

From: Lore Lingner <[REDACTED]>

Date: Sat, Oct 7, 2017 at 9:32 PM

Subject: Verizon Cell Antennas

To: "montereysuggest@monterey.org" <montereysuggest@monterey.org>, "bennett@monterey.org" <bennett@monterey.org>

I think a great many of the folks in the Monte Vista neighborhood don't understand that Verizon is proposing 12 antennas, not the huge "**towers**" and are totally over reacting. Regarding their complaint that they are a health hazard, I disagree based on: <https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>

As far as devaluing residential properties, I believe that is another unfounded complaint. It should be a plus to have excellent cell service.

If Verizon customers are experiencing poor connections or dead spots, I'm in favor of the antennas since there is no health hazard and, speaking as a Realtor, the antennas will not devalue properties.

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Cellular Phone Towers

Cellular (cell) phones first became widely available in the United States in the 1990s, but since then their use has increased dramatically. The widespread use of cell phones has led to cell phone towers being placed in many communities. These towers, also called *base stations*, have electronic equipment and antennas that receive and transmit radiofrequency (RF) signals.

How do cellular phone towers work?

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Cell phone base stations may be free-standing towers or mounted on existing structures, such as trees, water tanks, or tall buildings. The antennas need to be high enough to adequately cover the area. Base stations are usually from 50-200 feet high.

Cell phones communicate with nearby cell towers mainly through radiofrequency (RF) waves, a form of energy in the electromagnetic spectrum between FM radio waves and microwaves. Like FM radio waves, microwaves, visible light, and heat, they are forms of **non-ionizing radiation**. This means they do not directly damage the DNA inside cells, which is how stronger (**ionizing**) types of radiation such as x-rays, gamma rays, and ultraviolet (UV) light are thought to be able to cause cancer.

At very high levels, RF waves can heat up body tissues. (This is the basis for how microwave ovens work.) But the levels of energy used by cell phones and towers are much lower.

When a person makes a cell phone call, a signal is sent from the phone's antenna to the nearest base station antenna. The base station responds to this signal by assigning it an available radiofrequency channel. RF waves transfer the voice information to the base station. The voice signals are then sent to a switching center, which transfers the call to its destination. Voice signals are then relayed back and forth during the call.

How are people exposed to the energy from cellular phone towers?

As people use cell phones to make calls, signals are transmitted back and forth to the base station. The RF waves produced at the base station are given off into the environment, where people can be exposed to them.

The energy from a cellular phone tower antenna, like that of other telecommunication antennas, is directed toward the horizon (parallel to the ground), with some downward scatter. Base station antennas use higher power levels than other types of land-mobile antennas, but much lower levels than those from radio and television broadcast stations. The amount of energy decreases rapidly as the distance from the antenna increases. As a result, the level of exposure to radio waves at ground level is very low compared to the level close to the antenna.

Public exposure to radio waves from cell phone tower antennas is slight for several reasons. The power levels are relatively low, the antennas are mounted high above ground level, and the signals are transmitted intermittently, rather than constantly.

At ground level near typical cellular base stations, the amount of RF energy is thousands of times less than the limits for safe exposure set by the US Federal Communication Commission (FCC) and other regulatory authorities. It is very unlikely that a person could be exposed to RF levels in excess of these limits just by being near a cell phone tower.

When a cellular antenna is mounted on a roof, it is possible that a person on the roof could be exposed to RF levels greater than those typically encountered on the ground. But even then, exposure levels approaching or exceeding the FCC safety guidelines are only likely to be found very close to and directly in front of the antennas. If this is the case, access to these areas should be limited.

The level of RF energy inside buildings where a base station is mounted is typically much lower than the level outside, depending on the construction materials of the building. Wood or cement block reduces the exposure level of RF radiation by a factor of about 10. The energy level *behind* an antenna is hundreds to thousands of times lower than in front. Therefore, if an antenna is mounted on the side of a building, the exposure level in the room directly behind the wall is typically well below the recommended exposure limits.

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Do cellular phone towers cause cancer?

Some people have expressed concern that living, working, or going to school near a cell phone tower might increase the risk of cancer or other health problems. At this time, there is very little evidence to support this idea. In theory, there are some important points that would argue against cellular phone towers being able to cause cancer.

First, the energy level of radiofrequency (RF) waves is relatively low, especially when compared with the types of radiation that are known to increase cancer risk, such as gamma rays, x-rays, and ultraviolet (UV) light. The energy of RF waves given off by cell phone towers is not enough to break chemical bonds in DNA molecules, which is how these stronger forms of radiation may lead to cancer.

A second issue has to do with wavelength. RF waves have long wavelengths, which can only be concentrated to about an inch or two in size. This makes it unlikely that the energy from RF waves could be concentrated enough to affect individual cells in the body.

Third, even if RF waves were somehow able to affect cells in the body at higher doses, the level of RF waves present at ground level is very low – well below the recommended limits. Levels of energy from RF waves near cell phone towers are not significantly different from the background levels of RF radiation in urban areas from other sources, such as radio and television broadcast stations.

Studies in people

Very few human studies have focused specifically on cellular phone towers and cancer risk.

In one large study, British researchers compared a group of more than 1,000 families of young children with cancer against a similar group of families of children without cancer. They found no link between a mother's exposure to the towers during pregnancy (based on the distance from the home to the nearest tower and on the amount of energy given off by nearby towers) and the risk of early childhood cancer.

In another study, researchers compared a group of more than 2,600 children with cancer to a group of similar children without cancer. They found that those who lived in a town that could have exposed them to higher than average RF radiation from cellular phone towers in the previous 5 years had a slightly higher risk of cancer, although not of any certain type of cancer (like leukemia or brain tumors). This study estimated the children's possible exposure based on the number of towers in their town and how

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strong the signals were from the towers. It did not look at actual exposure of any individual child based on how far their home or school was from a tower. This limitation reduces confidence in the results of the study.

One study looked for signs of DNA and cell damage in blood cells as a possible indicator of cancer-causing potential. They found that the damage was no worse in people who lived near a cell phone tower as compared with those didn't.

The amount of exposure from living near a cell phone tower is typically many times lower than the exposure from using a cell phone. About 30 studies have looked at possible links between cell phone use and tumors in people. Most studies to date have not found a link between cell phone use and the development of tumors, although these studies have had some important limitations. This is an area of active research. For more information, see *Cellular Phones* ([/cancer/cancer-causes/radiation-exposure/cellular-phones.html](#)).

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Studies done in the lab

Laboratory studies have looked at whether the types of RF waves used in cell phone communication can cause DNA damage. Most of these studies have supported the idea that the RF waves given off by cell phones and towers don't have enough energy to damage DNA directly. Because of this, it's not clear how cell phones and towers might be able to cause cancer, but research in this area continues.

Some scientists have reported that RF waves may produce other effects in human cells (in lab dishes) that might possibly help tumors grow. However, these studies have not been verified, and these effects weren't seen in a study that looked at the blood cells from people living near a cellular phone tower.

Several studies in rats and mice have looked at whether RF energy might promote the development of tumors caused by other known carcinogens (cancer-causing agents). These studies did not find evidence of tumor promotion, but this is still an area of research.

A large study by the US National Toxicology Program (NTP) exposed groups of lab rats and mice to RF energy over their entire bodies for about 9 hours a day, starting before birth and continuing for up to 2 years. The NTP recently released partial findings from this study, which found increased (although still low) risks of brain and heart tumors in male rats exposed to RF radiation, although there was no increased risk among female rats. Some aspects this study, such as the high doses of RF radiation and the long amount of time the rats were exposed to it, make it hard to know just how well these results might be applied to people. Still, the results add evidence to the idea that the signals used in cell phone communication might potentially impact human health.

What expert agencies say

About cell phone towers

The 3 expert agencies that usually classify cancer-causing exposures (carcinogens) – the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), and the US Environmental Protection Agency (EPA) – have not classified cell phone towers specifically as to their cancer-causing potential.

The **US Federal Communications Commission** (FCC) has said this about cell phone towers near homes or schools:

“Radiofrequency emissions from antennas used for cellular and PCS [personal communications service] transmissions result in exposure levels on the ground that are typically thousands of times below safety limits. These safety limits were adopted by the FCC based on the recommendations of expert organizations and endorsed by agencies of the Federal Government responsible for health and safety. Therefore, there is no reason to believe that such towers could constitute a potential health hazard to nearby residents or students.”

About RF radiation

Some of the agencies that classify cancer-causing exposures have, however, made statements about radiofrequency radiation.

The **International Agency for Research on Cancer (IARC)** has classified RF fields as “possibly carcinogenic to humans,” based on limited evidence of a possible increase in risk for brain tumors among cell phone users, and inadequate evidence for other types of cancer. (For more information on the IARC classification system, see *Known and Probable Human Carcinogens* (</cancer/cancer-causes/general-info/known-and-probable-human-carcinogens.html>)). IARC also noted that exposure to the brain from RF fields from cell phone base stations (mounted on roofs or towers) is less than 1/100th the exposure to the brain from mobile devices such as cell phones.

The **Environmental Protection Agency** (EPA) states:

“At very high levels, RF energy is dangerous. It can heat the body's tissues rapidly. However, such high levels are found only near certain equipment, such as powerful long-distance transmitters. Cellphones and wireless networks produce RF, but not at levels that cause significant heating. In addition, RF energy decreases quickly over distance. At ground level, exposure to RF from sources like cellphone towers is usually very low.

Some people are concerned about potential health effects, especially on the developing brains and bodies of children. Some studies suggest that heavy long-term use of cellphones could have health effects. Other studies don't find any health effects from

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cellphone use. Long-term studies on animals exposed to the RF found in wireless networks (Wi-Fi) have, so far, found no health effects. Scientists continue to study the effects of long-term exposure to low levels of RF.”

Can I limit my exposure?

Cell phone towers are not known to cause any health effects. But if you are concerned about possible exposure from a cell phone tower near your home or office, you can ask a government agency or private firm to measure the RF field strength near the tower (where a person could be exposed) to ensure that it is within the acceptable range.

What should I do if I've been exposed to cellular phone towers?

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There is no test to measure whether you have been exposed to RF radiation from cellular phone towers. But as noted above, most researchers and regulatory authorities do not believe that cell phone towers pose health risks under ordinary conditions. If you have additional health concerns, you might want to talk with your doctor.

Written by Additional resources Resources



The American Cancer Society medical and editorial content team

(</cancer/acs-medical-content-and-news-staff.html>) Our team is made up of doctors and master's-prepared nurses with deep knowledge of cancer care as well as journalists, editors, and translators with extensive experience in medical writing.

Last Medical Review: December 2, 2014 | Last Revised: May 31, 2016

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From: Rick Moore [REDACTED]
Date: Mon, Oct 9, 2017 at 9:08 AM
Subject: Cell tower proposal
To: bennett@monterey.org

At the risk of excommunication by my neighbors, I would like to speak IN FAVOR of the Verizon proposal.

