesely@washoecounty.us)**

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the recorded easements shall be submitted to the Engineering Division prior to issuance of a building permit.
- c. All existing and proposed easements shall be shown on the site and/or grading plan.
- d. An occupancy permit, for work within the County right-of-way, shall be obtained prior to approval of a building permit.
- e. Due to IVGID Water and Sewer Utilities located within the property, the owner must contact IVGID prior to submitting for a Washoe County Building Permit.
- f. The owner shall be responsible for scheduling a field meeting with IVGID to determine an approved location for the proposed tower.

\*\*\* End of Conditions \*\*\*





# Board of Adjustment Staff Report

Meeting Date: April 4, 2019

Agenda Item: 8C

SPECIAL USE PERMIT CASE NUMBER: WSUP19-0001 (Incline Village Monopole)

BRIEF SUMMARY OF REQUEST: To approve a special use permit for the construction of a new wireless cellular facility consisting of a 117-foot high stealth monopine structure.

STAFF PLANNER: Planner's Name: Julee Olander  
Phone Number: 775.328.3627  
E-mail: jolander@washoecounty.us

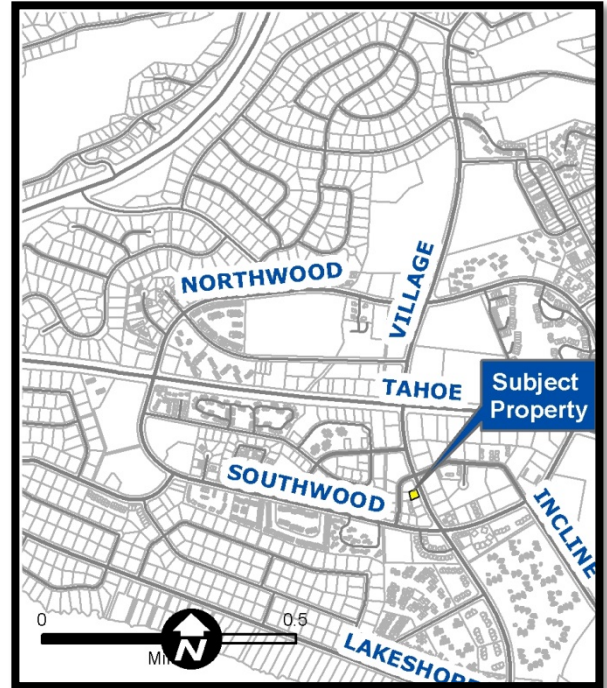
## CASE DESCRIPTION

For possible action, hearing, and discussion:

1. To approve a special use permit for the construction of a new wireless cellular facility consisting of a 117-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility; and
2. To approve a minor deviation to vary the height standard and increase the monopine by 5 feet, to a total height of 117 feet.

The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd.

Applicant:	Incline Partners, LLC
Property Owner:	KBS Ltd.
Location:	Approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
APN:	132-221-11
Parcel Size:	8,078 sq. ft.
Master Plan:	Commercial (C)
Regulatory Zone:	General Commercial (GC)
Area Plan:	Tahoe
Citizen Advisory Board:	Incline Village/Crystal Bay
Development Code:	Authorized in Article 324 Communication Facilities; and Article 810, Special Use Permits
Commission District:	1 – Commissioner Berkbigler



## STAFF RECOMMENDATION

APPROVE

**APPROVE WITH CONDITIONS**

DENY

## POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve, with conditions, Special Use Permit Case Number WSUP19-0001 for Incline Partners LLC, having made all five findings in accordance with Washoe County Code Section 110.810.30.

*(Motion with Findings on Page 18)*

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Agency Comments .....Exhibit B

Public Comments and Correspondence .....Exhibit C

Citizen Advisory Board Minutes.....Exhibit D

Alternative Location List .....Exhibit E

Public Notice .....Exhibit F

Project Application..... Exhibit G

## **Special Use Permit**

The purpose of a special use permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. The Board of Adjustment is authorized to issue special use permits under NRS 278.315 and Washoe County Code (WCC) Article 810. Certain notice requirements must be met, which are discussed in this report. In approving the special use permit, the Board must consider and make five Findings of Fact, which are discussed below. [WCC Section 110.810.30] The notice requirements and findings are discussed in this report. The Board of Adjustment is allowed to grant an approval of the special use permit that is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project, including conditions prior to permit issuance, prior to obtaining a final inspection and/or certificate of occupancy, prior to issuance of a business license, or ongoing “operational conditions” which must be continually complied with for the life of the project.

Conditions of Approval. The Conditions of Approval for this case are attached to this staff report as Exhibit A and will be included with the Action Order, if approved.

Variations. As a part of approval of a special use permit, the Board of Adjustment may also vary standards of the Development Code as they would apply to the Project. [See WCC Section 110.810.20 (e).] In so doing, the Board must make the five findings required for variations as set out in WCC Section 110.804.25.

Special Communications Facility requirements. The proposed facility is a “communications facility” under Article 324 of the County Development Code which imposes specialized requirements and provides that when approving a special use permit, the Board must adopt the three additional findings listed in WCC Section 110.324.75 which are discussed in this staff report.

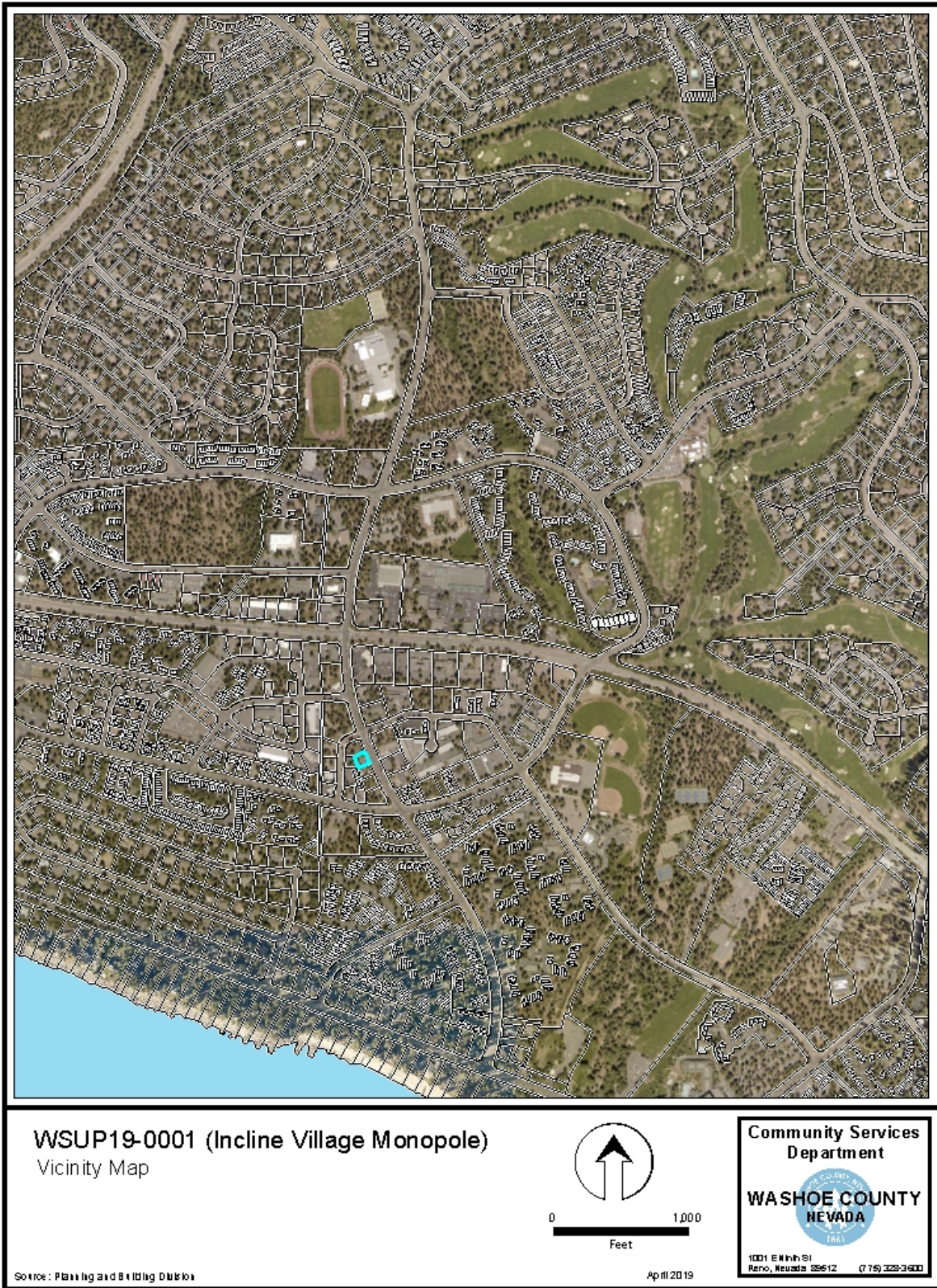
Special Federal and State Rules The proposed facility is a “personal wireless service facility” protected by federal law (Telecommunications Act of 1996, 47 U.S.C. Section 332 (c) (7)) and state law (NRS 707.550 – 707. 920). Generally, federal and state laws provide that when regulating the placement, construction or modification of wireless facilities:

- We shall not unreasonably discriminate among providers of functionally equivalent services;
- We shall not prohibit or have the effect of prohibiting the provision of personal wireless services;
- We must act within a reasonable time on applications for permits (presumed to be 150 days under FCC “shot clock” rules);
- If we deny a request to place, construct, or modify personal wireless service facilities, we must do so in a separate writing, and the decision must be supported by substantial evidence (evidence that a reasonable mind might accept as adequate to support a conclusion) contained in a written record. State law (NRS 707.585) requires that a decision denying an application must set forth with specificity each ground on which the authority denied the approval of the application, and must describe the documents relied on by the Board in making its decision.
- We may not regulate the placement, construction and modification of personal wireless facilities on the basis of environmental effects of radio frequency emissions to the extent that such facilities comply with FCC regulations concerning such emissions.

The subject property has regulatory zone of Commercial (C). The proposed monopole antenna requires a special use permit (SUP) per Washoe County Code (WCC) 110.324.50(e) and Incline

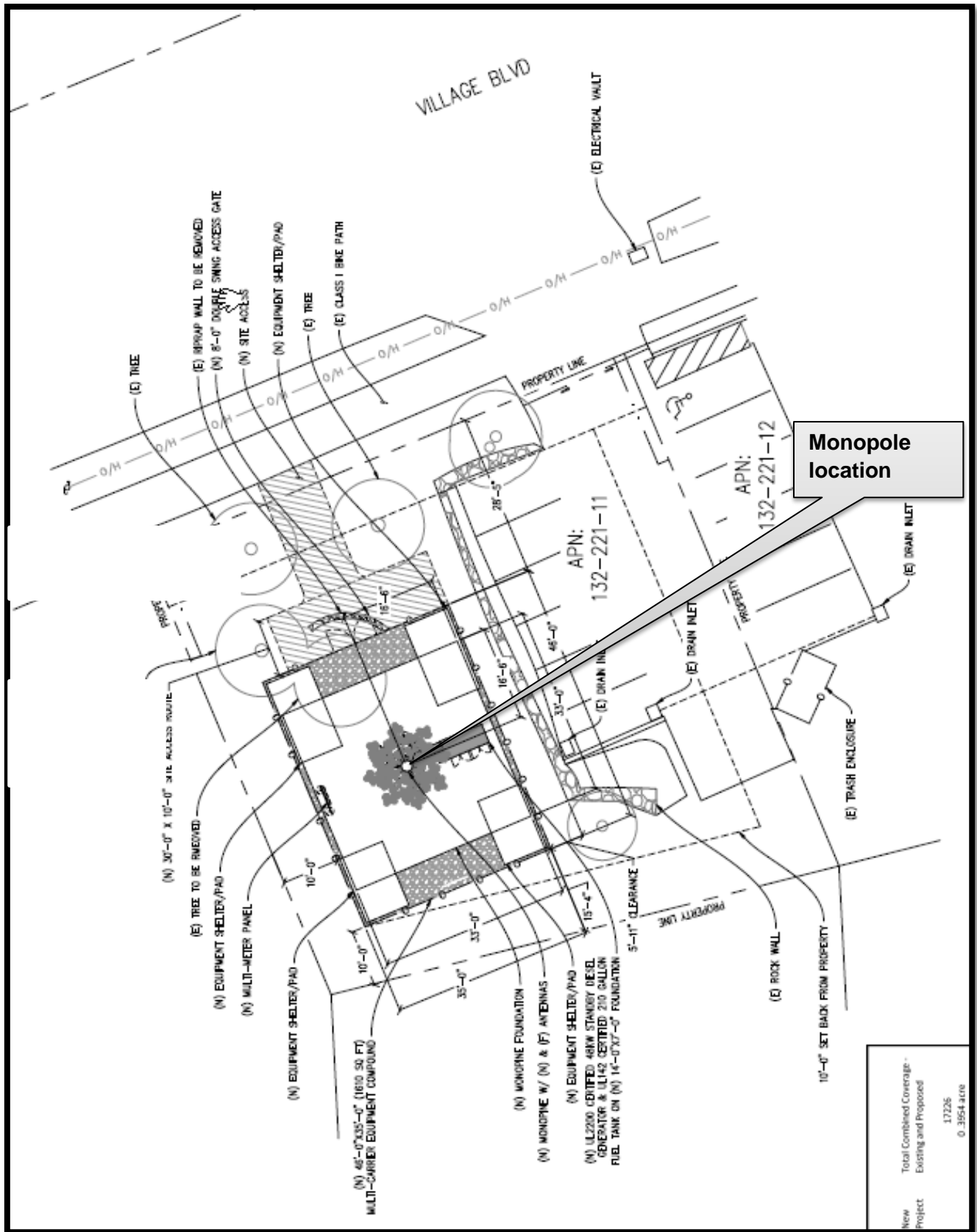
Village Commercial Community Plan. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment.

Additionally, the SUP regulations allow “varying standards of the Development Code as part of the approval of a special use permit “per WCC Section 110.810.20(e). The applicant is seeking a minor deviation, which allows standards to be deviated by 10% of the requirement per Section 110.804.35. The monopole allowed height is 112-feet and the applicant is requesting to increase the height by 5-feet, for a total height of 117-foot tall monopole. The Board of Adjustment will be ruling on this additional request.

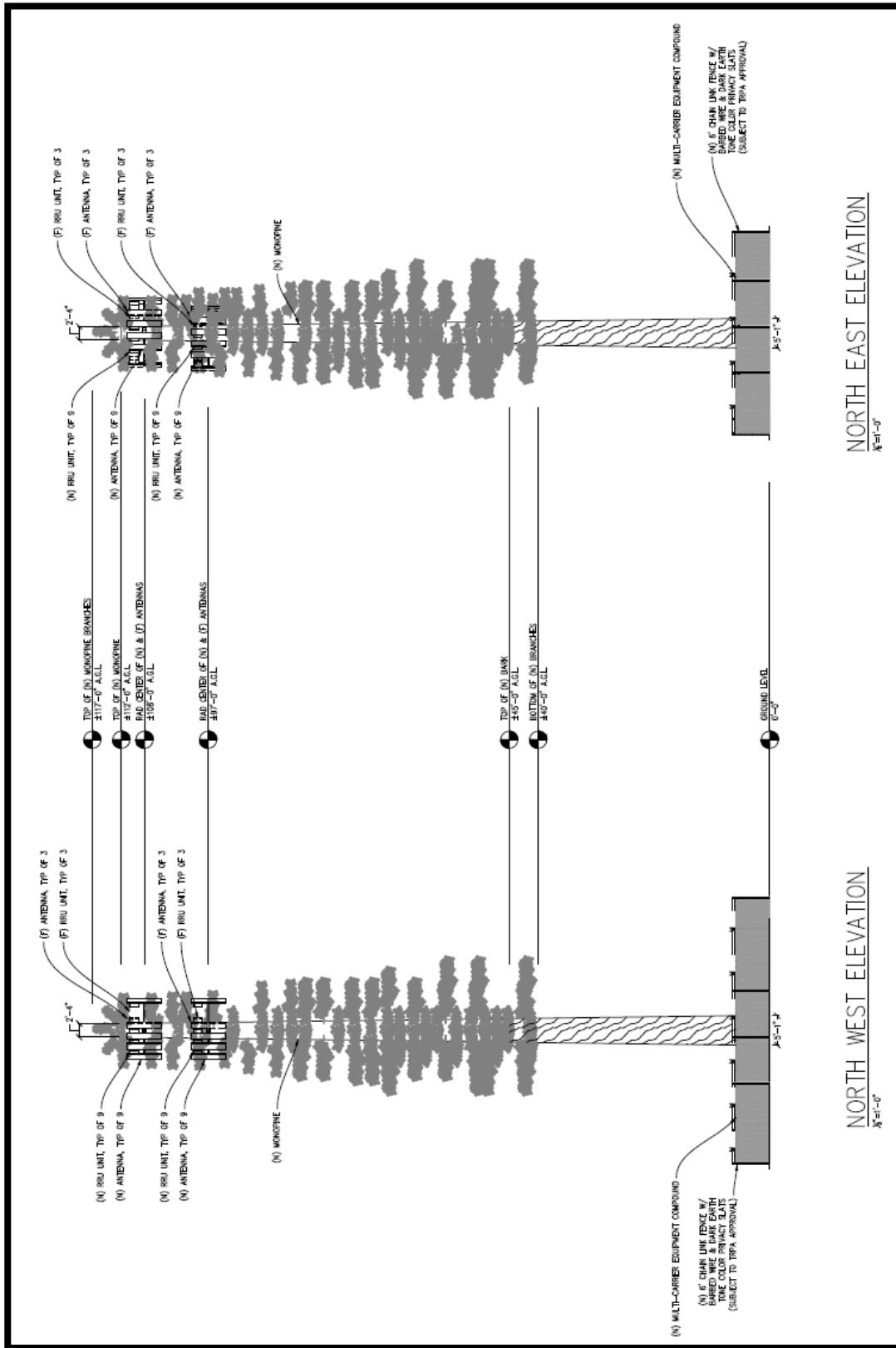


**Vicinity Map**





**Site Plan**



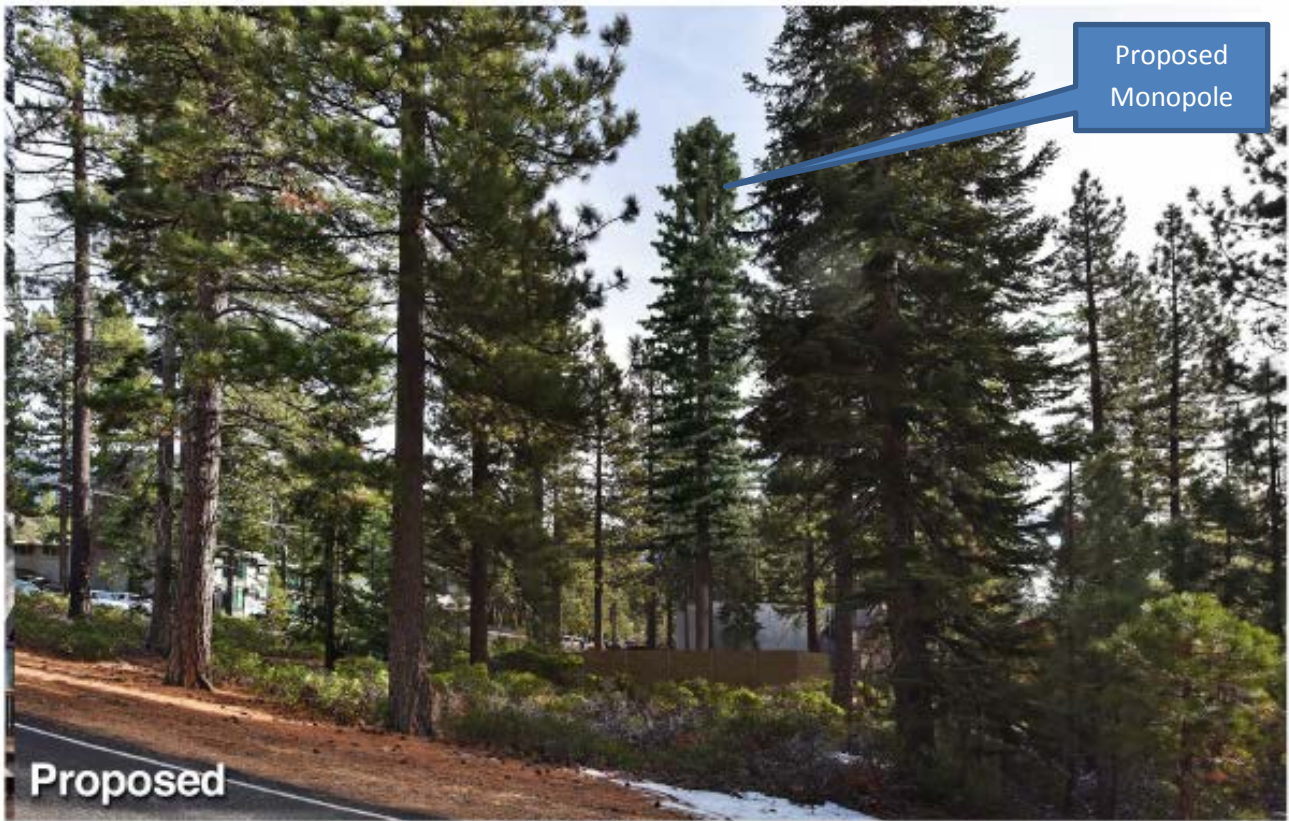
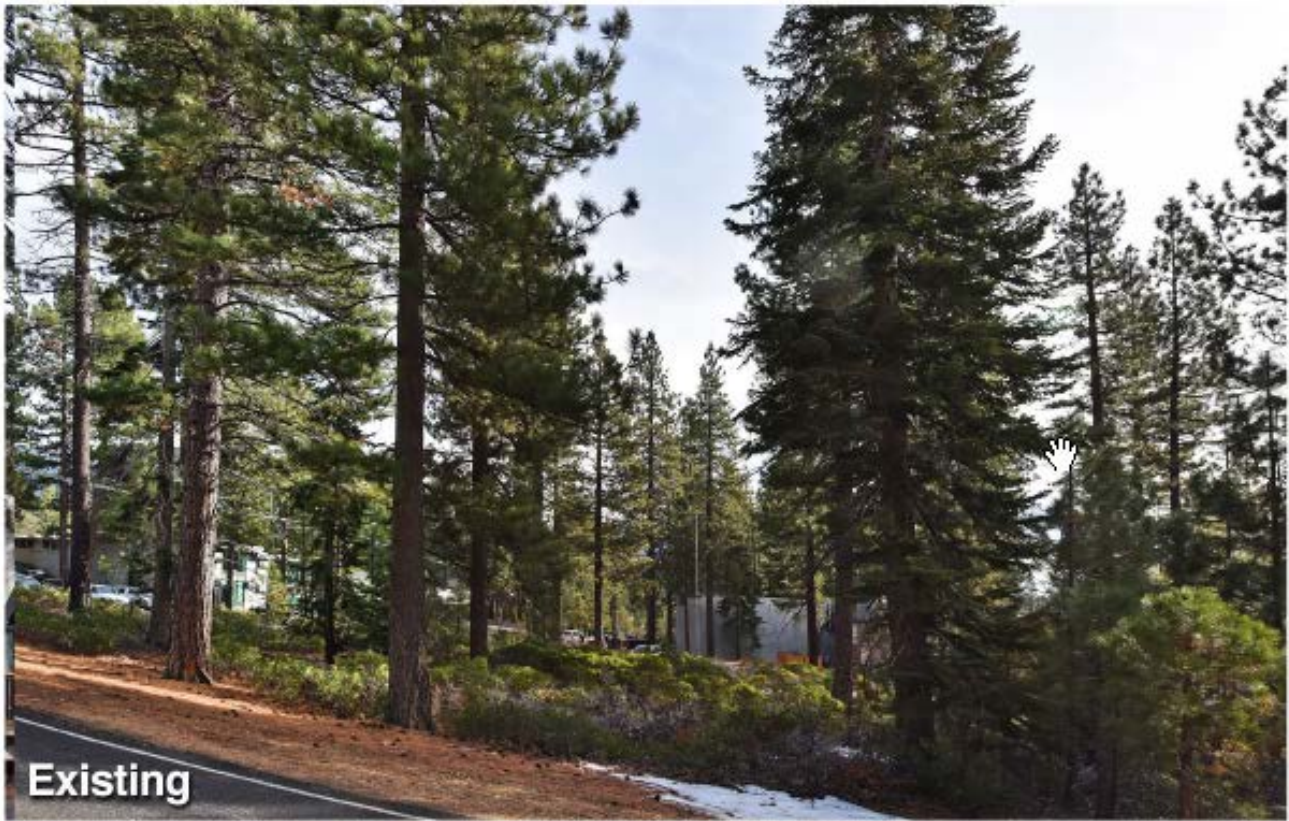
**Site Plan Elevation**



**Photo Simulations Locations**



View 1



View 2



**View 3**



**Existing**



**Proposed**

**View 4**

## **Project Evaluation**

Incline Partners, LLC has requested a special use permit in order to place an unmanned wireless telecommunications monopole with all necessary appurtenances upon the subject property. The parcel 132-221-11 is vacant and south of the intersection of Village Blvd. and Incline Way within the Tahoe planning area. The proposed facility will contain a multi-carrier 117-foot communications monopole, designed as a “stealth” tree pole and as a collocation facility engineered to hold up to four carrier’s antenna arrays on the site. The monopine is proposed to be 112-feet tall with additional branches to extend the total height to 117-feet high. The applicant states that the Tahoe Regional Planning Agency (TRPA) recommends increasing the height and adding more branches to make the monopine look more tree-like. The total height being requested is 117-feet. The Development Code allows the tower to be 80-feet high per the regulatory zoning of General Commercial (GC), plus another 10 feet per WCC 110.324.50, when there is “significate gap coverage”. The height can be increased by 25% if the tower is stealth, which would increase the height by 12.5-feet for a height of 112.5-feet. The applicant is requesting a minor deviation, which allows an increase of 10% and will allow for an increase height from 112.5-feet to 117-feet. The monopole will hold up to four antennas located at various heights from 65-feet to 112-feet. Once the monopole is complete the antennas will be leased to various carriers.

The project area will encompass roughly 1,610 square-feet with the monopole and associated equipment that will be located in a 35-foot x 46-foot enclosure with 6-foot high cyclone fencing with wood-colored synthetic slats. The monopole is to be located in the northwest area of the 8,078 square-foot parcel. The equipment and cabinets will be located on raised platforms in the enclosed area. The enclosure is approximately 30-feet from Village Blvd. and the monopole will be approximately 50-feet from Village Blvd.

## **Analysis**

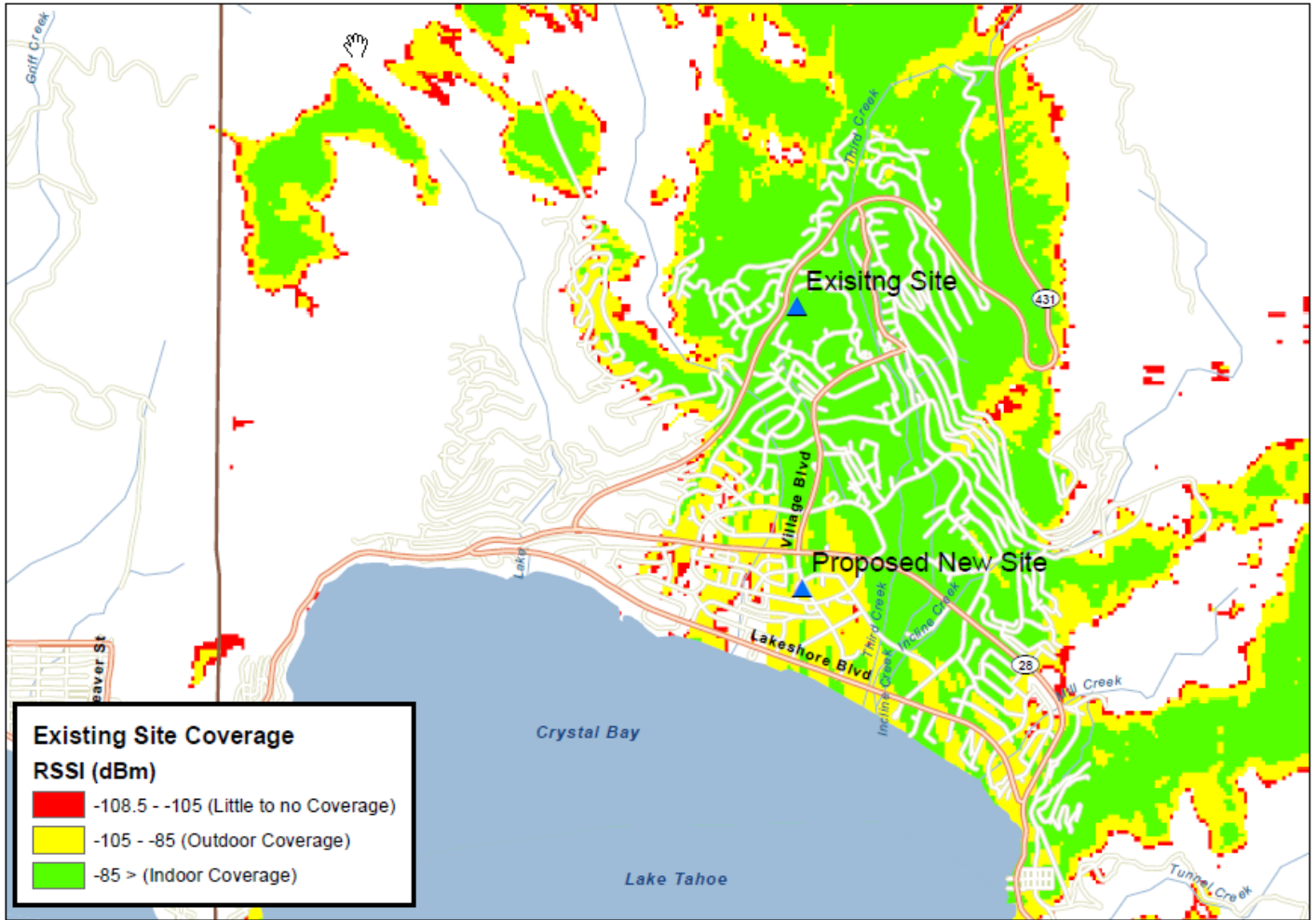
The applicant has indicated the reason for the new telecommunications tower is to offer additional capacity and provide improved wireless services for the area. The increase in services will range from all types of wireless cell service, 911 calls, GPS services, and in-building calling and data services. The in-building services are beneficial due to the fact that landline usage has declined in recent years as more of the population is using cell phones for voice and data telecommunications rather than traditional landline communication. The increase in wireless cellular service could be beneficial in emergency situations where landlines are not available. As more and more roads do not contain call boxes, mobile services often can be the only form of communication in an emergency situation, especially in areas outside of city limits. The applicant states that the facility will increase the wireless phone and data coverage in the area, as there is poor or no service currently along this main corridor in Incline Village. Currently, there are wireless towers located at the Hyatt Hotel, Diamond Peak Ski Resort and the Incline Village Executive Golf Course.

The parcel is in the Tahoe Area Plan and within the Incline Village Commercial Community Plan (IVCCP), where transmission and receiving facilities are allowed with a special use permit. The parcel is designated in the IVCCP Land Use Concept Map as office/commercial and per Washoe County Code has a Regulatory Zoning of Commercial (C). The surrounding parcels have the same designation and zoning. The parcels to the north and west are vacant, while commercial structures are located on the parcels to the south and east. The parcel where the monopole is proposed to be located is owned by the same property owner as the parcel to the south, where a dental office is located. There is a parking lot on the parcel that is used by the dental office. The parcel is adjacent to Village Blvd., which a main north/south roadway through Incline Village.

The applicant states that there are no alternative preferred cellular facilities (faced mounted antennas, rooftop mounted antennas or collocation) in the area. The applicant reviewed 13 parcels as possible sites for the monopole (See Exhibit E). The proposed site was selected as it best fit the project requirements of space, avoidance of scenic corridors, coverage requirement, setbacks, availability, and interested owners (see map below for existing and proposed coverage).

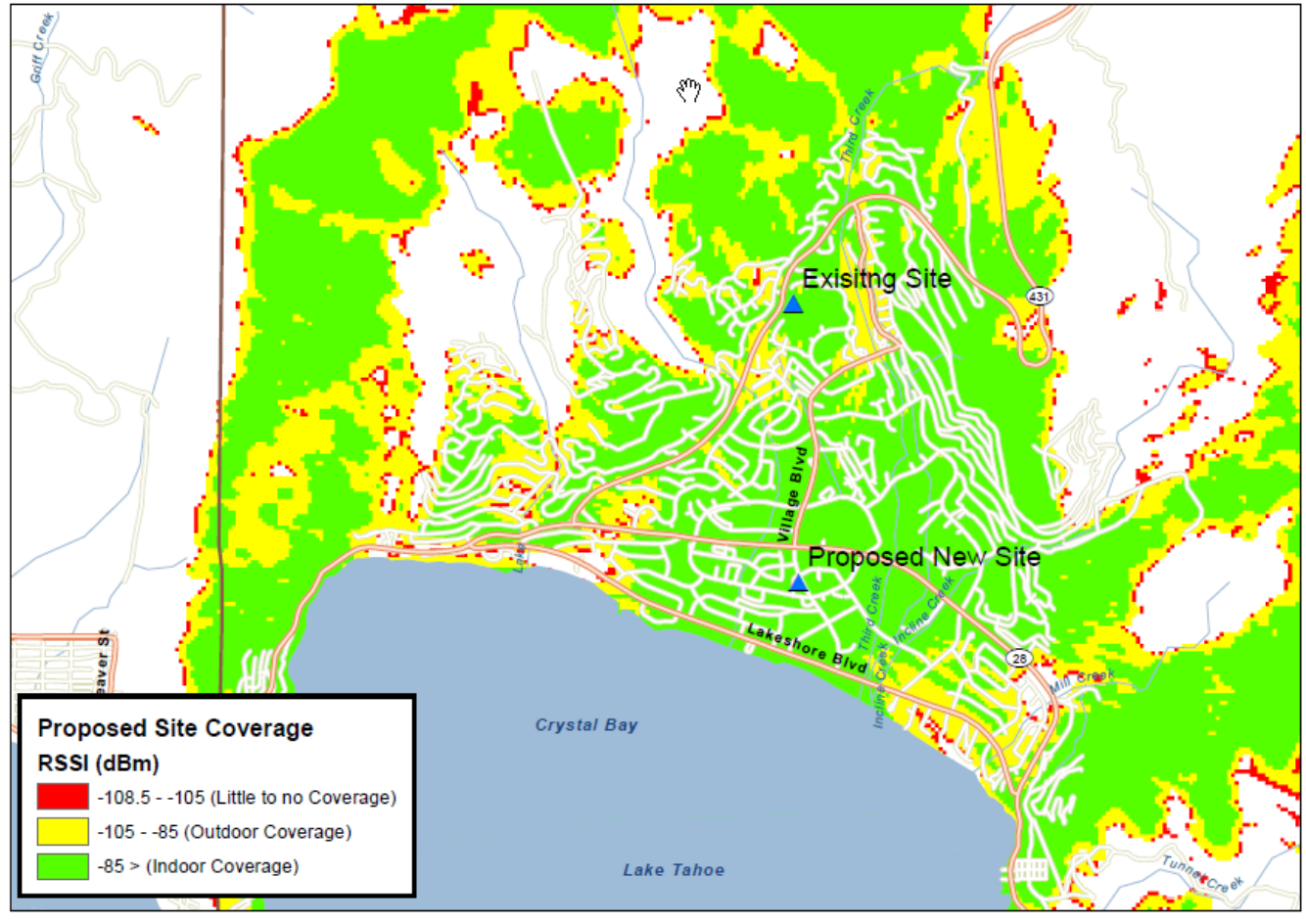


### Incline Village 700 MHz LTE Coverage



**Incline Village Existing Site Coverage Map**

### Incline Village 700 MHz LTE Coverage



**Incline Village Proposed Site Coverage Map**

**Access/Parking:**

No new access or parking spaces will be required, as the facility is an unmanned facility. Incline Partners, LLC anticipates using the existing access from Village Blvd. The site will be self-monitored and personnel will be alerted off-site of any equipment malfunction or security issues. There will be a standby diesel generator on-site that will operate in the event of an emergency outage. The applicant states that the generator will meet or exceed Washoe County noise regulations.

**Signage/Lighting:**

Signage will be as required by FAA/FCC or other jurisdictional entities. There will be no “advertisement signage.”

**Landscaping:**

The application requested that the landscaping requirement be waived, due to TRPA requesting that the parcel maintain a native state. However, after communicating with TRPA, the applicant has decided to install landscaping at the site per Washoe County standards with native vegetation to provide screening and a buffer between the enclosure and Village Blvd. The application states that one tree will be removed for the construction of the enclosure.

**Visual Impacts:**

The request to add a telecommunications monopole is consistent with the standards of *Article 324 Telecommunications* of the Washoe County Development Code. The proposed telecommunications tower will be a monopine design in order to blend with the forest habitat of the subject site. The tower is taller than the trees on the site; the antennas need to exceed the height of the surrounding topography and trees to transmit and receive wireless signals and perform at an optimal level. However, the proposed facility will not be visible from Lake Tahoe, or identified scenic corridors, except Highway 28 where it will be minimally visible due to the tree canopy. Also, the applicant has decided to add native vegetation to the site to help screen the facility from surrounding parcels.

**Radio Frequency and Environmental Impacts:**

Under federal law (47 U.S.C. 332 (c) (7) (B) (iv)), if the proposed telecommunications facility complies with Federal Communications Commission (FCC) regulations, this Board cannot regulate its placement, construction, and modification based on the potential environmental effects of radio frequency emissions. Under state law (NRS 707.575 (4)) the Board "shall not consider the environmental effects of radio frequency emissions" in rendering a decision of approving or denying this special use permit. The applicant has provided the required documents that the facility complies with the FCC regulations for radio frequency emissions (See Exhibit G – Hammett & Edison certifications).

**Incline Village/Crystal Citizen Advisory Board (IV/CB CAB)**

The proposed project was sent to the Citizen Advisory Board for their review and comment. The CAB meeting was held on March 4, 2019 and the CAB made no recommendation. The CAB requested that the minutes and all the comments from the CAB members and the public be forwarded, see Exhibit D for the minutes of the CAB meeting. Some of the concerns and comments voiced at the meeting include:

- Wrong location, the tower should not be located in the center of town
- Health issues with cell towers and impacts to the quality of life
- The tower will be taller than the surrounding trees
- No more towers are needed
- Blight to the community and will visible on a main street
- Need to wait until the Tahoe Area Plan is approved
- Do need more capacity and need the tower

**Reviewing Agencies**

The following agencies/individuals received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
  - Planning and Building Division
  - Engineering and Capital Projects Division
- Washoe County Health District
  - Environmental Health Services Division
- North Lake Tahoe Fire Protection District
- Incline Village General Improvement District (IVGID)

The following is a brief **summary** received of each agency's comments and/or recommended conditions of approval and their contact information. The Conditions of Approval document is attached to this staff report and will be included with the Action Order, if approved.

- Washoe County Planning and Building Division addressed site and screening, and FCC licensure/radio frequency emissions requirements.  
**Contact: Julee Olander, 775.328.3627, jolander@washoecounty.us**
- Washoe County Engineering and Capital Projects Division addressed construction improvement plans and grading.  
**Contact: Leo Vesely, 775.328.2040, lvesely@washoecounty.us**

### **Required Findings**

#### **Findings required by WCC Section 110.810.30 for a Special Use Permit:**

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;  
*Staff Comment: Staff has reviewed the Master Plan and the Tahoe Area Plan and has not identified any provisions that are offended by the project.*
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;  
*Staff Comment: There are adequate facilities and the proposed project is in compliance with Division Seven.*
3. Site Suitability. That the site is physically suitable a for a telecommunications facility (monopole) for the intensity of such a development;  
*Staff Comment: The parcel is vacant with numerous large trees on the property and site is physically suitable for a monopole. The surrounding properties are zoned Commercial (C) and there are commercial uses in the area.*
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.  
*Staff Comment: Based on the requirements of the FCC, the "Electromagnetic Frequency (RF) exposure level due to the proposed site is well below the maximum allowable by FCC Regulations. The site fully complies with FCC rules and regulations.*
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.  
*Staff Comment: There is no military installation nearby.*

#### **Findings required by Section 110.324.75, for a telecommunications facility:**

6. That the communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of Community Development and/or his/her authorized representative;  
*Staff Comment: Staff has reviewed all of the standards and conclude that the standards have been met.*
7. That public input was considered during the public hearing review process; and  
*Staff Comment: The public comment was heard at the CAB meeting and during the Board of Adjustment public hearing. Under federal law (47 U.S.C. 332 (c) (7) (B) (iv), if the*

*proposed telecommunications facility complies with FCC regulations, this Board cannot regulate its placement, construction, and modification based on the potential environmental effects of radio frequency emissions. Under state law (NRS 707.575 (4) the Board "shall not consider the environmental effects of radio frequency emissions" in rendering a decision of approving or denying this special use permit.*

8. That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.

*Staff Comment: Based on a review of the photographs and drawings in the Staff Report and Application, the proposed monopole will blend with existing natural, landscape of the subject parcel. Also, the applicant is installing native vegetation to further screen the wireless facility from surrounding parcels and roadways.*

### **Recommendation**

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number WSUP19-0001 is being recommended for approval with conditions. Staff offers the following motion for the Boards consideration.

### **Motion**

I move to adopt all of the eight findings listed in the staff report and based on those findings approve Special Use Permit Case Number WSUP19-0001 for Incline Partners, LLC, subject to the conditions contained in Exhibit A to the Staff Report. The Findings are adopted based on individual consideration of information contained in the Staff Report (including, but not limited to the staff comments regarding the findings) and all exhibits as well as testimony and exhibits presented at the public hearing. Counsel for the Board and the Board Secretary are hereby directed to prepare a written Action Order consistent with this motion.

### **Appeal Process**

Board of Adjustment action will be effective 10 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant.

Applicant:                    Incline Partners, LLC  
                                      PO Box 3740  
                                      Incline Village, NV 89450  
                                      email: Jpetersen@surewest.net

Owner:                        KBS Ltd.  
                                      PO Box3020  
                                      Incline Village, NV 89450



# Conditions of Approval

Special Use Permit Case Number WSUP19-0001

The project approved under Special Use Permit Case Number WSUP19-0001 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on April 4, 2019. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.

**Unless otherwise specified**, all conditions related to the approval of this special use permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division of the Washoe County Community Services Department.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions."

These conditions must be continually complied with for the life of the project or business.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

**Washoe County Planning and Building Division**

1. The following conditions are requirements of the Planning and Building Division of the Washoe County Community Services Department, which shall be responsible for determining compliance with these conditions.

**Contact Name –Julee Olander, 775.328-3627, jolander@washoecounty.us**

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Building Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County and the Tahoe Regional Planning Agency. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Building Division.
- c. The applicant shall attach a copy of the Action Order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- e. Prior to the issuance of a building permit, the applicant shall provide a certification by a professional that the facility complies with Federal Communications Commission (FCC) regulations for Radio Frequency Emissions (RFE).
- f. Prior to the issuance of a building permit the applicant shall record a statement of assurance that the wireless communications facility shall be removed if the use of the facility is discontinued for a period of twelve (12) consecutive months.
- g. The monopine pole tower shall not exceed 117 feet in maximum height, as approved under this special use permit WSUP19-0001.
- h. The applicant shall submit a landscaping design plan to the Planning and Building Division with the building permit using native vegetation to facilitate screening the wireless equipment from the public right-of-way.
- i. The telecommunications tower owner shall be responsible for maintenance of the tower structure, all branches, and related appurtenances and equipment for said site. If branches break, fade, or blow away, or are damaged in any other manner, whether due to natural, Act of God, or manmade causes, those said branches or other equipment shall be replaced within three (3) months per each occurrence.
- j. The monopine shall match the color of the surrounding evergreen trees and the wood-colored synthetic slats shall match the foliage and be non-reflective.
- k. The following **Operational Conditions** shall be required for the life of the project:

Washoe County Conditions of Approval

- i. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
- ii. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Building Division.
- iii. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Building Division staff to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

**Washoe County Building**

2. The following condition is a requirement of Washoe County Planning and Building Division, which shall be responsible for determining compliance with this condition.

**Contact Name –Leo Vesely, 775.328.2313, Ivesely@washoecounty.us**

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the recorded easements shall be submitted to the Engineering Division prior to issuance of a building permit.
- c. All existing and proposed easements shall be shown on the site and/or grading plan.
- d. An occupancy permit, for work within the County right-of-way, shall be obtained prior to approval of a building permit.
- e. Due to IVGID Water and Sewer Utilities located within the property, the owner must contact IVGID prior to submitting for a Washoe County Building Permit.
- f. The owner shall be responsible for scheduling a field meeting with IVGID to determine an approved location for the proposed tower.

\*\*\* End of Conditions \*\*\*





# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Engineering and Capital Projects

Attachment B  
Page 22  
1001 EAST 9<sup>TH</sup> STREET  
RENO, NEVADA 89512  
PHONE (775) 328-3600  
FAX (775) 328.3699

Date: March 4, 2019  
To: Julee Olander, Planner, Planning and Building Division  
From: Leo Vesely, P.E., Engineering and Capital Projects Division  
Re: Special Use Permit for Incline Village Monopole - WSUP19-0001  
APN 132-221-11

#### GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff has reviewed the above referenced application. The SUP is for the construction of a 112 foot communications monopole. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the application prepared by Incline Partners, LLC. The County Engineer shall determine compliance with all the following conditions of approval.

For questions related to sections below, please see the contact name provided.

#### GENERAL CONDITIONS

Contact Information: Leo Vesely, P.E. (775) 328-2041

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
2. The applicant shall provide permanent easements for the lease area, access and utilities. A copy of the recorded easements shall be submitted to the Engineering Division prior to issuance of a building permit.
3. All existing and proposed easements shall be shown on the site and/or grading plan.
4. An occupancy permit, for work within the County right-of-way, shall be obtained prior to approval of a building permit.



INTEGRITY



EFFECTIVE  
COMMUNICATION



QUALITY  
PUBLIC SERVICE

Subject: Incline Village Monopole - WSUP19-0001  
Date: March 4, 2019  
Page: 2

**DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)**

Contact Information: Walter West, P.E. (775) 328-2310

There are no drainage related comments.

**TRAFFIC AND ROADWAY (COUNTY CODE 110.436)**

Contact Information: Mitchell Fink (775) 328-2050

There are no traffic related comments.

**UTILITIES (County Code 422 & Sewer Ordinance)**

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no utility related conditions of approval



Development Review Status Sheet

Date: 2-22-19

Attention: Julee Olander, Planner

RE: Special Use Permit Case Number WSUP19-0001  
APN: 132-221-11  
Service Address: Incline Way and Village Blvd west side of Village  
Incline Village NV 89451  
Owner: KBS LTD

**Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole)** – For possible action, hearing, and discussion to approve a special use permit for the construction of a new wireless cellular facility consisting of a 112-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility. The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd.

- Applicant: Incline Partners, LLC
- Property Owner: KBS Ltd.
- Location: Approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
- Assessor's Parcel Number: 132-221-11
- Parcel Size: 8,078 square feet
- Master Plan Category: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 324 Communication Facilities; and Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3627

Comments: **No Impact to the Incline Village General Improvement District.**

Completed by: Tim Buxton, Chief Inspector  
Phone: (775) 832-1246 Fax: (775) 832-1260

Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.

**Note: Send information to the case planner as prescribed on the memo from Dawn or the Washoe County Development. TLB**

**From:** [Holly, Dan](#)  
**To:** [Olander, Julie](#)  
**Subject:** Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole)  
**Date:** Friday, February 22, 2019 11:36:07 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

---

Julie: I have reviewed the above referenced application on behalf of building and have no concerns. However, a building permit and inspections are required once the special use permit has been approved. Thank You,



**Dan Holly**  
**Plans Examiner Supervisor, Planning and Building Division | Community Services Department**

[dholly@washoecounty.us](mailto:dholly@washoecounty.us) | Office: (775) 328-2027  
1001 E. Ninth St., Bldg. A, Reno, NV 89512



# Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Incline Village / Crystal Bay

Meeting Date (if applicable): March 4, 2019

Topic or Project Name (include Case No. if applicable): Special Use Permit  
Incline Village Monopole

Please check the appropriate box:

My comments  were (or)  were not discussed during the meeting.

Identified issues and concerns:

The mmost important concern I have are the Health concern the Monopole Poses.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested alternatives and/or recommendations:

There needs to be a Study to make sure there are no Health Risks involved.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name Pete Todoroff Date: 02/22/2019

(Please Print)

Signature: *Pete Todoroff*

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

Commissioner's Name: Marsha Berkgigler

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office  
Attention: CAB Program Coordinator  
Post Office Box 11130, Reno, NV 89520-0027  
Fax: 775.328.2491  
Email: [stone@washoecounty.us](mailto:stone@washoecounty.us)

**Olander, Julee**

---

**From:** Bruce Powell <bruce@calou.com>  
**Sent:** Friday, March 15, 2019 10:17 AM  
**To:** Olander, Julee  
**Subject:** IV cell phone tower project

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency (“TRPA”) and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Bruce Powell  
565 Valley Dr  
Incline Village NV 89451

Sent from my iPhone

RECEIVED  
OCT 02 2018  
TAHOE REGIONAL  
PLANNING AGENCY

September 26, 2018

TRPA  
P. O. Box 5310  
Stateline, NV 89449-5310

To Whom it May Concern:

I strongly agree with installing a cell tower adjacent to 231 Village Boulevard in Incline Village. I assume this tower will be available for Verizon to use to improve reception to its users in the area. Sometimes when I try to call from my unit at 875 Southwood--L'Ermitage #4--I don't have coverage or very poor coverage and have to walk a few blocks just to get a couple of bars. This is a matter of safety since I live by myself and have had trouble trying to call my children or call the doctor's office. So far, I have been able to walk to Village Blvd. to make a call but this is not acceptable. The problem seems to be getting worse.

Please grant permission for this tower. I am happy to discuss if you want to call me--hopefully I'll be somewhere with good reception.

Sincerely,



Ellen Whitesell  
650-862-4498

RECEIVED

SEP 26 2018

TAHOE REGIONAL  
PLANNING AGENCY

September 21, 2018

TRPA

Attn: Bridget Cornell, Associate Planner, Current Planning Division  
PO Box 5310, Stateline, NV 89449

Ms. Cornell

For 20 years I and other residents at Incline Village have been plagued with miserable cell coverage here at home. Just recently I have made almost monthly visits to the Verizon Store to have them tweak the internal settings on our phones so that we can have, at best, mediocre use of our cell phones. This new cell tower will be 117 feet tall (I am excited about that cell coverage radius), but will have the appearance of a large pine tree which sits among other tall pine trees. There are several of these type cell towers along Interstate 80 already, and without having them pointed out, they are hardly noticeable. Even if this tower turned out to be a steel frame tower I would still not complain, because at last I would have usable cell phone coverage.

I will also point out that this tower will be less than a block from my residence. I see that as a plus as my cell phones will now have an almost uninterrupted line of sight to a cell tower.

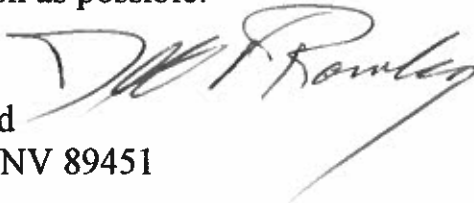
I urge you to do everything possible to see to it that this application will be approved, as soon as possible.

Thank you,

Dell Rowley

198 Village Blvd

Incline Village, NV 89451





To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

And:

Bridget K. Cornell  
Current Planning  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
Email: bcornell@trpa.org

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency (“TRPA”) and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County

and TRPA.

Very truly yours,

Steven P Fehr  
Name

875 Southwood Blvd. Unit 15  
Address

Incline Village NV 89451  
Address

\_\_\_\_\_  
Signature

3/11/2019  
Date

March 16, 2019

Julee Olander  
Planner | Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

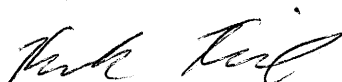
To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

As a full time resident of Incline, I fully support the construction of a new tower in the proposed location. Though I live in the heart of Incline, my cell reception is inadequate and I believe that Incline Village deserves cell coverage commensurate with other towns in the Reno/Tahoe area. The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Cellular service has become critical infrastructure to our society. Accordingly I support the approval of this facility by Washoe County and TRPA so that residents and businesses can have better wireless service.

Sincerely yours,



Kirk Keil  
PO Box 4086  
Incline Village, NV 9450



## **Incline Village Crystal Bay Citizens 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 Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on March 4, 2019, 5:30 P.M.

**1. \*CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Pete Todoroff called the meeting to order at 5:30 P.M.

**2. \*ROLL CALL/DETERMINATION OF A QUORUM** - Pete Todoroff, Tom Cardinale, Gerry Eick, Gene Brockman, Kevin Lyons, Mike Sullivan, Judy Miller (arrived at 5:33). A quorum was determined.

### **3. \*PUBLIC COMMENT –**

Steve Dolan said he is here to discuss the second home rental topic. We are getting surrounded by changes that impact our town. Years ago, we were impacted by highway patrol monitoring roadside parking. Sand Harbor has a ton of potential parking; they could use State Land. Mr. Ellison has been authorized to expand CalNeva by 400 cubic feet. The meeting was held in Carson City where Commissioner Berkgigler was second in command. They authorized it with a bank of lawyers. It will be bring thousands of people when it opens and will impact the short term rentals. South Lake Tahoe has made short term rental illegal. The County has a conflict with offering short term because they collect a tax. The Commissioner wants to convert property into a parking lot. Keep an eye on it; we are being impacted from all sides.

Rhonda Tyser said she doesn't want short term rentals. We are tight-knit neighbors. We don't want a constant parade of strangers which makes us feel less safe. We don't want more traffic; we like our quality of life. We pay huge property taxes for the privilege to live in Incline Village. Long term rentals allow us to get to know them.

Sara Schmitz spoke about information she shared with Commissioner Berkgigler. Our community is unique. She said she reached out to Jackson Wyoming. They are isolated, but depend on fulltime residents. They changed zoning to allow short term rentals in commercially zoned areas. Here in Incline, you cannot run a business out of your home. Why are we permitting short term rentals which are businesses. She said she has provided language to Commissioner Berkgigler of the language they use.

Rich Thompson, Washoe County Roads, said they are trying to keep the roads open. He spoke about priority streets including the roads to the schools. Loaders go slow through the snow, just as cars do. We are part of the community; we are doing the best we can. Please ask people to move their cars during snow. Roads are 15 feet wide. During garbage days, keep the cans behind the snow poles.

Grant Meyer said he has been fulltime resident for 26 years. He said he is an owner 3 single family homes, but doesn't rent them out short term. We have personal property rights. He said he owns 3 private businesses. He said he is concerned with the County restricting personal property rights. We are concerned of the impact on small businesses.

Jack Dalton said spoke about snow removal on his cul-de-sac. He said his neighbor complained to Washoe County. He said he didn't want to use 311. He said the information on the website was old. After 2008 meltdown, the County cut the amount of people doing snow removal. He thought the snow removal years ago were satisfactory. He said he understands the storms and road closures.

**4. APPROVAL OF AGENDA FOR THE MEETING OF MARCH 4, 2018** – Kevin Lyons moved to approve the agenda. Judy Miller seconded the motion to approve the agenda for **NOVEMBER 5, 2018**. Motion carried unanimously.

**5. APPROVAL OF THE MINUTES FOR THE MEETING OF NOVEMBER 5, 2018** – Gerry Eick moved to approve the minutes of **NOVEMBER 5, 2018**. Tom Cardinale seconded the motion to approve the minutes. Motion carried unanimously.

**6.A. Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole)** - Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a special use permit for the construction of a new wireless cellular facility consisting of a 112-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility. The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd. (for Possible Action)

- **Applicant/Property Owner:** Incline Partners, LLC/KBS Ltd.
- **Location:** Approx. 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
- **Assessor's Parcel Number:** 132-221-11
- **Staff:** Julee Olander, Planner; 775-328-3627; [jolander@washoecounty.us](mailto:jolander@washoecounty.us)
- **Reviewing Body:** Tentatively scheduled for the Board of Adjustment on April 4, 2019

John Petersen, presenter, provided an overview. Mike Flynn, partner, not present at this meeting. Mr. Flynn has lived her for 20 years.

Mr. Petersen said there will 45 feet of bark up to where the limbs start. He said this is a culmination of 3 years working on this project. He said the General Commercial zoning area isn't that large. He said they spoke to 15 land owners to seek alternative sites. He said he produced an alternatives candidate list for potential locations. He said they filed in April 2018 with TRPA; file was completed in December, and began to working with the County. He said they have worked 9-months on design to make sure there was no visual impacts by adding more branches to look more natural. A wood-like fence slate is proposed to blend with existing area. TRPA doesn't want landscaping done. Hamet and Edison Engineering reviewed the exposure. The maximum exposure is 6% of allowable per FCC. A back-up generator will run during power outage; its within the Washoe County noise ordinances. There is poor coverage in this area. Alternative locations include the golf course, Hyatt, and Diamond Peak, but don't cover down to the water. This location will cover down to the water and up highway 28. Carriers want broadband coverage, but the current service isn't covering. It won't be visible from highway 28 or Tahoe Blvd.

Gene Brockman asked about the technology of the monopole. Mr. Petersen said 4G LGT. As time progresses, it will probably be new technologies, and will put up what is lawfully permitted. Mr. Brockman said the concern is radio radiation with radio frequency hazards. Mr. Petersen said the study shows maximum exposures and it was analyzed. It 6% of what the FCC exposure limit allows.

Mike Sullivan asked about the other current towers. Mr. Petersen said those are within the FCC. It's different for institutional workers and the public and the study covers that.

Pete Todoroff asked the proximity to the dentist office. Mr. Petersen referenced the study. He said its 45 feet to the property line, and across the parking lot. He said approximately 65-70 feet.

Gerry Eick thanked Mr. Petersen for the packet of information. He said the coverage map of the western half of the community wasn't being covered. It's implied there was no coverage. Mr. Petersen said it was intended to show poor coverage, not none. Gerry Eick asked about the photo simulation to scale. Mr. Petersen said they hire professionals to create these photo simulations to scale.

Kevin Lyons asked about the alternatives and coverage. Mr. Petersen said we want to cover more to the west, so the further west, the better. There weren't owners that would lease or the coverage wasn't ideal. There was a search ring, this is further east than we would like. He said carriers are interested with lease draft. He said once we get permitted, we will finish the leases with all four carriers.

Tom Cardinale asked why would put a tower in our town for people to the west. Mr. Petersen said it will cover to the edge of Crystal Bay. He said there is poor cover down by the water. Not everyone is one is covered by the Hyatt tower. This tower will have a larger footprint.

Judy Miller asked if he has been part of something like this before. Mr. Petersen said Incline Partners has done several towers in the area and southern California for 20 years. Tom Cardinale asked if he did the one on 267. Mr. Petersen said no.

Judy Miller said she researched the health risk. She read about amateur radio towers. She said she was a licensed technician of amateur radios. It could be a health risk. Mr. Petersen said he isn't familiar with HAMM radios. Judy Miller said there are different frequencies depending on your license. Mr. Petersen said there is risk of holding a cell phone near your head all day compared to this tower.

Mike Sullivan asked why don't we put the tower in the Boulder Bay Project where you need it. You will probably need more area coverage. If we supply west with power, put the pole on the west. Mr. Petersen said we are trying to cover the western side of Incline Village. The carriers wanted this area.

Mr. Petersen said he has two letters of support.

Public Comment:

Carol Black submitted a picture of a monopine that was 80 feet tall installed by the Galena Fire Station, which is being proposed being installed of our small town. She said she is new to the area. This is 1.5 times taller than the adjacent pine tree. The proposal doesn't meet the zoning requirements which require a special permit. It's a commercial development that has barely met the setbacks. It's a small land area in the middle of town with lots of traffic going by it. She spoke about health concerns. The regulations are old with risk and concerns that come out monthly. There are safety concerns with traffic and people walking by. These towers can fall over, start fires, and dangerous. The noise hasn't been addressed.

Richard Miner said you will find many studies about radiation health issues. He said he lives on the west side and has no cell phone issue. He asked the other locations – golf course, Hyatt, Diamond Peak. He said he saw a map about 12 other alternative locations for the tower. It's a no brainer if you can put a cell tower at Diamond Peak, and it can cover everything. There has to be better locations other than the heart of our town. He said the stealth monopine structure looks like a cell phone tower trying to be disguised as a monopine. Put it at Diamond Peak or lookout tower in Crystal Bay. Put it in the County maintenance yard which is by the west side. It can only go in commercial zoned area, but were the other alternative locations not commercially zoned. It's a big mistake to put it where it's proposed for visual and health risks.

John Eppolito said he has lived her for 20 years. He spoke about the cell tower and radio frequency exposure. Cell phone companies lobby congress to get exposures limits increased. If without lobbying, this exposure

wouldn't be allowed. He said they are attempting to prevent lawsuits on exposures. He said it's similar to lung exposure to cigarettes. The partner said the Hyatt was going to get rid of the tower. He wants to know why they are getting rid of the tower. He said we stopped the tower proposed at the high school. We have kids within ¼ mile of that tower for 3 years. He said he asked TRPA to notify the neighbors and all the kids at the middle school. TRPA said they don't have time to notify. It's going too fast. He said he is against it.

Beth Davidson said she lives in McCloud; she said she was notified by Steve Price, homeowner's association president. She said she lives within ¼ mile of this proposed tower. She said we live on an incline, so she isn't aware of the radiation impact. Perhaps it impacts the high school. There are health concerns. There is a big difference between 4G and 5G. We don't fully understand the emerging technology. They are lobbied by corporate interest. She said she would like to see the County put a severe restriction on the tower or cancel if determined by future information that it's scientifically bad to long term affects. Its health issues to neighbors; there are many full-time residents that are affected. McCloud is between this tower and the Hyatt. She said not as much radiation as high power power-lines. It may impact property values.

Joe Schultz, fulltime resident, speaking against this proposal. It's wrong for so many reasons. Visually terribly; it will be higher than other trees. The fence will be unsightly. The main road down to the lake will be used by many people who will see this tower. He said he is within walking distance of the tower. It's a health and visual issue. The site is almost within the Neighborhood District and not commercial. The area near Preston field would be better. He said he wants better cover but not at this cost.

Alec Flores, 25 year resident, young associates oppose this tower. No matter what is said by the organization proposing the tower, they can't state how natural it looks, it's not natural. He asked if you can you put a city in the forest. One of the two needs to go away.

Phil Jordan, 25 year resident off of Randall. He said he got a cell phone in late 90s - had to step outside to use the phone. The cell tower at the golf course helped. He said it's a capacity issue. He said his dad worked for communications and were exposed to radiation. Each year engineers try to improve the radiation; they are exposed everyday to these towers. The cell towers have worked pretty well. Please give that consideration and time.

Larry Black said he has radio frequency engineering and physician. The health risk bottom line is we have no idea. The regs are based on how hot they make your body. He said he doesn't know the heath risks, but ample evidence that there are risks; it depends on frequency. It can screw up your ability to make blood. There was a weapon developed with radiation for crowd control.

Pricilla Layhee said she moved from here Jacksonville for nature and exploration. She didn't want to be stuck in a room with health impacts. She said this cell tower is coming for us. She doesn't want the poor quality of life like she had in Jacksonville.

Sara Schmitz asked if anyone done a capacity study. We do have capacity issues in the summer. She asked have you conducted survey of capacity issues, expanding current towers, or something to be done to solve current capacity issue.

Steve Dolan said he worked with John Eppolito during the cell tower proposal at the high school. He said this is right in the heart of the community. He said he isn't up-to-date with his flip phone. He appreciated Mr. Black's statements about health impacts. Romans thought lead was the best thing, but it ruined their existence.

Margaret Martini said she also worked with John and Steve during cell tower review. The conclusion was a lot written against the cell towers because of health issues in the States and overseas. Looking at the pros are lining someone's pocket and better cell service for 4<sup>th</sup> of July weekend. We need to see what is at stake. The negative outweighs the positive. We were thankful to abolish the tower at our high school that would have impacted all of our schools. Consideration must be made for information available in favor or against.

Jack Dalton, Radiation Oncologist, ask are the Incline Partners. We have two people here. No one is defending the cell tower, maybe one person. We have 25 people here who don't want it. The board needs to consider one person.

Jill Minkle said there are numerous people in support on the Incline Village Facebook page. She said her husband did placement of cell towers who is in full support of this.

Wayne Ford said the timing is interesting. The next item on the agenda is Community Update by the County Planner. He said he suggested anything being proposed needs to go through community plan with uses. The future uses of residential and commercial in that area may be become multiple uses. In terms of a tower, there may be better and higher uses for that spot. It's right in the middle of the town. Put it on hold on this until the community plan is adopted. He said he isn't sure where it falls into the uses. It needs to be looked at.

Gene Brockman asked a question for Mr. Petersen about the picture of the monopine with antenna that was presented by a public member. He asked if that is being proposed. Mr. Petersen said we have more branches to hide the antennas for 4 carriers. Gene Brockman said he hopes everyone heard what Dr. Black said; we have radio frequencies all around us, some harmful and some not. It depends on radio frequency of wave length that destroys DNA in our cells. He said he doesn't know the levels of projected antenna; is it in the dangerous range. There is a lot of emotion involved but not sure on the facts. He supported what Wayne Ford said about the area plan update. We've waited 14 years. That plan will affect the zoning and land use allowed. Issues that relate to land use might benefit from waiting until that plan is approved.

Pete Todoroff said this tower being within 65 feet of doctor's office is not a good idea. He said they need to look to incorporate this at the CalNeva instead of this central location by the dental office. He said he hosts the community forum, and a woman said she was 50 feet from the cell tower. Contact Ellison about locating the cell tower at the CalNeva. Mr. Petersen said the CalNeva won't meet objectives.

Gerry Eick said ATT came, executed permits and looked to located it in the Washoe County Roads Yard. He asked if it's not a viable location. Mr. Petersen said he didn't know if that was a viable location or not, but ATT wants to be on this tower. Gerry Eick asked about re-licensing these locations if FCC had new findings. Mr. Petersen if new studies indicated they weren't in compliance, he said he would imagine they wouldn't be allowed. Gerry Eick said he is aware of surveys that have been done for capacity, including inside buildings with limitations. He understands issue of capacity; holiday weekends and credit card machines are overloaded. Everyone shares the same last mile of the wire; how will this change if they share the same trunk line. Mr. Petersen said it goes through the air.

Kevin Lyons asked about fiber and capacity. Mr. Petersen said he doesn't know. Kevin said he went to school with Bill Nay, the science guy. He spoke about UV, gamma, ionizing radiation impacts. He spoke about visual light. He said everyone has a cell phone in this room. There are concerns. FCC limit is the amount of energy to heat your skin. Kevin Lyons said Mr. Black said non-ionizing frequency changes the DNA expression and ability for DNA to express the plan, protein. Based on the dosage, it can be harmful. Further you go away from the tower, the impact goes down exponentially by a ¼. 65 feet is far. Using your phone on speaker phone is better than using it by your head.



Tom Cardinale said he hears the opposition and a few that support it. We covered the health concerns. He said he has a problem with esthetics. TRPA handed it off to Washoe County. TRPA had issues with our kayak racks. This is the center of town. We are going to see this monopine. He said you can see the top of the Hyatt when out on a sailboat. He said he isn't against the tower in a different location such as County property. Esthetics is a concern. He is sympathetic; we are the one's this tower is for. We should table this. He asked why is TRPA putting it on us.

Mike Sullivan said we have all lived here. He said what about two sites on both ends of town; get them out of the center of town. Perhaps only go 75 feet with only two carriers. If Hyatt loses their tower, take it down and set up one there. Also, put one in the maintenance area or further west. Mr. Petersen that will push it out to neighborhood zoning where they are restricted to 40 feet. Mike Sullivan asked about the lookout tower. Mr. Petersen spoke about the tower being surrounded by trees. Mike Sullivan said we should wait until the area plan is done.

Kevin Lyons said, in regards to the height, you have to be above the trees. He asked about other alternatives. Mr. Petersen said they looked at 13 other location per Washoe County code.

Gerry Eick said we need to remind ourselves that we are advisory. We have done our job by getting community feedback. We have diversity and opinions; there are opportunities to present the different perspectives. He said the County has rules, like them or not, is there reasonable to this. The rules allow a tower of 112 feet. We have been asked about the variance of 5 feet. The construction is to provide a stealth tower. The rules may change, but our point of reference is County requirements and FCC requirements. They have addressed this in the packet for what and where they are requesting. He said he understands what has been stated. For the record, our community knows we need capacity; he hasn't heard anyone say we don't want cell phones. The variance is over the height; there is reason to consider the extra 5 feet. This is coming from the agency who is concerned with visual corridors. He said he hopes the other agencies verified this tower with specifics if they were to grant this variance. Kevin Lyons thanked Gerry Eick.

Julee Olander said it's a Special Use Permit (SUP), not a variance. Code requires SUP for this type of tower. She has showed the needs for coverage. You are deciding on Special Use Permit and the significant gap. The SUP is for 112 feet and minor deviation of 5 feet because TRPA requested that. There are two separate things. Julee Olander said SUP looks at the coverage gap and need for coverage.

Gene Brockman asked Julee Olander about height. Julee said the tower can be 112 feet. It's a commercial zoning location so the height maximum is 80 feet; however, he gets another 10 feet for the significant gap. On top of that, he gets another percentage that adds up to a total of 112 ft. TRPA is asking for 5 feet. He could get another 11 feet because 10% is deviation by code so total of 121 ft could be requested.

**MOTION: Gerry Eick said due to diversity of everyone, he moved to forward individual comments to the County. Judy Miller seconded that motion to forward individual comments. Kevin Lyons agreed and added to forward public comment and letters. The motion passed unanimously.**

The board took a recess.

**8. \*WASHOE COUNTY COMMISSIONER UPDATE-** Washoe County Commissioner, Marsha Berkbigler was not in attendance. She can be reached at (775) 328-2005 or via email at [mberkbigler@washoecounty.us](mailto:mberkbigler@washoecounty.us).

**9. \*CHAIRMAN/BOARD MEMBER ITEMS-** This item is limited to announcements by CAB members. (This item is for information only and no action will be taken by the CAB).

Gene Brockman asked about parking as a whole. Gerry Eick said the Assistant County Manger has been assigned to review the parking and matters of enforcement. There is a new sheriff in town; you will see something happen.

**10. \* GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF** – 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.

There were no request for public comment.

**ADJOURNMENT** – meeting adjourned at 8:25 p.m.

Number of CAB members present: 6

Number of Public Present: 40

Presence of Elected Officials: 0

Number of staff present: 2

Submitted By: Misty Moga

Incline Partners LLC  
Proposed Incline Village New Monopine  
Alternative Sites Analysis and Map

1) Ms. Beatriz L. Lhuillier  
54 Almendral Ave.  
Atherton, CA 94027

879 Tanager St., Incline Village, NV

Reason Candidate Dropped: Owner has development plans for property

2) Serrett 2003 Family Trust  
6350 Meadowridge Drive  
Reno, NV 89519  
Attn: Theresa Serrett

APN 132-020-10 and 15 located near the corner of Village Boulevard and Tahoe Boulevard having seen it on Loopnet recently for sale.

Reason Candidate Dropped: Property in process of being sold. Adjacent to Hwy 28.

3) U.S. Bank Property  
923 Tahoe Boulevard, Incline Village, NV 89451

Reason Candidate Dropped: No interior equipment space available. Adjacent to Hwy 28.

4) Clearview Properties, LLC, a Nevada limited liability company  
230 Village Boulevard, Suite B, Incline Village, NV 89451 (Assessor's Parcel Number 132-232-14)

Interior and Exterior Space

Reason Candidate Dropped: Owner not interested in changing tenants. Property fully leased.

5) North Lake Tahoe Fire Protection District

875 Tanager Street. Main fire department complex Incline Village

Reason Candidate Dropped: No space available.

6) Skanson Family Trust  
898 Tanager Street, Incline Village, NV 89451

Reason Candidate Dropped: Owner not interested in leasing.

7) Plastiras Family Living Trust

853 Oriole Way, Incline Village, Nevada, 89451 (Assessor's Parcel Number 132-211-03)

Reason Candidate Dropped: Owner has development plans for property.

8) Allan & Mary Lou Rosenkranz

876 Oriole Way

Reason Candidate Dropped: Property fully leased as auto repair.

9) Zerang LLC

900 Incline Way

Reason Candidate Dropped: Property recently sold from US Government to private party with development plans for parcel

10) Nevada New-Tech Inc.

895 Incline Way & 249 Village Blvd.

Reason Candidates Dropped: Owner not interesting in leasing. Have future plans for properties.

11) Incline Tahoe Glass Co. Inc.

250 Village Blvd.

Reason Candidate Dropped: Owner not interested in leasing. Possible future sale plans.

12) Gately Enterprises USA LLC

317 Village Blvd.

Reason Candidate Dropped: Recently purchased property with plans to renovate for corporate use.

13) Davis A. M. Mercantile Co.

893 Tahoe Blvd.

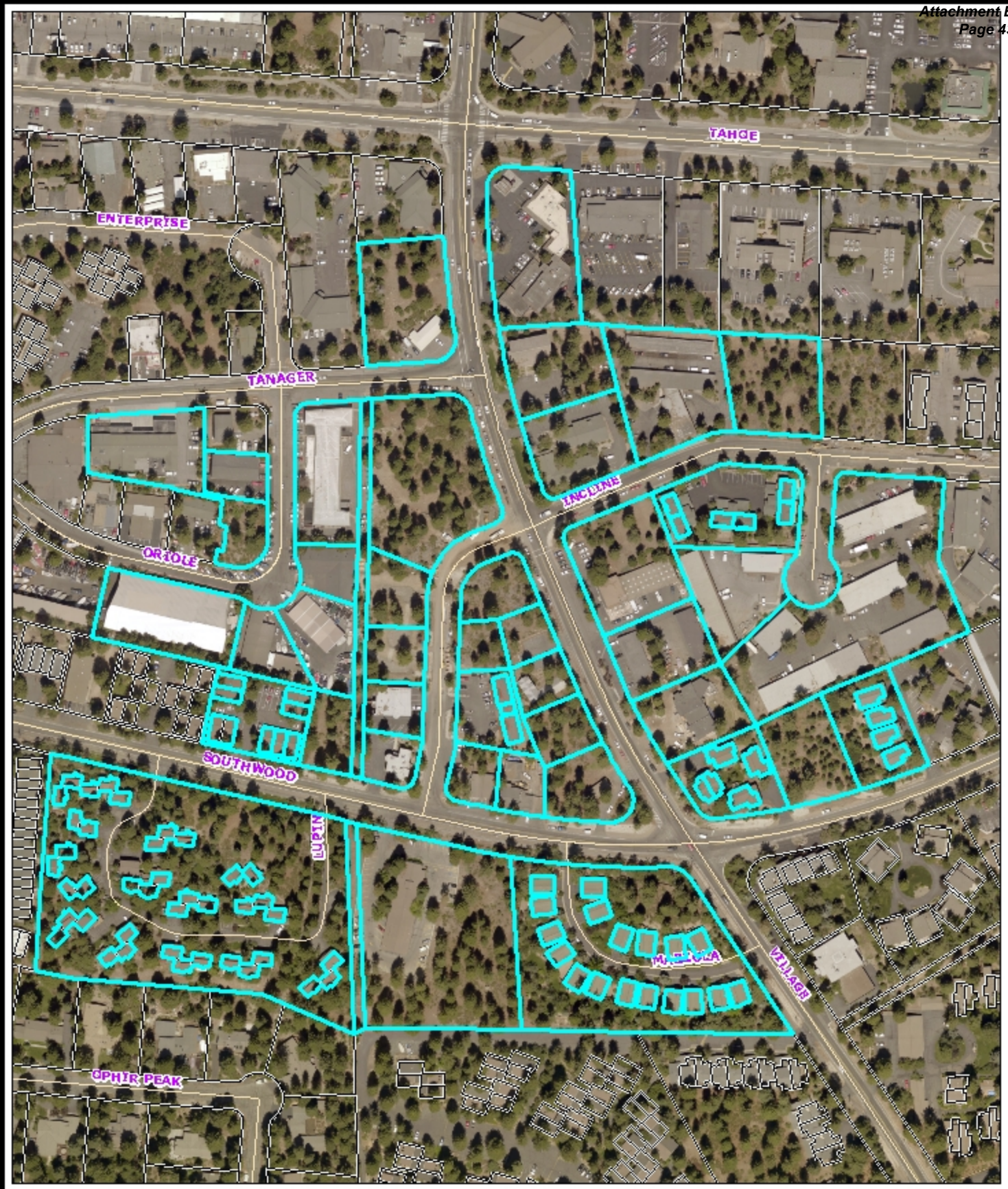
Reason Candidate Dropped: Property fully leased. Owner not interested. Adjacent to Hwy 28.



Map data ©2019 Google 200 ft

# INCLINE PARTNERS ALTERNATIVE CANDIDATES

- 🕒 School of Social Work Building 1350 University Avenue,...
- 🕒 Ingraham Hall 1155 Observatory Drive, Madison, WI



**WSUP19-0001 (Incline Village Monopole)**  
 Notice 79 property owners within 500 feet of site



Community Services  
 Department

**WASHOE COUNTY  
 NEVADA**

1001 E. Winn St.  
 Reno, Nevada 89502

Source: Planning and Building Division

April 2019

# Community Services Department

## Planning and Building

### SPECIAL USE PERMIT

(see page 7)

### SPECIAL USE PERMIT FOR GRADING

(see page 9)

### SPECIAL USE PERMIT FOR STABLES

(see page 12)

## APPLICATION



Community Services Department  
Planning and Building  
1001 E. Ninth St., Bldg. A  
Reno, NV 89512-2845

Telephone: 775.328.6100

## Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

<b>Project Information</b>		Staff Assigned Case No.: _____	
Project Name: <span style="font-size: 1.2em; font-weight: bold;">Incline Village Monopine</span>			
Project Description: One hundred twelve (112) foot communications monopole "treepole" designed as a collocation facility			
Project Address: APN 132-221-11. Vacant parcel due north of 231 Village Boulevard, Incline Village, NV			
Project Area (acres or square feet): 2133 square feet			
Project Location (with point of reference to major cross streets <b>AND</b> area locator):			
<span style="font-size: 1.2em; font-weight: bold;">Village Drive between Incline Way and Southwood</span>			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
132-221-11			
Indicate any previous Washoe County approvals associated with this application:			
Case No.(s).			
<b>Applicant Information (attach additional sheets if necessary)</b>			
<b>Property Owner:</b>		<b>Professional Consultant:</b>	
Name: KBS Ltd.		Name:	
Address: PO Box 3020		Address:	
Incline Village, NV		Zip:	
Zip: 89450			Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person: William Cherry		Contact Person:	
<b>Applicant/Developer:</b>		<b>Other Persons to be Contacted:</b>	
Name: Incline Partners, LLC		Name:	
Address: PO Box 3740		Address:	
Incline Village, NV		Zip:	
Zip: 89450			Zip:
Phone: 9168013003	Fax:	Phone:	Fax:
Email: Jpetersen@surewest.net		Email:	
Cell: 9168013003	Other:	Cell:	Other:
Contact Person: John Petersen		Contact Person:	
<b>For Office Use Only</b>			
Date Received:		Planning Area:	
Initial:		Master Plan Designation(s):	
County Commission District:		Regulatory Zoning(s):	
CAB(s):			



### Property Owner Affidavit

**Applicant Name:** Incline Partners LLC

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA )  
COUNTY OF WASHOE )

I, William S. Cherry  
(please print name)

being duly sworn, depose and say that I am the owner\* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

**(A separate Affidavit must be provided by each property owner named in the title report.)**

Assessor Parcel Number(s): 132-221-11

Printed Name William S. Cherry

Signed [Signature]

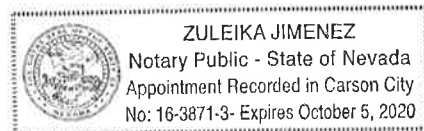
Address Po Box 3020  
Incline Village NV 89450

Subscribed and sworn to before me this 1<sup>th</sup> day of February, 2019.

(Notary Stamp)

[Signature]  
Notary Public in and for said county and state

My commission expires: 10/05/2020



\*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

**Secretary Certificate**

The undersigned certifies that he is the Secretary of KBS, Ltd., a Nevada corporation ("Corporation"). The undersigned hereby also certifies that the undersigned is the current President, Secretary and Treasurer of the Corporation and that he is authorized to execute any and all documents on behalf of the Corporation.

IN WITNESS WHEREOF, the undersigned has executed this Secretary Certificate as of the 1<sup>st</sup> day of February, 2019.

  
\_\_\_\_\_  
William S. Cherry

**ALL PURPOSE ACKNOWLEDGEMENT**

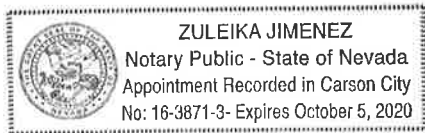
State of Nevada

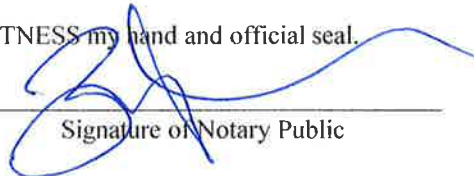
County of Washoe

On February 11<sup>th</sup>, 2019 before me, Zuleika Jimenez, Notary Public  
Date Name & Title of Officer (e.g. "Jane Doe, Notary Public")

personally appeared William S. Cherry  
Name(s) of Signer(s)

personally known to me -OR-  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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.  
  
\_\_\_\_\_  
Signature of Notary Public

Letter of Authorization

The below named representative, and its successors and assigns, are hereby appointed with the authority to act with all rights of the landowner, without further approval or consent of the landowner, in filing, obtaining and maintaining any and all required permits or other governmental authorizations necessary or appropriate for use of the leased premises located at the property listed below, in accordance with the terms and conditions of and as conveyed or transferred in the Communication Site Lease Agreement between KBS Ltd., a Nevada corporation and Incline Partners, L.L.C., a Nevada limited liability company dated October 20, 2017. The authority set forth in this Letter of Authorization shall expire only upon the expiration or earlier termination of the agreement listed above, and shall bind any future purchaser or transferee of the property listed below, without further approval or consent of the current or any future landowner of the property.

Property: COMMERCIAL SUB 1 LT 6 BLK B

Assessor's Parcel Number: 132-221-11

Authorized Representative:

Incline Partners, L.L.C., a Nevada limited liability company

Authorized By: KBS Ltd., a Nevada corporation

By: [Signature]  
William S. Cherry, President and Secretary

Date: 12-15-18

ALL PURPOSE ACKNOWLEDGEMENT

State of Nevada

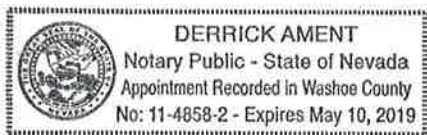
County of Washoe

On 12/15/18 before me, Derrick Ament, Notary Public  
Date Name & Title of Officer (e.g. "Jane Doe, Notary Public")

personally appeared William S. Cherry  
Name(s) of Signer(s)

personally known to me -OR-

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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  
[Signature]  
Signature of Notary Public

**Special Use Permit Application  
Supplemental Information**  
(All required information may be separately attached)

1. What is the project being requested?

Attached

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

See Attached Drawings

3. What is the intended phasing schedule for the construction and completion of the project?

Construction start in Spring 2019 and will be completed within 2 to 3 months.

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

Attached

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

Attached

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

Attached

7. Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

Attached

8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

9. Utilities:

a. Sewer Service	n/a
b. Electrical Service	yes
c. Telephone Service	yes
d. LPG or Natural Gas Service	yes for backup generator
e. Solid Waste Disposal Service	n/a
f. Cable Television Service	n/a
g. Water Service	n/a

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #	n/a	acre-feet per year	
i. Certificate #	n/a	acre-feet per year	
j. Surface Claim #	n/a	acre-feet per year	
k. Other #	n/a	acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

n/a
-----

10. Community Services (provided and nearest facility):

a. Fire Station	North Lake Tahoe Fire Protection Dist; Tanager betw. Enterprise and Oriole
b. Health Care Facility	IV Comm Hosp, Alder Avenue
c. Elementary School	Incline Elem School; corner of Northwood and Village Blvd.
d. Middle School	Incline Middle School; corner of Southwood Blvd and Incline Way
e. High School	Incline HS; Village Blvd
f. Parks	Incline Middle School on Southwood shares a park
g. Library	IV Library 845 Alder
h. Citifare Bus Stop	located on Hwy 28 a few blocks north of proposed site

**Incline Partners LLC**  
**Incline Village Communications Site**  
**Special Use Permit Application**  
**Supplemental Information**

**Section 1:**

Incline Partners, LLC (“Incline Partners”) seeks a Special Use Permit from Washoe County Planning to allow the construction of a communication facility on a 8078 square foot parcel of land within the Washoe County General Commercial (“GC”) zone within Incline Village, Nevada. The proposed facility would contain a multi-carrier one hundred twelve (112) foot communications monopole designed as a “stealth” tree pole, and as a collocation facility, engineered to hold up to four (4) carrier’s antenna arrays on one (1) new site. This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of Incline Village. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in Incline Village centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

As shown on the drawings included with this application, the facility will be located near the center of the subject property, approximately 30 feet west of the easterly parcel line bordering Village Drive.

Wireless Communication Facilities are addressed in Article 324 of the Washoe County Development Code. Section 110.324.50 governs the development standards and subsection (e)(1) governs “Monopole Antennas” and states that “Antennas shall be allowed with a special use permit in ...General Commercial.. zones. ... Antennas shall be limited to the building standard height for an allowed main structure plus up to ten (10) feet above that height.

Table 11.406.05.1 contains the Density/intensity Standards including allowed building heights and state that for the General Commercial zone the height is 80 feet. This would allow the height in the General Commercial zone of a Monopole Antenna to be 80 feet plus 10 feet, or a total of 90 feet.

Section 110.324.50 (e)(3) allows an additional 25 percent pole height if the monopole is a “stealth design” including a “tree or other proposed camouflaged design compatible with the surrounding area”.

125 percent of 90 feet brings the allowable height to 112.5 and accordingly the pole was originally designed to be 112 feet. The current height stands at 117 feet including the 112 foot monopole, plus additional branches extending the total height to 117 feet.

TRPA planners suggested the height increase in order to make the monopine more “tree-like” at the top.

In order to approve a height above 112 feet, we have been told by Washoe County Planning that a “minor deviation of standards” would allow a height increase up to 10 percent higher than the allowable height, which would justify a total height of 117 feet.

Just by way of comparison, the Verizon monopine located at the Incline Village Executive Golf Course is a total height of 126 feet.

The monopole proposed is described under Section 110.324.45(j) of the Code and requires that the applicant certify that there are no alternatives under categories (a), (b), and (c) of that section, which describes façade-mounted antennas, rooftop mounted antennas and collocations. Applicant certifies that none of these types of facilities are available anywhere in Incline Village which would cover the area proposed for wireless coverage by this proposal, particularly since TRPA regulations do not allow buildings in excess of 26 feet.

Section 110.324.50(e)(5) states that “To the extent possible, monopole mounted antennas shall be placed in a manner that either natural features, built features or a combination of both provide a complete background to the antenna and monopole as seen from the nearest roadway or occupied structure.”

Section 110.324.50(e)(7) states that “A monopole mounted antenna shall be of a color that blends with the background. Reflective materials are prohibited.”

Section 110.324.50(e)(8) states : “To the extent possible, a monopole shall be designed to replicate existing structures and natural features/vegetation in the immediate vicinity.”

The monopole has been designed as a “monopine” so that the natural forest will be the background, the color will be determined by TRPA to blend with the surrounding environment.

Section 110.324.50(e)(9) states: “Fencing shall be erected around the monopole. In lieu of fencing, the monopole shall be secured with a commercial anti-climb device. The installation of the anti-climb device or security fencing shall assure the facility is protected from climbing by unauthorized persons.”

The proposed fence around the tower compound will be six foot tall, cyclone fencing with barbed wire and wood-colored synthetic slats to match existing forest per recommendations from TRPA.

Section 110.324.50(h) states: Setbacks. All wireless communication facilities shall be erected in accordance with the setback requirements of the regulatory zone in which they are located (see Table 110.406.05.1, Standards). The setback standards for the GC zone

under Table 110.406.05.1 are 10 feet side, 10 feet front, and 10 feet rear and the tower compound was designed to accommodate these setbacks.

The new monopine will hold up to four (4) antenna mounts located at various heights between approximately 65 feet and 112 feet. Each antenna mount will allow for up to four (4) panel type antennas on each of three (3) separate sectors facing approximately 120° apart. Upon completion of leases with carriers, the actual mounting position and heights will be finalized and will be shown on building permit drawings. A 1610 square foot fenced area will be developed with up to four (4) equipment shelters or equipment cabinet configurations located on up to four (4) concrete pads or raised platforms, with service lights that are only used during routine maintenance or emergency situations.

Access to the project site will be from Village Drive utilizing a new access from Village Drive directly onto Parcel 11. There will be no other vehicular use of the access road. Per Fire Department requirements, there is no requirement for a turnaround for fire vehicles due to the proximity to Village Drive. The site will have a single UL2200 certified 48kw standby diesel generator and one UL142 certified 210 gallon diesel fuel tank located within the fenced compound.

Power and telephone to the facility will be dropped underground from the existing power pole located on Village Boulevard adjacent to Parcel 11 to the site.

#### **Section 4:**

The subject property is APN#: 132-221-11 and consists of 8078 square feet (0.185 acres) (hereinafter "Parcel 11"). The parcel is within the jurisdiction of the County of Washoe, Nevada and within the boundaries of the Tahoe Regional Planning Agency. The property is zoned general commercial under the Washoe County Zoning Ordinance. The property is also located within the Incline Village Commercial Community Plan Area.

The subject property currently has no electrical power, gas, telephone, cable television or sewer and no access to Village Drive other than through the adjacent Parcel 12.

Incline Partners has secured a long-term lease of the project premises from the current landowner, KBS Ltd., a Nevada corporation. KBS Ltd. also owns the adjacent property to the south, APN# 132-221-12 which presently contains a single structure built in 1966 currently operating as a dental office (hereinafter "Parcel 12"). Parcel 11 contains some asphalt parking spaces which are used by the dental tenant and its patients for parking during business hours. The remainder of Parcel 11 is vacant.

The immediately surrounding area to the north and east is zoned commercial, the area to the west and south is zoned office/commercial.

Incline Partners is locating this project within the general commercial zone in order to both provide adequate coverage in the Incline Village area and to locate the project as far as possible from residential uses to minimize the visual impact. The parcel has abundant



trees which will provide cover and screening for the monopine. Once built, the impact and intensity of the project will be low as the monopine is designed to replicate the existing tree coverage, and on-site traffic will be minimal, normally for routine maintenance or in case of emergency.

The heights of the existing trees in and around Parcel 11 are in excess of 85 feet tall and the land slopes upwards towards Highway 28. In order for a wireless carrier's antenna array to maximize coverage of the target areas in all directions, the antennas must sit higher than the existing tree lines to perform at optimal levels. Incline Partners has designed the site to accommodate up to four (4) carriers, and at the proposed height of 112 feet, the initial two carriers will largely avoid the tree line, the additional two carriers will have some degradation of signal due to tree foliage, but that is to be expected in this heavily wooded area.

Parcel 11 and the proposed facility is not visible from any of the identified Scenic Corridors or Scenic Recreation Areas in the vicinity with the exception of State Route 28, where the monopine will be minimally visible due to the tree canopy and distance from Route 28 to Parcel 11. The measure of designing a monopine to match existing forest will mitigate any scenic impact. (see attached photo simulations).

Upon completion of construction, maintenance of carrier equipment will be necessary, meaning the site will be visited once or twice a month by a service technician for each carrier for routine maintenance, unless there is an emergency. No additional parking spaces are needed at the project site for maintenance activities. The site is entirely self-monitored and alerts personnel to any equipment malfunction or breach of security.

Because the facility will be un-staffed, there will be no regular hours of operation and no impact to existing traffic patterns. No on-site water or sanitation services will be required as a part of this proposal. The standby diesel generator will operate in the event of an emergency power outage and scheduled testing and will meet or exceed the Washoe County noise regulations.

Incline Partners has completed an Alternative Sites Analysis and map. Incline Partners over the course of two years contacted the owners of thirteen (13) separate parcels within the area of the proposed facility. Parcel 11 is the sole property that met project requirements in terms of space, avoidance of scenic corridors, coverage requirements and setbacks, and whose owner was interested in leasing space for the proposed facility. In addition, due to building height restrictions within the TRPA jurisdiction, no collocation on a building is feasible.

The proposed Incline Partners communication facility requires electrical power and telephone which as discussed above will be run underground to the site. No nuisances will be generated by the proposed facility, nor will the facility injure the public health, safety, morals or general welfare of the community. The proposed cellular and wireless technology is licensed by the Federal Communications Commission and does not interfere with any other forms of communication devices whether public or private.

### **Section 5:**

This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of Incline Village. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in Incline Village centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive.

This project will also enhance the ability of emergency responders in the event of emergency. Cellular coverage maps show service gaps in the area and existing facilities are not meeting service needs associated with increased wireless data needs. This project will provide additional facilities to meet service needs in the area. The additional facilities will provide improved wireless communication service in emergencies to help protect public health, safety, and welfare.

(see attached coverage maps, both existing and with proposed site).

### **Section 6:**

Parcel 11 and the proposed facility is not visible from any of the identified Scenic Corridors or Scenic Recreation Areas with the exception of State Route 28, where the monopine will be minimally visible due to the tree canopy and distance from Route 28 to Parcel 11. The measure of designing a monopine to match existing forest will mitigate any scenic impact to neighboring properties. Visual simulations were prepared for the project which demonstrates the structures will be minimally visible from State Route 28 (attached). The cell tower will resemble a tree of similar height and appearance to adjacent conifer trees in the immediate vicinity. The monopine was modified to add faux bark to the bottom 40 feet of the pole and the branch pattern was varied per the request of TRPA to appear more realistic.

The tower will not contain lights or generate noise that could be visible or heard outside the immediate vicinity of the monopine. The monopine will resemble a tree of similar height and appearance to adjacent conifer trees in the immediate vicinity. Applicant will submit final color and material samples for the equipment shelters/cabinets, monopine and slatted fence which will ensure there will be no significant impacts to scenic quality. The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare. The ground level equipment shelter will remain secured by a chain link fence with forest-colored slats to reduce the potential for public access. The monopine tower is designed to simulate the appearance of a pine tree and integrate with the natural environment and the equipment compound will be hidden from view behind a six foot tall cyclone fence with barbed wire and wood-colored synthetic slats to match existing forest.

Surrounding trees and mountainous topography cause signal degradation. Wireless antennas need to be located at a height above surrounding trees and topography to

transmit and receive wireless signals requiring greater maximum height than otherwise provided for in Chapter 37. The proposed stacked antenna configuration will ensure the antennas are located within the monopine's branches to achieve a more realistic tree appearance.

The project will not have an adverse impact on applicable air and water quality standards for the Region.

**Section 7:**

We request that the landscaping requirement be waived, the TRPA staff has insisted that the area be kept in a native state. There will be parking as shown on the attached plans which will only be used during infrequent site visits by carrier personnel. No lighting is proposed for the tower, the only signage will be in accordance with FAA and FCC requirements relating to RF exposure and ownership.

Attached to this Project Description are the following additional submittal requirements:

- 1) A vicinity map showing the proposed facility's location with the Incline Village Commercial Community Plan area.
- 2) Visual photo simulations showing the proposed structure as it would be seen from surrounding properties that may be visually impacted by the structure, including but not limited to surrounding rights-of-way.
- 3) Alternative Sites Analysis

Required Finding:

Section 110.324.60 Wireless Communication/Cellular Facilities Permitting Requirements.

(a) Information Required Prior to Issuance of Any Permit. In addition to the requirements of the Building and Safety Department, the following information must be provided to the Department of Community Development before any permit can be issued for the construction and installation of a wireless communication/cellular facility:

(1) Site plan.

(attached)

(2) If the wireless facility is not within the County's preferences identified in subsections (a) through (c) of Section 110.324.45 (facade mounted, rooftop mounted or collocation on existing facility), a justification as to why these were either not available or not chosen.

(stated above under Section 1)

(3) Map identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

(attached).

(4) Type of antenna and support structure.

(shown on attached drawings)

(5) Exact location of antenna and support structure.

(shown on attached drawings)

(6) Exact location of equipment shelter and/or cabinet.

(shown on attached drawings)

(7) Height of antenna and horizontal width of supporting mechanism for antenna system.

(shown on attached drawings).

(8) Whether antenna is being collocated.

(new facility designed for collocation)

(9) Whether antenna and equipment shelter/cabinet is being codeveloped.

(Incline Partners sole developer but soliciting subleases from all wireless carriers serving the area)

(10) Siting and screening of antenna(s) to minimize visual impact.

(discussed in Section 1, 2 and 4 above)

(11) Copy of the Federal Communications Commission (FCC) license or construction permit.

(Will obtain prior to construction)

(12) Color palette.

(to be determined in conjunction with TRPA preferences)

(13) Certification by a competent professional that the facility complies with Federal Communications Commission regulations for radio frequency emissions and plan for periodic recertification of compliance.

(RF Study included)

(14) In the case of a request to locate in the public right-of-way, a certification that the facility meets all applicable requirements of Nevada and Washoe County for use of public right-of-way and a copy of the encroachment permit and lease agreement.

(not applicable)

(15) A minimum of eight (8) panoramic, true color photographs. The photographs must display the north, south, east and west views of the site and views of the adjacent properties. The Director of Community Development shall determine the final choice of color for the structure from a color palette submitted by the applicant. The color chosen shall blend with the background and surroundings and best meet the intent of this subsection.

(TRPA has indicated they want to determine final colors)

(16) Landscape plans.

(Waiver requested as TRPA requests native state be maintained).

(17) Property owner's assurance shall be provided which includes a document signed and acknowledged by the property owner, accompanied by a recordation fee in the amount shown on the County Recorder's fee schedule, assuring the removal of the wireless facility should the facility's use be discontinued for twelve (12) months. The document shall include the property owner's permission, under such circumstances, for the County to enter onto the property and remove the facility, if feasible, with the cost thereof to constitute a lien against the property. If such removal is not feasible, the County may obtain a court order requiring the removal.

(to be submitted as a condition of approval).

Section 110.324.75 Special Use Permit Required: Findings.

Subsequent to review under Sections 110.324.40 through 110.324.70, monopole antennas and lattice towers shall require the issuance of a special use permit under the process enumerated in Article 810, Special Use Permits, subject to the findings enumerated below.