I live at 2 Victoria Rise at the top of the hill in Skyline Forest. I rely on cell service for my voice communications. The current coverage is spotty, one bar mostly. I would love for it to be stronger so I can avoid dropped calls and the dropouts that occur as the system searches for a better connection.

So, I am one resident who asks that the city approve the proposal. I have seen photos of the new antennae and they don't seem visually objectionable to me. I cannot speak to the issue of radiation -- I just don't know.

Thanks for listening.



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This link provides access to a video submitted regarding the 13 proposed PWS facilities:

<https://youtu.be/h5YIBHTJ844>



Danger: Radiation. Stop the property devaluating and cancer-causing Verizon 4G/5G surveillance microwave "microcell" and cell tower deployment next to our homes

Where: unlimited permanent placement and continuous radiation-emitting facilities by telecommunication corporations approx. every ¼ mile on utility poles, rooftops, residential, commercial and agricultural land.

When mailing the postcard "Notice of Public Hearing" regarding a wireless communication facility, the County/City omits disclosure of documented health impacts due to cell tower proximity*:

Sleeping disorders	Increased cancer incidence	Cardiovascular problems
Depressive tendencies	Chronic fatigue/ headaches	Concentration difficulties/memory loss

****"Five Studies showing Ill-Health Effects from Masts" (i.e. cell towers) Document produced by Dr. Grahame Blackwell (2005)***

Facts from independent, non-industry sources: Science from 1932 to the present has demonstrated conclusively the harmful effects of "wireless" microwave radiation. Hundreds of oral and written health complaints followed the installation of PG&E's microwave "Smart" Meters, which emit biologically damaging pulsed modulated microwave radiation similar to 4G technologies. These testimonies prompted our County Health Officer to issue a report (as part of Item 41) "Health Risks Associated with Smart Meters" [and Other Wireless Technologies Such as Cell Towers] to the Santa Cruz County Board of Supervisors on 1/24/12 (available at www.co.santa-cruz.ca.us). These non-UL-certified surveillance "smart" meters were recently recalled in Saskatchewan and Portland after **causing fires....** and now installed on these "microcell" utility poles.

No resident and/or child has authorized 24/7 involuntary bodily microwave radiation trespass. We do NOT consent to these violations of our privacy, health, constitutional, or property rights.

What you can do to register your opposition with our elected Supervisors/City Council Members:

1. Attend televised Tuesday **Board of Supervisors meetings** and speak for 3 minutes during 9:00 a.m. "oral communications", **Oct. 17th and 24th, Nov. 7th and 14th, and Dec. 5th and 12th, 2017.** 701 Ocean Street (at Water). Board of Sup. phone: (831) 454-2200. Call in comments, or for info. about constituent meetings. More information: Ask Planner Sheila McDaniel (831) 454-2255 for a list of existing/planned locations, dates of hearings. S.C. City Planner: Mike Ferry (831) 420-5118.
2. View the July 21, 2012 demonstration at S.C. Verizon store opposing their North Coast 4G rollout: <http://www.indybay.org/newsitems/2012/07/22/18718032.php>. Consider organizing an event/protest.

Cell Phones, Cell Towers, WiFi, Wireless SmartMeters emit microwave radio frequency radiation.

Independent research shows this radiation causes cellular stress and damage, DNA damage, blood-brain barrier disruption, increased cancer and tumor risk, decreased melatonin, insomnia, abnormal heart rhythms, strokes, altered brainwaves, cognitive difficulties – memory and concentration, headaches, links to Alzheimer's and impacts to wildlife.

Children are especially vulnerable.

Get the independent science, not the industry spin

takebackyourpower.net / WhatIs5G.info

Dr. Karl Maret/ Dr. Magda Havas
radiationresearch.org

Youtube: Resonance: Beings of Frequency

Dr. Erica Mallery-Blythe - Electromagnetic Radiation, Health and Children, 2014

cellphonetaskforce.org

emfsafetynetwork.org

electromagnetichealth.org

emrpolicy.org / wirelesswatchblog.org

radiationeducation.com (for kids, by kids)

EMFSummit.com / bioinitiative.org

emfacts.com / lessemf.com

The Truth About Smart Meters – Brian Thiesen

<http://www.youtube.com/watch?v=v4HsxNG2-4M&feature=youtu.be>

stopsmartmeters.org

<https://www.youtube.com/watch?v=solvrkfKg-I> (Liz Barris re: LA firefighters
against cell towers)

"To my knowledge, 'microwave' or 'radiowave sickness' was first reported in August 1932 with the symptoms of severe tiredness, fatigue, fitful sleep, headaches, intolerability and high susceptibility to infection." "The paradox of course is how microwave radiation can be used as a weapon to cause impairment, illness and death and at the same time be used as a communications instrument." Barrie Trower, Royal Navy Microwave Weapons Researcher.

<http://www.magdahavas.com/wordpress/wp-content/uploads/2012/01/Amended-Declaration-of-Barry-Trower.pdf>

Submitted
at 2A Meeting 10/5/17
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Electromagnetic Radiation Safety

BARRY DOLOWICH

150 HERRMANN DRIVE

Received at
10/5/17 ZA
Meeting

Scientific and policy developments regarding the health effects of electromagnetic radiation exposure cell phones, cell towers, Wi-Fi, Smart Meters, and other wireless technology

Thursday, September 28, 2017

5G Wireless Technology: Major newspaper editorials oppose "small cell" antenna bills

July 27, 2017 (updated Sept 28, 2017)

My editorial note:

The telecommunications industry has proposed legislation in many states that would alter the local permit process that the industry must undertake prior to installing transmitters, antennas and other equipment in people's neighborhoods.

In California, the adoption of Senate Bill 649 would impair the authority of local governments in order to facilitate the telecom industry's installation of thirty to fifty thousand new cell antenna sites. This would result in significantly increased exposure of the population to electromagnetic fields (EMF).

234 experts from 41 nations have petitioned the United Nations and the World Health Organization about the adverse biologic and health impacts of EMF exposure. All of the scientists who signed the **EMF Scientist Appeal** have published research on this topic in peer-reviewed scientific journals.

The Appeal states that current international EMF exposure guidelines are obsolete and inadequate to protect human health and the environment. The Appeal calls for a public health review of the growing body of scientific evidence that includes reports of increasing rates of cancer and neurological diseases that may be caused by exposure to EMF from wireless sources.

As one of the advisors to the Appeal, I recommend a **moratorium on installation of cell antennas** until our government commissions an independent review of the biologic and health research to determine stringent radio frequency standards that ensure our safety.

On September 13, over 180 scientists and doctors from 35 countries sent a **declaration** to officials of the European Commission demanding a moratorium on the increase of cell antennas for planned 5G expansion. Concerns over health effects from higher radiation exposure include potential neurological impacts, infertility, and cancer.

In the U.S., the Federal Communication Commission's radio frequency guidelines were adopted more than two decades ago and address only risks from heating (i.e., thermal effects). The guidelines were not designed to protect the population from verifiable non-thermal health risks associated with wireless radiation exposure.

Joel M. Moskowitz, Ph.D.

Related Posts

Scientists and Doctors Demand Moratorium on 5G
5G Wireless Technology: Is 5G Harmful to Our Health?
5G Wireless Technology: Millimeter Wave Health Effects
Cell Tower Health Effects
Electromagnetic Hypersensitivity

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Veto SB 649

Editorial Board, **Sacramento Bee**, Sep 28, 2017

AT&T is used to getting its way in the Capitol. Once again, AT&T was able to muscle through legislation, this time Senate Bill 649 by Sen. Ben Hueso, D-San Diego, which would make it easier for telecommunications companies to place so-called small cell wireless contraptions on utility poles for 5G technology.

Backers made late concessions. But the vast majority of local officials remain opposed, saying they would lose too much control over the looks of their cities. We don't believe local government should impose undue burdens on business. Nor do we believe the Legislature should go out of its way to big-foot local governments, and certainly not at the behest of one of the companies with the biggest feet of all.

Brown, the former Oakland mayor, should respect the concept of subsidiarity, and urge lawmakers and their telecom benefactors to try again in 2018.

<http://www.sacbee.com/opinion/editorials/article176017476.html>

Editorial: Gov. Brown, veto the bill that lets rich telecoms use public property practically free

Editorial Board, **Mercury News**, Sep 25, 2017

<http://www.saferemr.com/2017/07/major-newspaper-editorials-oppose-5g.html>



Joel M. Moskowitz, Ph.D.
 Director
 Center for Family and Community Health
 School of Public Health
 University of California, Berkeley

Electromagnetic Radiation Safety

- Welcome to EMR Safety
- Index
- Cell phone cancer risk: Spin vs. Fact
- Tips to Reduce Your Wireless Radiation Exposure
- Latest News

Archive

- ▼ 2017 (39)
 - October (2)
 - ▼ September (11)
 - 5G Wireless Technology: Major newspaper edit
 - What's Wrong with Cell Phone Radiation Expos
 - 5G Wireless Technology: Is 5G Harmful to Our
 - New Apple Watch Reignites Concerns over Cel
 - Electromagnetic Hypersensitivity
 - Index
 - Scientists and Doctors Demand Moratorium on
 - National Toxicology Program Finds Cell Phone
 - Wi-Fi in Schools & Other Public Places
 - Radio Interviews
 - Hybrid & Electric Cars: Electromagnetic Radiati
 - August (5)
 - July (2)
 - June (2)
 - May (4)
 - April (8)
 - March (2)
 - February (1)
 - January (2)
- 2016 (34)
- 2015 (33)
- 2014 (11)
- 2013 (41)

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Photo caption Gov. Jerry Brown, shown at a Caltrain event, is the last hope for California cities to keep control of where telecom antennas go.

The California Legislature wants to give telecom companies a nice big gift: at least \$30 million a year, and perhaps billions of dollars in savings at the direct expense of cities that both rely on the money and use their current leverage to negotiate improved coverage for poor neighborhoods.

Gov. Jerry Brown — or, perhaps more to the point, former Oakland Mayor Jerry Brown — has to stop it. He should veto SB 649, which gives telecoms carte blanche to put their "small cell" antennas on any public property — street lights, public buildings — with a token fee, instead of negotiating with cities for the use of taxpayer-owned facilities.

It's an outrageous giveaway to companies whose profits are in the tens of billions. And it's a slap in the face to California residents and taxpayers, who shouldn't be forced to allow access to public property without just compensation. It will raise serious liability issues, but lawmakers left that up to cities to resolve, even though they took away cities' bargaining power.

The idea is that this break will enable telecoms to fast-track communication improvements and reach more people. But telecoms, unlike nearly all California cities, are rolling in money. This is why lawmakers, looking to their own political futures, favor them.

In cities like San Jose, removing cities' right to negotiate placement and compensation will skewer current programs to expand and improve broadband access in poor neighborhoods where telecoms have little interest in investing. Companies can make more money beefing up service in the Almaden Valley than in Alum Rock, or in Lamorinda rather than the flatlands of Oakland.