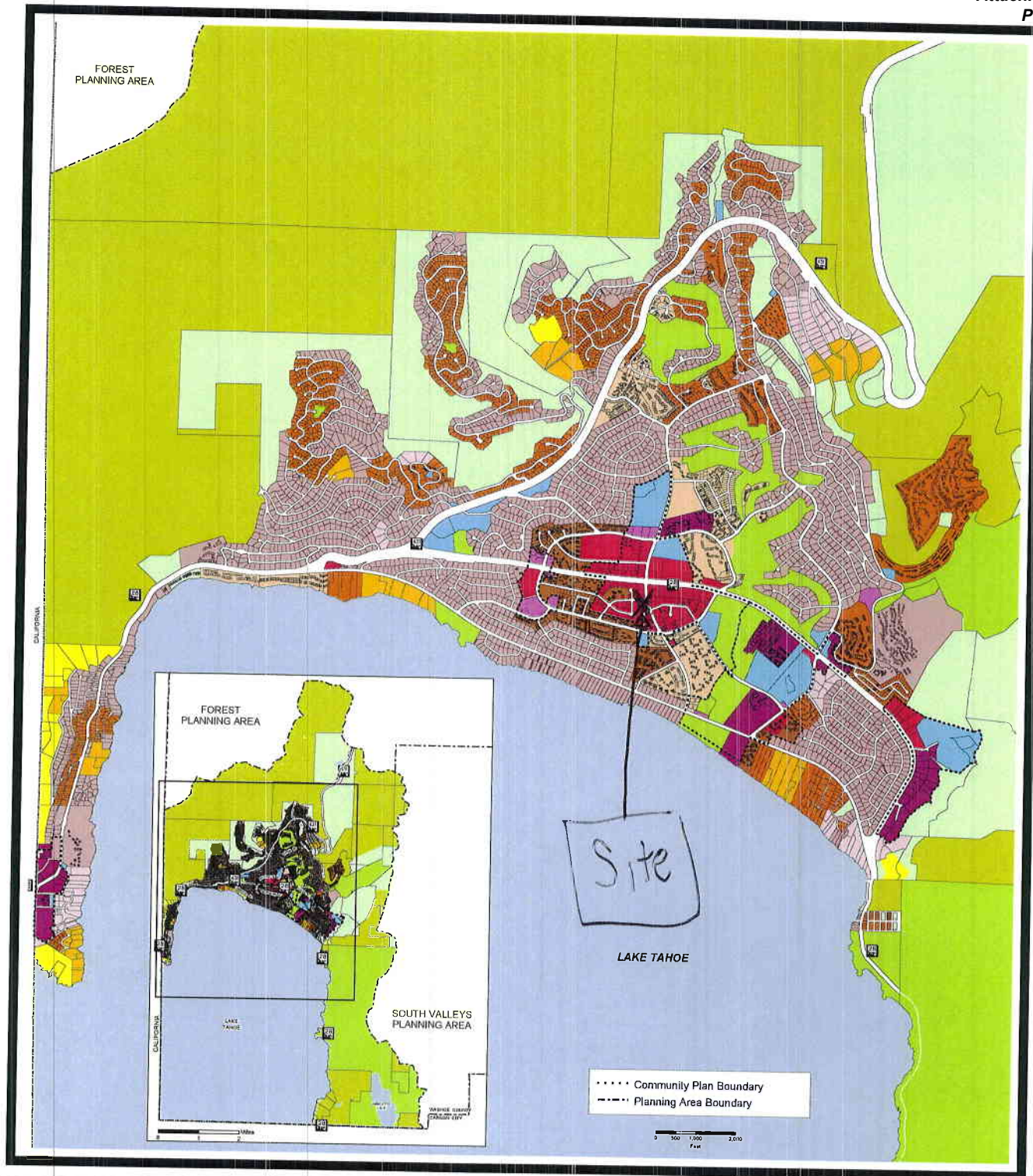
(a) That the communications facility meets all the standards of Sections 110.324.40 through 110.324.60 as determined by the Director of Community Development and/or his/her authorized representative;

(discussed above)

(b) That public input was considered during the public hearing review process; and

(c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

(as discussed above, impact has been mitigated)



### TAHOE REGULATORY ZONE MAP

- |                           |                                 |                                   |
|---------------------------|---------------------------------|-----------------------------------|
| LOW DENSITY RURAL         | HIGH DENSITY SUBURBAN           | INDUSTRIAL                        |
| MEDIUM DENSITY RURAL      | LOW DENSITY URBAN               | PUBLIC AND SEMI-PUBLIC FACILITIES |
| HIGH DENSITY RURAL        | MEDIUM DENSITY URBAN            | PARKS AND RECREATION              |
| LOW DENSITY SUBURBAN      | HIGH DENSITY URBAN              | OPEN SPACE                        |
| LOW DENSITY SUBURBAN 2    | GENERAL COMMERCIAL              | GENERAL RURAL                     |
| MEDIUM DENSITY SUBURBAN   | NEIGHBORHOOD COMMERCIAL/ OFFICE | GENERAL RURAL AGRICULTURAL        |
| MEDIUM DENSITY SUBURBAN 4 | TOURIST COMMERCIAL              | DRY LAKE/ WATER BODY              |

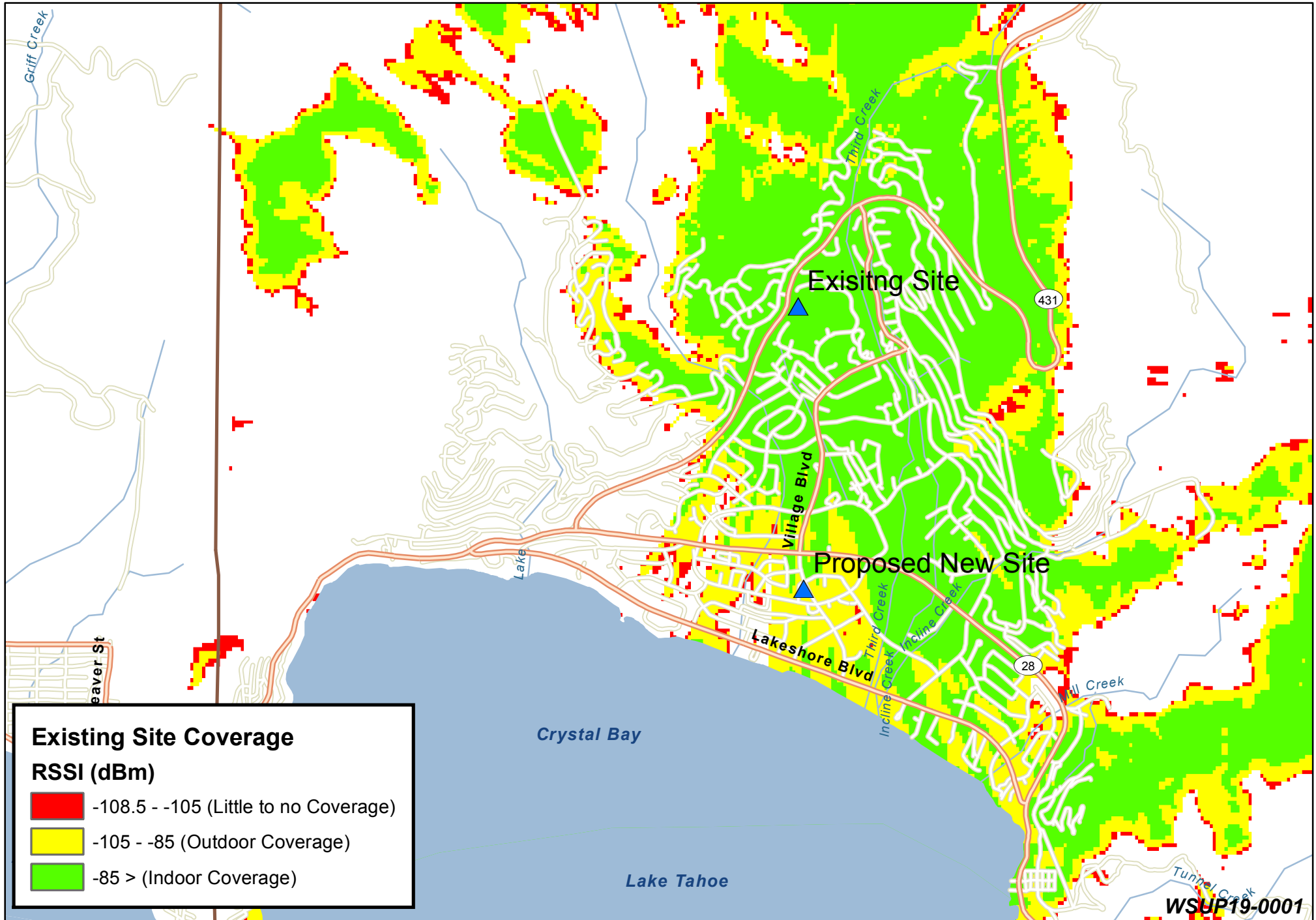
NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED ZONING MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.  
DATE: 5/8/2018 DIRECTOR: *[Signature]*

**Community Services  
Department**

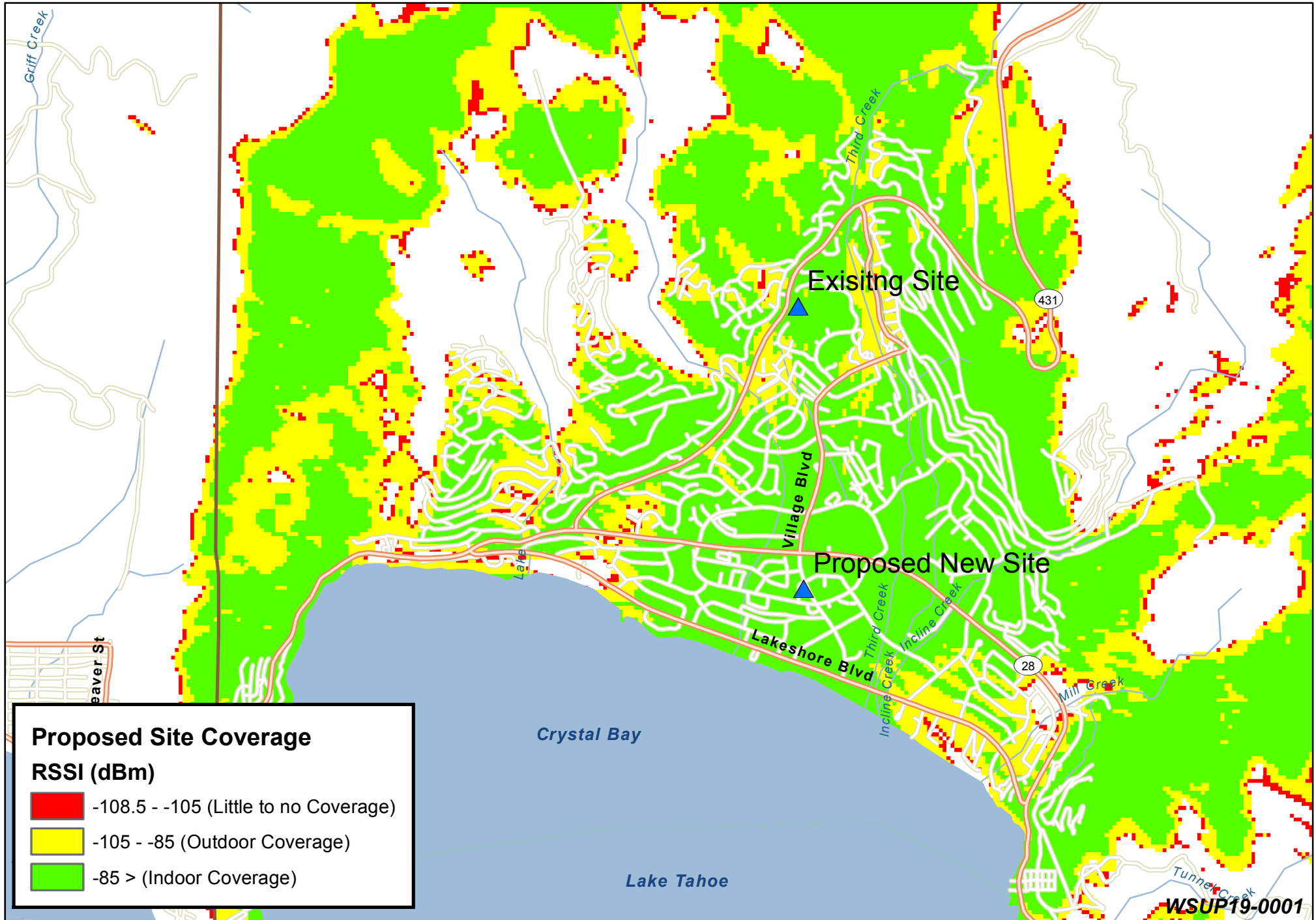
**WASHOE COUNTY  
NEVADA**

# Incline Village 700 MHz LTE Coverage

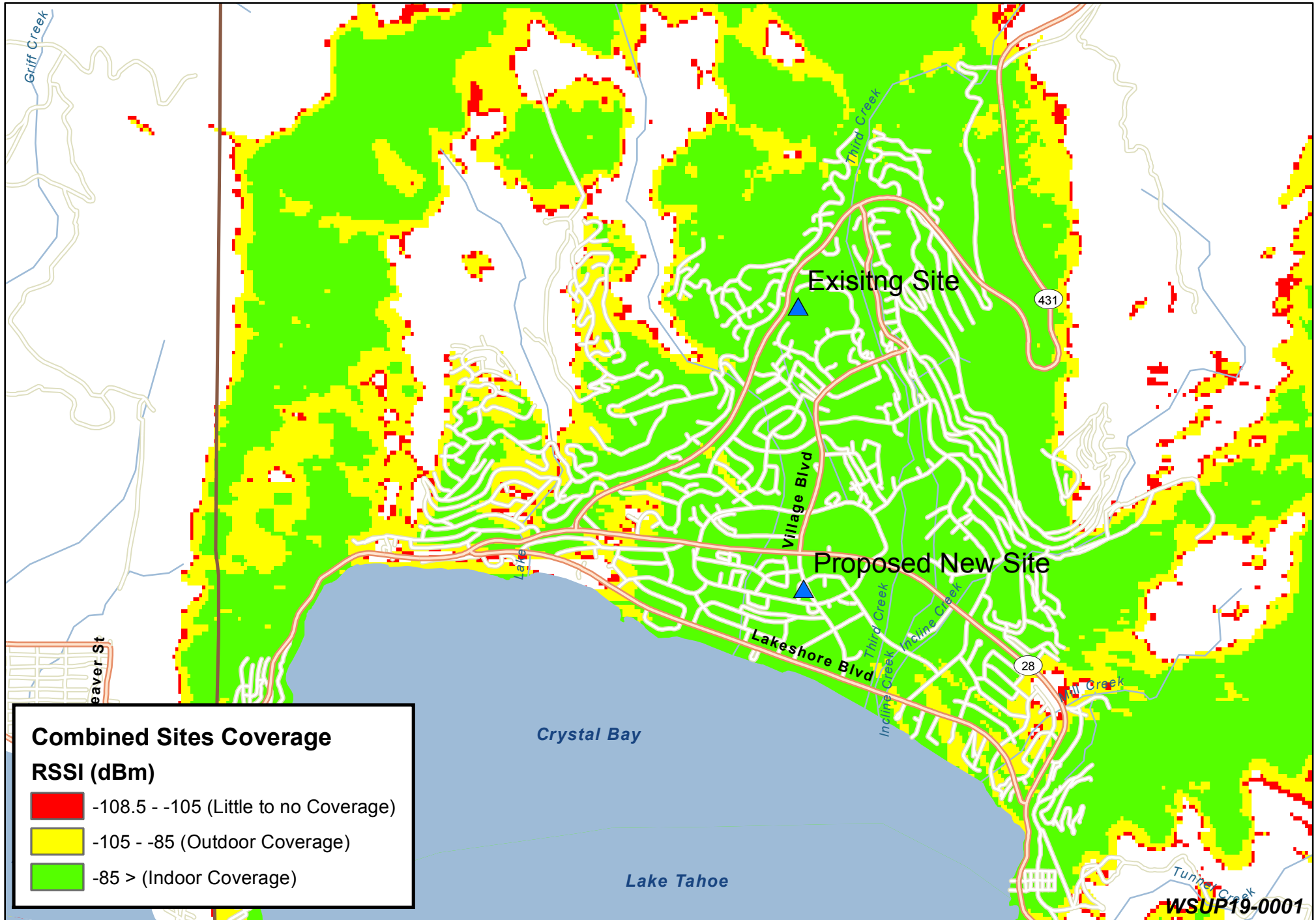




# Incline Village 700 MHz LTE Coverage



# Incline Village 700 MHz LTE Coverage



**Incline Partners, LLC • Proposed Base Station (Site Name “Incline Village”)  
231 Village Boulevard • Incline Village, Nevada**

**Statement of Hammett & Edison, Inc., Consulting Engineers**

The firm of Hammett & Edison, Inc., Consulting Engineers, has been retained on behalf of Incline Partners, LLC, to evaluate the base station (Site Name “Incline Village”) proposed to be located at 231 Village Boulevard in Incline Village, Nevada, for compliance with appropriate guidelines limiting human exposure to radio frequency (“RF”) electromagnetic fields.

**Executive Summary**

Incline Partners, LLC, proposes to install directional panel antennas on a tall pole, configured to resemble a tree, to be sited at 231 Village Boulevard in Incline Village. The proposed operation will comply with the FCC guidelines limiting public exposure to RF energy.

**Prevailing Exposure Standards**

The U.S. Congress requires that the Federal Communications Commission (“FCC”) evaluate its actions for possible significant impact on the environment. A summary of the FCC’s exposure limits is shown in Figure 1. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. The most restrictive FCC limit for exposures of unlimited duration to radio frequency energy for several personal wireless services are as follows:

Wireless Service	Frequency Band	Occupational Limit	Public Limit
Microwave (Point-to-Point)	5–80 GHz	5.00 mW/cm <sup>2</sup>	1.00 mW/cm <sup>2</sup>
WiFi (and unlicensed uses)	2–6	5.00	1.00
BRS (Broadband Radio)	2,600 MHz	5.00	1.00
WCS (Wireless Communication)	2,300	5.00	1.00
AWS (Advanced Wireless)	2,100	5.00	1.00
PCS (Personal Communication)	1,950	5.00	1.00
Cellular	870	2.90	0.58
SMR (Specialized Mobile Radio)	855	2.85	0.57
700 MHz	700	2.40	0.48
[most restrictive frequency range]	30–300	1.00	0.20

**General Facility Requirements**

Base stations typically consist of two distinct parts: the electronic transceivers (also called “radios” or “channels”) that are connected to the traditional wired telephone lines, and the passive antennas that send the wireless signals created by the radios out to be received by individual subscriber units. The transceivers are often located at ground level and are connected to the antennas by coaxial cables. A small antenna for reception of GPS signals is also required, mounted with a clear view of the sky.

**Incline Partners, LLC • Proposed Base Station (Site Name “Incline Village”)  
231 Village Boulevard • Incline Village, Nevada**

Because of the short wavelength of the frequencies assigned by the FCC for wireless services, the antennas require line-of-sight paths for their signals to propagate well and so are installed at some height above ground. The antennas are designed to concentrate their energy toward the horizon, with very little energy wasted toward the sky or the ground. This means that it is generally not possible for exposure conditions to approach the maximum permissible exposure limits without being physically very near the antennas.

**Computer Modeling Method**

The FCC provides direction for determining compliance in its Office of Engineering and Technology Bulletin No. 65, “Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radio Frequency Radiation,” dated August 1997. Figure 2 describes the calculation methodologies, reflecting the facts that a directional antenna’s radiation pattern is not fully formed at locations very close by (the “near-field” effect) and that at greater distances the power level from an energy source decreases with the square of the distance from it (the “inverse square law”). The conservative nature of this method for evaluating exposure conditions has been verified by numerous field tests.

**Site and Facility Description**

Based upon information provided by Incline Partners, LLC, including construction drawings by Streamline Engineering and Design, Inc., dated March 9, 2018, it is proposed to install eighteen directional panel antennas for two wireless carriers on a 112-foot steel pole, configured to resemble a pine tree,\* to be sited on the undeveloped parcel located at 231 Village Boulevard in Incline Village. For the limited purposes of this study, it is assumed that AT&T Mobility and Verizon Wireless will operate from this site with the following transmitting facilities:

Operator	Service	Maximum ERP	Antenna Model	Downtilt	Height
AT&T	AWS	2,100 watts	Andrew SBNHH-1D65B	10°	107 ft
	PCS	5,300	Andrew SBNHH-1D65B	10	107
	Cellular	1,600	Andrew SBNHH-1D65B	14	107
	700 MHz	1,000	Andrew SBNHH-1D65B	14	107
Verizon	AWS	12,030	CommScope NHH-65B	8	97
	PCS	10,720	CommScope NHH-65B	8	97
	Cellular	5,500	CommScope NHH-65B	12	97
	700 MHz	5,370	CommScope NHH-65B	12	97

It is also assumed that the antennas for both carriers would be oriented in groups of three at about 120° spacing, to provide service in all directions. There are reported no other wireless telecommunications base stations at the site or nearby.

\* Foliage atop the pole will increase the overall height to 117 feet.

**Incline Partners, LLC • Proposed Base Station (Site Name “Incline Village”)  
231 Village Boulevard • Incline Village, Nevada**

**Study Results**

For a person anywhere at ground, the maximum RF exposure level due to the proposed operations is calculated to be 0.033 mW/cm<sup>2</sup>, which is 6.0% of the applicable public exposure limit. The maximum calculated level at the second-floor elevation of any nearby building<sup>†</sup> is 7.5% of the public exposure limit. It should be noted that these results include several “worst-case” assumptions and therefore are expected to overstate actual power density levels from the proposed operation.

**No Recommended Mitigation Measures**

Due to their mounting locations and height, the antennas would not be accessible to unauthorized persons, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. It is presumed that the wireless carriers will, as FCC licensees, take adequate steps to ensure that its employees or contractors receive appropriate training and comply with FCC occupational exposure guidelines whenever work is required near the antennas themselves.

**Conclusion**

Based on the information and analysis above, it is the undersigned’s professional opinion that operation of the base station proposed by Incline Partners, LLC, at 231 Village Boulevard in Incline Village, Nevada, will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment. The highest calculated level in publicly accessible areas is much less than the prevailing standards allow for exposures of unlimited duration. This finding is consistent with measurements of actual exposure conditions taken at other operating base stations.

**Authorship**

The undersigned author of this statement is a qualified Professional Engineer, holding California Registration Nos. E-13026 and M-20676, which expire on June 30, 2019. This work has been carried out under his direction, and all statements are true and correct of his own knowledge except, where noted, when data has been supplied by others, which data he believes to be correct.



*William F. Hammett*  
\_\_\_\_\_  
William F. Hammett, P.E.  
707/996-5200

June 25, 2018

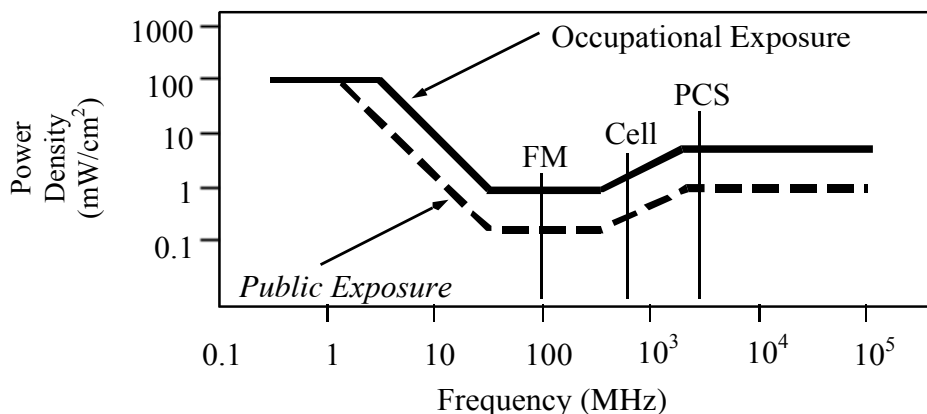
<sup>†</sup> Including the residences located at least 300 feet away, based on photographs from Google Maps.

## FCC Radio Frequency Protection Guide

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The FCC adopted the limits from Report No. 86, “Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields,” published in 1986 by the Congressionally chartered National Council on Radiation Protection and Measurements (“NCRP”). Separate limits apply for occupational and public exposure conditions, with the latter limits generally five times more restrictive. The more recent standard, developed by the Institute of Electrical and Electronics Engineers and approved as American National Standard ANSI/IEEE C95.1-2006, “Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz,” includes similar limits. These limits apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

As shown in the table and chart below, separate limits apply for occupational and public exposure conditions, with the latter limits (in *italics* and/or dashed) up to five times more restrictive:

Frequency Applicable Range (MHz)	Electromagnetic Fields (f is frequency of emission in MHz)					
	Electric Field Strength (V/m)		Magnetic Field Strength (A/m)		Equivalent Far-Field Power Density (mW/cm <sup>2</sup> )	
0.3 – 1.34	614	<i>614</i>	1.63	<i>1.63</i>	100	<i>100</i>
1.34 – 3.0	614	<i>823.8/f</i>	1.63	<i>2.19/f</i>	100	<i>180/f<sup>2</sup></i>
3.0 – 30	1842/f	<i>823.8/f</i>	4.89/f	<i>2.19/f</i>	900/f <sup>2</sup>	<i>180/f<sup>2</sup></i>
30 – 300	61.4	<i>27.5</i>	0.163	<i>0.0729</i>	1.0	<i>0.2</i>
300 – 1,500	3.54√f	<i>1.59√f</i>	√f/106	<i>√f/238</i>	f/300	<i>f/1500</i>
1,500 – 100,000	137	<i>61.4</i>	0.364	<i>0.163</i>	5.0	<i>1.0</i>



Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits, and higher levels also are allowed for exposures to small areas, such that the spatially averaged levels do not exceed the limits. However, neither of these allowances is incorporated in the conservative calculation formulas in the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) for projecting field levels. Hammett & Edison has built those formulas into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radio sources. The program allows for the description of buildings and uneven terrain, if required to obtain more accurate projections.



## RFR.CALC™ Calculation Methodology

## Assessment by Calculation of Compliance with FCC Exposure Guidelines

The U.S. Congress required (1996 Telecom Act) the Federal Communications Commission (“FCC”) to adopt a nationwide human exposure standard to ensure that its licensees do not, cumulatively, have a significant impact on the environment. The maximum permissible exposure limits adopted by the FCC (see Figure 1) apply for continuous exposures from all sources and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health. Higher levels are allowed for short periods of time, such that total exposure levels averaged over six or thirty minutes, for occupational or public settings, respectively, do not exceed the limits.

**Near Field.**

Prediction methods have been developed for the near field zone of panel (directional) and whip (omnidirectional) antennas, typical at wireless telecommunications base stations, as well as dish (aperture) antennas, typically used for microwave links. The antenna patterns are not fully formed in the near field at these antennas, and the FCC Office of Engineering and Technology Bulletin No. 65 (August 1997) gives suitable formulas for calculating power density within such zones.

For a panel or whip antenna, power density  $S = \frac{180}{\theta_{BW}} \times \frac{0.1 \times P_{net}}{\pi \times D \times h}$ , in mW/cm<sup>2</sup>,

and for an aperture antenna, maximum power density  $S_{max} = \frac{0.1 \times 16 \times \eta \times P_{net}}{\pi \times h^2}$ , in mW/cm<sup>2</sup>,

where  $\theta_{BW}$  = half-power beamwidth of the antenna, in degrees, and  
 $P_{net}$  = net power input to the antenna, in watts,  
 $D$  = distance from antenna, in meters,  
 $h$  = aperture height of the antenna, in meters, and  
 $\eta$  = aperture efficiency (unitless, typically 0.5-0.8).

The factor of 0.1 in the numerators converts to the desired units of power density.

**Far Field.**

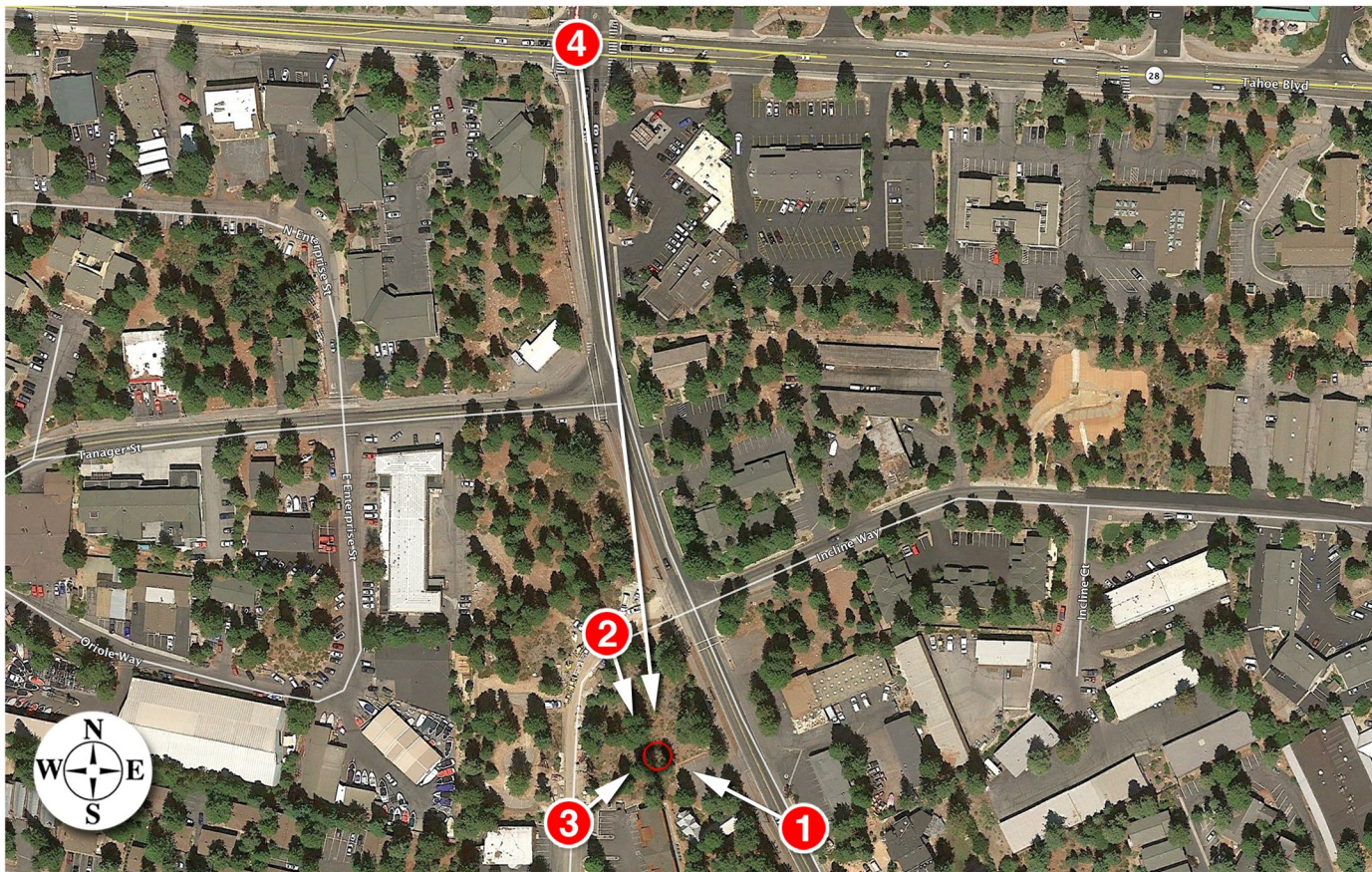
OET-65 gives this formula for calculating power density in the far field of an individual RF source:

power density  $S = \frac{2.56 \times 1.64 \times 100 \times RFF^2 \times ERP}{4 \times \pi \times D^2}$ , in mW/cm<sup>2</sup>,

where ERP = total ERP (all polarizations), in kilowatts,  
RFF = relative field factor at the direction to the actual point of calculation, and  
 $D$  = distance from the center of radiation to the point of calculation, in meters.

The factor of 2.56 accounts for the increase in power density due to ground reflection, assuming a reflection coefficient of 1.6 (1.6 x 1.6 = 2.56). The factor of 1.64 is the gain of a half-wave dipole relative to an isotropic radiator. The factor of 100 in the numerator converts to the desired units of power density. This formula has been built into a proprietary program that calculates, at each location on an arbitrary rectangular grid, the total expected power density from any number of individual radiation sources. The program also allows for the description of uneven terrain in the vicinity, to obtain more accurate projections.









Existing



Proposed



Existing



Proposed



Existing



Proposed



Existing



Proposed

proposed treepole

Incline Partners LLC  
Proposed Incline Village New Monopine  
Alternative Sites Analysis and Map

1) Ms. Beatriz L. Lhuillier  
54 Almendral Ave.  
Atherton, CA 94027

879 Tanager St., Incline Village, NV

Reason Candidate Dropped: Owner has development plans for property

2) Serrett 2003 Family Trust  
6350 Meadowridge Drive  
Reno, NV 89519  
Attn: Theresa Serrett

APN 132-020-10 and 15 located near the corner of Village Boulevard and Tahoe Boulevard having seen it on Loopnet recently for sale.

Reason Candidate Dropped: Property in process of being sold. Adjacent to Hwy 28.

3) U.S. Bank Property  
923 Tahoe Boulevard, Incline Village, NV 89451

Reason Candidate Dropped: No interior equipment space available. Adjacent to Hwy 28.

4) Clearview Properties, LLC, a Nevada limited liability company  
230 Village Boulevard, Suite B, Incline Village, NV 89451 (Assessor's Parcel Number 132-232-14)

Interior and Exterior Space

Reason Candidate Dropped: Owner not interested in changing tenants. Property fully leased.

5) North Lake Tahoe Fire Protection District

875 Tanager Street. Main fire department complex Incline Village

Reason Candidate Dropped: No space available.

6) Skanson Family Trust  
898 Tanager Street, Incline Village, NV 89451

Reason Candidate Dropped: Owner not interested in leasing.

7) Plastiras Family Living Trust

853 Oriole Way, Incline Village, Nevada, 89451 (Assessor's Parcel Number 132-211-03)

Reason Candidate Dropped: Owner has development plans for property.

8) Allan & Mary Lou Rosenkranz

876 Oriole Way

Reason Candidate Dropped: Property fully leased as auto repair.

9) Zerang LLC

900 Incline Way

Reason Candidate Dropped: Property recently sold from US Government to private party with development plans for parcel

10) Nevada New-Tech Inc.

895 Incline Way & 249 Village Blvd.

Reason Candidates Dropped: Owner not interesting in leasing. Have future plans for properties.

11) Incline Tahoe Glass Co. Inc.

250 Village Blvd.

Reason Candidate Dropped: Owner not interested in leasing. Possible future sale plans.

12) Gately Enterprises USA LLC

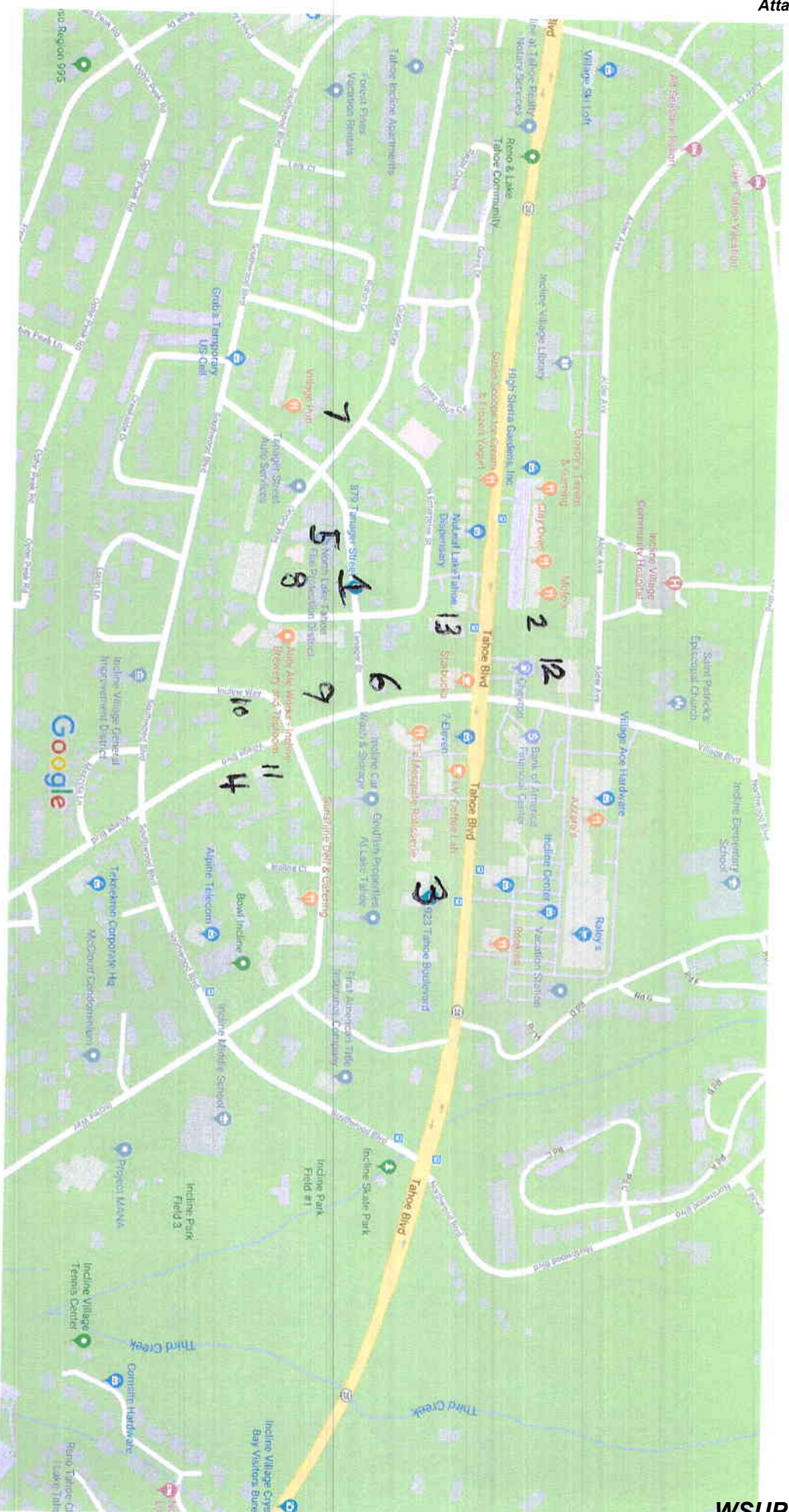
317 Village Blvd.

Reason Candidate Dropped: Recently purchased property with plans to renovate for corporate use.

13) Davis A. M. Mercantile Co.

893 Tahoe Blvd.

Reason Candidate Dropped: Property fully leased. Owner not interested. Adjacent to Hwy 28.



WSUP19-0001  
EXHIBIT G

# INCLINE PARTNERS ALTERNATIVE CANDIDATES

- 1 School of Social Work Building 1350 University Avenue...
- 2 Ingraham Hall 1155 Observatory Drive, Madison, WI

# INCLINE PARTNERS, LLC

P O BOX 3740  
INCLINE VILLAGE, NV 89450

# INCLINE VILLAGE

## INCLINE VILLAGE

231 VILLAGE BLVD  
INCLINE VILLAGE, NV 89451

### ISSUE STATUS

Δ	DATE	DESCRIPTION	BY
	01/25/18	CD 90%	D.G.
	01/30/18	CLIENT REV	D.G.
	03/09/18	CLIENT REV	D.G.
	03/13/18	CLIENT REV	D.G.
	07/19/18	CLIENT REV	D.G.
	11/01/18	CLIENT REV	D.G.

DRAWN BY: D. GARCIA

CHECKED BY: L. HOUGHTBY

APPROVED BY: -

DATE: 11/01/18

Streamline Engineering

8445 Sierra College Blvd, Suite E Granite Bay, CA 95746  
Contact: Larry Houghtby Phone: 916-275-4180  
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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PRELIMINARY:  
NOT FOR  
CONSTRUCTION

KEVIN R. SORENSEN  
S4469

INCLINE PARTNERS, LLC

P.O. BOX 3740  
INCLINE VILLAGE, NV 89450

### PROJECT DESCRIPTION

INCLINE PARTNERS PROPOSES TO:

- INSTALL (N) MULTI-CARRIER 46'-0"X35'-0" EQUIPMENT COMPOUND
- INSTALL (N) 117'-0" TALL MONOPINE

### VICINITY MAP



### CODE COMPLIANCE

ALL WORK & MATERIALS SHALL BE PERFORMED & INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

- 2012 INTERNATIONAL BUILDING CODE
- 2012 INTERNATIONAL RESIDENTIAL CODE
- 2012 INTERNATIONAL EXISTING BUILDING CODE
- 2012 INTERNATIONAL ENERGY CONSERVATION CODE
- 2012 INTERNATIONAL FUEL GAS CODE
- 2012 INTERNATIONAL GREEN CONSTRUCTION CODE
- 2012 INTERNATIONAL MECHANICAL CODE
- 2012 INTERNATIONAL WILDLAND URBAN INTERFACE CODE
- 2012 INTERNATIONAL SWIMMING POOL AND SPA CODE
- 2012 UNIFORM PLUMBING CODE
- 2012 UNIFORM MECHANICAL CODE
- 2011 NATIONAL ELECTRICAL CODE
- 2012 NORTHERN NEVADA ENERGY CODE AMENDMENTS BY THE NNICC
- 2012 NORTHERN NEVADA CODE AMENDMENTS BY THE NNICC

ALONG WITH ANY OTHER APPLICABLE LOCAL & STATE LAWS AND REGULATIONS.

### PROJECT INFORMATION

SITE NAME:	INCLINE VILLAGE	JURISDICTION:	WASHOE COUNTY
COUNTY:	WASHOE	POWER:	NV ENERGY
APN:	132-221-11	TELEPHONE:	AT&T
PARCEL SIZE:	8,077 SQ FT		
SITE ADDRESS:	231 VILLAGE BLVD INCLINE VILLAGE, NV 89451		
CURRENT ZONING:	-		
PROPERTY OWNER:	KBS LTD		
APPLICANT:	INCLINE PARTNERS, LLC P.O. BOX 3740 INCLINE VILLAGE, NV 89450		
LEASING CONTACT:	ATTN: MICHAEL FLYNN INCLINE PARTNERS, LLC P.O. BOX 3740 INCLINE VILLAGE, NV 89450 (775) 230-4955 MOBILE		
ZONING CONTACT:	ATTN: MICHAEL FLYNN INCLINE PARTNERS, LLC P.O. BOX 3740 INCLINE VILLAGE, NV 89450 (775) 230-4955 MOBILE		
CONST. CONTACT:	ATTN: MICHAEL FLYNN INCLINE PARTNERS, LLC P.O. BOX 3740 INCLINE VILLAGE, NV 89450 (775) 230-4955 MOBILE		
LAT.	N -' -' -" NAD 83		
LONG.	W -' -' -" NAD 83		
AMSL:	±		

### DRIVING DIRECTIONS

FROM: SACRAMENTO, CA 95814  
TO: 231 VILLAGE BLVD, INCLINE VILLAGE, NV 89451

HEAD EAST TOWARD 9TH ST 39 FT  
TURN RIGHT ONTO 9TH ST 256 FT  
TURN RIGHT ONTO I ST 0.3 MI  
TURN RIGHT TO MERGE ONTO I-5 N/STATE HWY 99 N TOWARD REDDING/YUBA CITY 0.3 MI  
MERGE ONTO I-5 N/STATE HWY 99 N 2.3 MI  
USE THE RIGHT 2 LANES TO TAKE EXIT 522 TO MERGE ONTO I-80 E TOWARD RENO 101 MI  
TAKE EXIT 188B FOR CA-89/CA-267 S TOWARD SIERRAVILLE/LAKE TAHOE 0.3 MI  
TURN RIGHT ONTO CA-267 S 11.6 MI  
TURN LEFT ONTO N LAKE BLVD 0.4 MI  
AT THE TRAFFIC CIRCLE, CONTINUE STRAIGHT TO STAY ON N LAKE BLVD 0.2 MI  
AT THE TRAFFIC CIRCLE, CONTINUE STRAIGHT TO STAY ON N LAKE BLVD ENTERING NEVADA 1.2 MI  
CONTINUE ONTO NV-28 E 2.8 MI  
AT THE TRAFFIC CIRCLE, TAKE THE 1ST EXIT ONTO TAHOE BLVD 1.1 MI  
TURN RIGHT ONTO VILLAGE BLVD DESTINATION WILL BE ON THE RIGHT 0.2 MI

END AT: 231 VILLAGE BLVD, INCLINE VILLAGE, NV 89451

ESTIMATED TIME: 2 HOURS 19 MINUTES      ESTIMATED DISTANCE: 122 MILES

### SHEET INDEX

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	-
C-1	TOPOGRAPHIC SURVEY	-
C-2	EROSION CONTROL PLAN	-
A-1	SITE PLAN	-
A-2	ELEVATIONS	-

### APPROVAL

RF
LEASING
ZONING
CONSTRUCTION

SHEET TITLE:  
TITLE

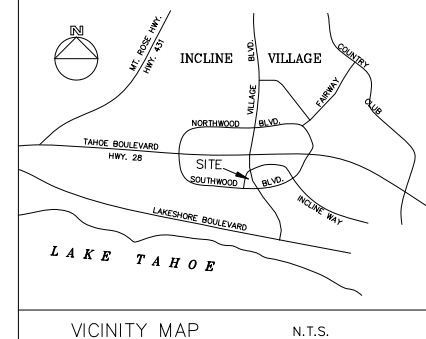
SHEET NUMBER:  
**T-1**



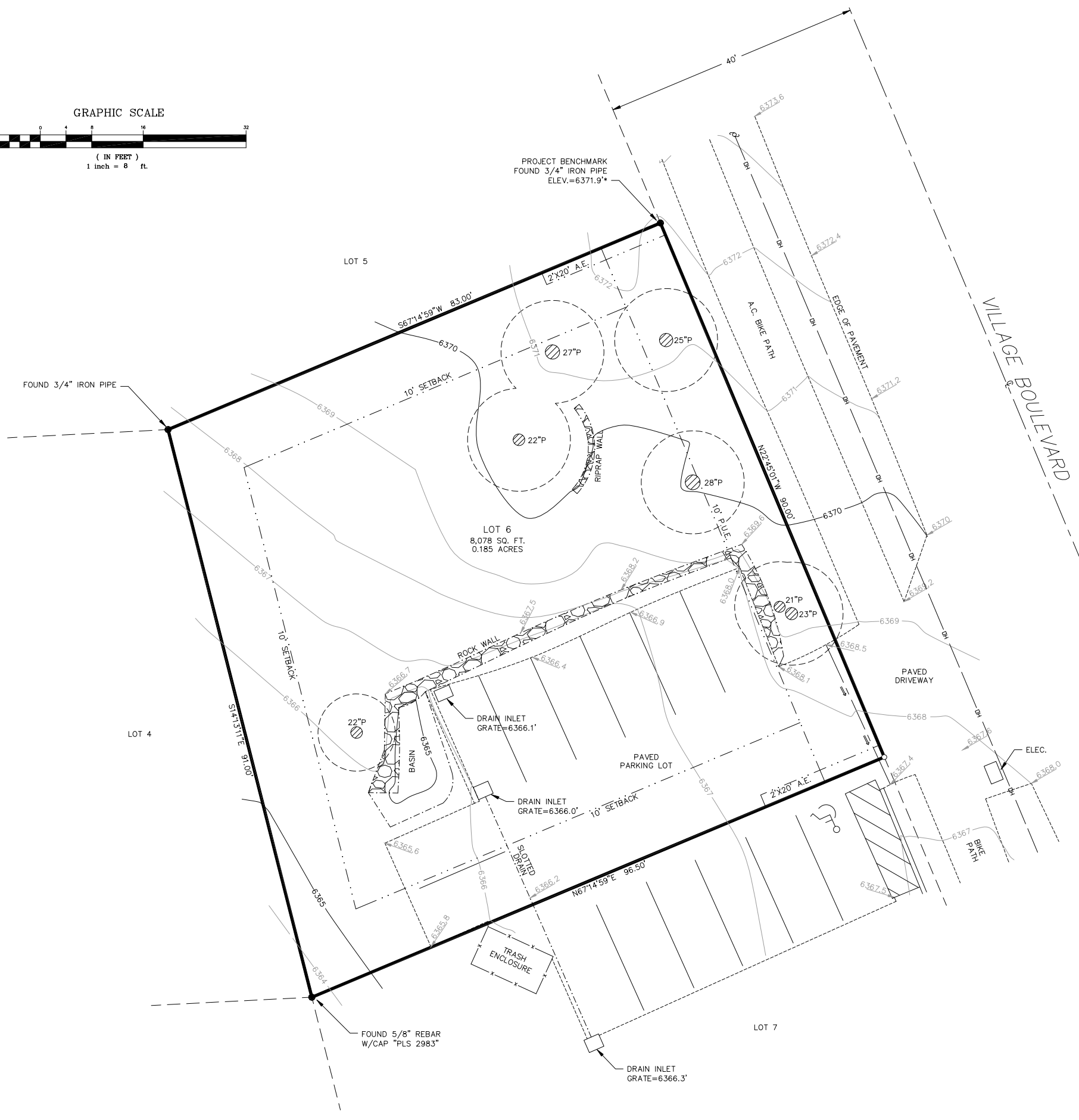
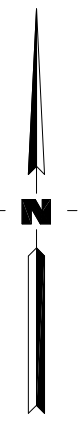
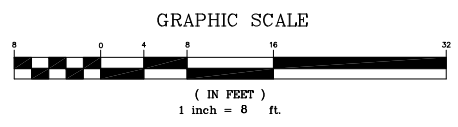
REVISIONS	

SITE PLAN  
 LOT 6 BLOCK "B" COMMERCIAL SUBDIVISION NO. 1, TRACT MAP. 942  
 APN 132-221-11 WASHOE COUNTY NEVADA  
 INCLINE VILLAGE, NV

DATE	
SCALE	1" = 8'
DRAWN	
JOB	
FILE	
SHEET	1
OF 1 SHEETS	



- LEGEND**
- FOUND MONUMENT AS NOTED
  - NOTHING FOUND OR SET
  - 104.9 SPOT ELEVATION
  - ⊕ POWER POLE
  - P.U.E. PUBLIC UTILITY EASEMENT
  - A.E. ANCHOR EASEMENT
  - ⊙12" P TREE W/DRIPLINE, DIAMETER & TYPE  
P=PINE, F=FIR, C=CEDAR



**TITLE NOTES:**

THIS SURVEY IS BASED ON THE LEGAL DESCRIPTION FURNISHED IN A PRELIMINARY TITLE REPORT BY TICOR TITLE OF NEVADA, INC., ORDER NO. 01705558-CD, DATED OCTOBER 23, 2017.

THE FOLLOWING DOCUMENTS AFFECT THE PARCEL:

ITEM #11 REFERS TO EASEMENTS PER TRACT MAP. NO. 942. SHOWN HEREON.

ITEM #12 REFERS TO COVENANTS, CONDITIONS AND RESTRICTIONS ORIGINALLY RECORDED MARCH 2, 1965 AS BOOK 64, PAGE 243 AS DOC. 21602 AND MODIFIED THEREAFTER. SEE ALL DOCUMENTS FOR PARTICULARS.

ITEM #13 REFERS TO COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED JUNE 14, 1967 IN BOOK 259, PAGE 336 AS DOC. NO. 89840, OFFICIAL RECORDS. SEE FULL DOCUMENT FOR PARTICULARS.

ITEM #14 REFERS TO AN EASEMENT FOR SEWER, WATER, DRAINAGE, RECREATION, SIDEWALK AND STREET LIGHTING PURPOSES, RECORDED NOVEMBER 6, 1967 BOOK 286, PAGE 104 AS DOC. NO. 101066. SEE FULL DOCUMENT FOR PARTICULARS.

ITEM #15 REFERS TO AN EASEMENT FOR UTILITIES, DRAINAGE, PEDESTRIAN WALKWAYS AND TELEVISION CABLES, RECORDED APRIL 21, 1970 IN BOOK 457, PAGE 492 AS DOC. NO. 171926, OFFICIAL RECORDS. SEE FULL DOCUMENT FOR PARTICULARS.

ITEM #16 REFERS TO COVENANTS, CONDITIONS AND RESTRICTIONS (DEED RESTRICTION), RECORDED JUNE 11, 2007 AS DOC. NO. 3542460, OFFICIAL RECORDS. SEE FULL DOCUMENT FOR PARTICULARS.

ITEM #17 REFERS TO COVENANTS, CONDITIONS AND RESTRICTIONS (DEED RESTRICTION), RECORDED OCTOBER 27, 2009 AS DOC. NO. 3815643, OFFICIAL RECORDS. SEE FULL DOCUMENT FOR PARTICULARS.

- NOTES:**
- BEFORE DRAWING PLANS, PROPERTY OWNERS OR THEIR REPRESENTATIVES MUST CHECK WITH ALL PERMITTING AGENCIES FOR SETBACKS, ASSOCIATION DESIGN AND CC&R REQUIREMENTS, OPEN SPACE REQUIREMENTS, HEIGHT RESTRICTIONS, ETC. INVESTIGATIONS AND/OR A SITE ASSESSMENT TO DETERMINE LEGALLY EXISTING COVERAGE AND LAND CAPABILITY THRESHOLDS SHOULD BE CONDUCTED PRIOR TO RELIANCE ON THIS PLAN. IT IS NOT INTENDED THAT THIS SURVEY RELIEVE THE PROJECT DESIGNER OF THE NECESSITY OF AN INVESTIGATIVE VISIT TO THE SITE. BEFORE CONSTRUCTION BEGINS, GRADES SHOULD BE CHECKED BY THE BUILDER.
  - TREES SMALLER THAN 6" IN DIAMETER HAVE NOT BEEN SHOWN.
  - THE VERTICAL DATUM OF THIS SURVEY IS BASED ON A TOPOGRAPHIC MAP BY KENNETH BARROW, DATED APRIL 28, 2005. THE CONTOUR INTERVAL IS 1 FOOT. THE ACCURACY OF THIS SURVEY IS ONE-HALF CONTOUR INTERVAL.
  - FIELD WORK FOR THIS SURVEY WAS ACCOMPLISHED ON 10/4/18.
  - ALL EASEMENTS OF RECORD PER THE SUBDIVISION TRACT MAP HAVE BEEN SHOWN. NO INVESTIGATION HAS BEEN MADE FOR EASEMENTS OF RECORD, ENCUMBRANCES, COVENANTS AND CONDITIONS OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH A CURRENT TITLE SEARCH MAY DISCLOSE, OTHER THAN THOSE SHOWN HEREON.
  - THIS MAP INDICATES THE LOCATION OF SURFACE UTILITIES DISCOVERED DURING THE COURSE OF THIS SURVEY. UTILITY COMPANIES SHOULD BE CONSULTED FOR LOCATION OF UNDERGROUND FACILITIES OR OTHER UTILITIES NOT SHOWN HEREON.
  - THE BOUNDARY LINES AND PROPERTY CORNERS SHOWN ON THIS TOPOGRAPHIC SURVEY ARE TAKEN FROM RECORD DATA. A BOUNDARY SURVEY TO RE-MONUMENT MISSING PROPERTY CORNERS SHOULD BE DONE PRIOR TO RELIANCE ON THIS PLAN FOR CONSTRUCTION.
  - SUBJECT PARCEL IS ZONED GENERAL COMMERCIAL (GC) PER WASHOE COUNTY DEVELOPMENT CODE, TABLE 110.406.05.1. BUILDING SETBACKS FOR GC ARE 10' FRONT, REAR AND SIDES.

### BEST MANAGEMENT PRACTICES TABLE

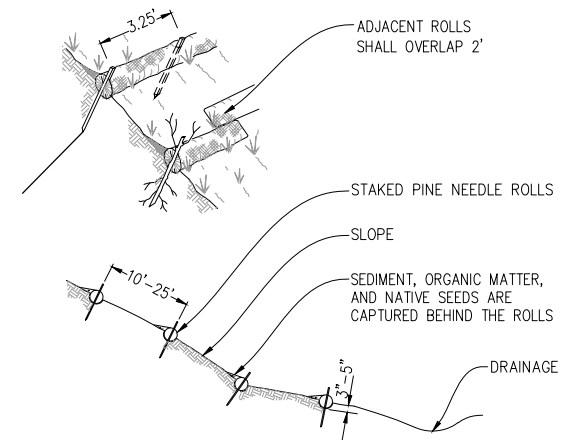
BEST MANAGEMENT PRACTICES	LOCATION	SCHEDULE IMPLEMENTATION	MAINTENANCE SCHEDULE
PRESERVING EXISTING VEGETATION	AROUND PERIMETER OF PROJECT SITE	CONTINUOUS UNTIL CONSTRUCTION IS COMPLETED	EDUCATE EMPLOYEES AND SUBCONTRACTORS REGARDING IMPORTANCE OF MAINTAINING EXISTING VEGETATION TO PREVENT EROSION AND FILTER OUT SEDIMENT IN RUNOFF FROM DISTURBED AREAS ON THE CONSTRUCTION SITE. INSPECT SITE PERIMETER MONTHLY TO VERIFY THE OUTSIDE VEGETATION IS NOT DISTURBED.
PROTECT GRADED AREAS AND SLOPES FROM WASHOUT AND EROSION	THROUGHOUT PROJECT SITE	CONTINUOUS	INSPECT GRADED AREAS AND SLOPES ON AT LEAST A MONTHLY BASIS TO CHECK FOR EROSION. GRADE TRIBUTARY AREAS OR INSTALL SAND DIKES AS NECESSARY TO PREVENT EROSION.
GRAVEL FILTER	ALONG FLOW LINES OF UNPAVED ROADWAYS WITHIN SITE	IN PLACE CONTINUOUSLY UNTIL ROADWAYS ARE PAVED	INSPECT AFTER EACH STORM. REMOVE ONSITE SEDIMENT DEPOSITED BEHIND BERM OR BARRIER TO MAINTAIN EFFECTIVENESS.
BAG INLET FILTER	INLETS TO THE STORM DRAINAGE SYSTEM	CONTINUOUS UNTIL LANDSCAPING IS IN PLACE	INSPECT WEEKLY AND AFTER EACH STORM. REMOVE SEDIMENT AND DEBRIS BEFORE ACCUMULATION HAVE REACHED ONE THIRD THE DEPTH OF THE BAG. REPAIR OR REPLACE INLET FILTER BAG AS SOON AS DAMAGE OCCURS.
PINE NEEDLE ROLLS	SEE NOTE 3 OF EROSION & CONTROL NOTES	CONTINUOUS	INSPECT AFTER EACH STORM. REMOVE SEDIMENT DEPOSITED BEHIND FIBER ROLLS WHENEVER NECESSARY TO MAINTAIN EFFECTIVENESS.
HYDROSEEDING	3:1 SLOPES	IN PLACE DURING BY SEPT. 15	INSPECT SLOPES ON AT LEAST A MONTHLY BASIS TO CHECK FOR EROSION. IF EROSION IS NOTED, SPREAD STRAW MULCH OVER AFFECTED AREAS.
STABILIZED CONSTRUCTION ENTRANCE	ENTRANCES TO SITE FROM PUBLIC ROADWAYS	CONTINUOUS, UNTIL ENTRANCES AND ONSITE ROADWAYS ARE PAVED	INSPECT ON A MONTHLY BASIS AND AFTER EACH RAINFALL. ADD AGGREGATE BASE MATERIAL WHENEVER NECESSARY TO PREVENT SEDIMENT FROM BEING TRACKED INTO PUBLIC STREET.
WIND EROSION CONTROL PRACTICES	WHEREVER NECESSARY THROUGHOUT PROJECT SITE	CONTINUOUS UNTIL GRADING IS COMPLETED AND SOILS HAVE STABILIZED	INSPECT SITE DURING WINDY CONDITIONS TO IDENTIFY AREAS WHERE WIND AND EROSION IS OCCURRING AND ABATE EROSION AS NECESSARY.
GOOD HOUSEKEEPING MEASURES	THROUGHOUT PROJECT SITE	CONTINUOUS UNTIL CONSTRUCTION IS COMPLETED	INSPECT SITE ON AT LEAST A MONTHLY BASIS TO VERIFY GOOD HOUSEKEEPING PRACTICES ARE BEING IMPLEMENTED.
PROPER CONSTRUCTION MATERIAL STORAGE	DESIGNATED AREA	CONTINUOUS UNTIL CONSTRUCTION IS COMPLETED	INSPECT SITE ON AT LEAST A WEEKLY BASIS TO VERIFY THAT CONSTRUCTION MATERIALS ARE STORED IN A MANNER WHICH COULD NOT CAUSE STORM WATER POLLUTION.
PROPER CONSTRUCTION WASTE STORAGE AND DISPOSAL INCLUDING	DESIGNATED COLLECTION AREA AND CONTAINERS	CONTINUOUS UNTIL CONSTRUCTION IS COMPLETED	INSPECT SITE ON AT LEAST A WEEKLY BASIS TO ASSURE WASTE IS STORED PROPERLY AND DISPOSED OF AT LEGAL DISPOSAL SITE, DAILY.
CONCRETE SPILL CLEANUP PAINT & PAINTING SUPPLIES	MATERIAL HANDLING AREAS	IMMEDIATELY AT TIME OF SPILL	INSPECT MATERIAL HANDLING AREAS ON AT LEAST A MONTHLY BASIS TO VERIFY PROPER SPILL CLEANUP.
VEHICLE FUELING, MAINTENANCE & CLEANING	DESIGNATED AREA WITH SECONDARY CONTAINMENT	CONTINUOUS	KEEP AMPLE SUPPLIES OF SPILL CLEANUP MATERIALS ON SITE & INSPECT ON REGULAR SCHEDULE.
STREET AND STORM DRAINAGE FACILITY MAINTENANCE DEFINITIONS	STREETS AND STORM DRAINAGE FACILITIES	CONTINUOUS UNTIL CONSTRUCTION IS COMPLETED	MAINTAIN STORM DRAINAGE FACILITIES AND PAVED STREETS CLEAR OF SEDIMENT AND DEBRIS.

### EROSION AND SEDIMENT CONTROL NOTES

- THE CONTRACTOR SHALL FOLLOW TYPICAL GUIDELINES FOR GRADING, EROSION AND SEDIMENT CONTROL FOR THE MEASURES SHOWN OR STATED ON THESE PLANS.
- CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONTRACTOR SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DIRECTION OF A REPRESENTATIVE OF THE DEPARTMENT OF UTILITIES.
- THIS PLAN MAY NOT COVER ALL THE SITUATIONS THAT ARISE DURING CONSTRUCTION DUE TO UNANTICIPATED FIELD CONDITIONS. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF OR AT THE DIRECTION OF A REPRESENTATIVE OF THE DEPARTMENT OF UTILITIES.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
- CONTRACTOR SHALL MAINTAIN A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF BMPs, AS WELL AS, ANY CORRECTIVE CHANGES TO THE BMPs OR EROSION AND SEDIMENT CONTROL PLAN.
- IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE COMPATIBLE, DROUGHT-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
- THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
- ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
- CONTRACTOR SHALL PLACE GRAVEL BAGS AROUND ALL NEW DRAINAGE STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE OPENING IS CONSTRUCTED. THESE GRAVEL BAGS SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
- THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.
- WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
- WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
- CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - SOLID WASTE MANAGEMENT:** CONTRACTOR SHALL PLACE ALL SOLID WASTE MATERIALS IN CONTRACTOR'S TRUCKS AND HAUL OFF SITE TO APPROVED SOLID WASTE RECEPTACLES AT CLOSE OF EACH BUSINESS DAY AND NO STORAGE OF SOLID WASTE ONSITE IS ALLOWED.
  - MATERIAL DELIVERY AND STORAGE:** PROVIDE A DESIGNATED MATERIAL STORAGE AREA WITH SECONDARY CONTAINMENT SUCH AS BERMING. STORE MATERIAL ON PALLETS AND PROVIDE COVERING FOR SOLUBLE MATERIALS. RELOCATE STORAGE AREA INTO BUILDING SHELL WHEN POSSIBLE. INSPECT AREA WEEKLY
  - CONCRETE WASTE:** PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASH-OUT. DISPOSE OF HARDENED CONCRETE OFFSITE. AT NO TIME SHALL A CONCRETE TRUCK DUMP ITS WASTE AND CLEAN ITS TRUCK INTO THE LOCAL STORM DRAINS VIA CURB AND GUTTER. INSPECT DAILY TO CONTROL RUNOFF, AND WEEKLY FOR REMOVAL OF HARDENED CONCRETE.
  - PAINT AND PAINTING SUPPLIES:** PROVIDE INSTRUCTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING REDUCTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE, AND CLEAN UP. INSPECT SITE WEEKLY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - VEHICLE FUELING, MAINTENANCE AND CLEANING:** PROVIDE A DESIGNATED FUELING AREA WITH SECONDARY CONTAINMENT SUCH AS BERMING. DO NOT ALLOW MOBILE FUELING OF EQUIPMENT. PROVIDE EQUIPMENT WITH DRIP PANS. RESTRICT ONSITE MAINTENANCE AND CLEANING OF EQUIPMENT TO A MINIMUM. INSPECT AREA WEEKLY.
  - HAZARDOUS WASTE MANAGEMENT:** PREVENT THE DISCHARGE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE DRAINAGE SYSTEM THROUGH PROPER MATERIAL USE, WASTE DISPOSAL AND TRAINING OF EMPLOYEES. HAZARDOUS WASTE PRODUCTS COMMONLY FOUND ON-SITE INCLUDE BUT ARE NOT LIMITED TO PAINTS & SOLVENTS, PETROLEUM PRODUCTS, FERTILIZERS, HERBICIDES & PESTICIDES, SOIL STABILIZATION PRODUCTS, ASPHALT PRODUCTS AND CONCRETE CURING PRODUCTS.

### PINE NEEDLE ROLL NOTES

- REPAIR OR REPLACE SPLIT, TORN UNRAVELING OR SLUMPING PINE NEEDLE ROLLS.
- INSPECT PINE NEEDLE ROLLS WHEN RAIN IS FORECAST, FOLLOWING RAIN EVENTS, AT LEAST DAILY DURING PROLONGED RAINFALL, AND AT TWO-WEEK INTERVALS DURING THE NON-RAINY SEASON.
- SEDIMENT SHOULD BE REMOVED WHEN SEDIMENT ACCUMULATION REACHES ONE-HALF THE DESIGNATED SEDIMENT STORAGE DEPTH, USUALLY ONE-HALF THE DISTANCE BETWEEN THE TOP OF THE PINE NEEDLE ROLL AND THE ADJACENT GROUND SURFACE. SEDIMENT REMOVED DURING MAINTENANCE MAY BE INCORPORATED INTO THE EARTHWORK ON THE SITE OR DISPOSED AT AN APPROPRIATE LOCATION.
- FILTER BARRIER SHALL BE CONSTRUCTED LONG ENOUGH TO EXTEND ACROSS THE EXPECTED FLOW PATH AND AS APPROVED BY THE LANDSCAPE INSPECTOR.
- PINE NEEDLE ROLL (8"-12" DIAMETER) SHALL BE PLACED INTO THE KEY TRENCH AND STAKES ON BOTH SIDES OF THE ROLL WITHIN 6 FEET OF EACH END AND THEN EVERY 3' TO 4' WITH 1X2 23" STAKES. STAKES ARE TYPICALLY DRIVEN IN ON ALTERNATING SIDES OF THE ROLL. ADJACENT ROLLS SHALL OVERLAP 2'.
- CLEAR SUBGRADE SO THAT REMOVAL OF ALL LOCAL DEVIATIONS AND TO REMOVE LARGE STONES OR DEBRIS THAT WILL INHIBIT CLOSE CONTACT OF THE PINE NEEDLE ROLL WITH THE SUBGRADE.
- PRIOR TO ROLL INSTALLATION, CONTOUR A CONCAVE TRENCH (2 - 4) INCHES DEEP ALONG THE PROPOSED INSTALLATION ROUTE. THE PINE NEEDLE ROLL SHALL BE INSTALLED ALONG THE SIDE OF WALKS AND AROUND THE CATCH BASINS. THE BOTTOM EDGE OF THE PINE NEEDLE ROLL SHALL EXTEND TO AND ACROSS THE BOTTOM OF THE TRENCH. THE TRENCH SHALL BE BACKFILLED TO 4 INCHES ABOVE GROUND AND COMPACTED TO BURY AND SECURE THE BOTTOM OF THE PINE NEEDLE ROLL.
- CONTRACTOR SHALL MAKE INSPECTIONS WEEKLY DURING THE WET SEASON, MONTHLY DURING THE DRY SEASON AND IMMEDIATELY AFTER EACH RAINFALL TO DETERMINE IF REPAIRS AND SEDIMENT REMOVAL IS REQUIRED. SEDIMENT SHALL BE REMOVED BEFORE IT HAS REACHED ONE THIRD THE HEIGHT OF THE PINE NEEDLE ROLL.



3 PINE NEEDLE DETAIL  
NO SCALE

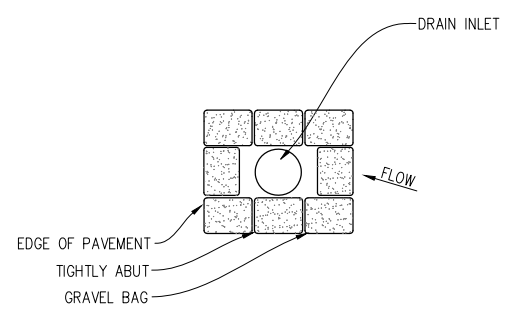
SEEDING MAY BE USED ONLY BETWEEN APRIL 1 AND JUNE 30, AND SEPTEMBER 1 AND OCTOBER 30.

AREA STRIPPED AND THEN TEMPORARILY SEEDED, USING EITHER BONDED FIBER MATRICES OR HYDRO SEEDING TECHNIQUES

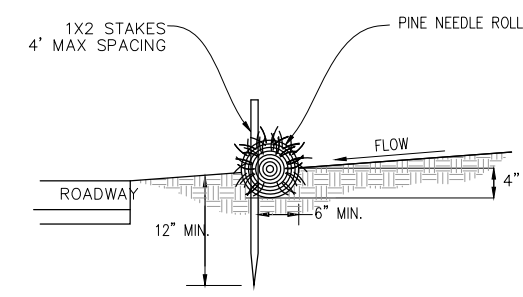


SEEDING MIXTURES		
SPECIES COMMON NAME	SPECIES BOTANICAL NAME	PLS AMOUNT PER ACRE
BLUE WILDRYE (STANISLAUS 5000 OR HIGH ELEVATION COLLECTION)	ELYMUS GLAUCUS (STAN 5000)	30
MOKELUMNE OR ELDORADO BROME (OR OTHER HIGH ELEVATION COLLECTION)	BROMUS CARINATUS (MOKELUMNE)	30
SQUIRREL TAIL HIGH ELEVATION COLLECTION	ELYMUS ELYMOIDES SSP. ELYMOIDES 9SIERRA)	40
ANTELOPE BITTERBRUSH (+5500 FT. SIERRA COLLECTION)	PURSHIA TRIDENTATA	5
MOUNTAIN SAGEBRUSH (+5500 FT. SIERRA COLLECTION)	ARTEMESIA TRIDENTATA	1
TOTAL PLS PER ACRE RATE		106

TO PROVIDE TEMPORARY SOIL STABILIZATION BY PLANTING GRASSES AND LEGUMES TO AREAS THAT WOULD REMAIN BARE FOR MORE THAN 7 DAYS WHERE PERMANENT COVER IS NOT NECESSARY OR APPROPRIATE.

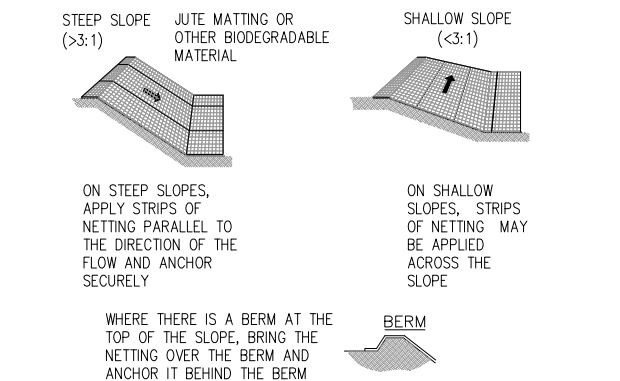


1 DRAIN INLET DETAIL  
NO SCALE



2 PINE NEEDLE ROLL DETAIL  
NO SCALE

### 4 TEMP SEEDING & MULCHING NO SCALE



TO PROVIDE IMMEDIATE PROTECTION TO EXPOSED SOILS DURING THE PERIOD OF SHORT CONSTRUCTION DELAYS

### 5 MATTING/ROLLED EROSION CONTROL PRODUCTS NO SCALE

## INCLINE VILLAGE

231 VILLAGE BLVD  
INCLINE VILLAGE, NV 89451

### ISSUE STATUS

DATE	DESCRIPTION	BY
01/25/18	CD 90%	D.G.
01/30/18	CLIENT REV	D.G.
03/09/18	CLIENT REV	D.G.
03/13/18	CLIENT REV	D.G.
07/19/18	CLIENT REV	D.G.
11/01/18	CLIENT REV	D.G.

DRAWN BY: D. GARCIA  
CHECKED BY: L. HOUGHTBY  
APPROVED BY: -  
DATE: 11/01/18

**Streamline Engineering and Design, Inc.**

8445 Sierra College Blvd, Suite E Granite Bay, CA 95746  
Contact: Larry Houghtby Phone: 916-275-4180  
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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### PRELIMINARY: NOT FOR CONSTRUCTION

KEVIN R. SORENSEN  
S4469

**INCLINE PARTNERS, LLC**

P.O. BOX 3740  
INCLINE VILLAGE, NV 89450

SHEET TITLE:  
EROSION CONTROL PLAN  
SHEET NUMBER:  
C-2

# INCLINE VILLAGE

231 VILLAGE BLVD  
INCLINE VILLAGE, NV 89451

## ISSUE STATUS

DATE	DESCRIPTION	BY
01/25/18	CD 90%	D.G.
01/30/18	CLIENT REV	D.G.
03/09/18	CLIENT REV	D.G.
03/13/18	CLIENT REV	D.G.
07/19/18	CLIENT REV	D.G.
11/01/18	CLIENT REV	D.G.

DRAWN BY: D. GARCIA  
CHECKED BY: L. HOUGHTBY  
APPROVED BY: -  
DATE: 11/01/18

**Streamline Engineering and Design, Inc.**  
8445 Sierra College Blvd, Suite E Granite Bay, CA 95746  
Contact: Larry Houghtby Phone: 916-275-4180  
E-Mail: larry@streamlineeng.com Fax: 916-660-1941

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CONSTRUCTION

KEVIN R. SORENSEN  
S4469

INCLINE PARTNERS, LLC

P.O BOX 3740  
INCLINE VILLAGE, NV 89450

SHEET TITLE:

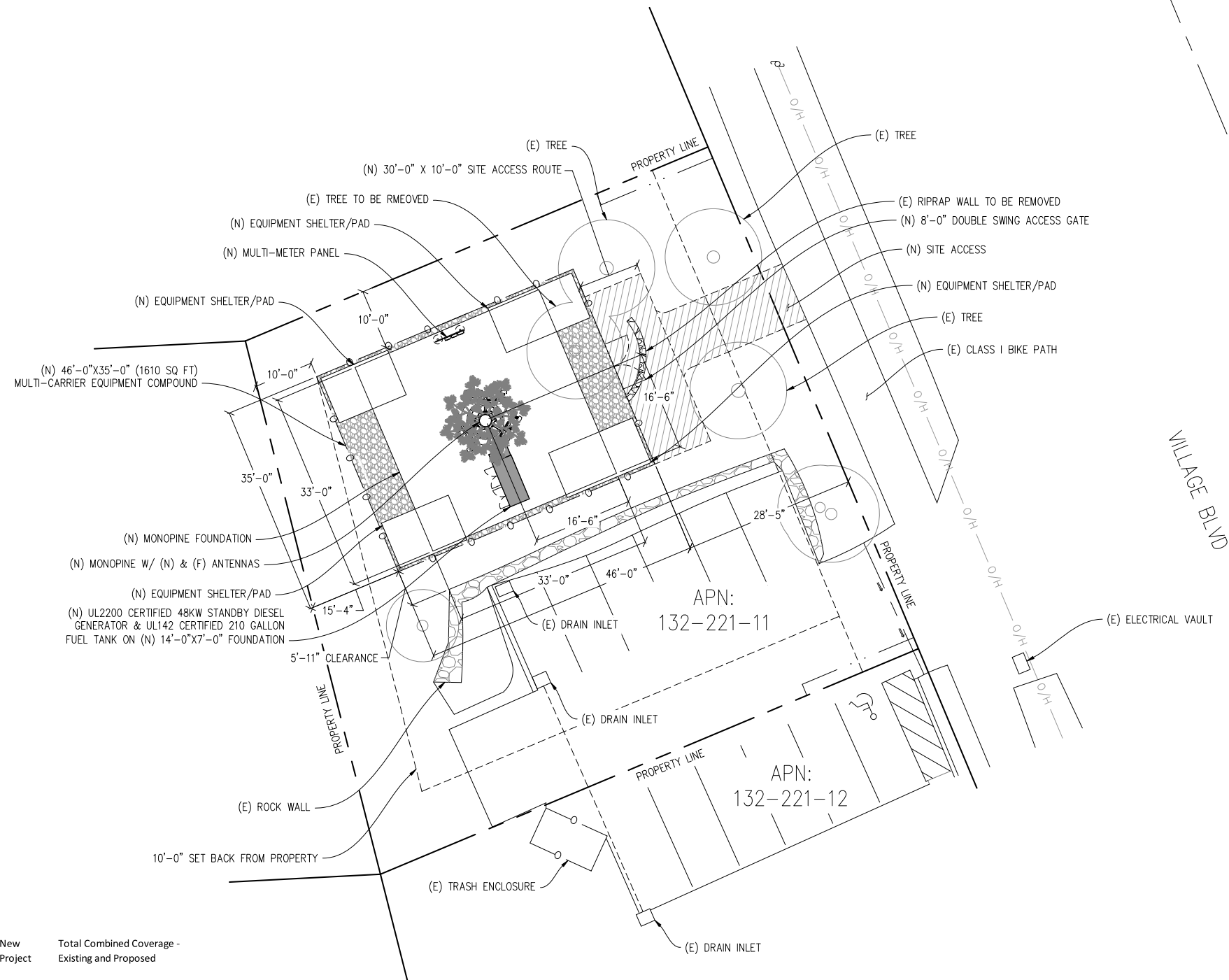
SITE PLAN

SHEET NUMBER:

A-1

WSUP19-0001

EXHIBIT G



Land Coverage Calculations:

	Lot 11 Area	Lot 12 Area	Combined Lots Area	New Project	Total Combined Coverage - Existing and Proposed	
Lot Square Footage	8077	9149	17226		17226	
Lot Acreage	0.1854 acre	0.2100 acre	0.3954 acre		0.3954 acre	
Impervious Surface Area	AC Paving	1621	1621		1621	
	Building		1876	1876	1876	
	Decks/Stairs		43	43	43	
	Concrete		450	450	450	
	A.C. Paving		1298	1298	523	1821
	Tower Compound (35 x 46)				1610	1610
<b>Total:</b>	<b>1621</b>	<b>3667</b>	<b>5288</b>		<b>7421</b>	
Percent of Total SF	20.07%	40.08%	30.70%		43.08%	



SITE PLAN

1"=10'-0"



# INCLINE VILLAGE

231 VILLAGE BLVD  
INCLINE VILLAGE, NV 89451

## ISSUE STATUS

Δ	DATE	DESCRIPTION	BY
	01/25/18	CD 90%	D.G.
	01/30/18	CLIENT REV	D.G.
	03/09/18	CLIENT REV	D.G.
	03/13/18	CLIENT REV	D.G.
	07/19/18	CLIENT REV	D.G.
	11/01/18	CLIENT REV	D.G.

DRAWN BY: D. GARCIA  
CHECKED BY: L. HOUGHTBY  
APPROVED BY: -  
DATE: 11/01/18

**Streamline Engineering and Design, Inc.**  
8445 Sierra College Blvd, Suite E Granite Bay, CA 95746  
Contact: Larry Houghtby Phone: 916-275-4180  
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PRELIMINARY:  
NOT FOR  
CONSTRUCTION

KEVIN R. SORENSON  
S4469

INCLINE PARTNERS, LLC

P.O. BOX 3740  
INCLINE VILLAGE, NV 89450

SHEET TITLE:

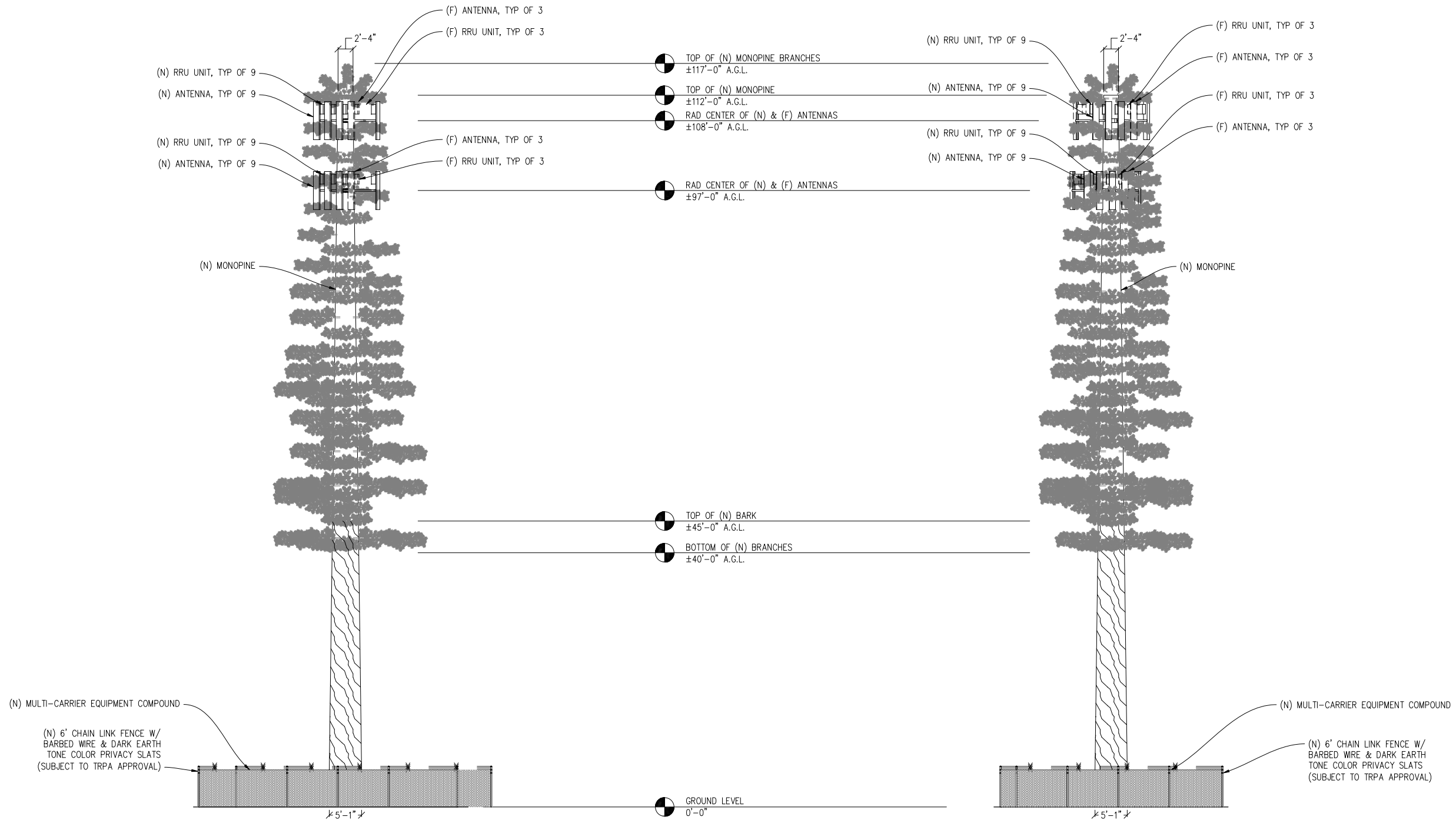
ELEVATIONS

SHEET NUMBER:

A-2

WSUP19-0001

EXHIBIT G



NORTH WEST ELEVATION

1/8"=1'-0"

NORTH EAST ELEVATION

1/8"=1'-0"

## Olander, Julee

---

**From:** Lyn Karol <l\_>  
**Sent:** Wednesday, April 03, 2019 3:06 PM  
**To:** Olander, Julee  
**Subject:** I am Opposed to the proposed cell tower in Incline  
**Attachments:** WashoeBOALetter4-1-19.docx

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Board Members,

I own a McCloud unit 6) and wish to express my opposition to the placement of a cell tower in our neighborhood. The attached letter outlines the majority of my objections.

Recently I have become even more health conscious and feel that our society is placing convenience and comfort over health and well being. There are long term consequences to this value system. I do not want to be a "victim" of forces that I cannot control and do not believe is in the best interest of me and my neighbors.

Please require the petitioners to locate the tower somewhere out of town where it will not affect the mental, physical and visual health of so many residents. Even if you find there are no health consequences, the visual existence of it will affect those that do not believe as you do. It may affect property valued (and then tax revenues). It is not worth taking the chance. Do the right thing.

Vote NO.

Respectfully submitted,

Lyn Karol Blumenthal

*The Best Teachers are those who show us where to look  
but do not tell us what to see.*

**Olander, Julee**

---

**From:** JOHN MC DONAGH <[redacted]>  
**Sent:** Wednesday, April 03, 2019 3:03 PM  
**To:** Olander, Julee  
**Subject:** Cell Tower

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

If ever there is a place of visual serenity, please don't destroy

Village Blvd. with yet another cell tower in our community.

John McDonagh

McCloud Owner

## Olander, Julee

---

**From:** Eric Edenholm <eeder >  
**Sent:** Wednesday, April 03, 2019 1:32 PM  
**To:** Olander, Julee  
**Subject:** Incline Village Cell Tower - Opposed

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Hi Julee,

As a long time owner of a McCloud Condominium ( ) and visitor to the Incline Village area (going on 40+ years now), I would like to express my opposition to the cell tower structure and equipment yard being proposed along Incline Village Boulevard.

Aside from wanting better cell coverage and for the property owner's desire to cash in on their property, I don't pretend to know all of the reasons why someone feels the need for this installation. I have always felt that Incline Village is a unique place and a true getaway from the rush of urban life. It seems like a true sacrifice of this idyllic setting to construct a very large tower, and which may also have negative health consequences to those in the immediately surrounding vicinity.

I hope that you reconsider your intention to approve this unnecessary intrusion on this pristine place.

Thanks,

Eric

Eric Edenholm  
(  
[ee](#)

## Olander, Julee

---

**From:** Stevan Berardo <scbu...oo.com>  
**Sent:** Wednesday, April 03, 2019 2:36 PM  
**To:** Olander, Julee  
**Cc:** Darcie HOA McCloud  
**Subject:** Telephone tower- NO!!

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Just for the record, as a home owner in the McCloud development, we are not at all in favor of erecting a cell phone tower on Village Blvd.

Steve & Lynn Berardo



**From:** [m.jacobson](#)  
**To:** [Olander, Julee](#)  
**Subject:** Vote Against Cell Tower  
**Date:** Wednesday, April 03, 2019 1:20:19 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Olander,

I am a taxpayer and voter within Incline Village, Washoe County Nevada.

Please vote against the installation of the 117 foot cell tower as proposed. The Tahoe area and Incline Village are in a unique natural setting that requires care and consideration of public utilities such as cell towers.

There are many options that can blend with natural settings that do not require the height and proximity in the center of town as proposed. Smaller more distributed towers, or possibly one that is scaled to be within existing natural scenery and not projecting above treetops.

Thank you for your consideration and representation of your constituents.

Mark Jacobson  
221 E. Incline Village, Incline Village, NV 89451  
775-270-1077

**From:** [Tom Rosenthal](#)  
**To:** [Olander, Julee](#)  
**Subject:** Tower  
**Date:** Wednesday, April 03, 2019 1:19:14 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

I live full time in the Mcclouds and don't want a tower that close to that many residents  
Sent from my iPhone

**From:** [cbwillb@charter.net](mailto:cbwillb@charter.net)  
**To:** [Olander, Julee](#)  
**Cc:** [Todoroff, Pete](#)  
**Subject:** Resident opposing Cell Tower installation on Village Blvd, Incline Village  
**Date:** Wednesday, April 03, 2019 1:16:15 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

To: Ms Olander and the Washoe County Board of Adjustment  
From: Carole Black  
Date: 4/3/2019

I am a resident of Incline Village writing to document my opposition to the erection of the proposed cell tower at 231 Village Boulevard, Incline Village, NV. I completely agree with and have signed the summary opposition letter which will be sent from community members to the Washoe Board. Such a potentially dangerous, massive, unsightly installation has no place on a small site within a densely occupied, heavily trafficked area in the middle of a small, quiet, largely residential town and recreational tourist destination particularly when there are many alternatives. It has been opposed by the majority of residents who have attended meetings to date.

Said simply, I believe that this is primarily a commercial venture proposed by revenue seekers and structured optimally for commercial return. The proposed cell tower installation fails to meet the requirements for a Special Use Permit: the described "need" is at best arguable and the proposed "solution" appears biased lacking exploration, comprehensive development and evaluation of viable alternative options including impacts of some which may already be approved. Other than commercial revenue and some potential improved convenience, there is no clear justification of value that can only be satisfied by this proposed tower in this prime site - a site which is likely more suited for alternative uses which better support broader community needs. No tower alternatives are discussed outside of a single large tower installation on a small site within the central community area despite a variety of potential unexplored options including different technical designs to meet any true, clearly substantiated need and/or use of alternative sites within the extensive and mostly undeveloped surrounding geography.

Further, there are significant additional specific concerns related to the installation of such a large industrial entity in this small central site including public safety, noise, potential health concerns, and environmental/scenic/community value impact which further support denial of this permit in favor of exploration of alternative approaches and sites for any truly required service enhancements. Many of these concerns have been articulated in the summary letter from opposed residents (which I have signed as noted above) and/or at previous meetings. I spoke at the recent CAB meeting and plan to attend the Board of Adjustment to again voice my opposition.

Thank you for your attention to our concerns,

Carole Black  
3, Incline Village, NV 89451

**From:** [Viktoria Kolesnikova](#)  
**To:** [Olander, Julee](#)  
**Subject:** NO! to IV Cell Tower in Incline Village  
**Date:** Wednesday, April 03, 2019 1:50:28 PM

---

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello -

We are owners of Parcel # 14 in Incline Village.

We 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 close to our residence.

Please add our voice to the votes against this monstrous structure.

With respect ,

Viktoria and Aleksandr Kolesnikov

Parcel #14 Incline Village

**From:** [Jon Crawford](#)  
**To:** [Olander, Julee](#)  
**Subject:** IV Cell Tower  
**Date:** Wednesday, April 03, 2019 2:04:07 PM

---

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Ms Olander,

I'm not at all thrilled with a new cell tower going in on Village Blvd. I currently live part of the year in Santa Barbara, CA and similar issues have concerned SB residents as well.

The best solution for much of Santa Barbara and Montecito has been to install microcells. Residents have tolerated them much better. They address health as well as visibility issues much better than the traditional large cell towers. I would encourage you to look further into small scale installations.

Jon Crawford

12

Incline Village, NV

--

Jon Crawford  
702.440.1100

[www.joncrawford.com](#)

**From:** [eder51@aol.com](mailto:eder51@aol.com)  
**To:** [Olander, Julie](#)  
**Subject:** Cell Tower  
**Date:** Wednesday, April 03, 2019 1:10:20 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

I do NOT support building a cell tower in the middle of Incline Village.

Ed Claridge  
93                    i5

MEMO: Board of Adjustment Members

April 4, 2019

From: Robert and Robin Holman, 2

**FORMAL NOTICE OF OPPOSITION**

Proposed Project: Construction of 117' Cell Tower, Generator Building, and 220 Gallon Diesel Fuel Tank, 231 Village Bl. in the Commercial and Residential visual corridor of Incline Village. Robert and Robin Holman, residing at 214 Village Blvd., approximately 75 yards across the Village Blvd. visual corridor from the proposed project **object to the location, construction, operation, and inevitable expansion of a visual, noise, and EMF radiation polluting tower and generator.**

In addition to the Washoe County Code's prohibitions for the tower, TRPA, following its guidelines should deny the tower's construction. To paraphrase TRPA's stated responsibility: *"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"* leads to the unequivocal basis for a decision to **deny TRPA and Washoe County project approval.** The entire scope of this project has predominately negative environmental, economic, health, and safety consequences and is absolutely contrary to government's stated mission.

There is NO compelling topographic or geographic logic to demonstrate placing the tower in the population center will result in coverage superior to locating the tower on property already approved proximate to the Washoe County Sheriff's substation near the 28/431 traffic circle. TRPA has a responsibility to its constituents in Incline Village to improve the environment, not denigrate it with unsightly and polluting projects. Stop this project now.

The economic impact unbalanced. Modest revenue to the developer from installation of a cellular tower next to homes and businesses benefits only one entity. Meanwhile, the negative impact on proximate property values, demonstrated by numerous studies, is far more serious. If the value of neighboring homes and business falls from 4% to 20% and salability or rent ability becomes difficult or impossible because potential buyers, residents, and tenants do not wish to live or work near a cellular tower, significant negative economic consequences, harming many citizens, will be caused by TRPA approving this proposed permit.

Cellular companies tout benefits: faster data, better service, more coverage. Like the tobacco and drug companies, proponents overlook the ever increasing body of research on the human health effects and safety of the tower emitting radiation and electro-pollution. Should Incline residents become part of the 'great experiment' resulting from oversaturation of electromagnetic and wireless radiation exposure? TRPA should and must eliminate that risk to our population by denying this permit.

The noise pollution resulting from running the generator and day and night trucks performing maintenance is a demonstrable public nuisance. A back up diesel generator, run weekly for maintenance/performance tests, will add to both noise and air pollution in the neighborhood, which is unnecessary especially since there is a much better, and much safer location on available to serve the developer's need.

The tower will grow from the proposed four antennae to more attachments; they all expand. As more radiation emitting facilities are added, the tower will become even a bigger potential danger and eyesore. Property values will be harmed, additional backup generators will be a potential, more diesel pollution, more noise pollution, and more visual pollution all along what is arguably one of Incline Village's most important visual corridors. It is Washoe County's mandate to carefully monitor and protect residents. This is a prime example of where Washoe County can and should protect its citizens by denying the permit.

Washoe County Board of Adjsutment - Special Permit Case #WSUP19-0001  
Reno, NV 89512

Dear Commissioners:

My wife and I are owners and residents of a property located at Southwood Blvd. in Incline Village. We are located approximately 300-400 feet from the proposed cellular tower. RE: Application for installation of 117' cell tower at 231 Village Blvd in Incline Village, NV 89451. It has Washoe Special Permit Case #WSUP-19-0001

**The size and height** of the tower (117 feet) is way out of scale to the character of this mixed commercial-residential area. The tower will supposedly be "concealed" in the shape and color of surrounding trees, but the size is simply out of scale to the neighborhood.

**Compelling public need?** As almost every home and business in the area has high speed Wi-Fi, I do not see the compelling reason for this tower, except to benefit seasonal tourists in our area. Anyone who lived in the Incline Village area last summer, knows that we do not need this additional "benefit" to encourage more tourism in the area. Incline Village and Lake Tahoe is not an urban area. People living and visiting here should not expect complete urban amenities such as "perfect" cellular service. We live in a VERY 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 second to let Verizon customers get better cellular phone service.

**Property Values?** An overwhelming 94% of home buyers and renters surveyed by the National Institute for Science, Law & Public Policy (NISLAPP) say they are less interested and would pay less for a property located near a cel tower. This echos a New Zealand study that found that buyers would pay as much as 20 percent less for a property near a cell tower or antenna. In essence, nearby property owners will be subsidizing the owners of the new cell tower with the depreciation of their property values.

**Health risks?** While I appreciate the public need for cellular service, 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. Many children live in this complex. Is the potential risk to their health and lives worth less than Verizon's profit. The Ramazzini (Italian) study has shown a direct correlation between cancer risks and health. Reference: <https://ehtrust.org/worlds-largest-animal-study-on-cell-tower-radiation-confirms-cancer-link/> A most interesting paper discussing the health risks of proximate Wi-Fi towers is also indicated in this document: [http://www.wi-cancer.info/antenna\\_sickness.aspx](http://www.wi-cancer.info/antenna_sickness.aspx)

European Wi-Fi 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.

Why this location? After the community rejected a similar tower near the Incline Village High School, why here? Why cannot such a tower (if needed) be located at another location that is remote from our population center.

Respectfully:  
Michael Abel [N](#)



**From:** [Alexander Tsigdinos](#)  
**To:** [Olander, Julie](#)  
**Subject:** Against Incline Village Placement of Cell Tower  
**Date:** Wednesday, April 03, 2019 8:39:22 AM

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[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Ms. Olander,  
I share the concerns expressed by my wife, Pamela, about the proposed location and impact of the new cell tower. With this email and details below, please include me as a 'no' vote as well. You can reach me at (775) 298-7305 or contact me via this email if you need additional information. I live in Incline Village at

Thank you,  
Alexander P. Tsigdinos

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

- In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower

Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

Alexander P. Tsigdinos (Alex Sig-din'-us)

**From:** [Steve Dance](#)  
**To:** [Olander, Julie](#)  
**Subject:** Proposed cell phone tower in Incline Village  
**Date:** Wednesday, April 03, 2019 12:55:30 PM

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Ms. Olander,

As a homeowner in the McCloud condominium complex on Village Boulevard in Incline Village I would like to voice my objection to the proposed construction of a cell phone tower on Village Boulevard. Having a large tower on that site in the middle of Incline Village, together with the ancillary equipment that goes with it, is totally inappropriate. It would create an eyesore in the middle of the village, not to mention a potential health hazard, and is inconsistent with the goals of Incline Village to present itself as an upscale, people-oriented community.

I understand that your intention is to recommend approval of the tower construction project, and I respectfully urge you to reconsider your position on this. If such a tower is needed, it should at least be located in an area away from the center of the village where it would be less obtrusive.

Sincerely,

Stephen G. Dance  
McCloud

**From:** [Pamela Mahoney](#)  
**To:** [Olander, Julie](#)  
**Subject:** Against Incline Village Placement of Cell Tower  
**Date:** Tuesday, April 02, 2019 7:03:54 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Olander,  
I live in Incline Village at 1080 Oxen Road and I am very concerned about the proposed location and impact of the new cell tower. With this email and details below, please include me as a 'no' vote. You can reach me at ( ) 5 or contact me via this email if you need additional information.  
Thank you, Pamela M. Tsigidinos

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

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Section 1; IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

## 1. IP EXISTING COVERAGE MAP IS INACCURATE

- In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

- **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IP's Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

- **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

## 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

- According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells..."*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IP's proposed coverage.**

### REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION

IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

### FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV

- In IV, First Responders use a dedicated network [FIRSTNET.GOV](http://FIRSTNET.GOV). They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IP application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The “carrier equipment compound” or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

**1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

• There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

**2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS**

• Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

• High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

• In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

• Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

• A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

**REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**  
IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

• Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.
- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

**REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.
- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.
- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.
- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**



**From:** [Heather Williams](#)  
**To:** [Olander, Julee](#)  
**Subject:** Incline Partners Cell Phone Tower Application  
**Date:** Wednesday, April 03, 2019 12:45:26 PM

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Ms Olander:

I am one of the Incline Village residents who are vehemently opposed to the construction of the Incline Partners cell tower. I know of no one in favor of this and residents I have spoken with do not have a problem with cell service – including the Fire Station. Personally, I have never had an issue with cell service or connectivity.

There are 2 recently approved towers – one on top of a commercial building locally and a second in Kings Beach, CA. It seems to me that that will be more than adequate coverage without the addition of yet another cell tower in the middle of the village. My concerns are many but the biggest is the lack of honesty in the Incline Partners proposal. In their notice to residents, they never mentioned an Equipment Yard and tower construction on about 1800 square feet, which will hold the telecom equipment cabinets, the generator, and the propane gas tank. Nor did they mention they will have to level the lot AND build a retaining wall and fence around the equipment. This is not **just** a cell phone tower.

There are other sites in Incline that would be more appropriate. Is this REALLY going to improve cell service? Putting a tower on a sloping lot at near the bottom of the Village does not seem like the most prudent plan. . Finally, how can they attempt to complete this project when their license has been suspended in Nevada?

For all the reasons above, and oh so many more, I strongly urge you to not deny the Incline Partners cell phone tower application.

Respectfully,

Heather Williams

Dear Board of Adjustment Members,

I am writing to protest the installation of a cell tower on village blvd in incline village. I cannot believe that you would issue a special permit for its construction, when it is obviously against the wishes of almost all the nearby residents, stands in violation to the specific wording of the washoe county regulations, is unnecessary (given the number of alternatives including some apparantly already approved), has never been prove safe, and will uglify one of the country's nicer towns.

I don't know much about the politics of this all but I would like to think that you all are on the side of the residents.

Sincerely,

William L Black  
Incline Village, NV

**From:** [Andrew Merrill](#)  
**To:** [Olander, Julee](#)  
**Subject:** Incline Cell Tower  
**Date:** Wednesday, April 03, 2019 7:46:13 AM

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[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Please build the tower.