As the Greenlining Institute, which works for racial and economic justice, says: "SB 649 will not close the digital divide. Instead, it will allow phone and broadband providers to override community decisions about how those communities use public space."

No wonder 300 cities and 47 counties opposed the bill. So did several labor organizations and, by the way, the California Department of Finance.

"Finance opposes this bill," says its report. "While statewide uniform rules can help the expansion of new technologies, this bill goes too far by usurping city and county zoning authority for infrastructure development, and it potentially imposes reimbursable, state-mandated costs on cities and counties."

By all but giving away public property to for-profit companies, the bill will limit cities' and counties' ability to locate their own communication equipment, including police and fire systems, and equipment from corporate partners helping to equalize Internet access.

So it's up to the governor. The former mayor, Brown understands the struggle of poor communities and the importance of local control over public property. Get out the veto pen, Governor. We're counting on you.

<http://www.mercurynews.com/2017/09/25/editorial-gov-brown-veto-the-bill-that-lets-rich-telecoms-use-public-property-practically-free/>

July 21, 2017

The following editorials oppose the 5G "small cell" antenna bills proposed by the telecommunications/wireless industry in numerous states across the country.

The editorial boards of four major newspapers in California are opposed to this legislation because it imposes serious limitations on local control over the siting of cell antennas.

"The telecom corporations want to streamline permitting and reduce costs for slapping their transmitters — ranging in size from a pizza box to a small refrigerator — on municipal utility poles, street lights and traffic signals wherever they want....

In Sacramento, the telecoms have hoards of money to fuel legislators' reelection campaigns, and they routinely spend it.

During the last election cycle, AT&T doled out more than \$1.6 million to political groups and politicians. It didn't discriminate among parties. Virtually everyone got a piece. The California Democratic Party was given \$615,000. But the Republican Party got even more, \$625,000.

AT&T also spent \$250,000 on the annual Speaker's Cup golf tournament at the world-class Pebble Beach course. That's the Assembly Democrats' big fundraiser.

By contrast, the League of California Cities and other local government organizations aren't allowed to spend a dime on politicians because their money comes from taxpayers. They do lobby, however." (*Los Angeles Times*, July 10, 2017)

The legislature, as well as most newspapers, have ignored the potential health risks from the proliferation of cell antennas necessary for 5G adoption including widespread exposure of the population to new radio frequency bands including millimeter waves. As many as 50,000 new cell sites will be required in California alone.

California should butt out of cities' dealings

with telecom companies using public facilities

Editorial Board, *Mercury News*, July 11, 2017

A state bill that would give huge telecom companies a financial break and unprecedented rights to use public property at almost no cost is sailing through the Legislature this summer.

Why? Money, of course. Telecom companies measure profits in the tens of billions. California lawmakers understand this, so that's whose side they're on. The bill sailed through the Senate. Now it's up to the Assembly to stand up for communities — particularly low-income neighborhoods — that will be harmed by it.

SB 649 would prohibit cities from any discretionary review or public say on plans to put "small cell" wireless antennas on publicly owned light poles and other structures in any neighborhood. (Yes, even your neighborhood.) And it would sharply limit fees that cities charge private industry for using property or facilities that taxpayers have paid for.

Sponsored by Sen. Ben Hueso, D-Chula Vista, SB 649 is billed as cutting through permitting red tape and improving cell

phone service. But it will slash existing revenue to cities such as San Francisco, which stands to lose millions of dollars a year. And it will eviscerate cities' ability to bring high-speed Internet service to low-income neighborhoods, as San Jose Mayor Sam Liccardo has promised to do for East San Jose.

Other mayors are joining Liccardo and the League of California Cities to fight this outrageous power grab by the state and telecoms. We hope it's not too late.

Here are a few of SB 649's problems:

By preventing cities from negotiating over antenna locations, the bill eliminates their ability to push companies to provide high-speed access in underprivileged areas. Without that leverage, companies will focus only on areas where they make the most money.

By limiting fees, the bill deprives cities of revenue they could use to increase access to broadband in those poor neighborhoods. Companies will save an estimated \$30 million statewide over 10 years — at the cost of public services.

By making public property broadly available to for-profit companies, the bill will limit cities' and counties' ability to locate their own communication equipment, such as police and fire systems and equipment from partners — potentially Facebook in San Jose — working on ways to help equalize Internet access.

And wait until neighbors find out they have no say over the clumps of electronic equipment that show up on light poles near their houses. But state legislators don't care about that. People won't call them; they'll scream to the local mayor and council members.

The bill sets a terrible precedent of forcing communities to all but give away public property for private profit. Yet it passed the Assembly local government committee last week and goes to the Communication and Conveyance Committee on July 12.

So — where are area Assembly members? Ash Kalra? Marc Berman? Evan Low?

They're fresh from serving on city councils. They could lead the fight to stop SB 649 in the Assembly and be the heroes of local government. And their voters.

<http://www.mercurynews.com/2017/07/11/editorial-california-should-butt-out-of-cities-dealings-with-telecom-companies-using-public-facilities/>

Democratic legislators take bold stands, except when they don't

Editorial Board, *Sacramento Bee*, July 9, 2017

California's Legislature, it's said, is about as liberal as can be.

With supermajorities of Democrats in both houses, legislators definitely go out of their way to defy President Donald Trump, especially on immigration issues. On business issues, however, lawmakers are far less adventuresome.

In the coming days, the Democrats' leftward slant will be tested on major bills affecting the powerful telecommunications industry, privacy rights and consumer protection....

A second, Senate Bill 649 by Sen. Ben Hueso, D-San Diego, would give wireless providers such as AT&T virtually unfettered ability to place wireless transmitters on utilities poles control by cities and counties, for a nominal fee.

It's part of a national effort by wireless providers to introduce 5G technology, which promises to vastly increase wireless' ability to provide super-fast connections, and compete more directly with old-line cable providers. Similar bills are pending or have been approved in 20 states.

Hueso's bill would cap fees that local governments could impose on wireless companies at \$250 plus expenses for placing their devices on polls. Certainly, local authorities should not gouge companies that provide what could be useful technology. But Hueso's bill also strips local authorities of the right to regulate the use of property in their jurisdictions. We side with local officials: they should be able to determine what corporations build in public spaces, not Sacramento legislators

Clearly, something else is going on. We cannot help but think that for all their bluster and bravado, Democrats see business lobbyists arrayed against them and do what too many politicians do: duck.

<http://www.sacbee.com/opinion/editorials/article160251249.html>

An audacious 5G power (pole) grab

Editorial Board, *Los Angeles Times*, July 5, 2017

Telecommunications companies are preparing to roll out the next generation of wireless networks, dubbed "5G," which promise an enormous increase in capacity and connectivity. These networks not only will increase competition in broadband, they are a key enabling technology for a host of advanced products and services. They also represent a gateway to better economic opportunities in inner-city areas that are underserved by broadband today.

But these new networks are different in structure and appearance too. Instead of high-powered antennas on tall towers, they rely on an array of lower-power transmitters closer to the ground that serve much smaller "cells." That's why mobile phone companies are concerned that cities and counties will throw up bureaucratic or financial roadblocks to 5G in their communities. It's not a groundless worry; wireless companies already have encountered local resistance in places where they have introduced the new technology.

It's the look and the intrusiveness of the small cell networks that seems to spark the controversy. People are upset about the deployment of thousands of pieces of equipment the size of small appliances being placed strategically and liberally on publicly owned "vertical infrastructure" (that's bureaucratese for municipal utility poles, street lights and even traffic lights). That means a lot of equipment in full view and in proximity — *really* close in some cases — to houses and people.

Local governments must retain some authority to push back on proposed deployments.

There is precedent for this kind of brazen move: The phone and cable TV companies persuaded the Legislature in 2006 to end local control over the construction of new cable TV systems, arguing that a shift to state licensing would bring much-needed competition to pay TV. But that logic doesn't apply to the mobile phone market, where there is vibrant competition. Local government officials are crying foul, calling it an audacious power grab and the equivalent of a gift of public funds to billion-dollar telecommunications companies that don't need the help.

The new mobile networks also will involve much more equipment in public view than an upstart cable TV system. Wireless companies say that the transmitters are typically the size of a pizza box or briefcase, although the bill would allow equipment up to the size of a small refrigerator.

Sen. Ben Hueso (D-San Diego), the author of SB 649, argues that wireless upgrades are a public benefit, and therefore local governments should not have the right to endanger them with unreasonable hurdles. Besides, he says, the more that individual cities are allowed to charge for their pole rentals, the less that wireless companies will have left for network upgrades in other, possibly more needy communities. But the bill goes far beyond setting a reasonable fee to access public property; it would usurp the rights of cities and counties to make decisions about how to use their property. Those rights include the right to make the wrong decisions.

It's clearly in everyone's best interest for 5G networks to be deployed, and surely most local governments would agree. But why shouldn't cities and counties be able to try to leverage their assets to get a good deal for residents as part of the process, or take the time to get the public's input on what could be a significant change to their physical and virtual landscapes?

Small cell technology does not have to be obtrusive or unattractive, nor will every street in a community necessarily require outfitting. That's why local governments must retain some authority to push back on proposed deployments. Left to their own devices, telecommunications companies would naturally opt for the most efficient and cost-effective configuration when making a capital investment. Their goals are making profits and serving customers, not making a city look nice.

The telecommunication industry has been pushing this "streamlining" strategy in other states, with various degrees of success. Eleven have adopted some sort of laws to limit the local permitting process and pole fees. Legislators in other states, like Washington, have been more skeptical. California's lawmakers ought to be wary as well and show more interest in protecting the rights of communities to govern the use of their infrastructure, rather than letting telecommunication companies make those decisions for them.

<http://www.latimes.com/opinion/editorials/la-ed-power-pole-grab-20170705-story.html>

A brazen phone power grab

Editorial Board, *San Francisco Chronicle*, June 28, 2017

Local governments should decide where cell phone equipment goes.

San Francisco has hundreds of them: slim cylinders and flat boxes strapped to utility poles that serve as mini-cell towers to speed up wireless service. The devices are essential for anyone carrying a smartphone or tablet, but the subject is breeding a battle over money and political control.

Telecom firms such as Verizon and AT&T are pushing Sacramento to pass a law that would essentially remove the control cities and counties now have over where the equipment goes and how much localities can charge. In San Francisco's case, the loss could total in the millions, according to Supervisor Mark Farrell, an opponent of the measure, SB 649.

His argument, backed by scores of other local jurisdictions, is about as basic as home rule gets. Cities, not Sacramento, should have the final say on what private industry can build in the public right of way.

The telecoms are selling the measure as a way to streamline approvals and improve coverage, an appealing idea to anyone who's had a call dropped or Facebook session cut off. But these companies also want to curb the fees that local communities can charge to only a few hundred dollars per device.

In San Francisco's experience, nearly all of the mini-cell towers are approved, making the argument about timeliness suspect. The existing rules give telecoms ready access to phone poles and utility posts as a way to fill in broader cell phone service that can be disrupted by tall buildings, thick walls or rolling landscape. Also, as wireless needs grow, more bandwidth to handle the traffic is needed. Cities have responded with lease agreements and worked out arrangements to put the wireless boxes in the right spots.

This bill would shred that process. The measure, which is showing up in nearly identical shape in other states, is about cutting expenses and avoiding local oversight. Health concerns about cell phone towers are not an issue in this dispute since that topic is governed by federal rules.

The bill has already shot through the state Senate and faces its first test before the Assembly's Local Government Committee on Wednesday. That panel should heed the criticism from their home communities and stop a measure that subverts local control.

<http://bit.ly/211kvAw>

Other Newspaper Editorials in Opposition

Daily Bruin, July 16, 2017

DanvilleSanRamon, July 6, 2017

East Bay Times, June 9, 2017

Imperial Valley Press, July 16, 2017

<http://www.saferemr.com/2017/07/major-newspaper-editorials-oppose-5g.html>

Pleasanton Weekly, July 6, 2017

The Union (Western Nevada County), July 28, 2017

Ventura County Star, May 22, 2017



Labels: 5G, antenna, bills, editorials, legislation, local control, Los Angeles Times, San Francisco Chronicle, SB 649, small cell, wireless industry

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OCT 05 2017

City of Monterey
PEEC DIVISION

Dr. Anthony B. Miller

3800 Yonge Street, Suite 406,
Toronto, ON, M4N 3P7
Telephone 416 487 5825

August 4, 2016

Petaluma City Schools
District Office
200 Douglas Street
Petaluma, California
94952

Re: Adverse Effects of Radiofrequency fields

I am writing to express my concern over the increasing exposure of children in schools to Radiofrequency Fields (e.g. from wi-fi, as required for cell phones and iPads, and emitted by cell towers) and the lack of concern expressed by many councils, governments and School Boards on this issue. In particular, justification for the "safety" of radiofrequency fields is placed upon the use of outdated safety standards, based upon tissue heating, whereas it has now been well demonstrated that adverse biological effects occur at far lower levels of radiofrequency fields that do not induce tissue heating, including a recent animal study performed by the National Toxicology Program in the United States which found an increased incidence of brain cancers and other cancers in rats exposed to prolonged Radiofrequency fields.

I am a physician and epidemiologist specializing in cancer etiology, prevention, and screening, expert in epidemiology, and particularly causes of human cancer. I have performed research on ionizing radiation and cancer, electromagnetic fields and cancer, and have served on many committees assessing the carcinogenicity of various exposures, including working groups of the International Agency for Research on Cancer (IARC), widely regarded as providing unbiased assessment on the carcinogenicity of chemicals and other exposure to humans.

In 2011, an IARC working group designated radiofrequency fields as a class 2B carcinogen, a possible human carcinogen. Since that review a number of additional studies have been reported. One of the most important was a large case-control study in France, which found a doubling of risk of glioma, the most malignant form of brain cancer, after two years of exposure to cell phones. After five years exposure the risk was five-fold. They also found that in those who lived in urban environments the risk was even higher. In my view, and that of many colleagues who have written papers on this issue, these studies provide evidence that radiofrequency fields are not just a possible human carcinogen but a probable human carcinogen, i.e. IARC category 2A. It would be impossible to ignore such an assessment in regulatory approaches.

It is important to recognize that there are no safe levels of exposure to human carcinogens. Risk increases with increasing intensity of exposure, and for many carcinogens, even more with increasing duration of exposure. The only way to avoid the carcinogenic risk is to avoid exposure altogether. This is why we ban known carcinogens from the environment and why much effort is taken to get people, particularly young people, not to smoke. We now recognize that exposure to carcinogens in childhood can increase the risk of cancer in adulthood many years later. Further, people vary in their genetic makeup, and certain genes can make some people more susceptible than others to the effect of carcinogens. It is the young and those who are susceptible we should protect.

As an epidemiologist who has done a great deal of work on breast cancer, I have been concerned by a series of case reports from California and elsewhere of women who developed unusual breast cancers in the exact position where they kept cell phones in their bras. These are unusual cancers. They are multifocal, mirroring where the cell phone was kept. Thus in these relatively young women the radiofrequency radiation from very close contact with a cell phone has caused breast cancer.

Not only brain and breast cancers but parotid gland tumors, tumors of the salivary gland, have been associated with prolonged exposure to cell phones.

Given the long natural history of cancer and the fact that human populations have not been exposed for a sufficient length of time to reveal the full adverse effects of radiofrequency fields, it is extremely important to adopt a precautionary approach to the exposure of humans to such fields. An individual, if appropriately informed, can reduce her or his exposure to radiofrequency fields from devices that use wi-fi, but in the case of cell towers, smart meters and wi-fi in schools, the exposure they receive is outside their control. Then, with the people who manufacture these devices and those who promote wi-fi failing to issue adequate health warnings, we are reaching a situation where schools, work places and homes are being saturated with radiofrequency fields.

Thus to avoid a potential epidemic of cancer caused by radiofrequency fields from wi-fi and other devices, we should introduce means to reduce exposure as much as reasonably achievable, use hard wire connections to the internet and strengthen the codes that are meant to protect the public.

Yours sincerely

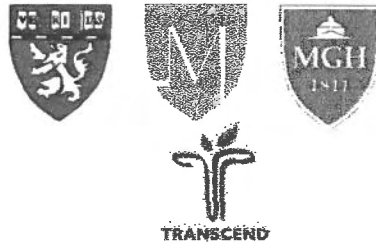
A handwritten signature in dark ink, appearing to read 'A. B. Miller', with a stylized flourish at the end.

Anthony B. Miller, MD, FRCP(C), FRCP, FACE
Professor Emeritus

Dalla Lana School of Public Health, University of Toronto, Ontario, Canada

HARVARD MEDICAL SCHOOL

Martha R. Herbert, Ph.D., M.D.
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Director, TRANSCEND Research Program
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<https://connects.catalyst.harvard.edu/profiles/display/Person/47629>

9 September 2016

District Office
200 Douglas Street
Petaluma, California 94952

Dear Petaluma City School District,

I am a pediatric neurologist and neuroscientist on the faculty of Harvard Medical School and on staff at the Massachusetts General Hospital. I am Board Certified in Neurology with Special Competency in Child Neurology, and Subspecialty Certification in Neurodevelopmental Disorders. I have an extensive history of research and clinical practice in neurodevelopmental disorders, particularly autism spectrum disorders. I have published papers in brain imaging research, in physiological abnormalities in autism spectrum disorders, and in environmental influences on neurodevelopmental disorders such as autism and on brain development and function.

A few years ago I accepted an invitation to review literature pertinent to a potential link between Autism Spectrum Disorders and Electromagnetic Frequencies (EMF) and Radiofrequency Radiation (RFR). I set out to write a paper of modest length, but found much more literature than I had anticipated to review. I ended up producing a 60 page single spaced paper with over 550 citations. It is available at http://www.bioinitiative.org/report/wpcontent/uploads/pdfs/sec20_2012_Findings_in_Autism.pdf and it was published in a revised and somewhat shortened form in two parts in the peer reviewed indexed journal Pathophysiology (2013).

More recently I published an article entitled "Connections in Our Environment: Sizing up Electromagnetic Fields," in Autism Notebook Spring 2015 edition. In this article I describe how there is a whole series of problems at the cellular, sub-cellular and metabolic levels and immune levels that have been identified in autism. And interestingly, for every single one of those problems, there's literature about how EMFs can create those kinds of problems.

The argument I made in these articles is not that EMF is proven to cause autism, but rather, that EMF can certainly contribute to degrading the physiological integrity of the system at the cellular and molecular level – and this in turn appears to contribute to the pathogenesis/causation not only of autism but of many highly common chronic illnesses, including cancer, obesity, diabetes and heart

disease.. Please see this article on page 24-25 at the
link<http://virtualpublications.soloprinting.com/publication/?i=252361>

In fact, there are thousands of papers that have accumulated over decades –and are now accumulating at an accelerating pace, as our ability to measure impacts become more sensitive – that document adverse health and neurological impacts of EMF/RFR. Children are more vulnerable than adults, and children with chronic illnesses and/or neurodevelopmental disabilities are even more vulnerable. Elderly or chronically ill adults are more vulnerable than healthy adults.

Current technologies were designed and promulgated without taking account of biological impacts other than thermal impacts. We now know that there are a large array of impacts that have nothing to do with the heating of tissue. The claim from WiFi proponents that the only concern is thermal impacts is now definitively outdated scientifically.

Radiofrequency electromagnetic radiation from WiFi and cell towers can exert a disorganizing effect on the ability to learn and remember, and can also be destabilizing to immune and metabolic function. This will make it harder for some children to learn, particularly those who are already having learning or medical problems in the first place. And since half of the children in this country have some kind of chronic illness, this means that a lot of people are more vulnerable than you might expect to these issues.

Powerful industrial entities have a vested interest in leading the public to believe that EMF/RFR, which we cannot see, taste or touch, is harmless, but this is not true. Please do the right and precautionary thing for our children.

I urge you to opt for wired technologies in Petaluma City School District classrooms, particularly for those subpopulations that are most sensitive. It will be easier for you to make a healthier decision now than to undo misguided decisions later.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Martha', with a long horizontal flourish extending to the right.

Martha Herbert, PhD, MD



American Academy of Environmental Medicine

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www.aaemonline.org

November 14, 2013

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Wireless Radiofrequency Radiation in Schools

Founded in 1965 as a non-profit medical association, the American Academy of Environmental Medicine (AAEM) is an international organization of physicians and scientists interested in the complex relationships between the environment and health. For forty years the Academy has trained Physicians to treat the most difficult, complex patients who are often left behind by our medical system, because their illness, rather than stemming from traditionally understood factors, is related to underlying environmental causes, including (bio)chemical or radiation exposures. AAEM physicians, and physicians world-wide, are treating patients who report adverse, debilitating health effects associated with exposure to radiofrequency energy (RF).

The AAEM strongly supports the use of wired Internet connections, and encourages avoidance of radiofrequency such as from WiFi, cellular and mobile phones and towers, and "smart meters."

The peer reviewed, scientific literature demonstrates the correlation between RF exposure and neurological, cardiac, and pulmonary disease as well as reproductive and developmental disorders, immune dysfunction, cancer and other health conditions. The evidence is irrefutable. Despite this research, claims have been made that studies correlating emissions from WiFi, phones, smart meters, etc. with adverse health effects do not exist.

In May 2011 the World Health Organization elevated exposure to wireless radiation, including WiFi, into the Class 2b list of Carcinogens; recent research strengthens the level of evidence regarding carcinogenicity.