[Sent from Yahoo Mail for iPad](#)

**From:** [Steven Price](#)  
**To:** [Olander, Julee](#)  
**Subject:** Incline Village Cellular Tower  
**Date:** Tuesday, April 02, 2019 7:25:25 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

County Planners: I have attended multiple meetings on the 112+ foot mono-pine cellular tower currently proposed for Incline Village. I have yet to attend any meeting (normally 25+people) at which more than a few individuals favored its erection as presently proposed. The vast majority believe that locating the tower in the midst of a community is unwarranted and unacceptable.

I totally agree with the facts in the letter being sent to you by key members of our community. It summarizes and validates the many substantive problems with the proposal.

Unfortunately, I am currently out of state and thus unable to attend the 4 April meeting.

Steven F. Price

Incline Village  
(I have excellent cellular service-AT&T)

Sent from my iPhone

**From:** [jay allen](#)  
**To:** [Olander, Julee](#)  
**Subject:** Incline Village cell tower  
**Date:** Tuesday, April 02, 2019 9:42:33 PM  
**Attachments:** [WashoeBOALetter4-1-19.docx](#)

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Julee Olander - As a resident of Incline Village and resident of the McCloud Condominium complex, I want to let you know that I am totally opposed to the proposed cell tower on Village Blvd. I do not relish living next to such an unsightly structure that is out of character for this part of Incline Village.

In addition to the health concerns of nearby residents, this location does not provide any benefit over other possible sites that are presently available in Incline.

I am in total agreement with the attached letter and hope that the Board of Adjustment can see to vote this proposed location down.

Thank you,  
Jay Allen

**From:** [Linda Schafer](#)  
**To:** [Olander, Julee](#)  
**Subject:** Proposed cell tower in Incline Village  
**Date:** Wednesday, April 03, 2019 9:31:12 AM  
**Attachments:** [image001.png](#)

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good morning Julee,

I received information recently regarding the proposed cell tower in Incline Village. My husband and I have been full-time residents and business owners in Incline for the past five years and are opposed to this project. We do not feel this tower would fit into the natural beauty and landscape of Tahoe. Please forward my e-mail on to the board that will be voting on this proposed new venture.

Thank you!

Best regards,



**Linda Schafer**  
President, LGS Group, Inc.  
P 775 831  
E [linda.schafer@lgs.com](#)  
A  
Incline Village, NV 89451

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**Olander, Julee**

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**From:** Mary Bale <marybethbale@gmail.com>  
**Sent:** Tuesday, April 02, 2019 10:39 AM  
**To:** Olander, Julee  
**Subject:** Incline Village cell tower  
**Attachments:** cell tower WashoeBOALetter4-1-19.docx

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Julee,

Please review the attached letter to the Board of Adjustment Members. I am in full agreement that the Board of Adjustment should deny the application for building the proposed cellular tower in Incline Village. I request that you deny the application because the proposed site is not the only possible site for the tower. if the tower is built as planned it would negate possible mixed-use potential of this parcel in the middle Incline Village that could be put to much better use.

Thank you,

Mary Bale

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

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• **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IPs Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

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## 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

• According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IPs proposed tower.**

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*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IPs proposed coverage.**

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IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

### FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV

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**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

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- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

**1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be

visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

## 2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

### **REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

## **REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

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- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**

To Whom It May Concern,

March 9, 2019

I am a property owner in Incline Village and reside at 875 Southwood Blvd, Unit 15 Incline Village Nevada.

I am strongly in favor of placing the proposed Cellular Tower in the location proposed near Village Blvd. We currently have terrible cell coverage which is challenging, especially when trying to be in contact with business associates.

I would like to see the proposed Cell Tower built and definitely In Favor of this.



Pati Fehr  
916-955-3340  
875 Southwood Blvd #15  
Incline Village NV 89451

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Teresa Sathe

Name

PO Box 6510

Address

Incline Village, NV 89450

Address

Teresa Sathe

Signature

3-25-19

Date

**Olander, Julee**

---

**From:**  
**Sent:** Wednesday, April 03, 2019 3:12 PM  
**To:** Olander, Julee  
**Subject:** Incline Cell Tower....No!!!!

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
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Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

• In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

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Deahn Boies  
McCloud Homeowner

**From:** [Margaret Martini](#)  
**To:** [Olander, Julee](#)  
**Cc:** ["Marsha Berkgigler"; jmarchetta@trpa.org](#)  
**Subject:** cell tower location in Incline Village  
**Date:** Wednesday, March 27, 2019 1:01:15 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Julee,

Since I have a scheduling conflict I may not be able to attend the Commission meeting and would like to express my concerns and opposition to this proposal of a cell tower in the middle of Incline Village.

I have lived in Incline Village since 1964 and have been active in community matters for many years.

This is a really objectionable proposal in many ways.

I have never ever seen a 'camo' cell tower that looks decent. The hired artists make it look acceptable by deceiving the actual ugliness of fake tree cell towers.

This tower proposal is many feet above even the tallest tree in the neighborhood. It will be able to be seen from the lake. I am hoping that someone in the TRPA will get off their duff and figure this out as a scenic corridor faux pas.

There are many pros and cons about health issues of cell towers and one can argue all day about that. Just the fact that there are credible studies out that support the negatives should be enough of a concern to not locate the tower in the middle of a residential area and close proximity to schools.

There are other locations that will maximize service without this egregious and contentious location.

This is not a "NIMBY" issue. It is a scenic community issue and perhaps a health issue.

I am hoping that the Commission will deny this request as there are other options for locations available.

Thank you and please add my comments to the minutes of the meeting.

Margaret Martini  
Incline Village, NV

**From:** [Jeffry Poindexter](#)  
**To:** [Olander, Julee](#)  
**Subject:** Cell Tower  
**Date:** Wednesday, March 27, 2019 11:16:36 AM

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**[NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Julee,

I want to state my strong support for installation of the proposed cell tower in Incline Village.

As a businessman (Realtor) in Incline Village I had to change carriers from Verizon to AT&T because I could not make a call from my home in the Ponderosa Subdivision nor from my office directly across from the Railey's shopping area. I made this change when the corporate offices of Verizon said they "could not provide the coverage" and recommended I go to another carrier. The lack of coverage in Incline Village and surrounding areas is a common complaint and continued attempts to delay installation of a cell tower serves no purpose and hurts the residents, businesses, and visitors to this area.

Jeff Poindexter

Incline Village, NV 89451

--



[SignaSource](#)

Julee Olander  
Planner/Community Services Department  
Planning & Building Division  
1001 E. Ninth Street  
Building A  
Reno, NV 89512

March 29, 2019

RE: WSUP19-0001

Dear Julee:

My name is Susanne Sims.

Five years ago I moved to Incline Village to retire. After considering numerous places, both in the United States and abroad, I settled here. I chose Incline for the following reasons:

Incline Village is truly is a village. This means everything can be accessed within walking distance. People now days want to reduce their carbon footprint, and a location's "walking score" has become a factor in one's decision making.

I also chose Incline Village because it is a healthy place, with with a recreation center, beaches, tennis, golf, swimming, hiking and more. Residents here pride themselves on staying healthy, and fit.

I am stunned that a cell phone tower is now being proposed for the center of this village, precisely where the village is

most densely populated with businesses, residences and schools and our hospital. **There could not be a worse location!**

There is ample evidence that cell phone towers lead to cancer and other illnesses. This recent article from Modesto, CA reports that 4 students now have cancer since a cell tower was placed on their school grounds.

**The Modesto Bee March 12, 2019:**

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

<https://www.modbee.com/news/article227459649.html>

Not only will this tower harm our residents, it will also be a visual blight. I believe a cell tower in town could lower property values because in this day and age, **no one wants to live or work next to a cell phone tower.**

If this cell tower does end up just 3 blocks from my home, I will be forced to sell my residence and relocate elsewhere.

Cell towers belong as far away from the public as possible. By permitting this sort of utility right in the center of our town, in the most densely populated area, you are subjecting people to tremendous risk and harm.

**The Board of County Commissioners must vote no on this!**

Thank you,  
Susanne Sims





To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Name

Address

Address

Signature

Date

To:

Julee Olander  
Planner/Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washocounty.us


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Very truly yours,

  
Bob Alston

Name

Address

Address

Signature

Date

3/20/2019

To:

Julee Olander  
Planner/Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Sarah Bertlett  
Name

one [unclear] AB  
Address

Incline Village, NV 89451  
Address

Sarah Bertlett  
Signature

3/22/19  
Date

To:

Julee Olander  
Planner(Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

  
Name

\_\_\_\_\_  
Address

Incline Village, NV 89451  
Address

Gregory Lowder  
Signature

3/22/2019  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

WILLIAM FERRARI  
Name

\_\_\_\_\_  
Address

Incline Village NV 89451  
Address

  
Signature

3-22-19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Steve Sathre

Name

Address

Incline Village, NV 89451

Address

Signature

Date

I sometimes lose calls on my cellphone at my house, so please help us improve our service.

Thank you

RE: WSUP19-0001

March 29, 2019

I am writing with my concerns about the new cell tower being planned for Incline Village. I am a resident of Incline Village at Pinebrook Condominiums, which is just a few blocks from the proposed site.

Let me start with a brief intro. I hold a Ph.D. in Natural Health Sciences, am licensed both as an acupuncturist and an East Asian medical practitioner and have been testing homes and offices for electromagnetic "smog" for well over a decade.

I received my training in this work primary from Dietrich Klinghardt, M.D., Ph.D. Dr. Klinghardt has been a pioneer in sounding the alarm against wireless technologies for over 20 years and sees more and more patients with sensitivity to these frequencies.

My other colleague is Olle Johansson Ph.D. who is a Professor of Neurology at the Karolinska Institute in Sweden. They are charged with administering the Noble Prize in medicine. Dr Johansson is generally considered to be perhaps the world's leading expert on electropersensitivity, a term he coined, and a condition considered to be a functional impairment in Sweden. Dr Johansson and I communicate regularly.

If you were to Google either of these men you would discover just how credible they are. It's important to recognize that, much like regarding the tobacco industry of a few decades ago, there are two distinct bodies of research on this topic. Industry sponsored research shows little risk. The other body of research shows substantial risk.

Symptoms include headaches, sleeplessness, anxiety, depression, and more. Particularly concerning are the links to dementia and cancer. Sadly, we are the guinea pigs in this wireless experiment and it will likely be decades before the full impact and damage are realized. By then too much harm will have been done to an unsuspecting public.

I would urge you to please explore the independent research prior to allowing this tower to proceed. It is easily accessible on line. I would also be happy to offer further information via the phone if you'd like.

As much as the wireless industry would label me a quack, I have done enough research to be confident in my position, and would wish you would err on the side of caution before exposing our community to this invisible but real, risk.

Thanks for your kind consideration.

Sincerely

Richard Diehl Ph.D., M.Ed., L.Ac.

(80



## **PETER TODOROFF PRESENTATION TO BOA - 3 minutes**

**We members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their proposed site in Incline Village (IV).**

**We base our request on six reasons for denial that are detailed in the letter I've distributed to you and which I now summarize.**

### **OUR FIRST REASON FOR DENIAL – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

**Regarding coverage, we request you deny the application because**

- (1) the “gap in coverage” represented by Incline Partners coverage map is inaccurate, indicating there is no cell coverage where residents have proven coverage,**
- (2) most proposed coverage in IV will duplicate current Verizon cell tower coverage,**
- (3) the proposed tower will be in the middle of IV but new coverage will primarily be to the west of 431 and in Crystal Bay, and**
- (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate Incline Partners proposed coverage.**

### **OUR SECOND REASON FOR DENIAL – INCLINE PARTNERS TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION AS THEY SUGGEST.**

**Firstnet.gov provides adequate coverage for first responders in IV. We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**OUR THIRD REASON FOR DENIAL–INCLINE PARTNERS TOWER WILL BE AN INAPPROPRIATE USE OF THE PARCEL PER TRPA**  
**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

**OUR FOURTH REASON FOR DENIAL – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

We request you deny the application because

- (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation,
- (2) a tower collapse or fire would be disastrous in the middle of the Village, and
- (3) these perceived hazards will negatively affect home prices in the surrounding area.

**OUR FIFTH REASON FOR DENIAL – THE TOWER NEGATES POSSIBLE FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this parcel in the new Community Area Plan. This very valuable parcel in the middle of IV can be put to much better use.

**OUR SIXTH REASON FOR DENIAL – THE ALTERNATIVE SITE ANALYSIS BY INCLINE PARTNERS IS INADEQUATE**

We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.

All of these reasons for denial are detailed in the letter already distributed to you together with the coverage maps and signature page.

THANK YOU FOR CONSIDERING OUR REASONS FOR ASKING YOU TO DENY THE APPLICATION. WE ARE ALL FOR BETTER CELL COVERAGE BUT NOT TO THE DETRIMENT OF INCLINE RESIDENTS OR THE VILLAGE ITSELF.

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

## REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

### 1. IP EXISTING COVERAGE MAP IS INACCURATE

- In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

- **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IP's Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

- **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

### 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

- According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly*

*turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells...*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IPs proposed coverage.**

#### **REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION**

IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

#### **FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV**

• In IV, First Responders use a dedicated network FIRSTNET.GOV. They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

#### **REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment,

there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

## **REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

### **1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

### **2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS**

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

**REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

**REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**



Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**

**From:** [Edee Campbell](#)  
**To:** [Olander, Julie](#)  
**Subject:** Cell Tower Incline Village  
**Date:** Monday, April 01, 2019 5:27:06 PM

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I live in Incline.

I am in favor of the cell tower.

Kind Regards,  
Edee Campbell

**From:** [Jeffry Poindexter](#)  
**To:** [Olander, Julee](#)  
**Subject:** Incline Village Cell Tower  
**Date:** Monday, April 01, 2019 7:22:24 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Julee

It appears the Incline Village Community Forum is again stating they are opposed to the proposed cell tower. I am a member of this group but am out of town for my Mother's 92nd birthday.

I do not agree with the Forum and again strongly support the installation of the proposed cell tower in Incline Village. Please proceed with you recommendation that the tower be approved.

Jeff Poindexter

--



April 1, 2019

Washoe County Board of Adjustment  
c/o Department of Planning and Building  
1001 E. Ninth Street, Build C, Second Floor  
Reno, Nevada 89505

**Re: Case # WSUP19-0001 (Incline Village Monopole)**

Dear Board of Adjustment Commissioners,

The purpose of this letter is to express our concern as a nearby group of property owners related to a proposed 117-foot tall monopole (cellular tower) to be located approximately 100 feet south of the intersection of Incline Way and Village Boulevard in Incline Village. Although Washoe County staff is recommending approval of the Special Use Permit (SUP) to be considered by your Board, it appears that the staff report fails to address key components of the Washoe County Development Code that apply to this specific request.

Specifically, the staff report fails to adequately address visual impacts and provides no discussion on land use compatibility. The staff report includes photo-simulations prepared by the applicant that depict the proposed monopole in context with the surrounding environment. However, the simulations fail to provide any dimensions whatsoever as to the height of surrounding trees, etc. In all of the simulations provided, the proposed monopole is lower than surrounding trees yet on page 16 of the staff report it is stated that the *"tower is taller than the trees on the site."* Furthermore, there is discussion within the staff report, and the applicant's submitted application, that the tower needs to be taller than surrounding vegetation in order to be effective. This appears to conflict with the provided simulations. On page 15 of the staff report it is noted that a tree will be removed to allow for the construction of the equipment enclosure. It is not stated as to whether or not the simulations provided reflect the removal of this tree which could help to further screen the tower. In the simulation titled "View 3", included on page 11 of the staff report, the simulation shows two dead trees that help obscure the view of the proposed tower. It is highly likely that these trees will be removed based on TRPA standards which not only make the simulation inaccurate, but will reduce screening of the tower as well.

Without an accurate reference to existing tree heights, vegetative cover, and proposed post-tower conditions (i.e. removal of the existing tree), it is not possible to determine if the simulations provide an accurate depiction of the proposed facility. Without this information, it is impossible for the Board of Adjustment to make an informed decision on the SUP approval.

The staff report has very little discussion or analysis related to the proposed equipment enclosure. Neither Washoe County nor the applicant has provided any architectural elevations as to what this enclosure will look like or whether it is compatible with existing structures in the area. The staff report notes that a cyclone fence with wood-colored synthetic slats and barbed-wire will be used to screen the enclosure along with the addition of native vegetation. A cyclone fence with barbed wire is clearly inconsistent with surrounding uses and will not blend with the natural or built environment surrounding the site. It is also stated that the enclosure will sit atop "raised platforms" within the enclosure area but fails to address whether the proposed fence is at existing grade or at the level of the platform(s). It is unclear whether the fence will fully screen a raised equipment shelter or, if the fence is at platform level, whether or not additional visual impacts are created. There is no analysis whatsoever of what the tower base and surrounding structures will look like or if they are compatible with the surrounding area other than the referenced cyclone/barbed wire fence. This critical analysis is needed and must be considered by the Board of Adjustment, yet it is not provided in the staff analysis.

The applicant states on page 3 of their submitted application that "up to four (4) equipment shelters or equipment cabinet configurations located on up to four (4) concrete pads or raised platforms, with service lights that are only used during routine maintenance or emergency situations" are proposed. The site plan depicts these "shelter/pads" on all four corners of the site and also labels a "multi-carrier equipment compound" on the plan. It is not clear as to whether or not the four pad areas are included in the equipment compound or are separate and the staff report provides for no clarification. Additionally, the staff report fails to address potential visual impacts associated with the equipment pads and structures. There is no analysis related to the height of the structures, architectural character, etc. Once again, it is not possible for the Board of Adjustment to make an informed decision without the knowledge of these basic design features.

The staff report notes that a back up generator will be located onsite and will only be used during an emergency outage. The report goes on to note that "the applicant states that the generator will meet or exceed Washoe County noise regulations." However, the conditions proposed by staff fail to memorialize this claim and provide for no enforceable requirement that ensures noise compliance.

There are a variety of legal findings that the Board of Adjustment must make in order to recommend approval of the SUP. Although these findings are listed in the staff report and addressed by Washoe County staff, there is inadequate analysis to support statements that are made, including the following:

Finding 1 – Consistency. *That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan.*

Staff indicates that they reviewed the Master Plan and Tahoe Area Plan and did not identify "any provisions that are offended by the project." The staff report provides no analysis whatsoever. There are a variety of policies within the Tahoe Area Plan including policy ICCP.1.1 that addresses compatibility with adjacent land uses including sufficient buffering. Policy ICCP.2.1.2 requires that all new structures include a "New Tahoe" image as defined in the Area Plan. The staff report makes no reference to this and completely fails to address the architectural design or compatibility of the equipment shelters.

Finding 3 – Site Suitability. *That the site is physically suitable for a telecommunications facility (monopole) for the intensity of such development.*

Staff's analysis simply states that "the parcel is vacant with numerous large trees on the property and site is physically suitable for a monopole." Once again, there is no analysis to defend this claim. Considerations such as the removal of the onsite tree or adjoining dead trees, existing tree heights, etc. are not discussed or analyzed. There is no consideration given as to whether the site is suitable from a visual impact perspective nor whether or not it is suitable to locate a cyclone fence with barbed wire adjacent to the uses that surround the site. There is a significant lack of analysis to determine if this finding can be met.

Finding 4 – Issuance Not Detrimental. *That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.*

Staff addresses this finding by stating that the project complies with FCC standards related to electromagnetic frequencies and thus "full complies" with this finding. This analysis blindly ignores the consideration of whether or not the tower will be injurious to the property or improvements of adjacent properties. While it is recognized that electromagnetic fields and radiation is not within the reviewing purview of staff or the Board of Adjustment, no consideration is given whatsoever as to whether or not construction of this facility will be detrimental to adjoining properties based on design, screening, etc. Given the facts and supporting material included in the staff report, basic information needed to make this finding is not available. It is unclear whether or not the photo simulations are accurate, no details are provided on equipment shelters, and a barbed wire security fence is completely out of character with the surrounding area. Based on these considerations, this finding cannot be met.

Section 110.324.75 of the Washoe County Development Code establishes supplemental standards and findings for telecommunication facilities. On page 17 of the staff report, it is stated that "staff has reviewed all of the standards and conclude that the standards have been met" in reference to the requirements outlined in sections 110.324.40 through 110.324.60 of the Development Code. This statement is false. The following provisions of section 110.324.60 have not been addressed by the applicant or Washoe County staff:

- 110.324.60(12) – *Color Palette* – No color palette for equipment structures, fencing, etc. has been submitted for public review. No color palette for the pole structure itself is included either.
- 110.324.60 (15) – *A minimum of eight (8) panoramic, true color photographs. The photographs must display the north, south, east and west views of the site and views of the adjacent properties. The Director of Community Development shall determine the final choice of color palette submitted by the applicant. The color chosen shall blend the background and surroundings and best meet the intent of this subsection.* While the staff report does include 8 photo simulations, there are no photographs representing what the facility will look like at a ground level/human perspective. Furthermore, the photo simulations do not depict the proposed 6-foot cyclone fence with barbed wire. Lastly, no color palette is referenced or included with the staff report. If submitted by the applicant, it has not been made available for public review and input.

- *110.324.60 (16) – Landscape Plans.* It is a code requirement that landscape plans be submitted to Washoe County for review. The staff report indicates that the applicant originally proposed no landscaping and that staff has added a requirement to install native landscape improvements in order to better screen the site. However, no formal landscape plan was submitted and the condition placed on the SUP is inadequate. The condition does not specify where native landscaping will be added, nor does it include species, size (at time of planting), etc. Thus, based on the facts and conditions included in the staff report, it is not possible to analyze if the landscaping condition will adequately provide for screening of the site. No analysis was completed to determine this.

*Finding 7 – That public input was considered during the public hearing review process.* Staff's response to this finding is that the project was presented at the Citizens Advisory Board and that the Board may not consider environmental impacts associated with radio waves. However, staff makes no mention of the numerous other comments made by concerned citizens at the CAB meeting including those related to visual impacts, neighborhood consistency, land use compatibility, etc. Staff completely ignored and failed to address any of these additional concerns in their analysis. The CAB comments are included as an attachment and provide strong evidence to this claim.

*Finding 8 – That the monopole or lattice tower will not unduly impact the neighborhoods or vistas and ridgelines of the County.* The staff report states that based on the photo simulations and addition of native vegetation, this finding can be met. This analysis is grossly inadequate. As mentioned previously, the photo simulations seem to conflict with statements made in the staff report related to height and do not depict the removal of the existing onsite tree, proposed fencing, or the addition of native landscaping. Furthermore, no landscape plan has been submitted to demonstrate that screening of the facilities can be achieved. The Board of Adjustment simply cannot make this finding if not given the basic exhibits and analysis needed to do so. The staff report fails to address ground level impacts and relies entirely on photo simulations provided by the applicant. These simulations focus solely on tower height and provide no documentation or depiction of ground level improvements such as fencing, equipment buildings, screening, etc. and are incomplete based on the requirements included in section 110.324.60 of the Washoe County Development Code (as previously discussed).

Based on the information presented in this letter, it is my opinion that the Board of Adjustment has not been provided the necessary facts and analysis to properly consider the SUP request. Without this supplemental information, it is impossible for the Board to make an informed decision. Washoe County staff seems to have "hung their hat" on the fact that the tower is in compliance with FCC regulations. However, that does not exempt the facility from Washoe County Development Code regulations and polices contained within the Forest Area Plan. These considerations have essentially been ignored and are not addressed within the staff report. For this reason, I encourage the Board of Adjustment to deny this request based on the inadequate materials submitted and lack of proper land planning and compatibility analysis included in the staff report.

Thank you for your consideration. While we are aware that monopoles are necessary to provide adequate cellular communications in Incline Village. Analysis and facts supporting a tower at this particular location are simply not provided with the current SUP request. Additionally, ground level impacts related to equipment enclosures and fencing (specifically barbed wire) and not consistent with the surrounding area and have the strong potential to negatively impact property values in the area.

This letter has been submitted electronically (via email) to Julie Olander with the Department of Planning and Building with the specific request that it be included as part of the public record. Thank you.

Sincerely,

Concerned Incline Village Residents

cc: Washoe County District Attorney's Office  
Washoe County Board of Commissioners



**From:** [Stephen Barney](#)  
**To:** [Olander, Julie](#)  
**Subject:** cell tower  
**Date:** Tuesday, April 02, 2019 7:26:12 AM

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We are in favor of the tower proposal. Stephen & Cherry Barney,  
Incline Village

--  
Stephen A. Barney

[t](#)

Denver, CO 80237

**From:** [Ramona Bigelow](#)  
**To:** [Olander, Julee](#)  
**Cc:** [Todoroff, Pete](#)  
**Subject:** IV cell tower proposal  
**Date:** Monday, April 01, 2019 3:50:54 PM

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As a home owner in Incline Village I want to communicate my opposition to this project. There are numerous reasons to oppose which have been covered by many people. There needs to be a better location and better way to get better cell service  
Thanks

Sent from my iPhone

**From:** [Michele Koch](#)  
**To:** [Olander, Julee](#)  
**Subject:** Proposed Cell tower in Incline Village near dentists office  
**Date:** Monday, April 01, 2019 4:04:41 PM

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Julee,

I am a full time resident and have lived in Incline Village for almost 23 years. I am a homeowner (always have been) currently living with my family in the MillCreek subdivision. My husband and I have also have a business in town on Incline Way.

I STRONGLY OPPOSE the installation of the proposed cell phone tower itself, it's footprint in the center of town, I'm VERY concerned with the health risk it may present, the eyesore it will be to the landscape of our village and I'm also concerned with the ramifications of property values in that area as well as surrounding neighborhoods. My husband and I looked at property to possibly purchase just 9 months ago in that neighboring area!

With the foot traffic, the offices located right next to the proposed tower, and the multiple unit dwellings (homes) near there, how are these people not all at risk?

**PLEASE vote NO on this issue!**

Thank very much for your time.  
Michele Koch

Sent from my iPad

**From:** [Jack Dalton](#)  
**To:** [Olander, Julie](#)  
**Subject:** Cell Tower Incline  
**Date:** Tuesday, April 02, 2019 12:58:18 PM

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I am opposed to the cell tower in Incline. Besides the potential biological risk, the tower is inappropriate at the location. Thanks Jack Dalton  
Incline Village NV 89451

Sent from my iPhone

**From:** [Jane Barnhart](#)  
**To:** [Olander, Julee](#)  
**Subject:** cell tower in Incline village, NV  
**Date:** Monday, April 01, 2019 5:40:43 PM

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Hi! Julee!

It just seems to me there could be a better place to put this TALL cell tower than right in the middle of Incline Village. Jane Barnhart and Michael Jordan, 97700, NV 89451

**Olander, Julee**

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**From:** Mary Bale  
**Sent:** Tuesday, April 02, 2019 10:39 AM  
**To:** Olander, Julee  
**Subject:** Incline Village cell tower  
**Attachments:** cell tower WashoeBOALetter4-1-19.docx

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Dear Julee,

Please review the attached letter to the Board of Adjustment Members. I am in full agreement that the Board of Adjustment should deny the application for building the proposed cellular tower in Incline Village. I request that you deny the application because the proposed site is not the only possible site for the tower. if the tower is built as planned it would negate possible mixed-use potential of this parcel in the middle Incline Village that could be put to much better use.

Thank you,

Mary Bale

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

• In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

• **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IP's Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

• **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

## 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

• According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells..."*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IP's proposed coverage.

**REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION**  
IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

### FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV

• In IV, First Responders use a dedicated network FIRSTNET.GOV. They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**



TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

**1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be

visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

## 2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

### REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

### REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**

To Whom It May Concern,

March 9, 2019

I am a property owner in Incline Village and reside at 875 Southwood Blvd, Unit 15 Incline Village Nevada.

I am strongly in favor of placing the proposed Cellular Tower in the location proposed near Village Blvd. We currently have terrible cell coverage which is challenging, especially when trying to be in contact with business associates.

I would like to see the proposed Cell Tower built and definitely In Favor of this.



Pati Fehr

875 Southwood Blvd  
Incline Village NV 89451

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Teresa Sathe  
Name

PO Box  
Address

Incline Village, NV 89450  
Address

Teresa Sathe  
Signature

3-25-19  
Date

**From:** [Melissa Eisele](#)  
**To:** [Olander, Julie](#)  
**Subject:** Opposed to IP's application for IV Cell Tower  
**Date:** Monday, April 01, 2019 4:57:17 PM

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Julie,

I want to state my strong opposition to the Incline Partners building a cell tower on Village Blvd. in Incline Village. I am asking that you deny their application to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV) for the following reasons:

**UNDER THE WASHOE COUNTY CODE:**

- The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
- The use would be detrimental to the public health, safety, and welfare, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

- The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
- The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
- The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

Thank you for your consideration in this matter,

Melissa Eisele

**From:** [Katie Stevenson](#)  
**To:** [Olander, Julee](#)  
**Subject:** Cell Tower  
**Date:** Monday, April 01, 2019 6:02:51 PM

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Hello,

As a resident and homeowner in Incline Village I would prefer a different location for the cell tower. Thank you for your consideration.

Respectfully,

--

Katie Stevenson

**From:** [Sara Schmitz](#)  
**To:** [Olander, Julee](#)  
**Cc:** [Berkbigler, Marsha](#)  
**Subject:** RE: recap of CAB meeting related to the proposed cell tower in Incline Village  
**Date:** Tuesday, April 02, 2019 11:40:27 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Ms. Olander,

I have again included the highlights from the IV CAB meeting for your review. As I recall, the CAB did not vote on the proposed variance and has instead sent this issue to the BOA. This is unfortunate, since had they voted our community's voice would have been heard and represented. I understand their role is to rule on variance requests. Their lack of a vote has created more angst in our community and is the reason for my writing you today. I will not be able to attend and speak in person due to a health issue.

Being an unincorporated community, it seems to be a challenge having local governance in alignment with the wishes of the residents. I understand the growing need for cell capacity. I also understand the desire to have a vibrant community with thriving businesses. Placing a cell tower at the center of our community isn't the highest and best use for the property. The proposed location is best served by having a commercial/residential build out, not a cell tower.

Other locations in the application didn't include public land, which offers better locations and opportunities for an additional cell tower. To serve my community, I'm offering to engage a group of citizens to work with Washoe County and businesses in our community to identify an alternative location. If our community feels we need improved coverage, allow our community to unite and find a solution. By approving the plan, you're not giving our citizens an opportunity to solve our own problems. Let's work together to solve the problem, not create a new one.

I am respectfully requesting the application for the Incline Village cell tower be denied and instead appoint a local citizen's advisory group to take on the challenge and bring forth a recommendation to the cell carriers and the county.

Sara Schmitz



Sara Schmitz

**From:** Olander, Julee [mailto:JOlander@washoecounty.us]  
**Sent:** Tuesday, March 5, 2019 2:02 PM  
**To**  
**Subject:** FW: recap of CAB meeting related to the proposed cell tower in Incline Village

Ms. Schmitz,  
I am the planner assigned this case WSUP19-0001 and the Board of Adjustment (BOA) is the approval Board for this special use permit application . The BOA hearing is on 4/4/19 at 1:30 at the Washoe County complex on 9<sup>th</sup> Street in the Board of County Commissioners chambers. I Let me know if you have further questions.  
Thank you,



**Julee Olander**  
Planner | Community Services Department- Planning & Building Division  
[jolander@washoecounty.us](mailto:jolander@washoecounty.us) | Office: 775.328.3627 | Fax: 775.328.6133  
1001 E. Ninth St., Bldg A., Reno, NV 89512



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**From:** Sara Schmitz  
**Sent:** Tuesday, March 5, 2019 10:27 AM  
**To:** Berkbigler, Marsha <[MBerkbigler@washoecounty.us](mailto:MBerkbigler@washoecounty.us)>; Solaro, David <[DSolaro@washoecounty.us](mailto:DSolaro@washoecounty.us)>  
**Cc:** Young, Eric <[EYoung@washoecounty.us](mailto:EYoung@washoecounty.us)>  
**Subject:** Re: recap of CAB meeting related to the proposed cell tower in Incline Village

Folks on social media are interested in when a decision is to be made and by whom.

Sent from [redacted]

On Mar 5, 2019, at 10:02 AM, Sara Schmitz <[sc](mailto:)> wrote:

**CAB Cell Tower Summary - Meeting on 3/4/2019**

The following are my observations related the discussions at the March 4<sup>th</sup> CAB meeting. The Incline Village cell tower being proposed is near the

intersections of Incline Way and Village Boulevard.

- There is a need for additional cell communications capacity, especially to the west and in the summer months.
- People questioned the location of the proposed tower (it will be as large with as many antenna as the one in Galena).
  - Concerns were expressed regarding the aesthetics in the center of our community.
  - It was suggested the proposal be placed on hold until the Area Plan is complete. There may be better use for this location.
  - It was suggested that to add capacity, especially to the west, that a location atop a hotel in Crystal Bay or the Washoe County maintenance property may be better locations.
  - The current cell tower locations are at the Mountain Golf course, atop the Hyatt (not planning to continue long term), and Diamond Peak. There was an unanswered question about adding capacity at the existing locations.
  - There were many expressing health concerns with the proposed location.

I copied Eric Young because he was in attendance.

Sara

Sara Schmitz

**From:** [Barbara Perlman-Whyman](#)  
**To:** [Olander, Julee](#)  
**Subject:** WashoeBOALetter4-1-19.docx  
**Date:** Monday, April 01, 2019 5:53:07 PM  
**Attachments:** [WashoeBOALetter4-1-19.docx](#)

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Julee,

I feel strongly that this request should not be approved for many of the reason so stated in the attached letter! I would be there in person as a 25 year resident of Incline Village but I am out of the state at this time. I am currently President of the National Association of Conservation Districts' President's Association, past 10 year Member on the National Clean Energy Summit, National Conservation Foundation Board Trustee, as well as an elected Supervisor on the Nevada Tahoe Conservation Districts Board for the past 12 years.

Please recognize that an enormous number of citizens have expressed concern and outrage at this proposal and how much required information has not been forthcoming (Speak to Wayne Ford for examples.)

Thank you for transmitting this to the committee. I look forward to meeting you and working with you as I had with Eva over the past 17 years since the 'Pathway ' years.

Dr. Barbara Perlman-Whyman

Mailing address:  
Incline Village, NV 89451  
1(

Sent from my iPhone

**From:** [Susan Sanders](#)  
**To:** [Olander, Julie](#)  
**Subject:** County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole  
**Date:** Monday, April 01, 2019 2:48:41 PM

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April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT**

## COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

### 1. IP EXISTING COVERAGE MAP IS INACCURATE

- In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

- **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IP's Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

- **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

### 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

- According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells..."*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on*

*the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IPs proposed coverage.**

**REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION**

IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

**FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV**

• In IV, First Responders use a dedicated network [FIRSTNET.GOV](http://FIRSTNET.GOV). They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242,

provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

#### **REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

##### **1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

## 2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

### **REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.



- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

#### **REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard.**

Susan Meade Sanders

Crystal Bay, NV 89402  
[suemeadesanders@gmail.com](mailto:suemeadesanders@gmail.com)

**Olander, Julee**

---

**From:** Bruce Powel  
**Sent:** Friday, March 15, 2019 10:17 AM  
**To:** Olander, Julee  
**Subject:** IV cell phone tower project

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Bruce Powell

Incline Village NV 89451

Sent from my iPhone

**Olander, Julee**

---

**From:** Karen Hovorka  
**Sent:** Wednesday, March 27, 2019 10:48 AM  
**To:** Olander, Julee  
**Subject:** Support for Special Use Permit application for Incline Village cell tower

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Hi Julee,

I am a resident of Incline Village, and I fully support the Special Use Permit application for the proposed Incline Village cell tower (WSUP19-0001). I'm unable to attend the meeting on April 4th so wanted to provide my support via email.

Better cell phone coverage and service for several carriers is needed in Incline Village. Based on the publicly available application materials, I'm satisfied the applicant conducted thorough site analysis, and environmental, noise, etc. impact studies, and coverage maps to come up with the proposed location, which looks to be ideal for carriers to improve their coverage and service in the area.

Thank you,  
Karen Hovorka

**From:** [NevJim](#)  
**To:** [Olander, Julie](#)  
**Subject:** IV Cell Tower  
**Date:** Monday, April 01, 2019 1:37:19 PM

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I am in favor of the proposed cell tower.  
Thank you  
Jim Mancuso  
Sent unedited from my iPhone



**From:** [jimberes@comcast.net](mailto:jimberes@comcast.net)  
**To:** [Olander, Julee](#)  
**Cc:** [Robin Beres; scj](#)  
**Subject:** Special Use Permit Case Number WSUP19-001 (Incline Village Monopole)  
**Date:** Monday, April 01, 2019 3:05:55 PM

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**[NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Board of Adjustment Members,

My wife and I hereby request you **deny the application** for the proposed Incline Village Monopole. We are full time residents of Incline Village whose house is less than one block from the proposed site. The reasons we object and ask you to deny the application are as follows:

**REASON FOR DENIAL #1 – INCLINE PARTNERS (IP) HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

- **IP's submitted coverage map is misleading** - Coverage already provided by the Verizon-built Mountain Golf Club tower is adequate throughout most of IV, with poor service primarily in the lower Commercial zone and absent service in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (b) inside and outside buildings in the area to the west of Highway 431, and (c) inside and outside buildings in Crystal Bay.
- **Contradicting IP's Existing coverage map**—on streets where IP says coverage is poor or does not exist, such as ours, we and many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. IP purposely does not provide details of how the coverage maps were developed and how they were verified.
- **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village.

**2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE**

• **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These*

include microcells, picocells and femtocells...

Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint.”

- **Enhanced Voice over IP Service is offered free of charge by carriers such as AT&T and Verizon and greatly enhances indoor coverage.** Residential and Commercial customers are offered free enhanced wireless coverage by using voice over IP services in their homes and businesses. When their mobile phones are connected to WiFi, their phone service is automatically and seamlessly connected to their mobile service (e.g. AT&T WiFi or Verizon WiFi) which has the effect of making their phones work as if they have the maximum bars even when there is little or no coverage. These services negate the requirement for more powerful transmissions to supply indoor service where mobile phones are often used.

**In summation regarding coverage, we request you deny the application because (1) the “gap in coverage” represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, (4) it’s unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IPs proposed coverage, and (5) Voice over IP services currently offered by wireless service providers help to mitigate the need for more powerful signals in the area.**

#### **REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION**

##### **1. [FIRSTNET.GOV](http://FIRSTNET.GOV) PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV**

• In IV, First Responders use a dedicated network [FIRSTNET.GOV](http://FIRSTNET.GOV). They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

#### **REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

1. **Inappropriate use of the parcel.** Constructing a 117-foot high monopine cell

phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings. Part of the project requires the removal of at least 6 trees that would obstruct the transmission due to their location and height as well as to provide the space for the 1818 sq ft mechanical yard at its base. The images provided in the application do not illustrate the removal of these trees. Thus not only will the tower be significantly taller than the nearby trees, the tower will stand out in a large clearing.
- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.
- Leak prevention and detection for the diesel fuel tank are not adequately planned and provided and provide a potential environmental hazard. Being so close to the lake, a spill of 210 gallons of diesel fuel could prove disastrous. It is surprising that TRPA did not take note of this potential hazard.
- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. It was noted that the image supplied by IP implies a solid fence. This is certainly not how it will look. Further, because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.
- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents such as ours.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature, scale of the equipment is not an appropriate use of the parcel, there is a potential environmental hazard, and there is potential noise pollution.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

## **1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

• There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings. For residents such as ours, property values may be negatively impacted.

## **2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS**

• Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs, including ours, are in the affected area housing hundreds of residents. These residents will be affected in several ways.

• High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

• In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

• Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units such as ours that are within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

• A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Animals such as bears and coyotes may also attempt to enter the mechanical yard, particularly if trash is tossed there. Liability issues exist.

**In summation, we request you deny the application because (1) residents such as us in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

**REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**



- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

#### **REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**

**Given these 6 reasons, my wife and I do not support the proposed tower and**

**respectfully ask you to deny the applicant's request.**

Regards,

Jim and Robin Beres

M:

Confidentiality Note: This e-mail message and all attachments to it are intended only for the named recipients and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not one of the intended recipients, please do not duplicate or forward this email message and immediately delete it from your computer.

**From:** [Linda Offerdahl](#)  
**To:** [Olander, Julee](#)  
**Subject:** YES to the cell tower in Incline Village  
**Date:** Monday, April 01, 2019 1:18:04 PM

---

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Linda Offerdahl,

*Life is a not a dress rehearsal!*

**From:**  
**To:** [Olander, Julie](#)  
**Subject:** Stop the Cell tower in Incline Village  
**Date:** Monday, April 01, 2019 2:18:45 PM

---

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Please add my vote to the anti-cell tower in the heart of Incline village.

Steve Dolan

101 TARRIE DIVD.

Incline Village, NV 89451

( )

**From:** [allen\\_kozinski](mailto:allen_kozinski)  
**To:** [TahoeHills@att.net](mailto:TahoeHills@att.net); Olander, Julie  
**Subject:** Proposed Cell Tower in Incline Village  
**Date:** Monday, April 01, 2019 9:48:16 PM

---

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I am writing to you to voice my opposition to the proposed cell tower in the middle of Incline Village. I have lived in Incline for over 17 years near Raleys and while many things could be improved, cell coverage is not one of them. I have never experienced inadequate signal strength at my location or elsewhere in Incline such as the Rec Center, Beach or Diamond Peak. Secondly a tall tower however disguised is not compatible with the low height of buildings near the center of town. Finally, as technology moves to G5, the need for this tower is questionable. Thank you for considering my comments.

Allen Kozinski

Incline Village NV

**From:** [David Koch](#)  
**To:** [Olander, Julee](#)  
**Subject:** New Cell tower In Incline Village  
**Date:** Tuesday, April 02, 2019 11:41:33 AM

---

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Ms Olander

I am very much opposed to the location of the proposed new cell power in Incline Village! It would seem that there should be a better location away from every day traffic both pedestrian and vehicle as the new tower

and support building & access road [etc.is](#) highly visible! I would think there are other locations out of the way that may be more appropriate

please vote no on this issue!

Dave Koch

Alpine Custom Interiors

775-799-1011

[www.alpinecustominteriors.com](http://www.alpinecustominteriors.com)

**From:** [Steve Kegel](#)  
**To:** [Olander, Julee](#)  
**Cc:** [Jack Dalton](#); [Vicki and Steve Kegel](#)  
**Subject:** Kegel-Opposed-FW: Last Chance to Vote on IV Cell Tower before Board of Adjustment Decision 4/4/19  
**Date:** Thursday, April 04, 2019 1:25:25 PM  
**Attachments:** [WashoeBOALetter4-1-19.docx](#)  
[ExistingCellCoverage.pdf](#)

---

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Hi Julee, (cc Dr. Dalton)

Dr. Dalton was kind enough to forward the enclosed, and furthermore apprise me of this special use permit request, as I/we had no idea such a proposal existed in our beautiful mountain community. My wife (Vicki) and I are longtime residence of 35 years and I wanted our names to be included in the group of residences that are strongly opposed to said request.

Thank you for your concern in trying to help preserve our beautiful North Tahoe community and for all of your hard work and effort on this.  
With Sincere Thanks!

#### TAHOE MOUNTAIN REALTY

**STEVE KEGEL**  
Broker Associate  
CA BRE 00577256 / NV NRED B 0029416 INDV  
M. 775.240.6634  
[www.tahoemountainrealty.com](http://www.tahoemountainrealty.com)  
[stevekegel.com](http://stevekegel.com)

[Facebook](#) | [Twitter](#) | [Linkedin](#) | [Instagram](#)



**From:** Jack Dalton [mailto:[jack.f.dalton44@gmail.com](mailto:jack.f.dalton44@gmail.com)]  
**Sent:** Wednesday, April 03, 2019 1:00 PM  
**To:** Steve Kegel  
**Subject:** Fwd: Last Chance to Vote on IV Cell Tower before Board of Adjustment Decision 4/4/19

please call or email if you have questions Jack 9178806848

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

From: **Pete Todoroff** <[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)>

Date: Mon, Apr 1, 2019 at 1:53 PM

Subject: Fwd: Last Chance to Vote on IV Cell Tower before Board of Adjustment Decision 4/4/19

To: Cliff Dobler <[cfdobler@aol.com](mailto:cfdobler@aol.com)>, Linda Newman <[linda@marknewman.net](mailto:linda@marknewman.net)>, Christopher Mark Hynum <[cmarkhynum@aol.com](mailto:cmarkhynum@aol.com)>, Doug Flaherty <[tahoebblue365@gmail.com](mailto:tahoebblue365@gmail.com)>, John McNellis <[jcmcnellis@gmail.com](mailto:jcmcnellis@gmail.com)>, Craig Handley <[chandley@me.com](mailto:chandley@me.com)>, Barbara Periman Whyman <[bpwhyman@sbcglobal.net](mailto:bpwhyman@sbcglobal.net)>, Bill Ferrall <[billferrall@gmail.com](mailto:billferrall@gmail.com)>, De Kincade <[ddkincade@charter.net](mailto:ddkincade@charter.net)>, Adam Hopkins <[Hopkins4sheriff@gmail.com](mailto:Hopkins4sheriff@gmail.com)>, Gayle Holderer <[gayletahoe1@yahoo.com](mailto:gayletahoe1@yahoo.com)>, John Eppolito <[john@jtahoe.com](mailto:john@jtahoe.com)>, Carol and Larry Black <[cbwillb@charter.net](mailto:cbwillb@charter.net)>, Andrew Merrill <[yzf60098@yahoo.com](mailto:yzf60098@yahoo.com)>, Dale Smith <[dale@smithdesigngroup.com](mailto:dale@smithdesigngroup.com)>, His Honor Jim Mancuso <[nevjim1@yahoo.com](mailto:nevjim1@yahoo.com)>, Jack Dalton <[jack.f.dalton44@gmail.com](mailto:jack.f.dalton44@gmail.com)>, Chip Evans <[chip@chip4nv.com](mailto:chip@chip4nv.com)>, Joy Gumz <[jgumz@protonmail.com](mailto:jgumz@protonmail.com)>, Jim Clark <[tahoebbjc@aol.com](mailto:tahoebbjc@aol.com)>, Frank Wright <[alpinesportss@gmail.com](mailto:alpinesportss@gmail.com)>, Karli Epstein <[KEPSTEIN@tfhd.com](mailto:KEPSTEIN@tfhd.com)>, Debbie Nicholas <[Nicholas89451@gmail.com](mailto:Nicholas89451@gmail.com)>, Heidi Howe <[heidi@howeforsheriff.com](mailto:heidi@howeforsheriff.com)>, Carolyn Reynolds <[creynolds4545@hotmail.com](mailto:creynolds4545@hotmail.com)>, Lyn Karol <[lynkarol@aol.com](mailto:lynkarol@aol.com)>, Jack Tedford <[Jack@jnt.solutions](mailto:Jack@jnt.solutions)>, Helen Durfee <[hdurf@aol.com](mailto:hdurf@aol.com)>, Bruce & Cindy Townsend <[brucecindy2@gmail.com](mailto:brucecindy2@gmail.com)>, Joanelle Slocumb <[jeincline@gmail.com](mailto:jeincline@gmail.com)>, Lisa Krasner <[Lisa.Krasner@asm.state.nv.us](mailto:Lisa.Krasner@asm.state.nv.us)>, Gail Krolick <[sellingtahoe@sbcglobal.net](mailto:sellingtahoe@sbcglobal.net)>, Carl Hasty <[chasty@tahoetransportation.org](mailto:chasty@tahoetransportation.org)>, Alan Tiras <[ATiras@sierralawyers.com](mailto:ATiras@sierralawyers.com)>, Kevin Lyons <[kevin@molocopartners.com](mailto:kevin@molocopartners.com)>, Brian COSTELLO P.E. <[BCOSTELLO@nvenergy.com](mailto:BCOSTELLO@nvenergy.com)>, Jim Nowlin <[flyersnest@yahoo.com](mailto:flyersnest@yahoo.com)>, Diane Finegan <[djrfinegan@earthlink.net](mailto:djrfinegan@earthlink.net)>, Adam Jensen <[ajensen@trpa.org](mailto:ajensen@trpa.org)>, Cathy Ebert <[cathy.ebert@comcast.net](mailto:cathy.ebert@comcast.net)>, Kurt Althof <[kalthof@tcpud.org](mailto:kalthof@tcpud.org)>, Judy Miller <[pupfarm@skitrips.net](mailto:pupfarm@skitrips.net)>, Lieutenant Scott Iacoboni <[SIacoboni@washoecounty.us](mailto:SIacoboni@washoecounty.us)>, Jeff Poindexter <[Jeff.Poindexter@bhhsdrysedale.com](mailto:Jeff.Poindexter@bhhsdrysedale.com)>, Devenney Leijon <[dleijon@bgcnlt.org](mailto:dleijon@bgcnlt.org)>, Kaye Shackford <[mattford@aol.com](mailto:mattford@aol.com)>, Linda Offerdahl <[linda@offerdahl.com](mailto:linda@offerdahl.com)>, Alice McQuone <[AMcQuone@washoecounty.us](mailto:AMcQuone@washoecounty.us)>, Joe Knox <[joknox007@yahoo.com](mailto:joknox007@yahoo.com)>, Kristina Hill <[tahoehills@att.net](mailto:tahoehills@att.net)>, Jackie Sinatra <[jsinatra59@gmail.com](mailto:jsinatra59@gmail.com)>, Amenda Mongolo <[amongolo@washoecounty.us](mailto:amongolo@washoecounty.us)>, Dr. Andrew Whyman <[adwhyman143@gmail.com](mailto:adwhyman143@gmail.com)>, Denise Davis <[ddavis\\_remote@hotmail.com](mailto:ddavis_remote@hotmail.com)>, Jim Lyons <[jimbolina@prodigy.net](mailto:jimbolina@prodigy.net)>, Darin Balaam <[darin.balaam@gmail.com](mailto:darin.balaam@gmail.com)>, Louise Cooper <[letusshop@aol.com](mailto:letusshop@aol.com)>, ED Leutheuser <[etleutheuser@aol.com](mailto:etleutheuser@aol.com)>, Andy Anderson <[andy1cambodia@yahoo.com](mailto:andy1cambodia@yahoo.com)>, Carl Levinson <[levinsonch@yahoo.com](mailto:levinsonch@yahoo.com)>, Dale Akers <[dale.akers@sbcglobal.net](mailto:dale.akers@sbcglobal.net)>, Gene Brockman <[gbincline@gmail.com](mailto:gbincline@gmail.com)>, Dorothy Modafferi <[tdmod7@icloud.com](mailto:tdmod7@icloud.com)>, Gary Schmidt <[nobullschmidt@hotmail.com](mailto:nobullschmidt@hotmail.com)>, John Crockett <[jcrockett@washoecounty.us](mailto:jcrockett@washoecounty.us)>, Eric Halstead <[villagemeat@sbcglobal.net](mailto:villagemeat@sbcglobal.net)>, Frank Schumann <[fschumann@washoecounty.us](mailto:fschumann@washoecounty.us)>, Carl Lackey <[clackey@ndow.org](mailto:clackey@ndow.org)>, Bruce Simonian <[brucesimonian@hotmail.com](mailto:brucesimonian@hotmail.com)>, Kathie M. Jullian <[kathiejulian@gmail.com](mailto:kathiejulian@gmail.com)>, Jeff Eget <[jeff@omnisteel.com](mailto:jeff@omnisteel.com)>, Kendra Wong <[wong\\_trustee@ivgid.org](mailto:wong_trustee@ivgid.org)>, Diane Hudson <[tahoejeweler@aol.com](mailto:tahoejeweler@aol.com)>, Ben Dosseff <[bensbd1@gmail.com](mailto:bensbd1@gmail.com)>, Alec Flores <[alec@whytrastahoe.org](mailto:alec@whytrastahoe.org)>, Joe Shackford <[TMGNSW@aol.com](mailto:TMGNSW@aol.com)>, Jean Laurence <[jlaur3@gmail.com](mailto:jlaur3@gmail.com)>, Howard Beckerman <[BeckermanH@aol.com](mailto:BeckermanH@aol.com)>, Lettie Miller <[millereight03@sbcglobal.net](mailto:millereight03@sbcglobal.net)>, Cherry Barney <[bar8ney@gmail.com](mailto:bar8ney@gmail.com)>, Daniel Kelly <[dkelly@sierranevada.edu](mailto:dkelly@sierranevada.edu)>, Gloria Leandro <[glandro@sonic.net](mailto:glandro@sonic.net)>, Jacquie Chandier <[sustaintahoe@gmail.com](mailto:sustaintahoe@gmail.com)>, Andrea Tavener <[atavener@washoecounty.us](mailto:atavener@washoecounty.us)>, Julie Malkin Manning <[LITTLEWING27@yahoo.com](mailto:LITTLEWING27@yahoo.com)>, Bill Weldon <[billweldon@comcast.net](mailto:billweldon@comcast.net)>, Eric Severance <[eric@soundpix.com](mailto:eric@soundpix.com)>, Brendan O'Donovan <[neco3578@yahoo.com](mailto:neco3578@yahoo.com)>, Katy Simon Holland



<[kathryn.holland@washoeschools.net](mailto:kathryn.holland@washoeschools.net)>, Bridget Cornell <[bcornell@trpa.org](mailto:bcornell@trpa.org)>, Judth Simon  
<[judymike@mac.com](mailto:judymike@mac.com)>  
Cc: Pete Todoroff <[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)>

Pete Todoroff iMac 3.06 GHz  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** [rondatyce@aol.com](mailto:rondatyce@aol.com)  
**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:** [ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

PLEASE SEND YOUR EMAIL BEFORE APRIL 4 2019 TO:  
[jolander@washoecounty.us](mailto: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.