There is consistent, emerging science that shows people, especially children who are more vulnerable due to developing brains and thinner skulls, are being affected by the increasing exposure to wireless radiation. In September 2010, the Journal of the American Society for Reproductive Medicine-Fertility and Sterility, reported that only four hours of exposure to a standard laptop using WiFi caused DNA damage to human sperm.

In December 2012 the American Academy of Pediatrics, representing 60,000 pediatricians, wrote to Congress requesting that it update the safety levels of microwave radiation exposure especially for children and pregnant women.

With WiFi in public facilities as well as schools, children would be exposed to WiFi for unprecedented periods of time, for their entire childhood. Some of these signals will be much more powerful than would be received at home, due to the need for the signals to go through thick walls and to serve many computers

simultaneously. Signals in institutions are dozens of times more powerful than café and restaurant systems.

To install WiFi in schools plus public spaces risks a widespread public health hazard that the medical system is not yet prepared to address. Statistics show that you can expect to see an immediate reaction in 3% and delayed effects in 30% of citizens of all ages.

It is better to exercise caution and substitute with a safe alternate such as a wired connection. While more research is being conducted, children must be protected. Wired technology is not only safer, it also stronger and more secure.

While the debate ensues about the dangers of RF, it is the doctors who must deal with the after effects. Until we can determine why some get sick and others do not, and some are debilitated for indeterminate amounts of time, we implore you to not take the risk, particularly with the health of so many children with whose safety you have been entrusted. Avoidance will always be the best policy. It should be reflected by minimizing RF exposures in public spaces.

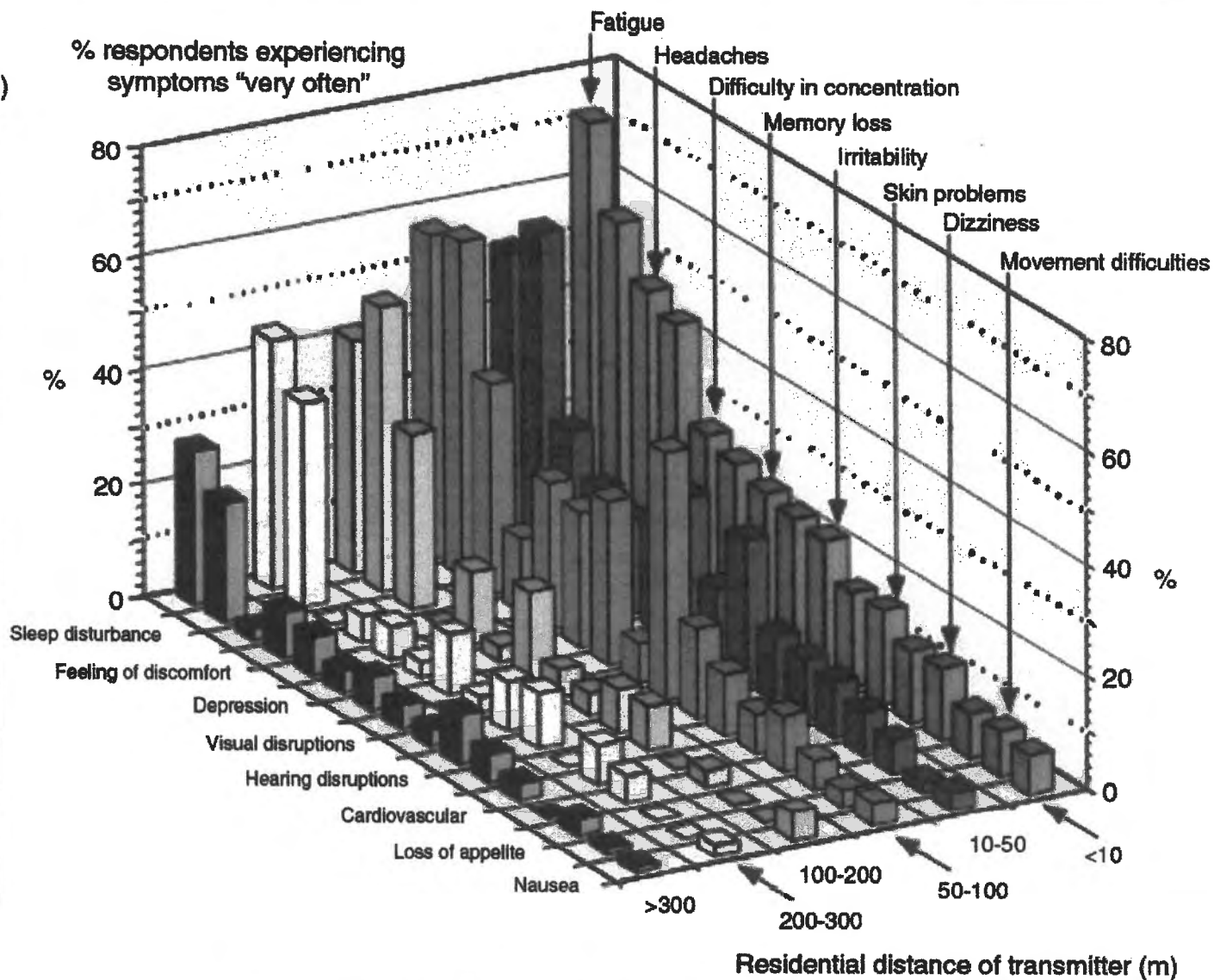
Respectfully,

The Board of Directors of the American Academy of Environmental Medicine

Neurobehavioral Symptoms near Cell Towers

Rapid aging syndrome (RAS)
Electro-Hyper-Sensitivity (EHS)

1. Fatigue
2. Sleep disturbance
3. Headaches
4. Feeling of discomfort
5. Difficulty concentrating
6. Depression
7. Memory loss
8. Visual disruptions
9. Irritability
10. Hearing disruptions
11. Skin problems
12. Cardiovascular
13. Dizziness
14. Loss of appetite
15. Movement difficulties
16. Nausea



Work of Santini et al (France): Pathol Biol. 2002;50:S369-73.



Bioinitiatives Report 2012

- 29 Authors: 9 MDs, 21 PhDs authored the report
- Experts from 10 countries: USA (10), Sweden (6), Austria (2), Canada (2), Greece (2), India (2), Italy (2), Denmark (1), Russia (1), Slovak Republic (1)
- Had over 2-1/2 Millions hits 30 days after it was released. Total report had 1480 pages
- Covers 24 sections including Fetal and neonatal Effects, Autism and ASD, Genotoxic and Metabolic Mechanisms of low intensity EMFs, Stress response, immune impacts, impacts on blood-brain barrier, need for application of precautionary approaches
- Calls for lower exposure guidelines, $1000 \mu\text{W}/\text{m}^2$ ($0.1 \mu\text{W}/\text{cm}^2$)

Susan Foster, MScW

15957 Avenida Calma
Rancho Santa Fe, California 92091

August 27, 2012

Dr. Perry Kendall
Office of the Provincial Health Officer
4th Floor, 1515 Blanshard Street
Victoria BC V8W 3C8

RE: Danger of Wi-Fi in Schools

Dear Dr. Kendall:

I sent an email to you on Friday, but failed to include other members of your Canadian leadership, all of whom must share our concerns for the health and safety of children not only in British Columbia, but everywhere. I made you aware of some very significant developments in Israel. Deputy Health Minister Yaakov Litzman has implored the Education Minister of Israel, Gideon Sa'ar, to immediately suspend installation of wireless internet in schools due to the well documented hazards of RF - EMF. It is my strong belief that Canada should be doing the same, as should my own country, the United States, and all countries around the world.

In May of 2011, the IARC committee of the World Health Organization declared, 29 to 1, after careful perusal of the science, that all types of radiation within the radiofrequency part of the electromagnetic spectrum should be declared a 2b "possible human" carcinogen. Wi-Fi is included in that classification. Children are much more vulnerable than adults. You are exposing them to cumulative radiation by having Wi-Fi in the schools. You know you can hardwire their computers and it will be infinitely safer. Since my email to you of August 24th, it has been brought to my attention that you, interestingly, has publicly discounted the significance of the IARC classification of everything on the spectrum of RF - EMF as a 2b "possible human" carcinogen. Perhaps I received incorrect information? It is hard for me to believe you would discount IARC's decision and redefine it in your own terms, but just in case you truly made such a statement, I will address that before the close of my letter.

Cancer is a concern, of course, but even greater is the neurological concern, because the brain is the first major organ of the body to be adversely affected by RF - EMF, and the long-term and even short-term effects are potentially devastating. Cognition can be impaired, reaction-time slowed, and impulse control delayed.

I organized a brain study of firefighters, men who are considered to be the strongest of the strong among us, in California in 2004. They had been exposed to a cell tower beaming across their working/sleeping quarters for 5+ years. The study was conducted by Gunnar Heuser, MD, PhD, an expert in the field of neurotoxicology. Each of the men who had their brains scanned showed

a hyper-excitability of the neurons, or brain cells. This is considered to be a precursor to early cell death and potentially early onset Parkinson's, ALS, and Alzheimer's. Now, 8 years later, two of the men have had psychotic breaks with reality and all are suffering from memory impairment. All the men tested in 2004 had tremors, and some were still in their 20's.

Let me tell you more about some of the symptoms these brave firefighters -- again, the strongest of the strong among us and perhaps the *least likely* to admit pain and discomfort or disability -- have complained of since the cell towers were activated:

- mental confusion and difficulty concentrating
- lack of focus and motivation
- memory loss
- mood swings including depression, anger
- sleep disruption and lack of alertness
- chronic headaches
- vertigo
- ringing in the ears

These are the same symptoms many children and adults complain of in Wi-Fi environments. Both the firefighters adversely effected by the RFR from the cell towers and those children and adults adversely effected by RFR from Wi-Fi are experiencing classic symptoms of EHS or electro-hypersensitivity. They are all sensitive or sickened -- the latter term perhaps being more appropriate -- by radiofrequency (microwave) radiation. Let me be extremely clear to you and to all: EHS is a collection of neurological symptoms, originating in the brain, and many are measurable using objective testing.

In an attempt to protect the firefighters from the cell towers targeted for their stations, I wrote the original version of Resolution 15 which was passed by an 80% margin at the International Association of Firefighters convention in Boston in 2004. I was proud to be joined by four others as co-authors, including two Canadians, Assistant Fire Chief Joe Foster and Dr. Magda Havas of Trent University, and two Americans; Janet Newton, Director of the EMR Policy Institute and Lt. Ron Cronin of the Boston Fire Department. Resolution 15 calls for further study and a moratorium on placement of cell towers on firestations in the US & Canada (attached), yet you radiate children in schools?

These invisible waves are microwaves, Dr. Kendall. "Radio waves" is a lovely euphemism. Please do not continue to expose young children to microwave radiation throughout their formative years.