If you want to join other forum members who will be attending the Board of Adjustment meeting on April 4, please contact Peter Todoroff ([ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)). If you want to car-pool he'll put you in touch with other members driving to Reno.

MEETING: Thursday April 4 at 1:30 pm in the County Commission Chambers at 1001 E 9<sup>th</sup> Street, Building A , 1<sup>st</sup> Floor in Reno.

Speakers are allowed only 3 minute presentations, so if you want to speak, have your statement prepared

in advance; and make 5 copies of anything you want to present to the Board members to go into the official record.

Thank you.

Ronda Tycer  
IV Community Forum Recorder

,

# Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Incline Village / Crystal Bay

Meeting Date (if applicable): March 4, 2019

Topic or Project Name (include Case No. if applicable): Special Use Permit  
Incline Village Monopole

Please check the appropriate box:

My comments  were (or)  were not discussed during the meeting.

Identified issues and concerns:

The mmost important concern I have are the Health concern the Monopole Poses.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested alternatives and/or recommendations:

There needs to be a Study to make sure there are no Health Risks involved.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name Pete Todoroff Date: 02/22/2019

(Please Print)

Signature: Pete Todoroff

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

Commissioner's Name: Marsha Berkbiger

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office  
Attention: CAB Program Coordinator  
Post Office Box 11130, Reno, NV 89520-0027  
Fax: 775.328.2491  
Email: [stone@washoecounty.us](mailto:stone@washoecounty.us)

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

And:

Bridget K. Cornell  
Current Planning  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
Email: bcornell@trpa.org

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County

and TRPA.

Very truly yours,

Steven P Fehr  
Name

8'  
Address

Incline Village NV 89451  
Address

\_\_\_\_\_  
Signature

3/11/2019  
Date



## TAHOE PROSPERITY CENTER

March 25, 2019

Julee Olander  
Planner | Community Services Department - Planning & Building Division  
1001 E. Ninth St., Building A.  
Reno, NV 89512

Dear Ms. Olander,

The Tahoe Prosperity Center is the regional economic and community development organization in the Lake Tahoe Basin. One of our key priorities is expanding high-speed broadband internet service and cell phone coverage. In today's digital world, being connected is not a luxury, it is a necessity. Hospitals rely on broadband internet and cell phone coverage to send digital medical files as well as "remote in" doctors for analysis on patients. Our schools are connecting students to homework activities that can only be completed online. This winter, many Nevada schools relied on "Digital Days" instead of snow days, requiring every student to have access online. Firefighters and police officers need reliable communication systems in order to protect our residents. And almost every business in our community uses cell phone service and/or broadband service to thrive and grow.

Broadband and Cell Coverage are the two components of our Connected Tahoe project. The goal is to bring gigabit level service to the entire Tahoe Basin as means to catalyze economic development, galvanize public safety, healthcare, education and to position the Tahoe Basin to receive the most advanced technologies for internet access while protecting our environmental goals. Since we began this project, traditional broadband internet and cell phone service, which were separate, have now merged in many ways. Broadband fiber is still needed in order to keep our school computers connected, our remote hospital robots functioning and our businesses able to process credit card payments quickly and efficiently. However, the two functions have merged since a majority of people use their cell phones for data – downloading movies, podcasts and directions – all using cell signals.

The location of the proposed Incline Village communications tower (Incline Way and Village Blvd) is optimal for improving the coverage and data speeds for wireless customers in Incline Village. This location is not in an environmentally sensitive area and will also bolster service to an identified "dead zone" between Incline Village and Crystal Bay. The Lake Tahoe region, as a whole, receives about 15 million visitors in a year. A portion of those visitors spend their vacation in Incline Village. When this occurs, local residents and first responders experience reduced bandwidth. Residents and first responders shouldn't have to lose cell coverage when there is an influx of visitors during holidays or summer vacation. An easy way to alleviate this is to add an additional cell tower to add capacity to this area.

It is crucial that we fill in these gaps in order to maintain continuity of operations for our firefighters, businesses, and residents alike. A majority of residents no longer have "land-line" phone service. If another devastating fire, like the recent ones in California, were to occur in Lake Tahoe, both residents and visitors would be in life-threatening danger due to the current network capacity on a busy summer weekend. This tower, and other appropriately located and multi-carrier towers should be approved quickly in order to ensure capacity can reach anyone with a cell phone, in the face of potential danger.

We urge the Washoe County Board of Adjusters to approve the Incline Partners cell tower project in order to expand capacity to this part of our community.

Thank you.

A handwritten signature in black ink, appearing to read "Heidi Hill Drum".

Heidi Hill Drum  
CEO, Tahoe Prosperity Center

**From:** [Jan Michel Gautier](#)  
**To:** [Olander, Julee](#)  
**Subject:** Permit case WSUP19-0001 (incline Village Monopole)  
**Date:** Friday, March 22, 2019 3:21:27 PM  
**Attachments:** [image001.png](#)

---

Ms Olander

Ref: Permit case WSUP19-0001 (incline Village Monopole)

I have already sent an email that we shall be away on April 4 but WE HAVE NO OBJECTION towards the project

**Ruth Gautier & JMG**

Residence 9

Incline Village 89451



[ianmichelgautier@icloud.com](mailto:ianmichelgautier@icloud.com)

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

To Whom It May Concern:

This letter is in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

The area surrounding the proposed monopine is underserved by the wireless industry. Improved cellular telephone coverage would add tremendously to the safety and welfare of the Incline Village population.

The tower location is in the commercial zone and the monopine will blend with the surrounding area. Accordingly I support the approval of this facility by Washoe County and TRPA.

Very truly yours,

Name *Terry Mast*

Address

Address

Signature

Date

1

*Incline Village NV 89451*

*Terry Mast*

*3-18-2019*

*D.V.*



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

To Whom It May Concern:

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Very truly yours,

Bill Straub  
Name

1001 E. Ninth St. Incline Village  
Address

INCLINE VILLAGE, NV 89451  
Address

Bill Straub  
Signature

3/20/2019  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

MICHAEL PICCINI

Name

\_\_\_\_\_  
Address

Incline Village NV 89451

Address

[Signature]

Signature

3-18-2019

Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Kim Grow  
Name

1001 E. 9th St.  
Address

Incline Village, NV 89450  
Address

Kim Grow  
Signature

3-21-19  
Date



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Annamarie Bessette

Name

          
Address

Incline Village, NV 89457

Address

Annamarie Bessette

Signature

3-20-19

Date



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

SUSIE K. ORLADY  
Name

2D  
Address

INCLINE VILLAGE, NV 89451  
Address

Susie K. Orlandy  
Signature

5.20.19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us


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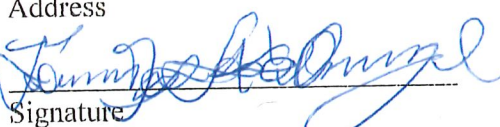
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Very truly yours,

  
Name

  
Address

\_\_\_\_\_  
Address

  
Signature

3-20-19  
Date



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Andrew Bessette

Name

1001 E. Ninth St.

Address

Incline Village, NV 89457

Address

Andrew Bessette

Signature

3-20-19

Date







To:

Julee Oländer  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Scott Olson

Name

Incline Village, NV 89451

Address

Scott Olson

Address

3-19-19

Signature

Date



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

JEFFREY OENBULL

Name

1001 E. Ninth St., Bldg A.

Address

Incline Village, NV 89450

Address

[Signature]

Signature

3/17/19

Date

To:

Julee Olander  
Planner/Community Services Department- Planning & Building Division /  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

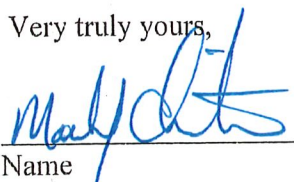
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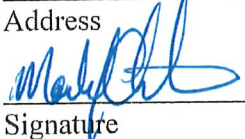
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Very truly yours,

 MARK CHRISTEN  
Name

cc 31000000  
Address

Incline Village.  
Address

  
Signature

3-16-19  
Date



To:

Julee Olander  
Planner/Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Donna Tonking  
Name

1001 E. Ninth St., Bldg A.  
Address

Rachael College  
Address

Donna Tonking  
Signature

3-16-19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

  
\_\_\_\_\_  
Address

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

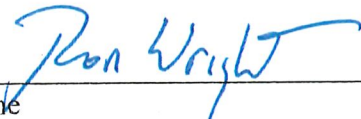
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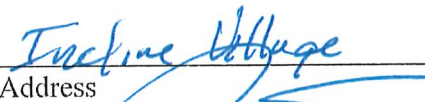
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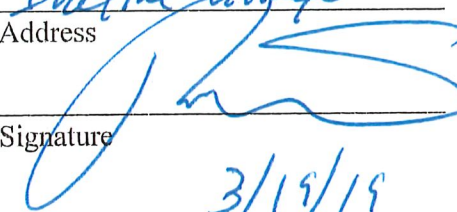
  
Name

Address

  
Address

Signature

Date

  
3/19/19



To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Henry Tankin  
Name

Incline Village  
Address

Incline Village  
Address

[Signature]  
Signature

3/16/19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

JEAN THOMAS  
Name

( )  
Address

Incline Village, NV 89450  
Address

Jean Thomas  
Signature

3-16-19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Shelly Wright  
Name

600 ...  
Address

Incline Village, NV 89451  
Address

Shelly Wright  
Signature

3/16/19  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

WALTER JOHNSON

Name

1000 VILLAGE BOULEVARD RD

Address

INCLINE VILLAGE NV 89451

Address

Walter Johnson

Signature

3-24-19

Date





To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Sheri Holmes

Name

230  
Address

Incline Village NV  
Address

Sheri Holmes  
Signature

8/9/15  
Date

To:

Julee Olander  
Planner|Community Services Department- Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno. NV 89512  
Email: jolander@washoecounty.us

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Very truly yours,

Marc J. Jones

Name

Incline Village NV, 89452  
Address

Incline Village NV, 89452  
Address

Marc J. Jones  
Signature

3/24/19  
Date

**Mitch and Debbie Legarza**

**Crystal Bay, NV 89402**

---

March 19, 2019

Julee Olander  
Planner, Community Services Department, Planning & Building Division  
1001 E. Ninth St., Bldg A., Reno, NV 89512  
Email: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

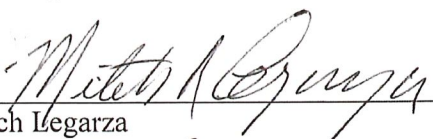
To Whom It May Concern:

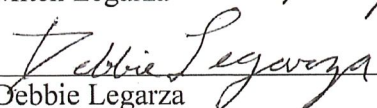
As 30 year residents of Lake Tahoe's North Shore, we are writing this letter in reference to the application by Incline Partners, LLC before the Tahoe Regional Planning Agency ("TRPA") and Washoe County Planning Department to allow the construction of a 117 foot monopine within the commercial zone in Incline Village, Nevada (subject property: APN#: 132-221-11, vacant land next to 231 Village Boulevard).

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Best Regards,

  
\_\_\_\_\_  
Mitch Legarza

  
\_\_\_\_\_  
Debbie Legarza

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

• In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).

- **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IPs Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

- **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

## 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

- According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IPs proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells..."*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) it's unclear whether nearby newly approved cell towers (e.g., Kings Beach) will duplicate IPs proposed coverage.**

### REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION

IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

### FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV

- In IV, First Responders use a dedicated network FIRSTNET.GOV. They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

### REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS**

**1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be

visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

## **2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS**

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (2) a tower collapse or fire would be disastrous in the middle of the Village, and (3) these perceived hazards will negatively affect home prices in the surrounding area.**

### **REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the middle of IV that could be put to much better use.**

## **REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**



## Olander, Julee

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**From:** [REDACTED]  
**Sent:** Thursday, April 04, 2019 12:09 PM  
**To:** Olander, Julee  
**Subject:** Opposition to proposed cell tower near the McCloud Complex

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]

Dear Ms. Julee Olander:

Just letting you know that both my wife and I are adamantly opposed to the construction of the cell tower near the McCloud condo units. We already have adequate cell coverage in the area and there is no need for another man-made blight near Lake Tahoe. I believe if checked you would find the overwhelming majority of residents near the tower opposed to this unnecessary, unattractive and obtrusive tower.

Thank you for your consideration of this message.

Michael & Sandra Hau  
331 Inc  
Incline Village, NV 89450

**From:** [Raul Rodriguez](#)  
**To:** [Olander, Julee](#)  
**Subject:** Opposition to IV Cell Tower  
**Date:** Wednesday, April 03, 2019 10:01:59 PM

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Ms Olander,

I am an Incline Village property owner and am writing this email to let you know that I **OPPOSE** the placement of a cell tower on Village Blvd. I believe the height of the tower will be an eyesore. I also am concerned about the health benefits to me and my family being that it is so close by in a residential area. There are other sites where this proposed tower can go that would be less disruptive to homeowners. Also I am perfectly satisfied with my cell phone reception and do not see the need to rush the placement of another cell tower in the Tahoe basin. In addition the majority of residents in the CAB meeting on 3/4/19 and the IV Community Forum meeting 3/29 were against the cell tower being built on the proposed parcel. You should be representing the needs and wishes of the community and not a special interest. Thank you for your attention to this matter.

Raul Rodriguez  
4 Village Blvd  
Incline Village, NV 89451

**From:** [Richard Miner](#)  
**To:** [Olander, Julie](#)  
**Subject:** Proposed Cell Phone Tower in Incline Village  
**Date:** Wednesday, April 03, 2019 11:59:02 PM

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[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Dear Ms. Olander,

I am a twenty year resident of Incline Village and the former president of the Incline Village and Crystal Bay Historical Society. I believe I speak for many in this community who are opposed to the construction of a cell phone tower masquerading as a pine tree in the middle of our historically significant and rather unique little community here on the north shore of Lake Tahoe. It almost goes without saying, but I will say it because I understand you are rather new to the position you hold at Washoe County, that both Lake Tahoe and Incline Village are regional treasures and need to be preserved as such to the fullest degree possible. No doubt many others will have written you and your colleagues in opposition to this proposed cell phone tower listing all of the reasons why this tower, at this time, and in this location is a bad idea. I will not waste your time with a recitation of most of those arguments, but I will express here why I believe that taking all the pro's and con's into consideration, any reasonable public servant would have to conclude that the interest of the citizens of our community will not be well served by going forward with this project as proposed at this time.

For example, at best, much of the data provided by the proponents of the project, i.e., Incline Partners, is flawed or even worse, fabricated in such a way as to influence Washoe County decision makers such as yourself to make a choice on behalf of profit for a small minority at the expense of the everlasting visible, if not physical destruction of the center of our small and rather fragile community here on the shores of Lake Tahoe. In fact, for at least the past 20 years, almost all of us around the lake have been working with the Tahoe Regional Planning Authority to preserve and protect our environment from not only physical blight, but also scenic blight. The three cell phone tower facilities which already exist in our community are so unobtrusive that most residents, and most visitors are completely unaware of their existence. This is indeed a tribute to the wisdom and even foresight of those who were responsible for their siting and installation. In public testimony Incline Partners has stated that improving coverage to underserved areas of our village and increasing the capacity of the current cellular network given the large influx of seasonal (summer) visitors were their primary considerations for the proposed new tower location while admitting that nearly a dozen other potential sites are available including several which are much closer to the supposedly underserved areas of town north of the Mount Rose Highway corridor and over into Crystal Bay. They want to put their proposed 112 foot (or will it be even higher?) tower smack in the middle of our downtown commercial and residential area and within only 1500 feet or less of an existing tower because it will be the easiest and most profitable location for them and not for any other compelling reason that can be reasonably defended. They have not solicited the opinions of any cross section, let alone the majority of our residents. They have not considered the lasting harm their tower will do to the skyline of our community when viewed from the lake or from other public areas in our community core. And they have not seriously considered that several other potential locations already have been suggested as better locations to serve the supposedly underserved areas of our community north of the

Mount Rose Highway or in Crystal Bay. For example, the county corporation yard at the junction of highways 431 and 28 which by Incline Partner's own admission was already under consideration for a tower by AT&T when "they lost interest for unknown reasons," in no small part. and this is only speculation, perhaps because Incline Partners was willing to make them a more attractive offer on the new tower they were proposing to build.

Here's the bottom line: A majority, probably the vast majority, of Incline Village residents--voters and taxpayers--do not want this cell phone tower built in the heart of our community. We are not opposed to better cell phone service. And we are not opposed to cell phone towers appropriately sited. Simply put, there are better siting options available both from a scenic and service perspective, and we strongly urge your office to support taking the additional time and effort required to come up with a better solution.

Very Truly Yours,

Richard Miner  
Incline Village, Nevada

**From:** [Kent Jackson](#)  
**To:** [Olander, Julee](#)  
**Subject:** Cell Tower in Incline Village  
**Date:** Wednesday, April 03, 2019 8:46:28 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Olander:

We wish to register our opposition to the proposed cell tower on Village Blvd in Incline Village. We are owners in the McCloud complex (7). Perfect cell coverage is not what is special about Tahoe. The size, scope, and location of this proposal just further detracts from the natural beauty of the Tahoe Basin. We do not think this is remotely necessary and urge that this proposal be turned down.

Respectfully,

Kent and Darlene Jackson  
Incline Village, NV

Sent from my iPhone

**From:** [Robert Holman](#)  
**To:** [Olander, Julie](#)  
**Subject:** FORMAL NOTICE OF OPPOSITION  
**Date:** Wednesday, April 03, 2019 9:00:43 PM  
**Attachments:** [NOTICE OF OPPOSITIONWashoe County Board of Adjustment.docx](#)

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Ms. Olander,

This is to advise you we strongly oppose the proposed cell tower on Village Bl.

This is an unsafe solution to a problem that does not exist.

Additionally, there is a much safer location next to the Washoe County Substation, as you will read in our letter of opposition.

Thank you,

**Robert W. Holman, Jr.**

**From:** [Planning Counter](#)  
**To:** [Olander, Julee](#)  
**Subject:** FW: Cell Towers  
**Date:** Wednesday, April 03, 2019 4:40:10 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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**[Insert Planner Name]**

Planning Front Counter | Planning and Building Division | Washoe County Community Services Department

[planning@washoecounty.us](mailto:planning@washoecounty.us) | Office: 775.328.3600 | Fax: 775.328.6133

PO Box 11130, Reno, NV 89520-0027

1001 East Ninth Street, Reno, NV 89512



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**From:** LARRY HARMEN [mailto:llf...]  
**Sent:** Wednesday, April 03, 2019 4:35 PM  
**To:** Washoe County Planning and Development  
**Subject:** Cell Towers

**[NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Julee Olander

Planner/Community Services Department Planning & Building Division 1001 E. Ninth Street Building A Reno, NV 89512

April 3, 2019

RE: WSUP19-0001

Dear Julee:

My name is Larry.Harmen

Four years ago My wife and I moved to Incline Village to retire.

I have a degree in Life Science and understand how harmful the effects of cell tower radiation can be.

I am stunned that a cell phone tower is now being proposed for the center of this village, precisely where the village is most densely populated with businesses, residences and schools and our hospital. There could not be a worse location! There is ample evidence that cell phone towers lead to cancer and other illnesses.

This recent article from Modesto, CA reports that 4 students now have cancer since a cell tower was placed on their school grounds.

The Modesto Bee March 12, 2019: Fourth Ripon student has cancer. Parents demand removal of cell tower from school

Not only will this tower harm our residents, it will also be a visual blight. I believe a cell tower in town could lower property values because in this day and age, no one wants to live or work next to a cell phone tower.

The Board of County Commissioners must vote no on this!

Thank you,

Larry Harmen



**From:** [Wayne Ford](#)  
**To:** [Olander, Julee](#); [Ronda Tycer Phd](#); [Todoroff, Pete](#)  
**Subject:** Fw: Please Record This Statement Against the Porposed Incline Village Cell Tower  
**Date:** Wednesday, April 03, 2019 9:05:52 PM

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[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

I have seen the staff report you did, to come to the findings, that the "tower" meets the Code. It does not and Ronda Tycer did sum up the facts. So you can put my name in as a resident who has been here for over 40 years in Incline, as one who is against the tower and the location. I have had many projects taken before the Board of Adjustment. No matter what I present I made sure all of my facts are well supported. If my conclusion is not supported by the Board of Adjustment, that I have had to understand. Yet I have not had anyone find that I have left out key areas, that are important for the Board of Adjustment to be able to make an informed finding for or against.

Will be there tomorrow to share some of the facts missing in this application, in my three minutes of public comment.

Wayne Ford

----- Forwarded Message -----

**From:** [rondatycer@aol.com](mailto:rondatycer@aol.com)  
**To:** "[jolander@washoecounty.us](mailto:jolander@washoecounty.us)" <[jolander@washoecounty.us](mailto:jolander@washoecounty.us)>  
**Sent:** Wednesday, April 3, 2019, 5:43:11 PM PDT  
**Subject:** Please Record This Statement Against the Porposed Incline Village Cell Tower

Dear Ms. Olander,

You already know all the reasons I'm against Incline Partners' proposed tower on Village Blvd in Incline Village because I've drafted the letter from the Incline Village Community Forum which you've read. Hence I won't waste your time repeating the obvious: that the majority of residents DO NOT want the tower built by Incline Partners in their designated site; that Incline Partners has not proved the coverage gap with their inaccurate coverage maps; that the tower is not needed by most of Incline residents who say they already have good coverage; that the tower is not needed by the first responders who use a dedicated frequency for their cell phone needs; that the proposed 117 foot monopine and 1800 foot equipment yard are out of scope for the site and area; that it will significantly change the nature of the

surrounding neighborhood, precluding the new Community Area Plan potential use of the parcel for mixed residential and commercial use; and that it will be a nuisance and perceived potential health hazard for the hundreds of residents residing within 1/4 mile of the tower.

We've suggested an alternative site that would be preferable that was not assessed by Incline Partners, which is located at the Washoe County Maintenance yard on Hwy 431. And we've recommended using smaller towers/antennas where coverage is needed in specific areas of Incline Village instead of an unsightly monopine in the center of the Village.

All of these reasons are apparently not important to you, given that you plan to recommend to the other Washoe Co Board of Adjustment members they should approve the Incline Partners application on Thursday.

So I have to ask what is your purpose in recommending this project? And is your purpose higher than concern for the welfare of the residents of Incline Village?

I'm having difficulty imagining it but your purpose might be:

1. To approve a commercial enterprise that will provide tax money to Washoe County.
2. To promote business in Washoe County, to enhance Washoe Co's reputation as being "business friendly."
3. To make Incline Partners feel good; so you don't have to be the bad guy who denies the project
4. To prove your ability to do your job, this being one of your first projects to assess and approve in your new position

I honestly can't understand why you would recommend approval of the cell tower in spite of so many residents' reasonable objections. But whatever your purpose is, I implore you to reconsider your priorities. Please soul-search and clarify to yourself why you are making this recommendation.

The tower will be a blight on the village. Most residents will feel bad every time they look at the unsightly equipment yard or tower looming above all other buildings in the village. Most residents will resent Washoe Co approving a project that is so obviously detrimental to the Village. The relationship between Incline Village and Washoe County will not be benefited—quite the opposite.

Please do the right thing and listen to the residents who are fighting to preserve the nature and character of Incline Village as the beautiful mountain resort it currently is. Washoe County needs Incline Village. It should not be acting against Incline Village's best interests.

Sincerely,

Ronda Tycer  
Resident  
Incline Village NV 89451

**From:**  
**To:** [Olander, Julee](#)  
**Subject:** In Support of Incline Cell Tower  
**Date:** Wednesday, April 03, 2019 8:54:14 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Jolander,

We live on lower Village Blvd. and have been dealing with poor Verizon coverage for years. Please disregard the NIMBY crowd in favor of simply allowing Verizon to do what we've been asking them to do. I'm sure given a little time the 'tower' will go unnoticed while the vital service improvement will continue to be appreciated.

Thank you for your service.

Respectfully,

Jim and Kate Marquis

**From:** [REDACTED]  
**To:** [Olander, Julee](#)  
**Subject:** Please Record This Statement Against the Porposed Incline Village Cell Tower  
**Date:** Wednesday, April 03, 2019 5:43:20 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Ms. Olander,

You already know all the reasons I'm against Incline Partners' proposed tower on Village Blvd in Incline Village because I've drafted the letter from the Incline Village Community Forum which you've read. Hence I won't waste your time repeating the obvious: that the majority of residents DO NOT want the tower built by Incline Partners in their designated site; that Incline Partners has not proved the coverage gap with their inaccurate coverage maps; that the tower is not needed by most of Incline residents who say they already have good coverage; that the tower is not needed by the first responders who use a dedicated frequency for their cell phone needs; that the proposed 117 foot monopine and 1800 foot equipment yard are out of scope for the site and area; that it will significantly change the nature of the surrounding neighborhood, precluding the new Community Area Plan potential use of the parcel for mixed residential and commercial use; and that it will be a nuisance and perceived potential health hazard for the hundreds of residents residing within 1/4 mile of the tower.

We've suggested an alternative site that would be preferable that was not assessed by Incline Partners, which is located at the Washoe County Maintenance yard on Hwy 431. And we've recommended using smaller towers/antennas where coverage is needed in specific areas of Incline Village instead of an unsightly monopine in the center of the Village.

All of these reasons are apparently not important to you, given that you plan to recommend to the other Washoe Co Board of Adjustment members they should approve the Incline Partners application on Thursday.

So I have to ask what is your purpose in recommending this project? And is your purpose higher than concern for the welfare of the residents of Incline Village?

I'm having difficulty imagining it but your purpose might be:

1. To approve a commercial enterprise that will provide tax money to Washoe County.
2. To promote business in Washoe County, to enhance Washoe Co's reputation as being "business friendly."
3. To make Incline Partners feel good; so you don't have to be the bad guy who denies the project
4. To prove your ability to do your job, this being one of your first projects to assess and approve in your new position

I honestly can't understand why you would recommend approval of the cell tower in spite of so many residents' reasonable objections. But whatever your purpose is, I implore you to reconsider your priorities. Please soul-search and clarify to yourself why you are making this recommendation.

The tower will be a blight on the village. Most residents will feel bad every time they look at the unsightly equipment yard or tower looming above all other buildings in the village. Most residents will resent Washoe Co approving a project that is so obviously detrimental to the Village. The relationship between Incline Village and Washoe County will not be benefited—quite the opposite.

Please do the right thing and listen to the residents who are fighting to preserve the nature and character of Incline Village as the beautiful mountain resort it currently is. Washoe County needs Incline Village. It should not be acting against Incline Village's best interests.

Sincerely,

Ronda Tycer  
Resident & t  
Incline Village NV 89451

**From:** [Dianne Schmenk](#)  
**To:** [Olander, Julee](#)  
**Subject:** IV cell tower location  
**Date:** Wednesday, April 03, 2019 7:21:08 PM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

I understand the need for better cell coverage for some IV residents. However, I am strongly opposed to the intended cell tower location for all the voiced and obvious concerns.

The proposed location is a mistake for now and the future. We can and must do better...

Dianne Schmenk

Sent from my iPhone

**From:** [Lynn Berardo](#)  
**To:** [Olander, Julie](#)  
**Subject:** Objection to the proposed cell tower.  
**Date:** Thursday, April 04, 2019 9:42:10 AM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Ms. Olander:

It is untenable that you should consider approving the placement of a cell tower at : l age Blvd.

For you and the powers-that-be to approve this project will mean taking you all need to take responsibility for exposing the nearby homes, businesses, and visitors to this area to harm and blight.

Should you approve this proposal, you will have to take responsibility for unbalanced economic gain. The profit gained by the owner and developer of this land is modest at present, but the negative impact for nearby homes and businesses is enormous.

At the least, running a generator 24 hours a day and having large vehicles coming and going creates detrimental noise pollution. And, at worst housing, the tower in the middle of a residential neighborhood is subjecting we residents to visual blight, noise pollution, and the potential for harmful health outcomes. Research in the adverse effects of the living in the shadow of a cell tower is in its infancy.

I ask you to reject this proposal and suggest for "faster and better" cell service the tower be placed elsewhere in the village where these negative impacts are significantly fewer.

Sincerely,

Lynn and Stevan Berardo  
1  
Incline Village., 89451

April 3, 2019

Dear Board of Adjustment,

I am against a cell tower going in my backyard. My husband and I own and operate Incline Chiropractic at 231 Village Blvd. Our retirement is this building we purchased in 2007 and currently work out of. This structure will lower the value of our holistic practice and building, plus has unknown health concerns, which contradicts having a holistic practice next to a cell tower.

First, I would like to elaborate on the value of our property decreasing because no one wants to buy or rent a building with a cell tower in the backyard. Why, because of the unknown health risks. So, while Dr Cherry gets to lease his property to Incline Partners, LLC and be able to make financial gains at everyone else's expense both with health and neighborhood decreased property values, this begins to look one-sided.

I ask the Board, if this is fair to the neighbors of Dr Cherry's office? Do you want someone to put a cell phone tower in your backyard? I understand the necessary evil, the majority of us rely on a cell phone these days and Incline is a challenging location, but let's make better choices of where a tower goes that has more distance away from residents, business' and neighbors. This is not the spot for a cell phone tower.

Secondly, there are health risks occurring in studies. *Researchers with the renowned Ramazzini Institute (RI) in Italy announce that a large-scale lifetime study of lab animals exposed to environmental levels of cell tower radiation developed cancer. A \$25 million study of much higher levels of cell phone radiofrequency (RF) radiation, from the US National Toxicology Program (NTP), has also reported finding the same unusual cancer called Schwannoma of the heart in male rats treated at the highest dose. In addition, the RI study of cell tower radiation also found increases in malignant brain (glial) tumors in female rats and precancerous conditions including Schwann cells hyperplasia in both male and female rats.- <https://ehtrust.org/worlds-largest-animal-study-on-cell-tower-radiation-confirms-cancer-link/>*

So, I ask you again who is financially benefiting from this tower and who is exposed to increased RF with health risks and decreased property value? It is not a surprise those financially benefiting also get to avoid the exposure and health risks. How ironic is that?

Please, make the right choice for the majority, not just a few that will financially gain, and stop this lease from occurring at this location, 231 Village Blvd, Incline Village, NV.

Dorea Shoemaker  
231 Village Blvd  
Incline Village, NV 89451  
doreashoe@gmail.com



**From:** [Diane Heirshberg](#)  
**To:** [Todoroff, Pete](#); [Olander, Julee](#)  
**Subject:** April 4, 2019 Hearing re Incline Village Cell Phone Tower; OPPOSITION  
**Date:** Thursday, April 04, 2019 11:53:42 AM

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[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Sir and Madam,

I apologize for the late submission of this Opposition but we are and have been out of state sitting with our during father and now preparing his funeral.

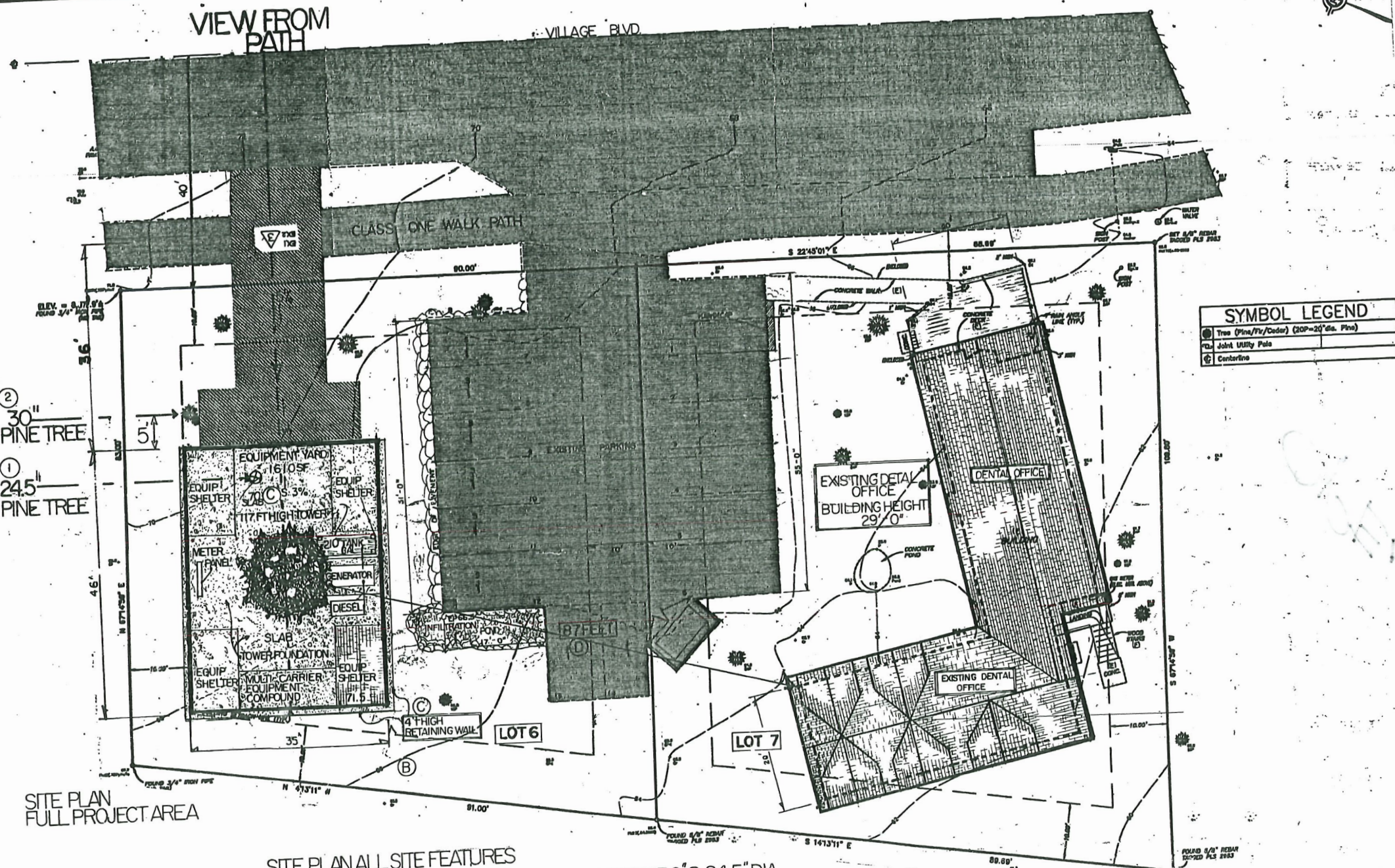
My husband and I reside at [redacted] Country Dr, Incline Village. We drive on Village every day. Our doctor office and hospital are just off Village. We drive by the two schools daily. We now live at [redacted] Country Dr. And previously lived at [redacted] Cynthia Court and have adequate cell service.

We strongly object to the proposed installation of the 117 foot monopine cell phone tower and 1890 square feet of equipment. There are significant studies showing health risks (on the Internet and elsewhere) and it is not in the best interests of the children, hospital patients and workers, and residents to approve this installation. Also a Incline is a gem in the mountains and this installation will be a burden on future planning activities to place the installation in such a visible and central location.

This installation benefits the landowner, to the detriment of the public and should not be approved.

Diane Heirshberg  
[redacted]

Sent from my iPhone



SYMBOL LEGEND	
	Tree (Pine/Flr/Cedar) (30\"/>
	Joint Utility Pole
	Centerline

SITE PLAN  
FULL PROJECT AREA

SITE PLAN ALL SITE FEATURES

- A: SURVEY USED 2006 13YRS OLD TREES SHOWN 18" & 22" DIA. CORRECT 30" & 24.5" DIA. JULY 2001 CODE / PAUL NIELSEN SERIAL OLD GROWTH EAST SIDE = 24 INCH DIA OR LARGER / WITHIN 6' OF FOUNDATION TREES TO BE RETAINED UNLESS ALL REASONABLE ALTERNATIVES ARE NOT FEASIBLE TO RETAIN THE TREE, INCLUDING MODIFICATIONS OF ORIGINAL DESIGN.
- B: DENTAL OFFICE ON TRPA APPLICATION, NOT SHOWN FOR COUNTY DRAWINGS / 8' FROM TOWER
- C: NO GRADES SHOWN
- D: EQUIPMENT YARD SLAB ELEVATION NOT SHOWN USE 70 TRPA SLAB 3% CODE
- E: TOWER TO BE 117' Z DENTAL OFFICE 29'-0"

100014-0001  
 Wayne Ford  
 Submission

TOWER BEHIND FENCE

TREE TO BE REMOVED 1

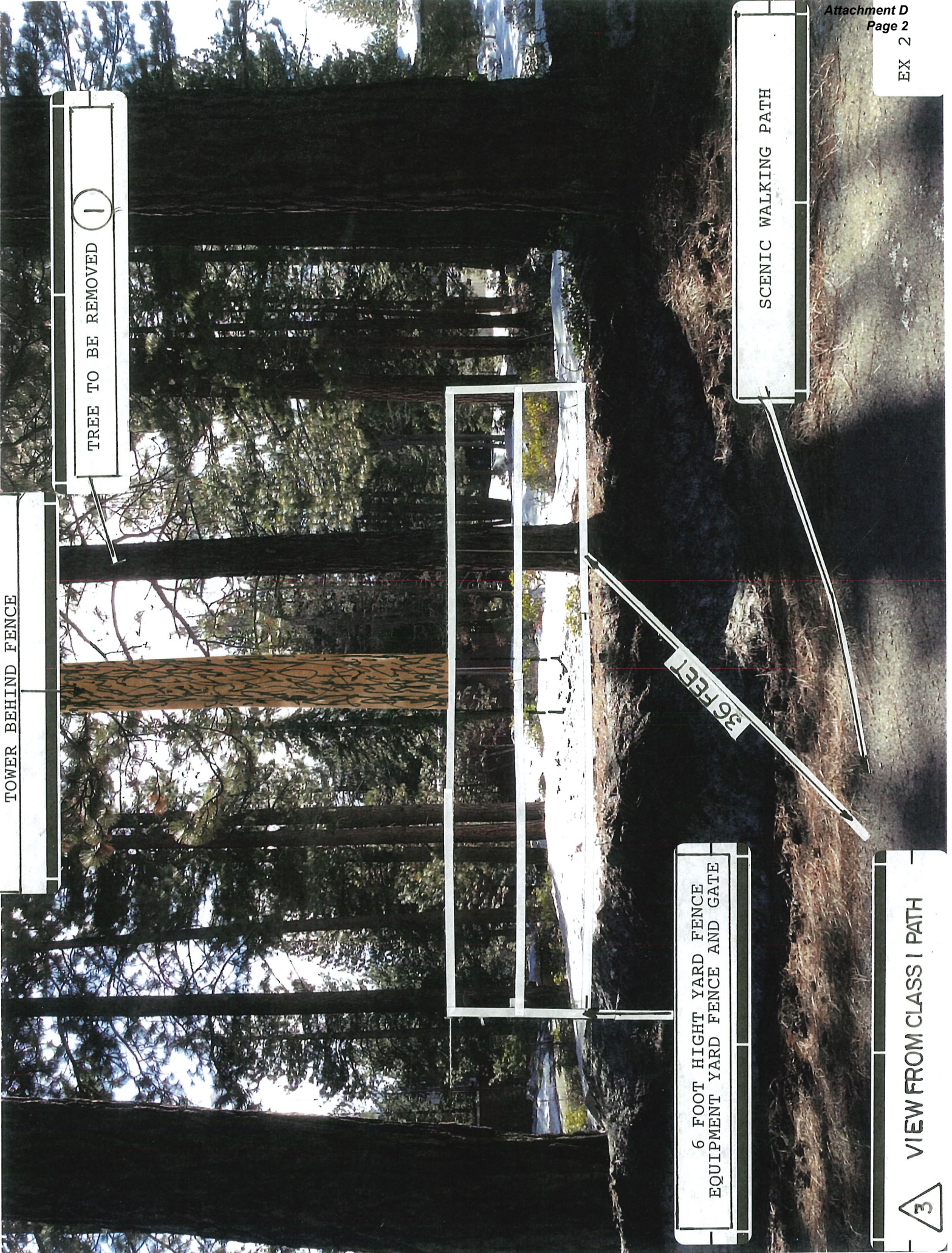
SCENIC WALKING PATH

36 FEET

6 FOOT HIGHT YARD FENCE  
EQUIPMENT YARD FENCE AND GATE

VIEW FROM CLASS I PATH

3



EX

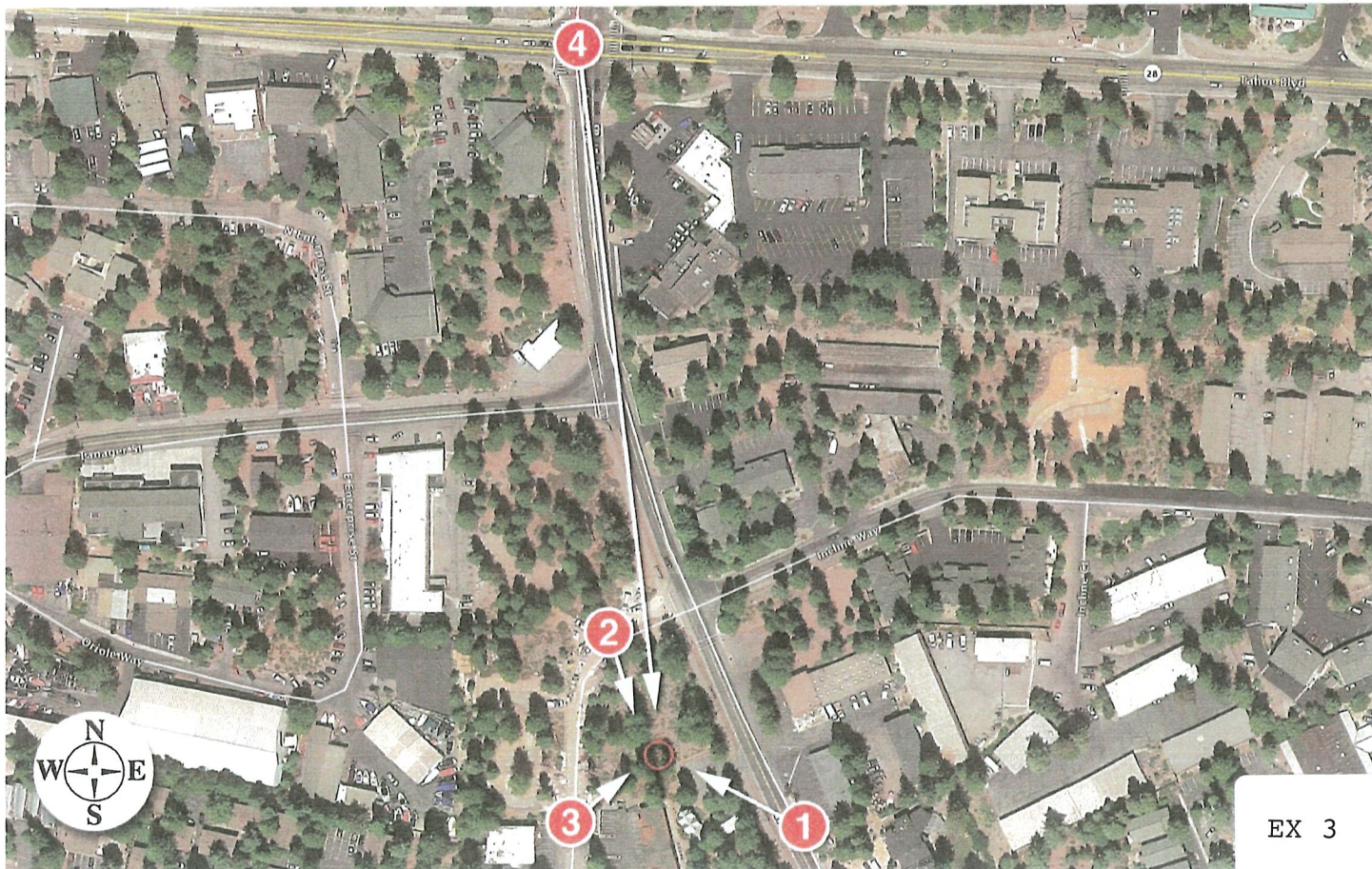


①

TREE TO BE REMOVED

3

VIEW FROM CLASS I PATH





Existing

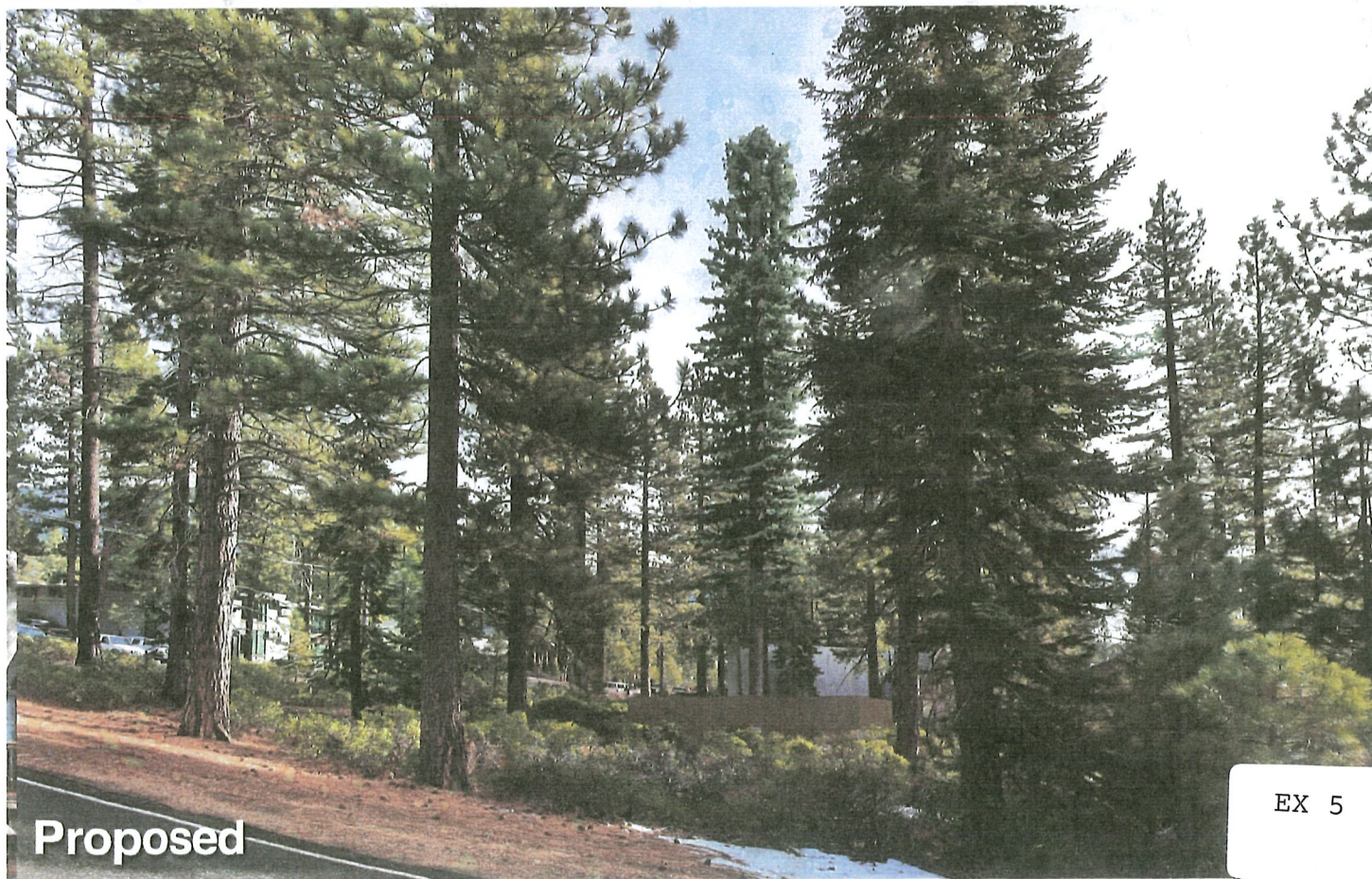


Proposed

EX 4



Existing



Proposed

EX 5



Existing



Proposed

EX 6





EX 7

**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 REPRESENTATION ; 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 PERIOD. JUST WAIT UNTIL SUMMER.**

**THE SCENIC 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 DENTAL OFFICE IS 87 FEET FROM THE TOWER.  
THE BUILDING 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 APPLICANT 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 SHOWS 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**

<b>Part One: Density/ Intensity Standards</b>	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	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.

<b>Part Two: Lot Size</b>	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	I	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.

<b>Part Three: Yard and Setback Dimensions</b>	LDR	MDR	HDR	LDS	MDS	HDS	LDU	MDU	HDU	GC	NC	TC	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.

**Section 110.406.10 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.

**Section 110.406.20 Combining Lots.** 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.

**Section 110.406.25 Unobstructed Yards.** 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) **Through Lots.** 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

TOWNE  
TRPA

## 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>

WSUP19-0001  
Michael Abel  
Submission

# Examples of Cell Tower Safety Concerns

	Tower Risk?	Environmental Factors Associated with Tower Collapse?
Falls / Falling Debris	Yes	
Collapse	Yes	
Fire	Yes	Yes
Ice	Yes	Yes
Wind		Yes
Earthquake		Yes

Carole Black Submission WSP19-0001

Content is based on internet search and discussion at community forums

April 2, 2019

## What worries me ...

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?



# Examples: Recent Adverse Cell Tower Events

- **What is the concern re the current proposal?**

- Tower fire starts >> extends all along the tower
- Tower fire spreads >> sparks a wildfire
- Tower fire and/or Wildfire damage structure >> collapse

## Fire (2018)

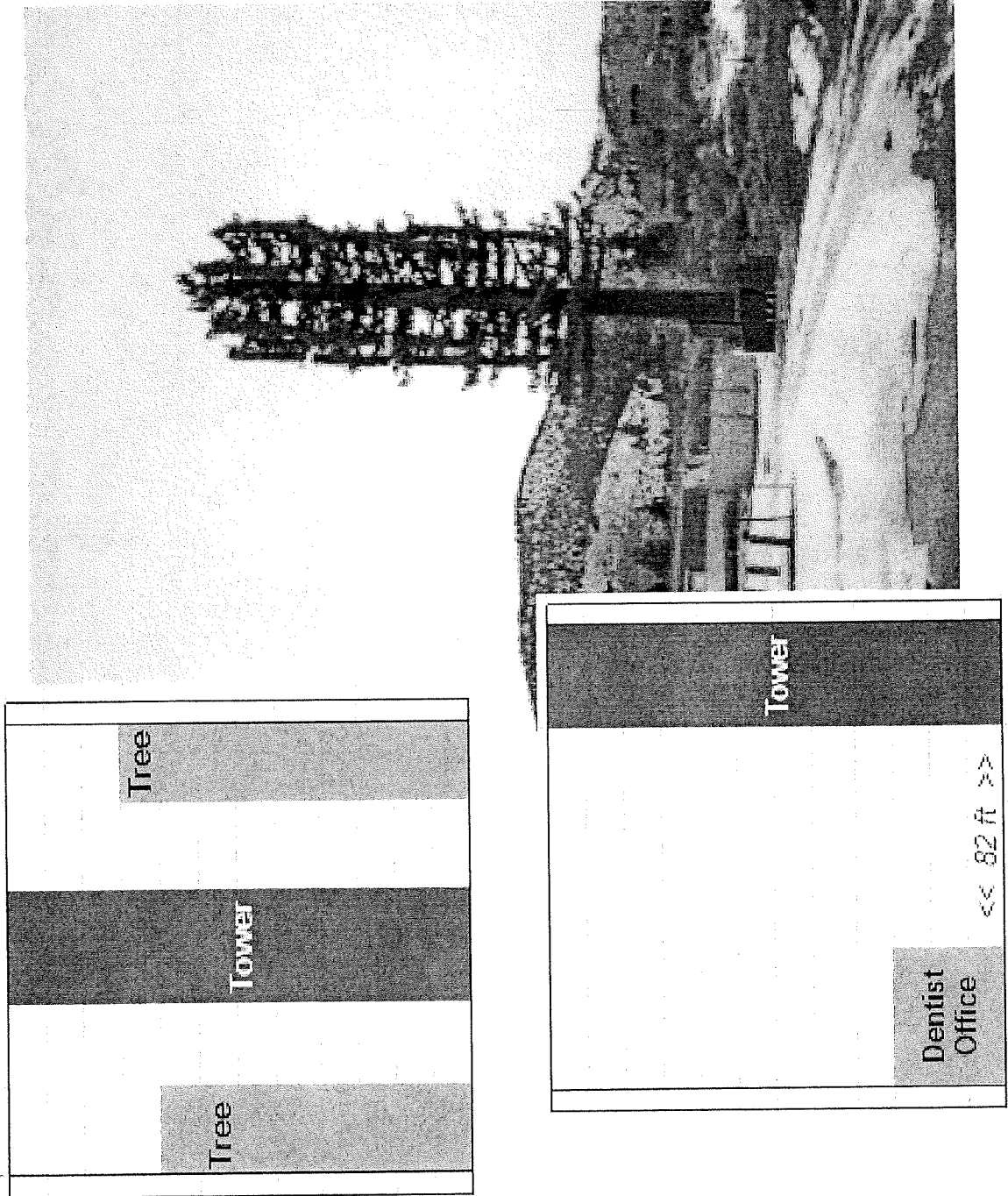
- Sheets of ice/frozen snow fall from the tower
- Ice damages structure >> collapse

## Ice & Wind (2019)

- Tower performance may not meet rated wind level
- Tower will extend above tree canopy which blocks some of the lake wind force - recent local winds reported as high as 180 mph at height
- Wind damages structure >> collapse

## Wind (2019)

# Tower Height Diagrams

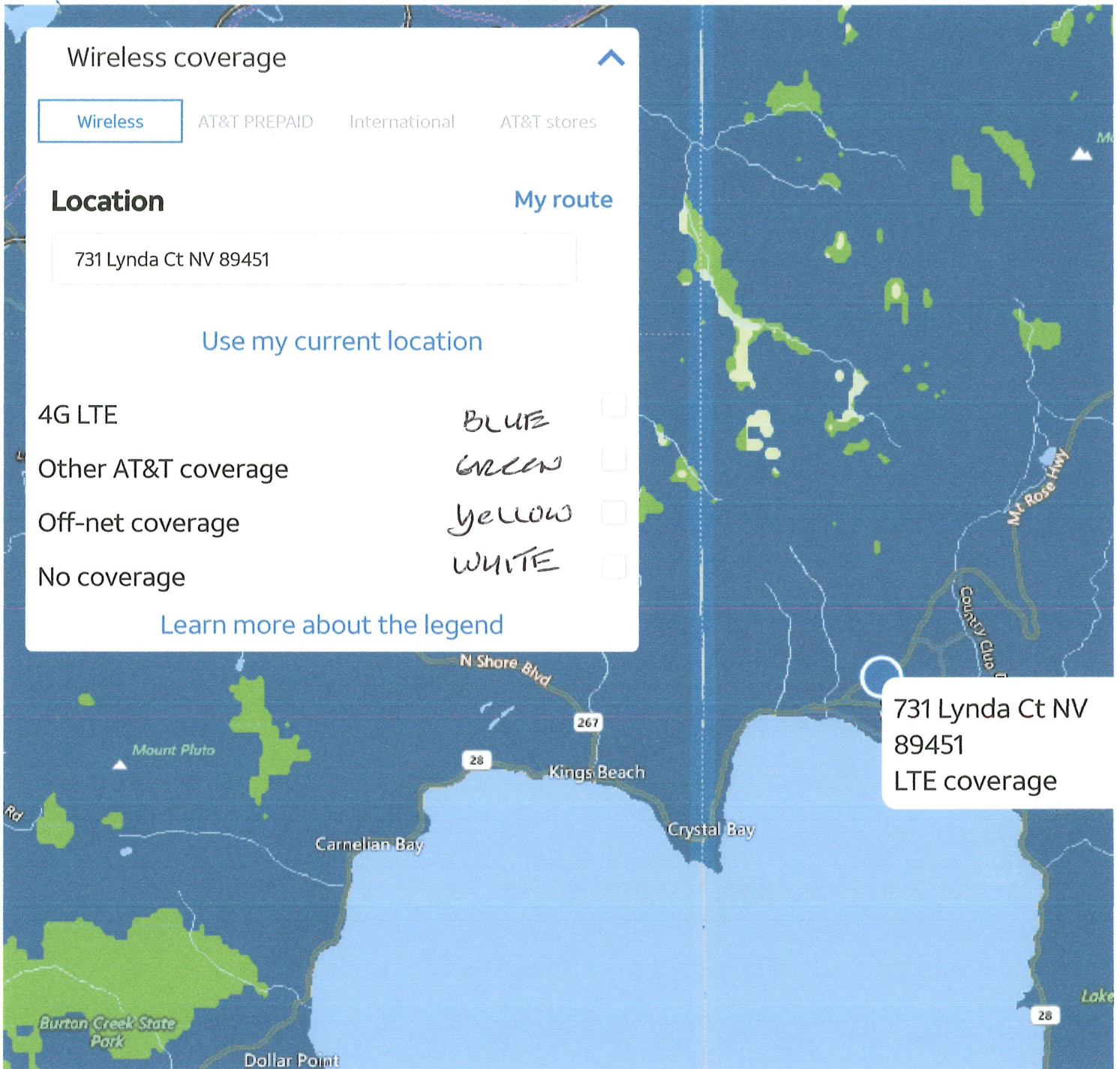


Source: Personal Snapshot of Galena Fire Station Tower:  
Tree height estimates from Cell Tower Proposal

## Internet Sources for Adverse Event Examples

- **Fire:** <https://kywnewsradio.radio.com/articles/news/cause-cell-tower-fire-schuykill-expressway-under-investigatio>
- **Ice and Wind:** [In Featured News by Wireless Estimator / February 27, 2019](#)
- **Wind:** [In Featured News by Wireless Estimator / March 13, 2019](#)  
<https://www.nytimes.com/2019/03/13/us/politics/cell-towers.html>
- Or search “recent cell tower collapse” and/or “recent cell tower fires”

Sign in

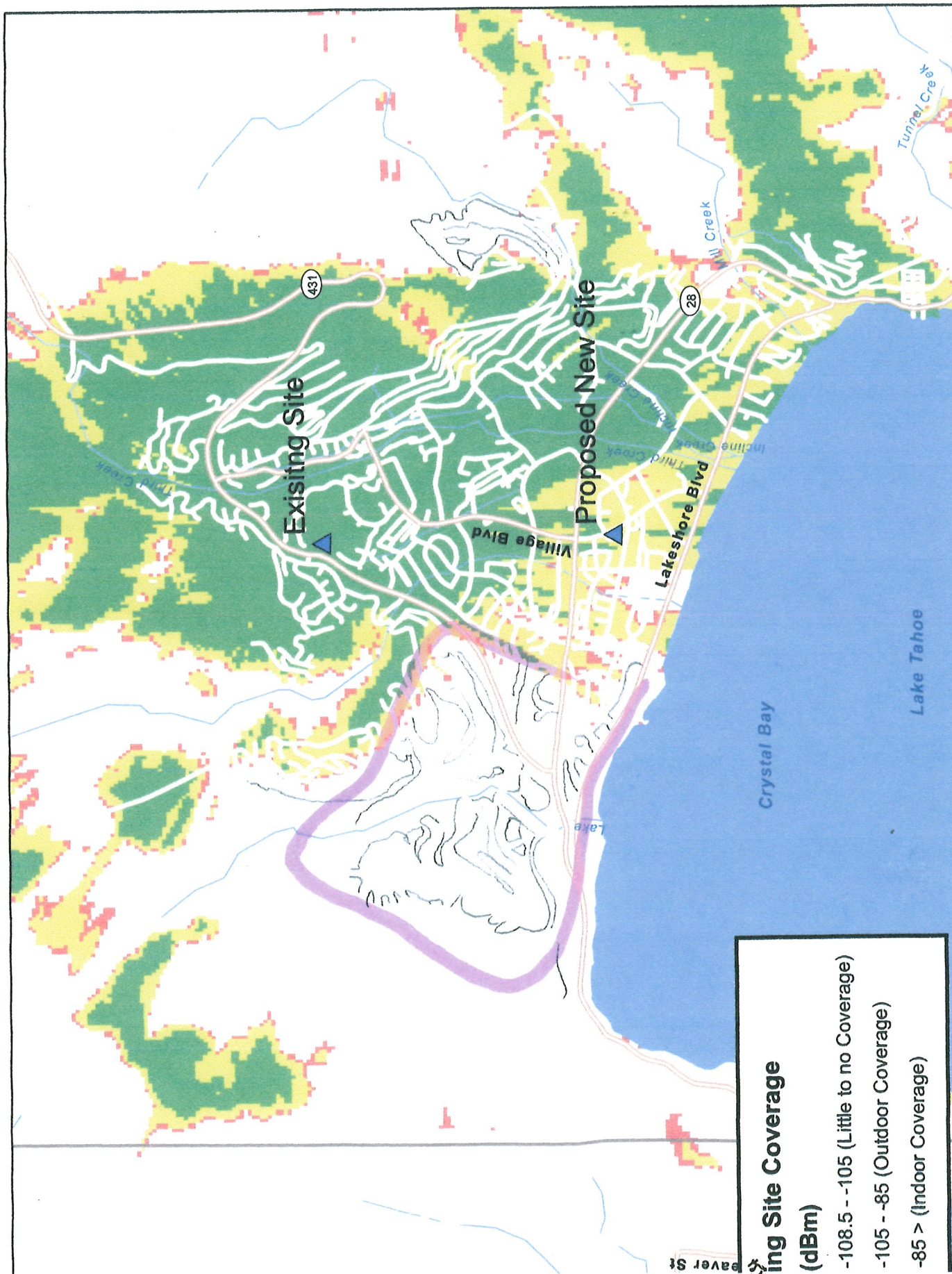


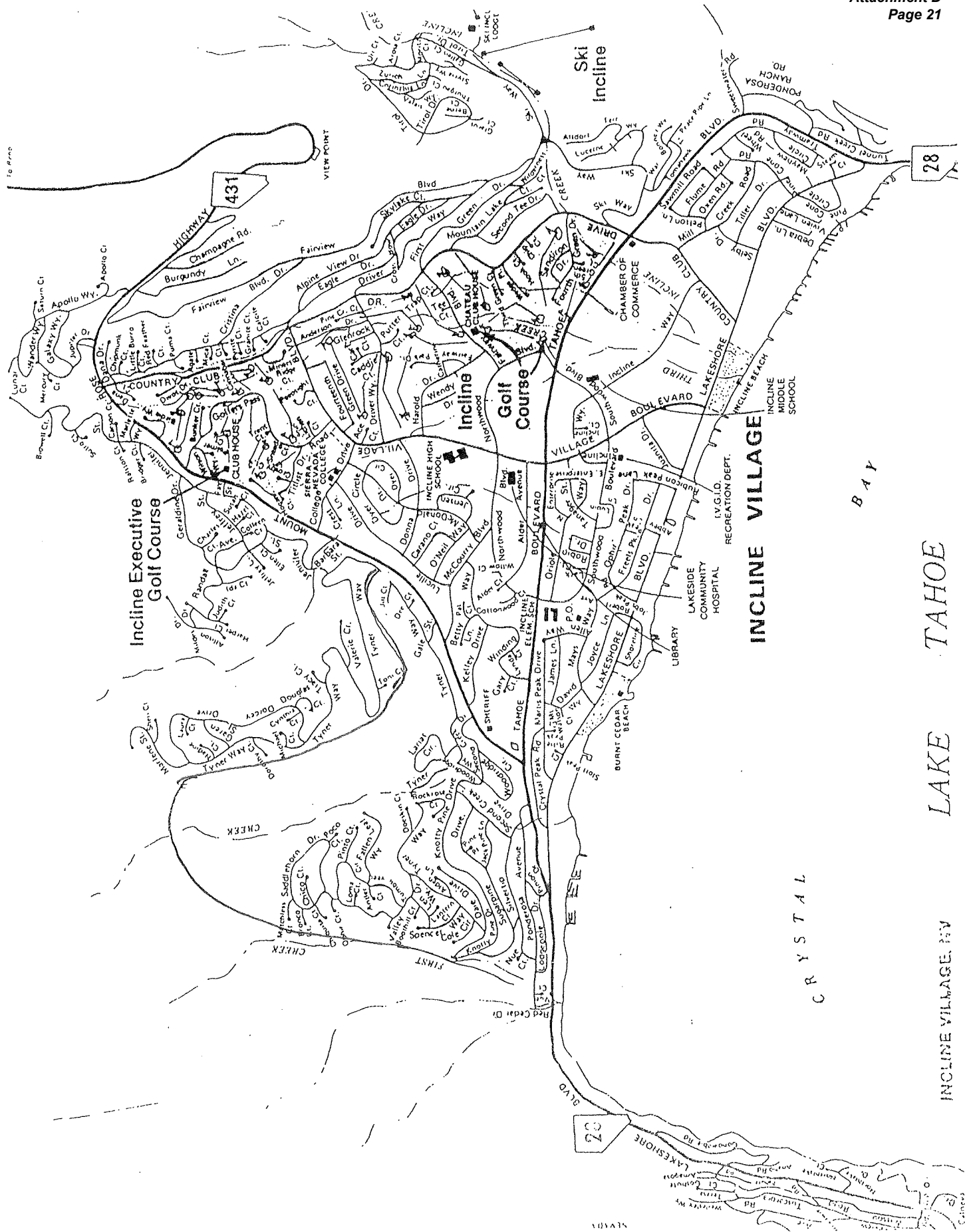
+

-

3/22/19

# Incline Village 700 MHz LTE Coverage





INCLINE VILLAGE, NV  
LAKE TAHOE  
CRYSTAL BAY

Subject **Cell Phone Reception**  
From Dee Dee Kincade <ddkincade@charter.net>  
To <ronda@asgs.org>  
Date 2019-03-26 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>  
To <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*

Tried sending to the email in the letter ; Did not go through.

**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

Modesto Bee

## 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 RUSD has cited an obsolete American Cancer Society study in keeping the tower in place since the controversy erupted two years ago. "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-year-old 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. The statement said the district has no out clause in the 25-year lease agreement with Sprint, the tower's owner. The district and Sprint will have to 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. That's the responsibility of the cancer registry with the California Department of Public Health.

"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.**

Ferrulli, who watched her son's cancer relapse last year, **countered that parents arranged for testing that showed much higher readings.** 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>

**From:** Andrew Merrill yzf60098@yahoo.com  
**Subject:** Re: Fwd: Last Chance to Vote on IV Cell Tower before Board of Adjustment Decision 4/4/19  
**Date:** April 3, 2019 at 7:47 AM  
**To:** Pete Todoroff ptodoroff1@sbcglobal.net



**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 <ptodoroff1@sbcglobal.net> wrote:**

Pete Todoroff iMac 3.06 GHz  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

**Begin forwarded message:**

**From:** [rondatycer@aol.com](mailto:rondatycer@aol.com)  
**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:** [ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

PLEASE SEND YOUR EMAIL BEFORE APRIL 4 2019 TO:  
[jolander@washoecounty.us](mailto: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.

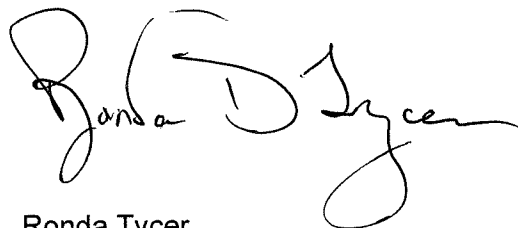
Please take a minute to read the letter and send an email to Julee Olander giving your opinion about the application.

Dear Ms. Stark,

These are the missing materials from the official record.

Thanks for finding them in your files.

Best regards,

A handwritten signature in black ink, appearing to read "Ronda Tycer". The signature is fluid and cursive, with the first name "Ronda" written in a larger, more prominent script than the last name "Tycer".

Ronda Tycer

Recorder

IV Community Forum

April 2019

Dear Board of Adjustment Members,

In compliance with the County Code for Special Use Permit requests for Case Number WSUP19-0001 Incline Village Monopole, we members of the Incline Village Community Forum submit this letter asking you to deny the application by Incline Partners (IP) to build a cell tower on their specified site near 231 Village Blvd in Incline Village (IV).

The Board of Adjustment should deny the application because:

**UNDER THE WASHOE COUNTY CODE:**

1. The use is not consistent with the programs, policies, or standards of the Comprehensive Plan and applicable area plan.
2. The use is not physically suitable for the development in the area proposed.
3. The use would be detrimental to the public health, safety, and welfare, and would be injurious to the existing property and the improvements of adjacent properties, and is detrimental to the character of the surrounding area.

**UNDER THE TAHOE REGIONAL PLANNING AGENCY CODE:**

1. The project is not of a nature, scale, intensity or type to be an appropriate use for the parcel.
2. The project will be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood or the general welfare of the region.
3. The project use will change the character of the neighborhood and alter the purpose of the applicable planning area statement and community plan.

**THE MOST RESTRICTIVE OF TRPA STANDARDS AND WASHOE COUNTY STANDARDS PREVAIL**

WASHOE COUNTY CODE 110.406.10 TRPA STANDARDS. Requirements for development occurring in the Tahoe area including, but not limited to, building placement standards, shall be THE MOST RESTRICTIVE OF TRPA standards and Washoe Co standards.

**REASON FOR DENIAL #1 – INCLINE PARTNERS HAS NOT PROVED A SIGNIFICANT COVERAGE GAP IN INCLINE VILLAGE THAT CAN ONLY BE FILLED BY THE PROPOSED CELL TOWER**

Section 1: IP states This facility will greatly enhance wireless phone and data coverage within commercial and urban zoning areas of IV. Currently there is poor to no wireless phone and/or data service or other emergency phone service along this main corridor in IV centered near the intersection of Tahoe Boulevard (Highway 28) and Village Drive, particularly as you head south and west from that location.

**1. IP EXISTING COVERAGE MAP IS INACCURATE**

• In looking at IP's **Existing** coverage map, coverage already provided by the Verizon-built Mountain Golf Club tower is adequate (Green) throughout most of IV, with poor service (Yellow) primarily in the lower Commercial zone and absent service (White) in the area west of Highway 431 (in the Ponderosa Subdivision). From IP's **Proposed** coverage map, the most significant increase in proposed cell coverage will be (a) inside buildings in the IV Commercial zone (Yellow) (b) inside and outside buildings in the area to the west of Highway 431 (White), and (c) inside and outside buildings in Crystal Bay (White).



• **Contradicting IP's Existing coverage map**—on streets where IP says coverage does not exist (White)—many residents contend they have adequate cell phone service. IP has purposely omitted street names on their maps. We include an IV street map so it's possible to see exactly what streets will be most affected by the Proposed cell tower coverage. We attach herewith written statements of coverage by residents living on these streets. **That residents attest they have coverage where IP says coverage does not exist calls into question all of IP's Existing coverage map.** IP purposely does not provide details of how the coverage maps were developed and how they were verified.

• **Contradicting IP's Existing coverage map**—AT&T's coverage map shows adequate coverage throughout all of Incline Village (Blue).

## 2. NEW SMALLER TOWERS CAN FILL COVERAGE GAPS IN INCLINE VILLAGE

• According to the Unison website: [www.Unisonsite.com](http://www.Unisonsite.com), new technology exists to provide enhanced coverage without a large monopine cell tower. **Several small towers are already providing cell coverage in IV. A small cell tower has recently been installed at 885 Tahoe Blvd just a few blocks from IP's proposed tower.**

According to the website: *"It's not just cell phones that are getting smaller, less expensive and more capable – cell tower sites are following the same trend too. While giant macrocell sites have been the industry norm for years, carriers are increasingly turning to a range of smaller cell site options as a way to reduce costs and speed network expansion. These include microcells, picocells and femtocells..."*

*Also, when adding network capacity, the use of smaller sites helps carriers avoid the increasingly common resistance to large cell towers in many communities. American consumers love mobile communications, but when it comes to towers, the sentiment is NIMBY - not in my back yard. This is particularly true with macrocells, the largest cell towers. ... Macrocell sites can cover a radius of up to 10 miles in diameter, depending on the terrain. However, they require large upfront capital investments, face burdensome zoning restrictions, and sizeable ongoing expenses for maintenance, site leasing, electrical power and telecom backhaul... The three largest U.S. wireless carriers are all offering [smaller] products. AT&T Wireless, Verizon Wireless, and Sprint."*

**In summation regarding coverage, we request you deny the application because (1) the "gap in coverage" represented by Incline Partners is inaccurate, indicating there is no cell coverage where residents have proven coverage, (2) much proposed coverage will duplicate current Verizon cell tower coverage, (3) the tower will be in the middle of IV but new coverage will primarily be to the west of 431 and into Crystal Bay, and (4) new smaller towers can fill coverage gaps in IV (5) newly approved cell towers (e.g., Kings Beach) may duplicate IP's proposed coverage.**

**REASON FOR DENIAL #2 – IP TOWER WILL NOT ENHANCE EMERGENCY SERVICE COMMUNICATION**  
IP States: Section 6: The project will provide important wireless communication service in emergencies to protect public health, safety, and welfare.

### FIRSTNET.GOV PROVIDES ADEQUATE COVERAGE FOR FIRST RESPONDERS IN IV

• In IV, First Responders use a dedicated network FIRSTNET.GOV. They have adequate coverage throughout IV without the IP cell tower. A representative from the North Lake Tahoe Fire Department said they have no problem with cell coverage at the station.

**We request you deny the application because the proposed cell tower is not needed to provide enhanced cell phone coverage to IV first responders.**

**REASON FOR DENIAL #3 –IP TOWER WILL BE AN INAPPROPRIATE AND OUT-OF-SCALE USE OF THE PARCEL THAT WILL HAVE A NEGATIVE IMPACT, ESPECIALLY ON SURROUNDING RESIDENCES**

TRPA Chapter 21.2.2 – Special Uses

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 planning area statement, community plan, and specific or master plan, as the case may be.

Washoe County:

Section 110.324.70 (c) That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County. [Added by Ord. 1242, provisions eff. 7/23/04, amended by Ord. 1378, provisions eff. 8/1/08.]

Section 110.810.30 Issuance not detrimental: Issuance will not be detrimental to the character of the surrounding area and will not change the character of the neighborhood.

Constructing a 117-foot high monopine cell phone tower and associated equipment is an inappropriate use of the parcel located in the very heart of IV near both commercial and dense residential areas.

- The proposed monopine will be 117 feet high (112' + approved 5' variance), which is nearly 80 feet taller than any nearby buildings, and 30 feet higher than surrounding trees. The photos included with IPs application intentionally misrepresent how the monopine will look in conjunction with surrounding trees and buildings.

- The "carrier equipment compound" or Mechanical Yard will include 1818 sq ft, much of it covered by cement. Four cement-equipment-shelter-pads will be 8x12 sq ft. The equipment cabinets are 48 cubic feet, and the generator is 84 cubic feet. The diesel fuel tank holds 210 gallons. The driveway into the Mechanical Yard from Village will be cement. Large areas of cement and large pieces of equipment in the Mechanical Yard are incompatible with the surrounding area.

- The proposed 6' synthetic slatted fence will not hide the equipment completely, and will be an eyesore. Because of the slope of the parcel, the Mechanical Yard will need to be leveled by lowering it a foot at the entrance and building up 4 feet in the back. This will require a 10' fence, not 6'. In addition to the large pieces of equipment, there will be up to 18 directional antennas on the monopine, many of which will be visible in spite of fake branches to hide them.

- Even if the generator noise will be heard only during emergency situations, the noise will be a disturbance to the surrounding area and residents.

**We request you deny the application because the cell tower equipment will have a negative visual impact and the nature and scale of the tower and equipment yard is not an appropriate use of the parcel.**

**REASON FOR DENIAL #4 – THE PROJECT WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BE POTENTIALLY INJURIOUS TO RESIDENTS .**

**1. THE PROJECT WILL DETRIMENTALLY CHANGE THE CHARACTER OF THE SURROUNDING AREA**

- There is a TRPA Class 1 Bike/walking path along the side of the proposed site that is heavily used to traverse Village Blvd from Highway 28 to the Incline Beach and Ski Beach Areas. The Mechanical Yard will be

visible to pedestrians and cyclists on the path as well as to people viewing the area from above 6 feet, including those in surrounding buildings.

## **2. THE PROJECT WILL BE INJURIOUS TO THE HEALTH, SAFETY, AND ENJOYMENT OF RESIDENTS**

- Although the parcel is zoned General Commercial, many high-density residential units are located within ¼ mile from the proposed tower site. At least six HOAs are in the affected area housing hundreds of residents. These residents will be affected in several ways.

- High Frequency Radiation *is currently perceived* as a health hazard. For every study professing safety, another study shows harm. Until the research consistently proves cell-tower radiation is safe, those residing within the ¼ mile radius surrounding the tower will worry for their health and the health of their children. (If future study shows an increase in disease in the area closest to the cell tower, liability issues exist. See attached article from the Modesto Bee March 2019.)

- In addition to the risk of High Frequency Radiation, cell towers have been shown to have other potential safety risks. Towers have collapsed from ice, wind, wildfire, and earthquakes. Towers have caught on fire. With a tower in the center of the Village, all of these risks to residents are higher. If the tower collapses in the direction of the Dental Office, it will damage or destroy the building less than 90 feet away. Liability issues exist.

- Because of the public perception of danger to health associated with cell-tower radiation, residential prices will be affected as potential buyers opt to buy in areas without threat. Many of the housing units within ¼ mile of the tower are million dollar homes whose values may drop. Liability issues exist.

- A tower in the middle of the Village is an attractive nuisance. Because the tower will be unguarded, children may attempt to scale the fence and adolescents may attempt to scale the tower. Liability issues exist.

**In summation, we request you deny the application because (1) a TRPA Class 1 bike/walk path runs next to the parcel, (2) residents in nearby high-density residential areas will be affected by the perceived health risks of High Frequency Radiation, (3) a tower collapse or fire would be disastrous in the middle of the Village, and (4) these perceived hazards will negatively affect home prices in the surrounding area.**

### **REASON FOR DENIAL #5 – THE TOWER NEGATES THE NEW COMMUNITY AREA PLAN POSSIBILITY FOR FUTURE MIXED RESIDENTIAL AND COMMERCIAL USE ON A VERY VALUABLE CENTRAL PARCEL IN IV**

IP states: Section 110.810.30 : “Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the applicable area plan.”

- Currently the IV Community Area Plan is being revised. One future possible use of the property owned by Dr. Cherry (KBS Ltd) on which the Dental Office now sits is for Mixed Commercial and Residential use. If the proposed tower were built, it would preclude consideration of the property for mixed use. No application should be approved until the new Area Plan is finalized.

- Because of coverage issues, the proposed cell tower will prevent any expansion of the Dental Office or its parking lot.

- The parcel is in the very heart of IV and is too central and valuable to be used to hold equipment. If it is redeveloped for mixed use, low-to-moderate income housing could be built that would be central to shopping and schools.

**We request you deny the application because the proposed cell tower if built would negate the possible Mixed-Use potential of this very valuable parcel in the new Community Area Plan. This very valuable parcel in the middle of IV can be put to much better use.**

## **REASON FOR DENIAL #6 – THE ALTERNATIVE SITE ANALYSIS IS INADEQUATE**

Alternative Site Analysis: (3) Maps identifying alternate sites that were considered by the applicant, with a justification by a competent professional for the requested site.

- The proposed site is not the only possible site for a new monopine cell tower in IV. Previously AT&T applied to build a tower near the Washoe County Maintenance Area on Highway 431. That application could be reconsidered. That site is open, without trees, and is higher than the proposed site by 50-100 feet. It's already used as an equipment area and has readily available restrooms for repairmen.

- Given that most of the improved/new coverage is to the west of IV, a cell tower would be more effective if it were built higher up nearer Crystal Bay. The Washoe County Maintenance Area is one preferable spot for a large monopine cell tower.

- The 13 alternative sites IP considered in IV were all within the central Commercial Core so the land could be leased and used commercially. The reasons given by property owners for not wanting the tower built on their properties echo many of the reasons a majority of residents don't want the tower built in the middle of the Village. Given the Kings Beach cell tower is on or near US Forest Land, it may be possible to explore a similar site for a tower near IV.

- As mentioned previously, smaller towers/antennas are now available that may be more appropriate for IV's terrain and will be more appropriate to 5G should that service be offered to IV in the future.

**We request you deny the application because the proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the County Maintenance Yard or a site located more to the west near Crystal Bay. Other sites need to be researched.**

IV  CB  
Community Forum

SIGNED:

<u>Wayne Ford</u>	<u>731 LYNDIA CT IV. NV.</u>
<u>Wanda C. C. C. C.</u>	<u>1656 SUMMIT RD 89451</u>
<u>Lyndee C. C. C.</u>	<u>1056 Summit <sup>89451</sup> Rd.</u>
<u>RITA J. J. J.</u>	<u>928 NORTHWOOD BLV. IV</u>
<u>Bruce J. J. J.</u>	<u>929 NORTHWOOD BLVD #143 IV</u>
<u>J. J. J.</u>	<u>929 NORTHWOOD BLVD # 138, IV, NV</u>
<u>Steve Tokan</u>	<u>886 Cheryl St IV NV 89451</u>
<u>Carole &amp; William Blair</u>	<u>144 Village Blvd #33, IV, NV</u>
<u>Margaret A. A. A.</u>	<u>5761 Northwood IV NV</u>
<u>Phyllis</u>	<u>1078 Lake Bonnet IV NV</u>
<u>Santa Truitt</u>	<u>1461 Glarus Court I.V. 89451</u>
<u>Jack &amp; Dalton</u>	<u>980 Cart Court IV 89451</u>

IV  CB  
Community Forum

SIGNED:

Pete Todoroff

120 Country Club Drive  
Incline Village NV. 89451

Ann [Signature]

930 Tahoe BLVD 802-48  
Incline Village NV 89451

Priscilla A. O'Leary

912 Juniper St. 89451  
Incline Village NV

Donald D. Lyden

814 Tomi Ct 89451

Richard A. [Signature]

P.O. Box 4698, INCLINE VLG, NV

[Signature] Decker Cody

P.O. Box 5329 INCLINE VLG, NV

[Signature] Eric Halstead

P.O. Box 3047 Incline  
Village NV

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**Appealed Decision Information (continued)**

Describe why the decision should or should not have been made:  
See Exhibit 3 for why the decision should not have been made.

Cite the specific outcome you are requesting with this appeal:  
Denial of WSUP19-0001

Did you speak at the public hearing when this item was considered?

Yes  
 No

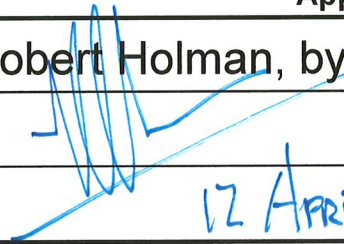
Did you submit written comments prior to the action on the item being appealed?

Yes  
 No

**Appellant Signature**

Printed Name: **Robert Holman, by his attorney James M. Walsh, Esq.**

Signature:



12 APRIL 2019

Date:



MEMO: Ms. Bridget K. Cornell, Associate Planner, Current Planning, bcornell@trpa.org

From: Robert and Robin Holman, 214 Village Bl., Parcel 132-232-13

### **FORMAL NOTICE OF OPPOSITION**

Proposed Project: Construction of 117' Cell Tower, Generator Building, and 220 Gallon Diesel Fuel Tank, 231 Village Bl. in the Commercial and Residential visual corridor of Incline Village. Robert and Robin Holman, residing at 214 Village Blvd., approximately 75 yards across the Village Blvd. visual corridor from the proposed project **object to the location, construction, operation, and inevitable expansion of a visual, noise, and EMF radiation polluting tower and generator.**

To paraphrase TRPA's stated responsibility: *"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"* leads to the unequivocal basis for a decision to **deny TRPA project approval.** The entire scope of this project has predominately negative environmental, economic, health, and safety consequences and is absolutely contrary to TRPA's stated mission.

There is no compelling topographic or geographic logic to demonstrate placing the tower in the population center will result in coverage superior to locating the tower on property already approved proximate to the Washoe County Sheriff's substation near the 28/431 traffic circle. TRPA has a responsibility to its constituents in Incline Village to improve the environment, not denigrate it with unsightly and polluting projects. Stop this project now.

The economic impact unbalanced. Modest revenue to the developer from installation of a cellular tower next to homes and businesses benefits only one entity. Meanwhile, the negative impact on proximate property values, demonstrated by numerous studies, is far more serious. If the value of neighboring homes and business falls from 4% to 20% and salability or rent ability becomes difficult or impossible because potential buyers, residents, and tenants do not wish to live or work near a cellular tower, significant negative economic consequences, harming many citizens, will be caused by TRPA approving this proposed permit.

Cellular companies tout benefits: faster data, better service, more coverage. Like the tobacco and drug companies, proponents overlook the ever increasing body of research on the human health effects and safety of the tower emitting radiation and electro-pollution. Should Incline residents become part of the 'great experiment' resulting from oversaturation of electromagnetic and wireless radiation exposure? TRPA should and must eliminate that risk to our population by denying this permit.

The noise pollution resulting from running the generator and day and night trucks performing maintenance is a demonstrable public nuisance. A back up diesel generator, run weekly for maintenance/performance tests, will add to both noise and air pollution in the neighborhood, which is unnecessary especially since there is a much better, and much safer location on available to serve the developer's need.

The tower will grow from the proposed four antennae to more attachments; they all expand. As more radiation emitting facilities are added, the tower will become even a bigger eyesore. Property values will be harmed, additional backup generators will be a potential, more diesel pollution, more noise pollution, and more visual pollution all along what is arguably one of Incline Village's most important visual corridors. It's TRPA's mandate to carefully monitor and protect visual corridors. This is a prime example of where TRPA can and should protect by denying the permit.

cc: jmarchetta@trpa.org

**EXHIBIT 1**  
**APPELLANTS**

**Counsel for Appellants:**

James M. Walsh, Esq.  
Walsh, Baker & Rosevear  
9468 Double R Blvd., Ste. A  
Reno, Nevada 89521  
Tel: (775) 853-0883  
Fax: (775) 853-0860  
Email: [jmw Walsh@wbri.net](mailto:jmw Walsh@wbri.net)

**Appellants:**

Robert Holman  
214 Village, Unit 1  
Incline Village, Nevada 89451  
APN: 132-232-13  
[rhmessage@gmail.com](mailto:rhmessage@gmail.com)

Wayne Ford  
731 Lynda Court  
Incline Village, Nevada 89451  
APN: 124-043-42  
[waynefordresidentialdesigner@yahoo.com](mailto:waynefordresidentialdesigner@yahoo.com)

Peter Todoroff  
120 Country Club Drive, Unit 18  
Incline Village, NV 89451  
(775) 831-7526  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Ronda Tycer  
814 Toni Court  
Incline Village, NV 89451  
APN: 125-142-03  
[rondatycer@aol.com](mailto:rondatycer@aol.com)

Jack Dalton  
980 Cart Court  
Incline Village, NV 89451  
APN: 131-012-15  
[jack.f.dalton44@gmail.com](mailto:jack.f.dalton44@gmail.com)

**Appellants (continued):**

Amanda Bloomer  
731 Lynda Court  
Incline Village, NV. 89451  
APN: 124-043-42

Michael and Helen Abel  
900 Southwood Blvd. #4  
Incline Village, NV 89451  
APN: 132-591-05

**Additional Residents Opposing Tower**

Ben Dosseff  
915 Incline Way, Unit 103  
Incline Village, NV 89451  
APN: 132-621-03  
bensbd1@gmail.com

Jim and Robin Beres  
899 Southwood Blvd.  
Incline Village, NV 89451  
APN: 127-470-02  
jberes@comcast.net  
robin.beres@icloud.com

Carole Black  
144 Village Blvd, #33  
Incline Village, NV 89451  
APN: 127-071-34  
cbwillb@vharter.net

Tom & Lynette Cardinale  
1056 Sawmill Road  
Incline Village, NV 89451  
APN: 130-163-13  
tomcat1944@icloud.com  
tomlyn.14@gmail.com

Harlan Rodriguez  
214 E. Enterprise Street  
Incline Village, NV 89451  
Pinebrook Apartments  
har\_249@icloud.com

Svata Trossen  
1461 Glarus Court  
Incline Village, NV 89451  
APN: 126-550-17

**Appealed Decision Information (continued)**

Describe why the decision should or should not have been made:  
See Exhibit 3 for why the decision should not have been made.

Cite the specific outcome you are requesting with this appeal:  
Denial of WSUP19-0001

Did you speak at the public hearing when this item was considered?

Yes  
 No

Did you submit written comments prior to the action on the item being appealed?

Yes  
 No

**Appellant Signature**

Printed Name: **Robert Holman, by his attorney James M. Walsh, Esq.**

Signature: *Wayne Paul 731 Lynch Court Arcata*

Date: *4/13/19. City No = 89451*

Wayne Ford for appeal of action by BOA on 4/4/19 I was at the hearing, spoke and submitter written comments prior to the action.

From: Wayne Ford (waynefordresidentialdesigner@yahoo.com)

To: dvollmer@wbri.net; ptodoroff1@sbcglobal.net; rondatycer@aol.com; jmw Walsh@wbri.net

Date: Friday, April 12, 2019, 3:31 PM PDT

WSUP19-0001

As a resident of Incline Village I submitted statements and evidence to the BOA. Those statements and evidence was the basis for denial of the application for the Incline Village Monopole. I also spoke on the record my reasons for not supporting the application to this project . The impact as a property owner in Incline is the placement devalues the community, where proposed. The case for the added service was not made. I find my service level great. Yet my home was shown on maps by the applicant to not have any service at all. I also object to the County of Washoe being responsible for the removal of the tower if the use is suspended for one year of more. As a tax payer I do not believe it should be up to us to have to take care of a failed company.

I also find it not reasonable to take away from the scenic aspect for the area proposed. The area of Village Blvd is one of our most walked areas with a class one path. This main area of access to the beaches and Lake Tahoe should not be impacted by a commercial yard / a generator and noise levels that are not in keeping to the scenic quality of Lake Tahoe. I also believe that the design of the tree like structure is not a problem in outer areas of our region. Yet having such a man made structure trying to look like a tree in the small area of a parcel ,in the center of a mixed use area , is not in keeping with a good use of the property.

The notice of people and families impacted by this tower was flawed .

Many families were never

given proper notice to the development of it. Most , if not all of these families, are in opposition to the tower being place where it is proposed.

They never had a voice in the process.

*Wayne Ford*  
731 York St Incline Village NV  
89415

Wayne Ford

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Sunday, April 14, 2019 5:51 AM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** 5 G

Good Morning Denise:

The reason I sent you the U Tube Video was because the 117 Foot Cell Tower is old 4 G Technology and the New 5G is devoid of putting towers in places where the better use of the land would be housing since the Area is Zoned Residential and Commercial. The other thing I wanted to point out is if this 4G tower doesn't work Washoe County is obligated to remove it and not the Applicant. If you would like to talk to me about this please feel free to contact me at 775 831 7526. Pete Todoroff Chairman of the CAB. I mentioned that the 4G Tower was old Technology when the Applicant came to my IV?CB Community Forum but the Applicant said it was still not proven but below this proves the Applicant is mistaken according to President Trump, and the Tower Experts. Thank You for your Consideration.  
Pete Todoroff

<https://www.youtube.com/watch?v=hrdMnxig1WE>

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

## Denise Vollmer

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**From:** rondatycer@aol.com  
**Sent:** Tuesday, April 16, 2019 6:35 PM  
**To:** Denise Vollmer; waynefordresidentialdesigner@yahoo.com; ptodoroff1@sbcglobal.net; rhmessage@gmail.com  
**Subject:** Additions to Appeal Letter  
**Attachments:** TahoeProsperityCenter.docx

Dear Denise,

To be included:

6. That the communications facility meets all standards of Sections 110.324.40 through 110.324.60.

Incline Partners has not complied with Article 110.324.55.

Incline Partners claims they are allowed 10 feet of height on the tower because they have proved a significant gap in coverage. Trevor Lloyd said their need to prove a significant gap in coverage doesn't exist because the parcel is a commercially zoned parcel and 110.324.55 only pertains to residential parcels. If 110.324.55 does not pertain to commercially zoned parcels, why do they say they have proved a significant coverage gap that allows them 10' of height on the pole?

WCC Article 110.324.55 Significant gap coverage.

"A significant gap for purposes of this article shall include a white area where no cellular service from any carrier is available. A wireless facility shall be permitted at any location if the applicant can demonstrate by technical studies that (a) the facility is for personal wireless service as defined by applicable Federal statutes and regulations (b) that the facility at the site proposed is necessary to close an existing significant gap or gaps in the availability of personal wireless service and (c) the facility in the location proposed is therefore eligible for the following increase in allowable height of the monopole. The height of the antenna shall be limited to the building standard height for an allowed structure plus up to 10 feet above the height in any residential regulatory zone or... and there's a list of height standards based on pole height and distance from residential properties... (See *Table 110.324.50.1*) which comply with these standards."

WCC Article 110.324.50

"Monopole mounted antennas are restricted from being located in the following locations unless a "significant gap" (see Section 110.324.55) can be demonstrated with a technical review:

"Public trails as exist are proposed on the adopted Regional Open Space Plan and as exist or are proposed on an adopted Washoe County Park District Master Plan and within one thousand (1000) feet of a public trail as described in this section."

The proposed tower will be less than 50 feet away from a public paved right of way (Walking Path/Village Blvd) and less than 500 feet away from an adjacent residential/commercial development (214 Village Unit 1). Even if not zoned "residential," TRPA is treating the adjacent parcel at 214 Village #1 as mixed residential/commercial.

Table 110.324.50.1 (not entire table)

"Permitted Height of Pole relative to Distance from Residential Zoned Property or Public Paved Right of Way (closest adjacent use will be applied)

At 50 ft away, permitted height is 45 ft - this will pertain.

At 200 ft away, permitted height is 50 ft

At 400 ft away, permitted height is 60 ft

At 600 ft away, permitted height is 70 ft.

At 1000 ft away, permitted height is 80 ft.

By extrapolation, at 500 ft away, permitted height is 65 ft, not the 80 ft Incline Partners is using as a starting point in their calculations of permissible cell tower height.

Other points:

I want to mention the obvious Conflict of Interest of Washoe County Commissioner Marsha Berkgigler who is on the board of the Tahoe Prosperity Center, and is the representative on the Commission for Incline Village. (See attached.) Marsha found reasons not to attend the Community Advisory Board meeting on 3/4/19 or the IV Community Forum for the past several months. She's well aware that the majority of Incline Village is against the tower. Also, not all the Board of Adjustment members were present to vote at the 4/4/19 meeting. Why? Who was absent? Was that absence intentional?

Another point is that we think public input against the tower was purposely suppressed by the planner Julee Olander. No letters against the tower were included in the Board of Adjustment Members packets; five letters in favor were included, and supposedly there were another 50 letters in favor of the tower included. But when we asked for copies of those 50 letters we did not get them. Instead, Julee Olander emailed Wayne Ford 57 letters of which 43 were against the tower. Where are the 50 letters in support? Why were no letters against the tower included in the packets? Do they even exist?

Thanks,  
Ronda Tycer

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

From: Denise Vollmer <dvollmer@wbri.net>

To: Wayne Ford <waynefordresidentialdesigner@yahoo.com>; Pete Todoroff <ptodoroff1@sbcglobal.net>; rhmessage@gmail.com <rhmessage@gmail.com>; rondatycer@aol.com <rondatycer@aol.com>

Sent: Mon, Apr 15, 2019 6:48 pm

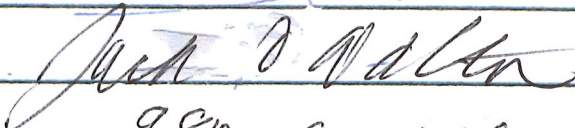
Subject: Appeal

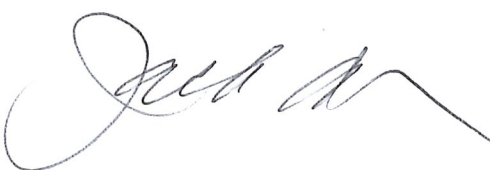
All:

Attached is my very rough draft. I am sending to you at this time to inquire if I have missed some points. Some of these are duplicative and some are in the wrong place so I will be working through those issues as you are reviewing. I will attach comments/emails of the other individuals named herein.

I will add in the others named by Wayne and move around the information.