What you are doing by ignoring the IARC/WHO warning is putting young, developing children at great risk. If you choose to look away at this time when there are literally thousands of non-industry funded studies showing the dangers of RFR, you will -- metaphorically speaking -- have blood on your hands.

As to the IARC warning, it is indeed a serious one. Also in the 2b "possible human" carcinogen classification are DDT, diesel exhaust, and Chlordane among hundreds of other neurotoxins and

possibly carcinogenic-to-human toxins. Yet you allow Wi-Fi in your schools and think nothing of it? Would you allow DDT or Chlordane to be misted throughout the classrooms all day, 5 days a week, or diesel exhaust to be ventilated into the classrooms from the garages that house the school buses?

Perhaps you think the IARC warning only applies to cell phones. If you think this, you are not alone. That is why Israeli author Iris Atzmon and others wrote to Dr. Robert A Baan, Head of the IARC Monographs, for clarification. Here is the text of his reply, which clearly *includes* Wi-Fi in the 2b classification [*The bolding and underlining of Wi-Fi is mine*]:

The IARC Working Group classified "Radiofrequency Electromagnetic Fields" (RF-EMF) as possibly carcinogenic to humans (Group 2B). The information that formed the main basis for this evaluation was found in epidemiological studies on cell-phone use, where a slightly increased risk for glioma (a malignant form of brain cancer) and acoustic neuroma (a non-cancerous type) was reported among heavy users.

There were some indications of increased cancer among radar-maintenance workers (occupational exposure), but no reliable data from studies among, e.g., people living close to base-station antennas, radio/TV towers, etc (environmental exposure).

Although the key information came from mobile telephone use, the Working Group considered that the three types of exposure entail basically the same type of radiation, and decided to make an overall evaluation on RF-EMF, covering the whole radiofrequency region of the electromagnetic spectrum.

In support of this, information from studies with experimental animals showed that effects on cancer incidence and cancer latency were seen with exposures to different frequencies within the RF region.

So the classification 2B, possibly carcinogenic, holds for all types of radiation within the radiofrequency part of the electromagnetic spectrum, including the radiation emitted by base-station antennas, radio/TV towers, radar, Wi-Fi, smart meters, etc.

An important point is the radiation level. The exposure from cellular phones (personal exposure) is substantially higher and much more focused (usually on the brain) than exposures from radio/tv towers, antennas, or Wi-Fi.

I hope this is useful.

Thank you for your interest in our work.

Sincerely yours,

Robert A Baan PhD

The IARC Monographs
IARC, Lyon, FRANCE


At your request, Dr. Kendall, I would be more than happy to send relevant medical studies. You may speak more loudly through your silence if you choose not to learn more about this intensely germane issue.

I would like to ask, for the record, if you receive any campaign contributions, contributions toward governmental or private programs, or gifts -- monetary or otherwise -- from the telecommunications industry or any entity that has any connection to them?

Thank you for your time and careful consideration.

Kind Regards,

Susan Foster

SUSAN FOSTER, MSW
Advisor, Radiation Research Trust, UK
Member, International EMF Alliance
Honorary Firefighter, San Diego Fire Department
Rancho Santa Fe, California 92091


cc: Michael de Jong, Minister of Health
George Abbott, Minister of Education
Premier Christy Clark
Leader Adrian Dix



"Our lives begin to end
the day we become
silent about things that
matter."

- Martin Luther King, Jr.

Electromagnetic Health.org

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New Study: Carrying a Cell Phone in a Backpack Leads to Blood Abnormalities

17.01.2015 by emily Category [Electromagnetic Health Blog](#)

There is a growing body of scientific evidence of brain cancer risk from cell phone use. People have been long been advised to use a headset or speakerphone to keep the Radiofrequency (RF) radiation away from the head. Distance lowers the risk, due to the fact that the signals decrease over distance according to the inverse square law. This can also lessen electrosensitivity symptoms, such as headaches, concentration problems and fatigue. But, it turns out, according to a new pilot study, these protective measures may not be adequate to prevent biological consequences. Further precautionary steps when using cellular and wireless devices may be in order.

New research, reported in the journal of the Weston A. Price Foundation, Wise Traditions, January 16, 2015, shows the act of carrying a cell phone (smart phone) in a receptive mode in a backpack is sufficient to create disturbing changes in a person's blood, without the cell phone

being used.

Dark-field microscope analysis showed substantial changes in blood after short-term cell phone radiation exposure, both in a carrying condition (in a back pack) and in an active use condition (i.e. browsing the web, making calls on the speaker and placing calls with the phone against the head at least twice for approximately 5 minutes each). Each of the two exposure conditions were 45-minutes in duration.

The purpose of the study was to determine if the Weston A. Price Foundation-recommended diet had protective effects against the biological effects of cell phone radiation. No protective effects of diet were found, but important insights were gained about the impacts of cell phone exposure on human peripheral blood.

In both a carrying condition, and an active use condition, substantial degenerative changes in the blood were observed. Changes observed with live blood analysis, using a dark field microscope and digital video camera to capture the images, included dramatic red blood cell aggregation and stickiness, as well as red blood cell morphological (shape) changes, including the formation of echinocytes (spiky cells).

According to the authors, "Such blood morphologies—the RBC clumping and misshapen cells—are frequently observed in ill persons and those eating less-than-optimal diets."

"Does Short-term Exposure to Cell Phone Radiation Affect the Blood?", *Wise Traditions*, the journal of the Weston A. Price Foundation

Example of Changes Found:

Figure 5: Baseline Condition of male, age 55, showing normal, healthy blood.

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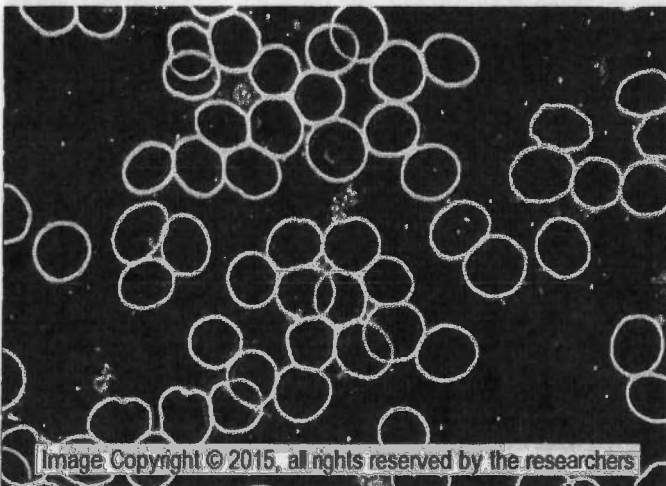


Figure 6: Carrying condition of same male showing aggregated cells and a few misshapen RBCs
(Image Copyright © 2015, all rights reserved by the researchers; permission granted for use here)

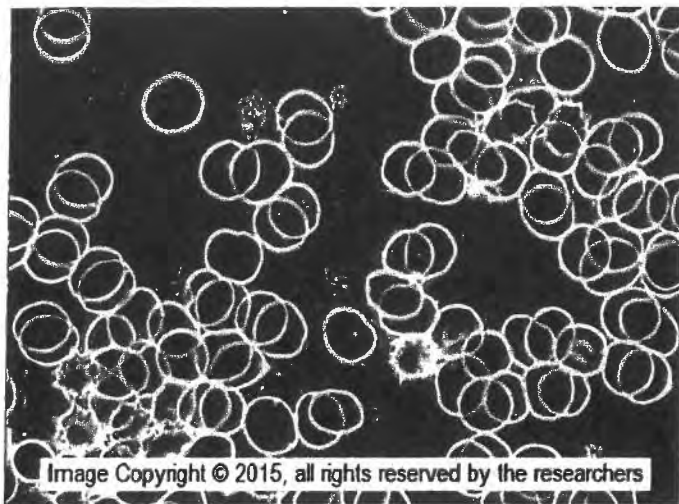
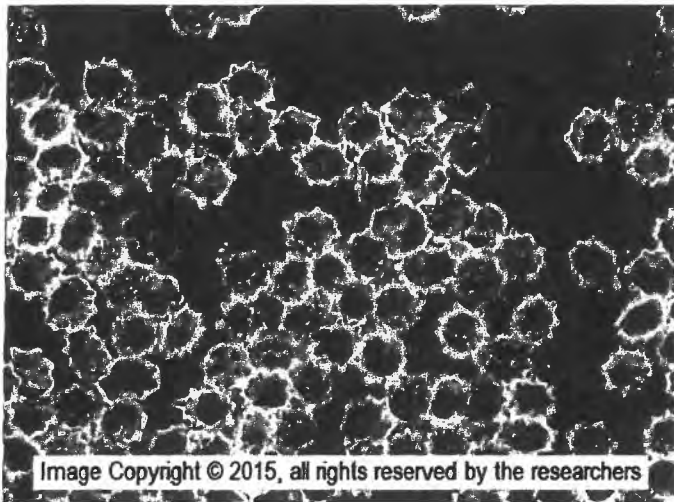


Figure 7: Active use condition of same male subject showing all RBCs are misshapen.
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Note, the authors indicate it is probable the blood changes observed would affect blood circulation, as red blood cell aggregation is well-known to diminish microcirculation. Blood cell aggregation increases blood viscosity, and this impairs blood flow. Since blood viscosity and blood flow are important factors in heart attacks and strokes, the results of this study suggest circulation risks from cell phone exposures may be important information for anyone with a circulatory disorder, or history of either of these conditions, to know. Moreover, it is worthwhile to consider these findings in light of the fact that cardiovascular disease is the number one cause of death in the US.

Also, importantly, the changes observed in the 'active use' condition were not only observed in blood drawn from the upper body (a finger), but in blood drawn from a toe. Effects far from the local area of exposure demonstrates microwave radiation emitted during cell phone use may impact the body systemically, literally from 'head to toe'. Exploration of other remote effects is indicated.

Figure 8: Active use condition of female subject. Age 55, fingertip blood showing RBCs in rouleaux.