Appealed Decision Information (continued)	
Describe why the decision should or should not have been made: See Exhibit 3 for why the decision should not have been made.	
Cite the specific outcome you are requesting with this appeal: Denial of WSUP19-0001	
Did you speak at the public hearing when this item was considered?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Did you submit written comments prior to the action on the item being appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appellant Signature</b>	
Printed Name: Robert Holman, by his attorney James M. Walsh, Esq.	
Signature:	
Date:	980 Cavt Court

Incline Village, NV  
89451  
Bad location inappropriate  
for Incline at this location.  
Thanks,  


## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:43 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** Jack Dalton <jack.f.dalton44@gmail.com>  
**Subject:** Re: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL  
**Date:** April 12, 2019 at 3:32:44 PM PDT  
**To:** Pete Todoroff <ptodoroff1@sbcglobal.net>

Pete, I am opposed to the cell tower. It is in the wrong location being inappropriate for the site despite being zoned "commercial" as it is mostly a residential neighborhood. thanks Jack Dalton 980 Cart Court Incline Village, NV 89451

On Thu, Apr 11, 2019 at 6:05 AM Pete Todoroff <ptodoroff1@sbcglobal.net> wrote:

Just a Friendly reminder the IV/CB Community Forum Meeting is April 12, 2019 from 9AM to 10AM Located at the Incline Village Library located at 845 Alder Ave. Incline Village 89451. Tell a Friend.

Hello everyone Please send me an email to send to the Appeal Board to let me know if you are for or against the Special Use Permit WSUP 19-0001 117 Foot Cell Tower located next to the Dentist Office 231 Village Blvd. in Incline Village Nevada. Please include your Address along with your comments. Thank You Pete Todoroff Moderator of the IV/CB Community Forum.

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

**Appealed Decision Information (continued)**

Describe why the decision should or should not have been made:  
See Exhibit 3 for why the decision should not have been made.

Cite the specific outcome you are requesting with this appeal:  
Denial of WSUP19-0001

Did you speak at the public hearing when this item was considered?

Yes  
 No

Did you submit written comments prior to the action on the item being appealed?

Yes  
 No

**Appellant Signature**

Printed Name: **Robert Holman, by his attorney James M. Walsh, Esq.**

Signature: *Ambera Bloomer* 731 Lynda Court Incline

Date: *4/14/19* village no. 89480

*I was at the hearing on 4/4/19*

*Been + Raised  
In Incline  
village.*

**Appealed Decision Information (continued)**

Describe why the decision should or should not have been made:  
See Exhibit 3 for why the decision should not have been made.

Cite the specific outcome you are requesting with this appeal:  
Denial of WSUP19-0001

Did you speak at the public hearing when this item was considered?  Yes  No

Did you submit written comments prior to the action on the item being appealed?  ~~Yes~~  No

**Appellant Signature**

Printed Name: **Robert Holman, by his attorney James M. Walsh, Esq.**

Signature: *Michael Walsh*

Date: *April 14, 2019*

resident 900 Southwood Blvd #4  
Incline Village, NV

This tower will be a giant eyesore.  
It will generate noise in a very quiet area.  
Proximate neighbors were not notified of  
this possible tower installation by county.  
Applicant stated that the areas of poor  
service were the areas in West Incline Village  
and Crystal Bay as well as in East Mill Creek.  
Why put this oversized tower so far  
from where the service is "needed".  
Not revealed that Tahoe Prosperity Center that advocated  
for the tower <sup>was</sup> contributed to by Washoe County.

OVER

Appealed Decision Information (continued)	
Describe why the decision should or should not have been made: See Exhibit 3 for why the decision should not have been made.	
Cite the specific outcome you are requesting with this appeal: Denial of WSUP19-0001	
Did you speak at the public hearing when this item was considered?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did you submit written comments prior to the action on the item being appealed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Appellant Signature</b>	
Printed Name: <b>Robert Holman, by his attorney James M. Walsh, Esq.</b>	
Signature:	<i>Helen Abel</i> (attended hearing with my husband)
Date:	<i>April 14, 2019</i>

Resident Full Time - 900 Southwood #4  
Incline Village, NV  
89451

This is a mixed neighborhood -  
TRPA approved low income housing  
and houses in the "Commercial" area.  
Not an appropriate place for  
a tower! It is a very busy  
street & walkway!

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:41 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: Cell tower

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** Ben Dosseff <[bensbd1@gmail.com](mailto:bensbd1@gmail.com)>  
**Subject:** Cell tower  
**Date:** April 11, 2019 at 6:48:13 AM PDT  
**To:** [ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Ben Dosseff  
915 Incline Way unit 103 Incline Village, NV 89451

I'm voting against the approval. The location is a location where it would be unsightly for the community and myself. I live within a half a block of the location and do not want mega radio waves passing through me. Again I vote against the Cell tower approval.

Thank you  
Ben Dosseff

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:41 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** <jimberes@comcast.net>  
**Subject:** RE: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL  
**Date:** April 11, 2019 at 12:00:51 PM PDT  
**To:** ""Pete Todoroff"" <ptodoroff1@sbcglobal.net>  
**Cc:** "Robin Beres" <robin.beres@icloud.com>

Pete,

My wife and I hereby request that Washoe County **deny the application** for the proposed Incline Village Monopole. We are full time residents of Incline Village whose house is approximately 500 ft from the proposed site. We have already provided detailed explanations of our objections which are in the record. We would like to highlight our three main concerns:

1. **A cell tower is an inappropriate use of the parcel in the heart of Incline Village and will have a negative impact on the surrounding businesses and residences nearby such as ours.**
  - The images of the 117 ft tall tower provided are misleading as they do not show to scale the tower height, which is nearly 30 ft taller than the adjacent trees, nor do they accurately show the unattractive maintenance yard at ground level. The combination of these two features will make the tower stand out as an eyesore.
  - A 210-gallon diesel fuel tank for the backup generator poses a potential environmental and fire hazard if it leaks.
  - The generator noise heard during power outages will be a disturbance to the surrounding area and residents such as ours.
  - This parcel is better served for a commercial or residential buildout, not a cell tower.
  - Public lands that could potentially better serve the purpose, such as the County Maintenance Yard, were not even considered for the project.
2. **The improved cell coverage map provided is inaccurate and misleading**
  - New smaller towers can fill coverage gaps such as those planned at 885 Tahoe Blvd

- Enhanced Voice over IP Service is offered free of charge by carriers such as AT&T and Verizon and greatly enhance indoor coverage.
3. **The tower will detrimentally change the character of the neighborhood and be potentially injurious to residents.**
- Property owners nearby will be negatively affected by the perceived health risks of High Frequency Radiation, increased risk of property damage due to tower collapse or fire damage, and will suffer negative impact on property values due to these perceived hazards.

Given these reasons, my wife and I do not support the tower at the proposed location and respectfully ask you to deny the applicant's request.

Regards,

Jim and Robin Beres  
899 Southwood Blvd  
Incline Village, NV 89450



## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:42 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: ? re requested email

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** [cbwillb@charter.net](mailto:cbwillb@charter.net)  
**Subject:** ? re requested email  
**Date:** April 11, 2019 at 5:07:05 PM PDT  
**To:** "[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)" <[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)>

Pete, I have drafted an email which includes the tower height issue and also has attached my prior opposition letter which I had sent before the prior meeting directly to the County BOA. I am writing for your opinion - Is this too much at this point? ie do you simply want a brief opposition statement? would you prefer that we omit the height discussion?  
Thanks, Carole Black

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:43 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: Cell Tower

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** Lynette Cardinale <tomlyn.14@gmail.com>  
**Subject:** Re: Cell Tower  
**Date:** April 12, 2019 at 4:40:28 PM PDT  
**To:** Pete Todoroff <ptodoroff1@sbcglobal.net>

My name is Lynette Cardinale, 1056 Sawmill Rd, Incline Village

I am AGAINST the cell tower being placed on Village Ave  
The questionable health risks, destruction of scenic paths and traffic use, the undesirable usage of this property close to homes/families, businesses, schools. This location does not keep the integrity of our forested environment and pristine beauty of the lake so close.

Lynette Cardinale

On Fri, Apr 12, 2019 at 4:28 PM Pete Todoroff <ptodoroff1@sbcglobal.net> wrote:

Hello everyone Please send me an email to send to the Appeal Board to let me know if you are for or against the Special Use Permit WSUP 19-0001 117 Foot Cell Tower located next to the Dentist Office 231 Village Blvd. in Incline Village Nevada. Please include your Address along with your comments.  
Thank You Pete Todoroff Moderator of the IV/CB Community Forum.

iMac 3.06

Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 5:42 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** Thomas Cardinale <tomcat1944@icloud.com>  
**Subject:** Re: IV/CB COMMUNITY FORUM AND CELL TOWER APPEAL  
**Date:** April 12, 2019 at 12:24:57 PM PDT  
**To:** Pete Todoroff <ptodoroff1@sbcglobal.net>

My name is Tom Cardinale, resident of Incline Village and I am against the cell tower location proposed on Village

Sent from my iPhone

On Apr 11, 2019, at 6:10 AM, Pete Todoroff <ptodoroff1@sbcglobal.net> wrote:

Just a Friendly reminder the IV/CB Community Forum Meeting is April 12, 2019 from 9AM to 10AM Located at the Incline Village Library located at 845 Alder Ave. Incline Village 89451. Tell a Friend.

Hello everyone Please send me an email to send to the Appeal Board to let me know if you are for or against the Special Use Permit WSUP 19-0001 117 Foot Cell Tower located next to the Dentist Office 231 Village Blvd. in Incline Village Nevada. Please include your Address along with your comments. Thank You Pete Todoroff Moderator of the IV/CB Community Forum.

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

## Denise Vollmer

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**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 7:24 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: Against WSUP 19-0001

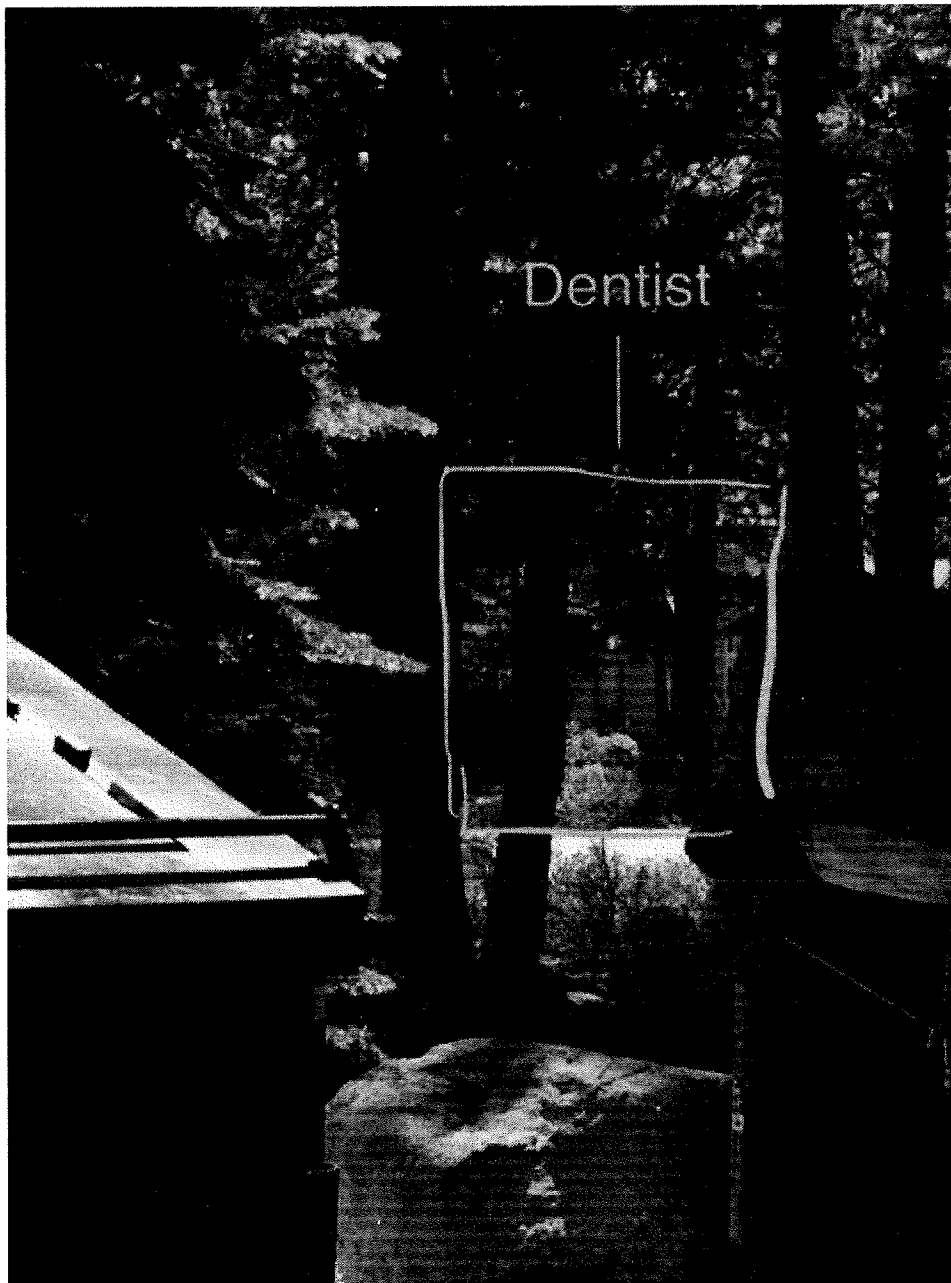
iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

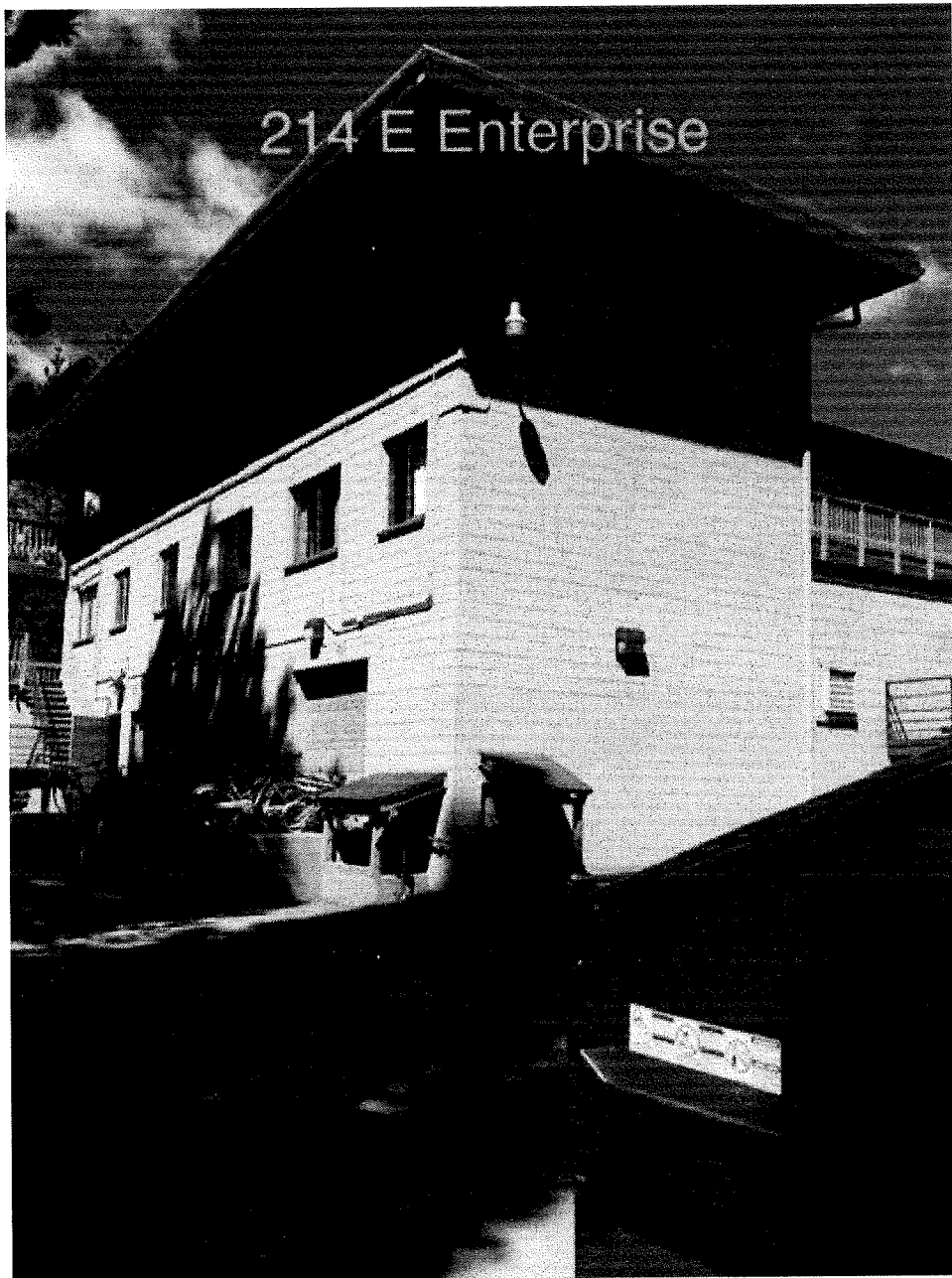
**From:** Harlan Rodriguez <har\_249@icloud.com>  
**Subject:** Against WSUP 19-0001  
**Date:** April 12, 2019 at 6:16:45 PM PDT  
**To:** [ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

My name is Harlan Rodriguez and I am against the Special Use Permit WSUP 19-0001 for the 117 foot cell tower that would be located at 231 village blvd in Incline Village. I reside at 214 E Enterprise St, Incline Village Nevada. I also happen to manage this apartment complex where 29 of my tenants, along with their families, reside. The cell tower would be located about 330 feet from where we reside, and it will be clearly visible to us. Not only am I against the cell tower because it will be clearly visible from where I reside, but because it is not necessary. I believe it's not necessary because I don't have issues with cellular service. Whether it's in the west, east, north, or south of Incline Village, I do not have issues with cellular service. Nor, do I have issues with WiFi at home. I'm sure the majority of the actual Incline village residence can agree that there is no need for the tower. There are also the health risks of living so close to a cellular tower. To my knowledge, It is not clear what are the actual health consequences for living close to a cellular tower but I still don't want to put my health, and that of my tenants, at risk. Thank you.

In this picture you can see how close the dentist property is to our residence.



This second picture shows where I took the first picture. That building right there is where I reside/work.



Sent from my iPhone

## Denise Vollmer

---

**From:** Pete Todoroff <ptodoroff1@sbcglobal.net>  
**Sent:** Friday, April 12, 2019 7:47 PM  
**To:** Denise Vollmer  
**Cc:** Pete Todoroff  
**Subject:** Fwd: CELL TOWER

iMac 3.06  
Pete Todoroff  
[ptodoroff1@sbcglobal.net](mailto:ptodoroff1@sbcglobal.net)

Begin forwarded message:

**From:** Svata <sk8rs@charter.net>  
**Subject: Re: CELL TOWER**  
**Date:** April 12, 2019 at 7:34:23 PM PDT  
**To:** Pete Todoroff <ptodoroff1@sbcglobal.net>

To the Board of Adjustment,

I, Svata Trossen, residing at 1461 Glarus Court in Tyrolian Village, Incline Village am against allowing the cell tower to be built at this location. Our elevation is 7200' and we have a view of the lake and lower Village. My understanding is that the tower, as proposed, will rise approximately 30 feet above the existing natural tree line and will stand out like an eyesore in spite of the "brown needles" they promise will be interspersed with the artificial green needles.

Also the proposed fence to hide all the equipment necessary for the tower to work as designed will probably not be solid and will not adequately camouflage it from pedestrians, cyclists and drivers. I also have reservations about its safety and stability during some of our high windstorms. In my opinion because of its height of 117' it could fall over on the dental office, sidewalk or even onto Village Boulevard causing damage and possible injury.

We love our Village and do not want its beauty spoiled by this tower and its accompanying equipment, traffic and maintenance requirements. Please do not permit it to be built on this parcel!

Thank you.

(Mrs.) Svata Trossen

Pete Todoroff wrote:

Hello everyone

## EXHIBIT 2

### SPECIFIC ACTIONS AND RELATED FINDINGS YOU ARE APPEALING

#### Findings per WCC Section 110.810.30

1. Consistency. That the proposed use is consistent with the action programs, policies, standard and maps of the Master Plan and the Tahoe Area Plan.
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.
3. Site Suitability. That the site is physically suitable for a telecommunications facility (monopole) for the intensity of such a development.
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

#### Findings per WCC Section 110.324.75

6. That the communications facility meets all standards of Sections 110.324.40 through 110.324.60.
7. That public input was considered during the public hearing review process.
8. That the monopole or lattice tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County.



### EXHIBIT 3

#### WHY DECISION SHOULD NOT HAVE BEEN MADE

Applicant did not meet the following requirements and/or the facts presented did not support the finding required and standard set forth in WCC 110.324.40-60.

**1. Consistency. That the proposed use must be consistent with the action programs, policies, standard and maps of the Master Plan and the Tahoe Area Plan.**

The project is not consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan.

The applicant presented no maps, technical data or carrier certifications to show gaps in coverage as required by WCC 110.324.45 and 110.324.55. No carrier propagation maps or technical data were presented only an unauthenticated map of unknown origin showing areas of no coverage. Evidence presented by many people at the meeting confirmed that they have good and full coverage cell service in the area.

The site plan was not correct. The site plan used was from 2002. No new site plan was ever presented to the board or the public at the meeting. The area was identified by applicant as being commercial, however, there are apartments and residential homes shown on the maps provided by applicant, evidencing the area is clearly not just a commercial area but also a residential area.

The applicant stated that there will be no more commercial floor area for Incline. This is not accurate; a new community plan and incentives are in progress.

The project area was represented for only commercial use. It is now both commercial and also residential with some commercial mixed. Future use under the new community plan will be mixed.

The Incline Village Community Plan is being drafted. One possible use of the area is for mixed commercial and residential. That possibility would be precluded if the tower were built. The lot is one of the few in the middle of incline village that could help create a central point in the village. It is too valuable to devote to a cell tower. No new use of the area should be considered until the Community Plan is finalized.

The adjacent dental office is 87 feet from the proposed tower. The dental building could not expand, nor add future parking because the coverage for the lot would be usurped by the tower. The dental office traffic is considerable, and during peak hours patients often need to park on Village Boulevard.

At least six (6) home owner associations are in the affected area. High density residential is within a few blocks of the proposed tower site. The 250-unit McCloud Condominiums are one block from the proposed location, Condominium complexes are within 250 feet of the site and multi-family units, housing 12 or more families, are 330 feet from proposed tower location.

TRPA Chapter 21, Permissible Uses, 21.2.2(C) states:

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 planning area statement, community plan, and specific or master plan, as the case may be.

A cell tower on the property will significantly and negatively change the character of the neighborhood. Property values of nearby residences will be affected because potential buyers will not want to live close to a cell tower.

A sound report was prepared, however it was never discussed nor presented at the meeting and its adverse findings ignored.

Applicant's plans are in violation of Nevada law, Section 1, Chapter 623 of the Nevada Administrative Code, NRS 633.023 and NRS 623.025, requiring a stamp by the licensed professional preparing the plans. The plans were not stamped, nor was the survey used for the plan. The firm listed on the plans does not have a Nevada license. The person listed, Larry Kent Houghtby, held a California General Engineering Contractor's license No. 775482, which is now listed as "inactive".

2. **Improvements.** It is required that adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Adequate utilities and roadway improvements have not been provided. The proposed improvements are not properly related to existing and proposed roadways, and adequate public facilities.

Utilities : NV Energy was not contacted. The size of Generator is a concern for the ability to supply the site from existing service poles. May require transformer upgrades for area.

Failure to notify the communications division of Washoe County of the new tower. Not presented in findings of no interference not made.

Many people who rent apartments who live very near the tower were never notified, and one spoke at the hearing in opposition.

3. **Site Suitability.** That the site must be physically suitable for a telecommunications facility (monopole) for the intensity of such a development.

The size is not physically suitable for a 117' telecommunications monopole. The proposed height violates the standards of WCC 110.324.50 table 110.324.50.1, in that it is located approximately 500 feet from residential structures, which would allow for a 65' pole. The tower will be nearly 80' taller than any buildings. If the surrounding trees are 85' tall, the monopole will be another 30+ feet above those trees as well. The visual impact will be significant. There are no trees of similar height close to the proposed tower.

The platforms, tower and equipment will negatively affect the scenic quality in the immediate area and will be visible to all pedestrians on Village Boulevard public biking/walking path adjacent to the property, which is classified by the TRPA as a Class I bike path with code restrictions. The application was not complete as it provided only four (4) photographs depicting views which were not representative of the significant height differences between the proposed tower and existing trees and did not include any view from the bike path. Pursuant to WCC 110.324.60(a)(15), a minimum of eight (8) panoramic, true color photographs displaying the north, south, east and west views of the site and views of the adjacent properties is required before the issuance of any permit for a wireless communications facility. By not showing the full area as required, the applicant misled the board to the negative impacts on the surrounding area.

No alternative sites were considered outside of the commercial area inside Northwood/Southwood Loop Road in Incline Village.

Incline Partners Tower will be an inappropriate use of the parcel per TRPA. The cell tower equipment will have a negative visual impact and the nature and scale of the equipment is not an appropriate use of the parcel.

The cell tower, if built would negate the possible mixed-use potential of this parcel in the new Community Area Plan. This is a very valuable parcel in the middle of Incline Village which can be put to much better use.

The proposed site is not the only possible site for the tower. It is the only site whose owner is willing to allow construction. A better site would be the county maintenance yard or a site located more towards the west near Crystal Bay. Other sites need to be researched.

4. **Issuance Not Detrimental.** That issuance of the permit must not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Issuance of the permit is detrimental to public health, safety and welfare and improvements of adjacent properties. The visual impact will be significant. The construction will include 1818 square feet, much of it covered by cement.

The four (4) cement equipment shelter pads are 8' x 12'. The equipment cabinets are about 4' x 3' and the generator is 8' x 3' x 8' tall. The size of the fuel tank is at least 250 gallons. There are all large pieces of equipment that will be somewhat hidden behind a fence but visible to anyone looking down on the property from surrounding buildings. Without a scaled drawing of the proposed equipment layout, it is impossible to know how well the fence will screen the equipment.

There was a sound study conducted, however the report was not part of the planner's packet for public review. The applicant, by leaving out the sound study, mislead the public and the board of information that supports a detrimental finding.

The scenic images did not show the impact from the walk path which is a Class 1 path used by thousands of people in the summer and hundreds in the winter. The applicant and board did not consider the true impacts even with evidence presented at the meeting, it was never brought forward for discussion.

The Applicant said there are no health risks, yet evidence presented at the meeting showed studies where there are proven health risks.

The chair of the board was told by staff that health risks cannot be considered; in the findings code for special use permits it says it can. The chair stated he did research that there were no health risks associated with the tower and used that to vote for the tower. The chair relied on evidence not in the record.

The applicant misrepresented the size of the trees under TRPA Code two trees are heritage trees. One is proposed to be removed which is not allowed by the TRPA without special findings.

The applicant stated the TRPA has approved the project, however it has not. The project has not even been noticed, nor gone through the hearings officer review.

Board members, both who voted for the project stated they had real issues with the height of the tower/tree as represented and felt it was too short in the renderings, then voted to approve the project, ignoring the inaccurate evidence presented.

The planner stated the current dental building was not to county development code referencing parking some on the parcel site for the tower. The dental building remodel was done in 2002 under the current code that has not changed. The planner indicated that the current approved design is not conforming, however, it was signed off by the county in

2002 as conforming. The planner provided the board with inaccurate information; the two parcels are one development area by the TRPA and County Code (Deed Restricted).

The planner did not know the coverage code or how this approval will impact any future need for parking that is underserved now for the dental building. This project impacts the parking needs for the dental office.

The board ignored direct testimony by many local residents living in the areas indicated in white on applicant's map refuting applicant's assertion that there was no coverage in those areas. In fact, coverage area maps for AT&T and T-Mobile showing coverage in those areas are readily available online.

There were no showings of alternatives per WCC 110.324.45, even though TRPA has recently approved much smaller utility pole top antennas as recently as August of 2018.

The applicant failed to apply the more restrictive TRPA standard of permissible uses as required by WCC 110.220.05.

Applicant failed to notify local agencies and residents of its application and meeting whose opposition may be affected by transmission from the tower.

The Tower will not enhance emergency service communication as applicant suggests. Firstnet.gov provides adequate coverage for first responders in Incline Village.

**6. Facility meets all standards of Sections 110.324.40 through 110.324.60.**

Incline Partners has not complied with Article 110.324.55. Incline Partners claims they are allowed 10 feet of height on the tower because they have proved a significant gap in coverage. Trevor Lloyd said their need to prove a significant gap in coverage doesn't exist because the parcel is a commercially zoned parcel and 110.324.55 only pertains to residential parcels. If 110.324.55 does not pertain to commercially zoned parcels, why do they say they have proved a significant coverage gap that allows them 10' of height on the pole?

WCC Article 110.324.55 Significant gap coverage.

"A significant gap for purposes of this article shall include a white area where no cellular service from any carrier is available. A wireless facility shall be permitted at any location if the applicant can demonstrate by technical studies that (a) the facility is for personal wireless service as defined by applicable Federal statutes and regulations (b) that the facility at the site proposed is necessary to close an existing significant gap or gaps in the availability of personal wireless service and (c) the facility in the location proposed is therefore eligible for the following increase in allowable height of the monopole. The height of the antenna shall be limited to the building standard height for an allowed structure plus up to 10 feet above the height in any residential regulatory zone or... and

there's a list of height standards based on pole height and distance from residential properties... (See Table 110.324.50.1) which comply with these standards."

WCC Article 110.324.50

"Monopole mounted antennas are restricted from being located in the following locations unless a "significant gap" (see Section 110.324.55) can be demonstrated with a technical review:

"Public trails as exist are proposed on the adopted Regional Open Space Plan and as exist or are proposed on an adopted Washoe County Park District Master Plan and within one thousand (1000) feet of a public trail as described in this section."

The proposed tower will be less than 50 feet away from a public paved right of way (Walking Path/Village Blvd) and less than 500 feet away from an adjacent residential/commercial development (214 Village Unit 1). Even if not zoned "residential," TRPA is treating the adjacent parcel at 214 Village #1 as mixed residential/commercial.

Table 110.324.50.1 (not entire table)

"Permitted Height of Pole relative to Distance from Residential Zoned Property or Public Paved Right of Way (closest adjacent use will be applied)

At 50 ft away, permitted height is 45 ft - this will pertain.

At 200 ft away, permitted height is 50 ft

At 400 ft away, permitted height is 60 ft

At 600 ft away, permitted height is 70 ft.

At 1000 ft away, permitted height is 80 ft.

By extrapolation, at 500 ft away, permitted height is 65 ft, not the 80 ft Incline Partners is using as a starting point in their calculations of permissible cell tower height.

#### **7. Public input was considered during the public hearing review process**

Many people who rent apartments who live very near the tower were never notified, and one spoke at the hearing in opposition. The public was not fully made aware of the hearing. Property owners received notification, the actual tenants at many of the residences did not receive notification and their opinion never sought.

Instead, it appears that public input against the tower was purposely suppressed by the planner Julee Olander. No letters opposing the tower were included in the Board of Adjustment Members packets, however, five letters in favor were, and a purported 50 additional letters in favor existed. However, contrary to that assertion, upon request after to the hearing, we were given a cover letter from the prosperity center with 24 letters attached in favor of the tower. Emails in opposition to the tower were withheld from the public record. Thus, it appears that Olander misrepresented the public's input on the

construction of the tower leading the board to believe that the majority public vote was in favor of the tower not in opposition as evidenced by the suppressed emails.

**8. That the monopole tower will not unduly impact the adjacent neighborhoods or the vistas and ridgelines of the County**

A cell tower on the property will significantly and negatively change the character of the neighborhood. Property values of nearby residences will be affected because potential buyers will not want to live close to a cell tower.

A sound report was prepared, however it was never discussed nor presented at the meeting and its adverse findings ignored.

The cell tower, if built would negate the possible mixed-use potential of this parcel in the new Community Area Plan. This is a very valuable parcel in the middle of Incline Village which can be put to much better use.

Emails in opposition to the proposed project were withheld from the public record, and therefore, it is unknown if these were considered by the board.



# WASHOE COUNTY BOARD OF ADJUSTMENT DRAFT Meeting Minutes

## Board of Adjustment Members

Clay Thomas, Chair  
Kristina Hill, Vice Chair  
Lee Lawrence  
Brad Stanley  
Kim Toulouse  
Trevor Lloyd, Secretary

Thursday, April 4, 2019  
1:30 p.m.

Washoe County Administration Complex  
Commission Chambers  
1001 East Ninth Street  
Reno, NV

The Washoe County Board of Adjustment met in regular session on Thursday, April 4, 2019, in the Washoe County Administrative Complex Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. \*Determination of Quorum

Chair Thomas called the meeting to order at 1:31 p.m. The following members and staff were present:

Members present:	Clay Thomas, Chair Kristina Hill, Vice-Chair Lee Lawrence
Members absent:	Brad Stanley Kim Toulouse
Staff present:	Roger Pelham, Senior Planner, Planning and Building Division Julee Olander, Planner, Planning and Building Division Jacob Parker, Planner, Planning and Building Division Michael Large, Deputy District Attorney, District Attorney's Office Trevor Lloyd, Planning Manager, Planning and Building Division Donna Fagan, Recording Secretary, Planning and Building Division

### 2. \*Pledge of Allegiance

Chair Thomas led the pledge to the flag.

### 3. \*Ethics Law Announcement

Deputy District Attorney Michael Large recited the Ethics Law standards.

### 4. \*Appeal Procedure

Trevor Lloyd recited the appeal procedure for items heard before the Board of Adjustment.



## 5. \*General Public Comment and Discussion Thereof

As there was no response to the call for public comment, Chair Thomas closed the public comment period.

## 6. Approval of Agenda

Chair Thomas stated that Item 8D would be moved to the May 2, 2019 meeting per Appellant's request. In accordance with the Open Meeting Law, Member Lawrence moved to approve the agenda of April 4, 2019 as amended. The motion, seconded by Member Hill, passed three in favor and none opposed.

## 7. Possible action to approve March 7, 2019 Draft Minutes

Chair Thomas said on page 6 of the minutes, there was no "member" name stated in the second of the motion. Member Lawrence moved to approve the minutes of March 7, 2019 with the noted addition. The motion, seconded by Member Hill, passed three in favor and none opposed.

## 8. Public Hearings

The Board of Adjustment may take action to approve (with or without conditions), modify and approve (with or without conditions), or deny a request. The Board of Adjustment may also take action to continue an item to a future agenda.

### C. Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole) - For possible action, hearing, and discussion:

1. To approve a special use permit for the construction of a new wireless cellular facility consisting of a 117-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility; and
2. To approve a minor deviation to vary the height standard and increase the monopine by 5 feet, to a total height of 117 feet.

The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd.

- Applicant: Incline Partners, LLC
- Property Owner: KBS Ltd.
- Location: Approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
- APN: 132-221-11
- Parcel Size: 8,078 sq. ft.
- Master Plan: Commercial (C)
- Regulatory Zone: General Commercial (GC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 324 Communication Facilities; and Article 810, Special Use Permits
- Commission District: 1 – Commissioner Berkbigler
- Staff: Julee Olander, Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775.328.3627
- E-mail: [jolander@washoecounty.us](mailto:jolander@washoecounty.us)

Chair Thomas opened the public hearing.

Chair Thomas called for member disclosures. Member Hill said she has attended community meetings where this topic was discussed. DDA Large said if her deliberation on the matter isn't impacted, he doesn't see any reason for a recusal.

Julee Olander, Washoe County Planner, provided a staff report presentation.

Member Hill said she is confused that TRPA requested for the additional height with additional branches of the tree. She asked about a cap at the top. Ms. Olander said the cap will give it a top without branches. She doesn't believe it will be visible.

Member Lawrence asked about the significant gap in coverage. Ms. Olander said that section is vague. She said she will refer to Mr. Lloyd. There is significant gap in coverage identified. Mr. Lloyd read from Article 324.55 significant gap coverage.

Member Hill asked if the parcels are owned by the same person and if TRPA considers it the same area. Ms. Olander said that was one of the criteria they had to address with TRPA. The applicant can provide more information. Member Hill explained how parcels and land coverage works. Ms. Olander said it wouldn't be allowed as a separate parcel for parking. It doesn't meet code; it would be grandfathered in. Member Hill said she doesn't understand why it's not showed as one parcel. Ms. Olander said they are legally two parcels. The parking lot doesn't meet code currently.

Chair Thomas said TRPA requested additional height in order to include a cap on top to make it look more like a tree.

Ms. Olander added that TRPA didn't have an issue with landscaping; they wanted it as natural as possible.

Mike Flynn introduced himself and partner, John Peterson, of Incline Partners LLC. Mr. Flynn provided background about Incline Partners, LLC. He said he is a resident in Incline Village. He spoke about partnerships and projects in other states.

Mr. Flynn addressed the questions about the coverage needed – it's considered underserved in Incline Village and Crystal Bay. He said the area near downtown and down to the lake is underserved, including: post office, shopping market, and Ponderosa subdivision. They don't have service inside the buildings. Small portions in the Mill Creek area are underserved. There is a dead zone in Crystal Bay up to Stateline. The proposed site will cover all these underserved areas. He said no one is using land lines anymore. People require in-building cell service and they don't currently get it. This will increase capacity; speed for data on internet service will be improved. The system is overloaded and evident during peak tourist season. 70-80% of emergency calls are made from cell phones and that will increase over the years as people get rid of their land lines. First Net will give priority of cell service to first responders. Network providers looking to co-located are AT&T, Verizon; and Sprint. T-Mobile is looking into it as well. TRPA code for cellular is permissible use with a special use permit. This met all the criteria imposed on us. Site mitigations include branches; the tower vendor is to supply green and brown needles to present a more realistic tree. There will be a simulated bark. The top half will have additional branches to cover the antennas – that is the additional 5-feet requested. He spoke about the wood slating fencing to cover the back-up generator.

Mr. Flynn said he had a company conduct a study for the standby generator. Cedars have been recommended by an arborist for additional screening landscaping.

Mr. Flynn spoke about community outreach and notices: He said he attended the former Bonanza meeting. He said there were 25-30 residents with Q&A. The Citizen Advisory Board heard this project in March. There were notices that went out to the community. TRPA expanded the notices to include two notices – initial notice to solicit comments, and then an expanded notice to a ¼ mile which include 650 residents prior to hearing meetings.

Major objections expressed by the public included: Heath and safety with radio frequency concerns. Mr. Flynn noted FCC sets the standards. We are in full compliance with only 6% of standards levels. Visual mitigation will be integrated into the final design. Location issues – the location optimizes the coverage. It's general commercial zoning. The public also voiced noise and safety concerns - he said the other issue is that it's too close to schools which are not the case. Mr. Flynn said the public said it's not the highest and

best use for the property – he said it's prohibited to develop any new commercial. There was also community support who spoke in favor of the tower. He said they complied with concerns and regulation.

Member Hill stated properties have been combined with deed restriction on the property. Member Hill asked if coverage will be transferred. Mr. Flynn said yes. TRPA approved this in November, and they are waiting on Washoe County to issue permit. Member Hill asked if the coverage being transferred is commercial – Mr. Flynn said coverage doesn't have categories. It will be appropriate land capability. It doesn't require CFA because it's a utility use.

Member Hill spoke about a case in California near a school where kids had cancer. Mr. Flynn said to prevent public outcry, they moved the tower. It was done voluntarily.

Chair Thomas referenced the LTE coverage map. He spoke about the before and after coverage, if the cell tower is installed. It would cover a significant area. This is an identified land use. He spoke about coverage out into the bay. Mr. Flynn said Ponderosa will get coverage. He spoke about how the engineers adjust the antennas which won't necessarily point towards the water. He said radio frequency is good on the lake because there isn't anything to stop it. Chair Thomas asked about emergency calls from boats.

#### Public Comment:

James Beres requested denial. He said he lives 500 feet from proposed site. He provided a detailed letter for the record. It's inappropriate use of the parcel with negative impact to residents. He said the images show a 117 foot tower, but it's misleading to show it without scale to height. The trees will be removed. The tower will stand out as an eye sore. The mechanical yard will not hide equipment. He said the tank for generator is a fire hazard. That land is better served as residential. The County maintenance yard wasn't even considered as a location. The coverage map is not adequate and misleading. The tower will change the character of the neighborhood. Property owners will be negatively impacted. It will cause property values to go down.

Wayne Ford said he lives in one of the coverage white zones and he said he has had coverage. He said he works in architecture. He said he is most concerned about, other than maps not being correct, impacts on the scenic area. He said the fence will be 32 feet from the walking path that people use as a main corridor in the summer. TRPA didn't realize the site plan was 15 years old. He said he is a designer who did an addition on Incline Dental. One of the trees is 24.5 inches and is considered old growth. TRPA needs to revisit the quality of site plan. It's not with the character of the area. There are other ways to solve the coverage issue. There will be more commercial area in the community plan which is part of growth.

Michael Abel said he lives 300-400 feet from the proposed tower. The commissioners have responsibility to protect the environment and residents. He said TRPA's focus is to protect and ensure health and safety for the future. There are concerns with increased health risks, safety, and noise impacts. He said it will negatively impact property values. We will subsidize the property. Cell tower was moved off of a school property in Rippon, California after 4 students and teachers contracted cancer. He said there may be a language barrier to those being impacted. The internet has research about the risks of cell tower. Europe standards are 1/10 of what the US standards are. He asked why this location; why can't the tower be located remote from population center.

Pete Todoroff, Chair of CAB, moderator of community forum, said there were two notices to CAB members on this issue. It was a mistake. There were only two members who received it; that is why there wasn't more opposition. He asked this Board to decline the project. He gave six reasons for denial outlined in a letter to the Board. The map that shows the gap in coverage is inaccurate. New smaller towers can fill that coverage. First Net provides coverage for first responders. This is not needed. Negatively impacts surrounding residents. It's not appropriate for the parcel. It will change the character of the area. There will be health and fire risks. Property values will be impacted.

Carol Black said she lives near the proposed site. She handed out slides. She spoke about public safety of the tower – potential for falling debris, ice, and risk of a worker falling during installing and maintaining. It's a small site. She asked what if it catches on fire and causes a wild fire. There is a fall zone concept – if tower collapse, where would it fall. It could hit the adjacent dental office, highway, office building, or people walking on Incline Way. She said the noise from generator was excluded from analysis. What if someone

climbs the tower. She spoke about recent incidences of fire, ice, and wind, wind collapsing a tower. There are wind speeds recorded at high levels. It's industry driven by profit. Catastrophic events are possible. Consider other alternatives with less risk.

William Black spoke about the health effects. The FCC is not on our side. They only address the heating affects for 30 minute exposure. The residents in the area will be exposed 24/7. There is ample data at the cellular level on DNA and hormones such as reproduction. There is scientific data available in publications reviewed by biologists and doctors. Cellular radiations can cause issues. We have no proof it can kill anyone after 10 years. He said asbestoses, cigarettes, and radium took many years to show they caused cancer. There is no doubt the cellular can cause damage. The FCC doesn't consider it adequate. The law doesn't allow you to disapprove of the application, but find reasons to disapprove it.

Carl Thoms, 23 year resident, said the cell service in the area near the Hyatt is poor. He is a real estate agent and relies on his phone for business. He said the service is highly inadequate. He asked the Board to approve it for standard levels for cell service.

John Eppolito, 20 year resident, said the coverage map is not accurate. He said he has coverage. The tower is out of scale with the surrounding area. Community Master plan is in the process of being updated. We should wait for that to be updated. He said a tower was proposed at Incline Fire Station, and they fought that. He said it was denied when proposed at the high school. He said the middle school parents haven't been notified. Infants and children will be within that area for many years. Please reject the proposal.

Alec Flores said he lived in Incline his whole life. It won't guarantee more cell service. He spoke about the net neutrality guidelines. Architectural Digest named Incline Village the prettiest town in Nevada for the past few years. He is opposed to the proposed cell tower.

Lynette Cardinale, resident since 1992, said she gets wonderful service in Mill Creek. She said she is concerned that it's continuous encroachment on our community and natural treasure. It was declined being proposed on our high school, so why not decline it in the middle of our town. She said TRPA had issues with kayak racks at Ski Beach, but will allow this in the middle of our town. She cannot imagine something so obtrusive. This cannot be permitted. People move there for health reasons. It impacts the beauty of Incline Village and Lake Tahoe.

Harlan Rodriguez, 27 year resident, said he lives on Enterprise, 300 feet from the tower. He said there are 29 apartments, 70 people living there. He said there are health risks. He believes in Murphy's Law. He said he owns and manages those properties and it will impact the residents and our beautiful town. Please deny this tower.

Robert Holman said he lives 75 feet from Village. He builds to TRPA standards and tries to update the community. He said he has been on several planning boards. He said the Board needs to consider the 'for or to' propositions. Who do you work 'for.' 'To' whom are you accountable. He said you should be accountable to residents of Incline. They are the most important. This is a bad thing. The map is flawed. You are making a decision based on information that isn't accurate. If you don't do anything today, at least ask for an updated map of cell coverage. Ask why the tower wasn't proposed at the Sheriff station. You should table the approval until you get real information. Without real information, it's a flawed decision. It will be a wrong decision.

Jack Dalton said he opposes the proposal by Incline Partners. He said there was a deficit with notifying the people in the immediate area who weren't informed by Incline Partners. Please postpone this indefinitely or at least until everyone can be notified. He said the kids at the school need to be notified.

Mr. Lloyd provided some reminders: he said there has been discussion of health impacts, but this Board is excluded from exploring that in their deliberation. The discussion regarding the significant gap is not justification for approval or denial. It comes into play when the zoning is residential. It's not part of discussion for general commercial per code.

Chair Thomas asked Mr. Flynn of the map origination. Mr. Flynn said his consultant provided it using topographical mapping. Chair Thomas asked about the criteria they use. Mr. Flynn said current 4G LTE power level configuration for 4 carriers. He spoke about radio waves continue until they hit something and decrease in power. He said Incline is sloped and heavily forested. He said if the coverage and need for a

new cell tower wasn't there, why would all 4 carriers want to go on it. It's a huge cost to them. They aren't doing it for no reason. He said data transmission on networks need coverage for them to work. In a weak coverage area, you cannot connect to internet and get email. He said you may be able to get a call, but might not be good quality. Each carrier has different sites; most of them are at the Mountain Golf Course. AT&T and Sprint is on the Hyatt. He said the site on Diamond Peak cannot get down to the Village; it's for Highway 28. He said there was a lot of misinformation shared in public comment tonight.

Member Lawrence asked for the rendering of the tree with tops. He asked about the bottom branches height. Mr. Flynn said bottom branches are at 30 feet. Member Lawrence said we don't see representation of the tree line. He said he would like to see different views with other trees around them. The volume of the tree will be above the existing canopy. Mr. Flynn said the survey was done in September of 2018. All the trees are marked as true and correct. Only one tree is to be removed. There is no cell site at Tahoe Blvd.

Member Lawrence asked if Mr. Flynn has any documentation that states the height of trees are 80 feet. Mr. Flynn said just a site visit with TRPA.

Member Hill thanked everyone who came to speak. She said it was a big representation of who is against the cell tower. She said she has never had an issue with cell service. She spoke with others who don't have issues with cell service. She said she doesn't believe its appropriate use for that parcel. The community plan is being updated. She said something is more appropriate in the commercial lot in the middle of Incline. She said this is not appropriate use for this property in our little town.

Member Lawrence said it's difficult to hear these cases, especially residential. He said 117 feet is really tall. He said commercial zoning allows for this. He commends Mr. Flynn for the green and brown needles for simulation. He said he doesn't feel this project was accurately represented today. He said there was no comparative analysis. The trees of 24 inch diameter are not old growth. There isn't enough disguising in this natural setting. He said he doesn't feel comfortable with residents having to view this without opportunity to make a comparison in report. He said he is on the fence about this project. He said he understands the need for this and it's in commercial area.

Chair Thomas echoed what Member Lawrence stated. Chair Thomas said he has no reasons to doubt the coverage maps; why would it be made up. He said Mr. Lloyd addressed the fact that health concerns aren't to be taken into account; not our purview. He said he conducted some research to educate himself, he searched cell towers through American Cancer Society and found nothing to connect cell phone towers to cancer. He said we don't have that information now; there may be findings in the future. He agreed with Member Lawrence regarding the height. He said he struggles with a monopine 30-40 taller than the tree line. He said we consider site suitability which is allowable, consistency with TRPA plan and community plan. TRPA tends to have issues with these things and they are in favor of this project. He said this is difficult. Cell phone coverage is important. He said not only do we need coverage in car, but inside houses as we age, we need coverage in our homes in case there is an emergency.

Member Lawrence said there are a significant number of letters that are in support with one gentleman who attended to show support. Those who wrote letters of support indicated the coverage is spotty.

Member Hill said it was a signed form letter. There are a huge amount of people who attended to provide public comment. It's gross negligence of this Board to go against what the people in Incline want. She said the people in support signed a form letter and didn't take time out of their busy day to come down here. We heard from the people who live in this area. People have AT&T. It's misinformation reported as fact. She said there are health factors. Roundup is still being sold. The government hasn't done anything about it. She said she is a mother who lost her child to cancer.

Chair Thomas said everyone on AT&T has coverage, but not everyone has AT&T. The tourists that come to town don't necessarily have AT&T. If you put all carriers on the pole, you will have better coverage.

Member Hill said it's not safe for our community, not appropriate, not suitable, changes character, could pose environmental and health risks to neighborhood. They don't want it. How can we approve it if all these people don't want it. One person said they want it. Chair Thomas said we are supposed to be neutral with facts set before us. He said it's not fair to public or applicant to interject our personal opinions. We need to look at facts, public comment, letters, reports, and presentations that have been presented for us to make a decision predicated on the Washoe County Code we are bound by, to see if it meets the standards.

Member Lawrence moved to adopt all of the eight findings listed in the staff report and based on those findings approve Special Use Permit Case Number WSUP19-0001 for Incline Partners, LLC, subject to the conditions contained in Exhibit A to the staff report. The findings are adopted based on individual consideration of information contained in the staff report (including, but not limited to the staff comments regarding the findings) and all exhibits as well as testimony and exhibits presented at the public hearing. Counsel for the Board and the Board Secretary are hereby directed to prepare a written Action Order consistent with this motion. Chair Thomas seconded the motion which carried, two for and one against. Member Hill denied approval.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Tahoe Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable a for a telecommunications facility (monopole) for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

## 12. Adjournment

Meeting adjourned at 4:06 p.m.

Respectfully submitted by Misty Moga, Independent Contractor

Approved by Board in session on May 2, 2019

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Trevor Lloyd  
Secretary to the Board of Adjustment