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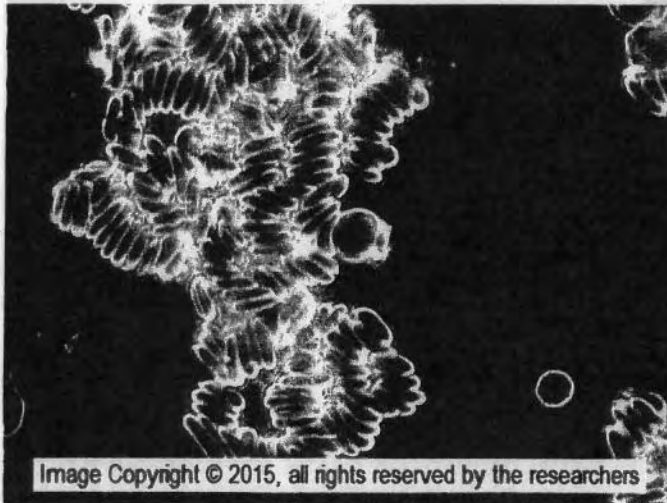
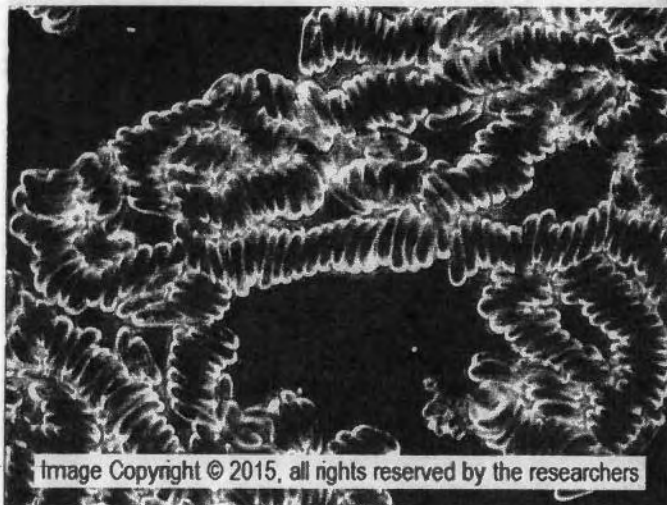


Figure 9: Active use condition of same female subject, toe blood showing RBCs in rouleaux.
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While the authors acknowledge this is a small pilot study (10 persons, with almost all demonstrating a healthy live blood profile to start) they say the changes in the blood from cell phone exposure are 'substantial in magnitude'. Observed blood changes occurred over two 45-minute intervals, a fraction of the time many people, possibly billions, today either use a cell phone or have it physically near to them while turned on. The "onset, reversibility, recovery time, and chronicity of these blood changes need further investigation".

Based on this study documenting visual effects on peripheral blood following short-term human exposure to cell phone radiation, ElectromagneticHealth.org offers the following insights and precautionary recommendations:

1. The precautionary practice of using headsets or speakerphones with cell phones is valuable advice.

However, these practices may not offer full or adequate protection from cell phone radiation if the cell phone is still located close to the body.

2. Cell phones turned on, even when not against the ear and in a backpack, result in rapid degenerative changes in the blood. Thus, cell phones should be turned OFF when not in use to avoid unnecessary exposures.



3. Another reason to keep the cell phone turned OFF is out of respect for the biology of others nearby, since nearby exposure without actual cell phone use was shown to have biological consequences.

4. The study showed younger subjects showed less aggregated red blood cells (RBCs) than older subjects for the 'carrying condition', as well as less aggregated red blood cells (RBCs) and less blood cell shape changes than older subjects in the 'active use' condition. Thus, younger people, especially, should understand initial effects from cell phone radiation may impact older people faster.

5. Note we do not know what blood would look like after many hours of cell phone exposure over many days, weeks, months and years, and whether, under these circumstances, if younger people would continue to exhibit the possible resilience noted here. In any event, in both young people and older people, in this study, in brief exposures of 45-minutes, degenerative changes were observed.

6. While this study evaluated blood effects of short-term cell phone use, and of nearby cell phone exposures, it is very likely similar findings would occur with exposure to other wireless devices emitting the same radiofrequency radiation. Until further research is conducted, it would be prudent to keep all wireless equipment turned OFF when not in use, including WiFi routers, wireless computers, laptops and tablets, computer peripheral equipment, like wireless printers and scanners, and all other wireless devices and equipment.

7. The decision to hard-wire communications devices, so there is no ambient radiofrequency radiation whatsoever, is the safest choice. This would include using land-line phones, hard-wiring home security systems, not using wireless sensors in the home, or wireless baby/elder, monitors, and hard-wiring all internet connections at home and in schools and offices. The choice to use WiFi and wireless devices in schools should be given very thoughtful and careful reconsideration until such time as research on blood effects in these types of exposure conditions can be completed.

8. Understand scientists do not yet know just how far away from one's body one would need to place a smart phone to not observe the negative effects on live blood when using a phone on either a speakerphone or headset. We know effects were seen when phones were as close as in a backpack. Until this is determined, it would be prudent to keep the phone as far away from the body as possible, using headset extension cords, and certainly not keeping a phone in one's pocket or backpack if one

seeks to minimize degenerative changes in red blood cells.

9. People with circulation disorders, or at risk for, or with a history of, heart attacks and strokes, should be careful to not expose themselves to cell phone radiation. This would include people with any circulatory disorders affecting the eyes.

10. People need to know their exposures to RF radiation, and I urge families, and perhaps community centers, to get an electrosmog meter so you can begin to take control over your circumstances, starting with awareness of exposures. Go to www.EMFSafetyStore.com for resources.

Further research in this direction is strongly advised. ElectromagneticHealth.org would like to see research demonstrating effects of longer exposures; to gauge how far away from a cell phone one needs to be in order to not see degenerative effects on the blood; to understand the disparities seen between observed blood changes in a cell phone carrying position and active use position, where important insights about the degenerative process may be learned; to see effects on people who are already ill; to see effects from nearby wireless devices; to study larger samples; to look at potential protective effects of other diets; to look at potential effects of shielding devices using subtle energy technologies; to assess the connection between observed blood effects and health conditions; and to find a way to assess potential blood and health effects of the coming 'internet of things', where home-based appliances and equipment will communicate wirelessly continuously.

Chronic illnesses have increased dramatically since the early 1990s, as cell phones became widespread. No pre-market health testing on cell phones was required, nor was there post-market health surveillance. **ElectromagneticHealth.org** believes it is essential citizens demand pre-market health testing on exposure scenarios involving the coming 'internet of things'. Live blood analysis would be one way to assess the effect of these and other RF technologies on biology.

If you wish to support further scientific exploration by the authors of this study, please contact us so we can convey your interest. Emily@electromagnetichealth.org

"Does Short-term Exposure to Cell Phone Radiation Affect the Blood?", *Wise Traditions*, the journal of the Weston A. Price Foundation

Electromagnetic
Health.org

Electromagnetic Health News!

Please support our work by making
a tax-deductible donation.
We are 100% donation-based
and need your support
to educate, communicate and analyze
critical developments in this field.

ElectromagneticHealth.org is dedicated to being an educational resource for the public, health care providers and the media on the health hazards of electromagnetic radiation. While most of the content here is free, proceeds at this site from the sale of educational content and remediation supplies will support further activism, new educational content and scientific research on the connection between radiofrequency radiation and individual illnesses and conditions. Please be in touch if you can support this important work in other ways!

Health and Environmental Consulting

Environmental consulting, including EMF remediation strategies, is available by appointment with our Founder, Camilla Rees, MBA, for \$175.00 per hour, and on a sliding scale basis for those of limited means. Camilla is a leading health educator who has studied widely in health and medicine and speaks widely on mitigation of electromagnetic fields. She is co-author, with Magda Havas, PhD, of "Public Health SOS: The Shadow Side of the Wireless Revolution" and was co-author of the landmark white paper, "Cellphones and Brain Tumors: 15 Reasons for Concern". Camilla has been an Integrative Care Counselor, Cancer Guide, Educator in Mental Imagery and facilitator of Hellinger Family and Organizational Constellations. She is an Executive Coach to change agents. Recently, Camilla held a Briefing on Wireless Hazards in the U.S. Congress.

Camilla is available for EMF consultations to individuals, schools, governments, physicians, other health providers, and CEOs and Human Resources personnel, either in person or by phone. Please complete email request for appointment below and someone will be in touch with you to schedule.

We encourage you to:

1. Sign the **Petition to Congress**,
2. **Donate** to the worthy non-profits in this area,
3. Buy the very inexpensive E-book ***"Public Health SOS: The Shadow Side of the Wireless Revolution"***
4. **Share** this site with every patient, health care practitioner, parent, school teacher, elderly person, government official and journalist you know!

Phone

If you are a member of the media and doing a story and need support, please contact us at:
(641) 715-3900 Ext: 61768#

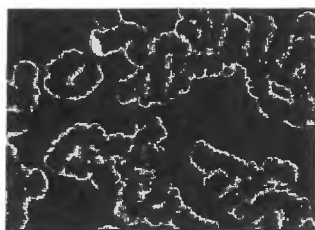
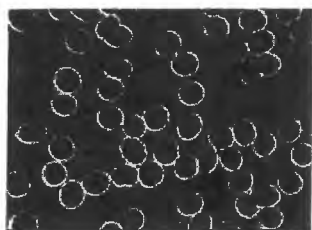
Email

All others, send in your suggestions, questions and inspirations to:

Page 12 of "Possible Hazards of Cell Phones and Towers, Wi-Fi, Smart Meters, and Wireless Computers, Printers, Laptops, Mice, Keyboards, and Routers Book Two", linked at padrak.com/vesperman and commutefaster.com/vesperman.html, displays these images:

Images of Red Blood Cells, etc Affected by Electromagnetic Wireless Radiation

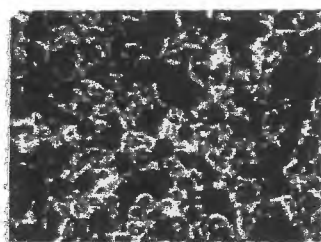
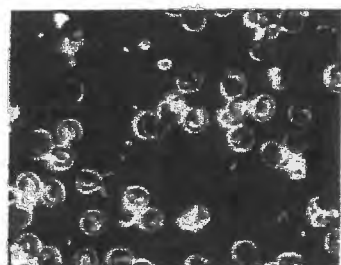
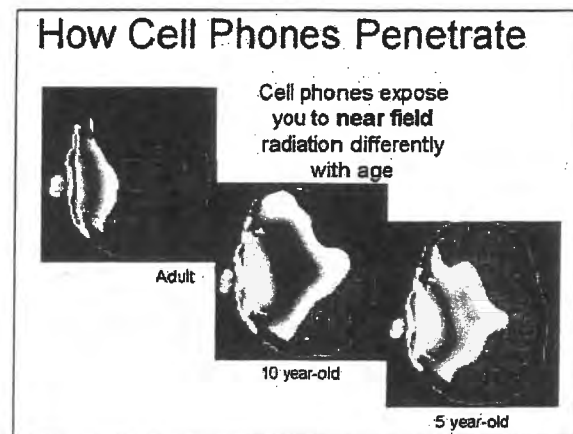
See pages 16, 17, 24, 25, 27, 28, 30, 32, 76, 77, 78 and 162. Examples:



Red Blood Cells Before and After a 90- Second Cell Phone Call



The amount of radiation penetration of a skull for an adult, a 10-year-old child, and a five-year-old child.



Disrupted red blood cell intercellular communication occurs within minutes of exposure to information carrying radio waves. Red blood cells must be able to sense the location of other blood cells to avoid clumping. Slide at left: prior to cell phone exposure – red cells are functional. Slide at right: after five minutes on a cell phone – red cells are clumped and non-functional.

Deformed cows near cell phone towers in Germany are just one example among many animal deformities appearing around the world. Research has also connected the worldwide disappearance of frogs, birds, and insects [most recently bees] with the dramatic increase of electrosmog permeating our planet.



Teamsters Union Local 631 Convention Craft Meeting Resolution

Turn Off Wi-Fi in Convention Halls!

This summer I wrote three books describing the hazards of electromagnetic radiation from wireless devices such as cell phones, cell towers, smart meters, Wi-Fi, and wireless computers, keyboards, mice, laptops, routers, and printers. The three books total 600 pages and are linked at padrak.com/vesperman. My website also links to 35 additional reports on dangerously unhealthy radio frequency electromagnetic fields.

One block east from the Freeman and GES labor trailers are two cell towers near a fire station. Freeman and GES employees may be exposed to dangerously strong cell tower radiation which is added to the radiation from their cell phones: At certain frequencies, wireless signals – far weaker than current safety standards – pull structurally important calcium ions off of our body's cell membranes, weakening and causing them to leak.

Having its meticulously balanced systems destabilized, even slightly, by wireless triggered leakage wreaks biological chaos – subverting the integrity of the body's intricate defense mechanisms and leaving it vulnerable to all manner of damage. Many symptoms of high sensitivity to powerful radio waves can thus be explained: Leaking skin cells cause rashes, tingling, numbness, burning sensations; leaking heart cells trigger potentially life-threatening heart complications; in the inner ear, leaking cochlear cells trigger tinnitus and leaking vestibular cells cause dizziness and other symptoms of motion sickness, including nausea. Electrohypersensitivity is similar to severe allergies to foods such as nuts.

The long list of biological malfunctions includes DNA damage, genetic changes, breakdown in intra-cell communication, protein damage, immunological function changes, reproductive system damage, decreased sperm counts, cell damage and death, brain-blood barrier leakage, brain nerve cell damage, free radical increases, melatonin decreases, possible linkage to auto-immune diseases like MS, embryonic cell damage, fetal defects, heritable birth defects, high blood pressure, diabetes, depression, insomnia, memory problems, autisms, infertility, hormonal imbalances, brain disorders, protein and peptide damage, kidney damage, brain tumors, breast cancer, Alzheimer's disease, muscle and head aches, chronic fatigue syndrome, weakened bones, and literally hundreds of potential illnesses related to leakage in cell membranes throughout the body.

Sweden already has 270,000 people who are on disability for related impairments. Millions of people in Germany complain of all kinds of nervous disorders and of a new common illness, called "burnout syndrome". We are all already being injured by wireless radiation below the minimum level of detectable symptoms. About 1% of Americans may already be suffering from electrohypersensitivity. The Russians were the first to call the condition 'microwave sickness' – reversible in the early stages, lethal over time.

The bottom line is that all of us should minimize exposure to wireless radiation as much as possible. Children should especially not play with smart phones and be exposed to Wi-Fi in their schools.

All of the convention halls have Wi-Fi. We Teamsters have an opportunity to make some history. Our Teamsters Local 631 should pass a formal resolution to ask the Las Vegas convention halls to turn on their Wi-Fi only during conventions and only after ensuring none of our brothers and sisters are working on the premises and would be exposed to their hazardous Wi-Fi signals.

Gary Vesperman, Teamsters Local 631 Convention Journeyman, Boulder City, Nevada September 17, 2016

<http://www.safelandforbees.org.uk/bees-and-microwave-radiation.html>

"Will the Communications Industry be the final straw for Our Planet's Ecosystems?"

Barrie Trower Presented at the Glastonbury Symposium, July 24th 2010

During a recent visit to Africa, a gentleman took me to a field full of plants and said "What do you hear Barrie?" I replied: "Nothing". He said: "Normally you and I would not be able to hear each other now, there would be so many bees buzzing, however, since that mobile phone transmitter went up, we haven't seen a single bee." I received other similar reports concerning bees, birds, even ants during my stay in Africa. It was explained to me that the ants are very important for their symbiotic relationship with plants. The plants produce a sweet substance to feed the ants and in return the ants prevent insects landing on and eating the plant's leaves. Hence, ants guarantee plant crop safety and harvest.

It appeared that the common denominator in all cases was the proximity of mobile phone transmitters transmitting low-level continuous microwaves with added modulations (pulses) causing cellular distress to species within range. Residents who complained were told that such installations were within 'International Safety Guidelines'; other residents were either totally ignored, mocked or ridiculed.

Yet proof of such effects from low-level microwave irradiation has been known to Government(s) and published since 1932. (1) By 1971 the US Naval Medical Research institute referenced 2300 research articles listing in excess of 120 illnesses from low-level microwaves. (2) This was reinforced by confirmation from the US Defence Intelligence Agency Documents from 1972-76. (3)

So what does all this have to do with bees, birds and ants? Well, quite a lot really.

Biologically, apart from some specialist organelles within the cytoplasm or the amount of genetic material etc, all animal and plant cells are very similar; in fact at the atomic and nuclear level, they are identical. Thus, if you are going to affect human cellular activity, you will inevitably affect other animal and plant cells from the same source. In this case according to Government reports, low-level microwave irradiation. The reader does not have to look far to discover that many experimental trials, evaluating harmful microwave levels, are carried out on animal cells / tissue first; or even live animals. These reference levels are then applied to human beings. Arguably the World's foremost scientific journal, 'Nature', published an article explaining how oscillating magnetic fields disrupt the magnetic orientation behaviour of migratory birds. (4) The frequencies referred to within this article are well within the modulation frequencies used by the mobile phone industry.

Dr Andrew Goldsworthy, retired Lecturer from Imperial College, London; extends this mechanism to speeches in his written 'comment': 'Establishing Why Bees Die Off' dated 13th January 2010.

Prof Karl Richter also extends this explanation and references the plight of bees subjected to such irradiation. He notes that these insects' immune systems seem to have collapsed with many bees suffering five to six infections simultaneously. Interestingly, suppression of the immune

system is also described by the US Government as a symptom for humans exposed to low-level microwave irradiation. (5)

Similarly, Prof Ferdinand Ruzicka, who is a bee keeper himself, says: "The problem only appeared since several transmitters have been installed in the immediate proximity to my hives".

"Dragnose-Funk" continues: 'According to Ruzicka's observations, the bee colonies are so weakened by the mobile telecommunications radiation that they become more prone to various diseases.' (6) In his two-part, 13 page document, Guy Cramer includes the military and its Worldwide use of similar telecommunications transmitters as partly complicit to this cause for the demise of the bee population. In particular he singles out the US multi-transmitting towers in Alaska which can focus anywhere on the Planet by reflecting their transmissions off of the ionosphere. This is otherwise known as HAARP. (7)

Researchers like Colin Buchanan have actually outlined time-lines plotting the demise of bees and its relation to human induced electromagnetic radiation. (8)

Within my presentation to the beekeepers' association at Glastonbury in 2008, I referenced 14 articles explaining why the bees are particularly susceptible to microwave irradiation. I stressed that bees could be exposed to magnetic fields roughly 640 times more powerful than they normally encounter with the Earth's field. The consequences of this can be two-fold: i) the ferromagnetic compounds within their heads, thorax and abdomen can produce hysteresis loops affecting proprioception (spatial awareness); and ii) the very size of the bee's antennas, brain and body render it susceptible to resonance (unwanted vibrations). (9) Put simply, I would argue that the bee is disorientated with a failing immune system and like AIDS in humans will become victim of any infection(s) or infestation(s) which came along.

The reader will not be surprised to learn that there is a plethora of research data documenting ill-effects on virtually all animal species from insects to cattle, listing long-term low-level microwave irradiation as the cause. I will reference just a few of the many thousands that exist.

The Research Institute for Nature and Forest clearly state in their publication that '....long-term exposure to higher levels of radiation (GSM) negatively affects the abundance or behaviour of House Sparrows in the wild' (10)

Twenty pages of Laboratory Studies citing suppression of the immune system by e.m. radiation upon cows, cats, dogs, hamsters, whales, birds, bees, bats and butterflies were published in Feb 2005. (11)

Prof. Denis Henshaw references in excess of 8000 research articles describing low-level radiation and its effects on animal navigation, plants and health of the animal kingdom.

Prof. Henshaw states that in his estimation, less than 10% of the available scientific evidence is cited by official review bodies; also, in some areas, none of the literature has been cited. (12)

An article published in 'Microwave News' describes how low-level microwave radiation, when modulated, can cause nonthermal neurological effects in both humans and birds. Exactly what the US Government published thirty years earlier and seems to have been 'overlooked'. (13)

Internet researcher Sylvia Wright listed 27 peer reviewed studies showing effects, or possible effects, of low-level irradiation upon seeds and plants. All of these papers had been published in scientific journals.(14)

Remembering that all planetary eco-environmental systems are interconnected, the monetary value of the World's ecosystems has been estimated at 33 Trillion US Dollars annually. (15) With an understanding of the potential risk to nature; should the Global Telecommunications Industry cover our Planet with microwave transmitters, without further investigation or restriction? Could this potential financial loss be sustainable to many poorer countries?

The UK Government are advising populations to switch off all unnecessary lights, drive less, even restrict flying for holidays in order to reduce our carbon footprint. It has been estimated that the annual carbon footprint for the worldwide telecommunications industry is approximately 110.7 million tonnes of CO2 into our atmosphere. This is equivalent to the use of 29 million vehicles. Simultaneously all of our state schools are 'encouraged' to install wi-fi; virtually turning each school into a full-blown transmitter from the accumulative effect of microwaves. I find this a Governmental regulatory paradox. If for no other reason, than their total and absolute ambivalence on this matter! (16)

Are there solutions? Of course. In 2007 an international group of scientists studied 2000 peer reviews and published research papers. They recommended an acceptable level of radiation, based on the interaction between low-level microwaves and all known cellular processes. This became known as the bio-initiative level. (17)

The problem with this recommended level is that the telecommunications industry would suffer a reduction in profits. Consequently it is seldom adhered to.

There is a recent Legal Instrument. The European Parliament Guideline 2004/35/EG and advice from 21st April 2004, states that the 'causer pays the principle' for damage to animal, plants, natural habitats, water resources and soil. I must state here that I have no training in Law and should the reader wish to pursue this line of inquiry, expert international legal advice should be sought.

However, since September 1960, I have received several years of Governmental tuition on all aspects of microwave technology. At that time, microwave research was paramount Worldwide with many papers published; including dangers of irradiation to living tissues from very low-level microwaves.

Knowing what we were all taught in the 60s, forces me to question the total ambivalence of today's Governmental Advisers. The microwaves haven't changed, only the colour and shape of the box emitting them.

Opinion

Could all of this potential damage to the Planet's eco-systems be a result of nothing more than Blind Corruption and Intentional Ignorance from our decision makers? Or is it planned? After all,

if a country loses most of its pollinating insects (which tend to pollinate Vitamin C type plants), the health and financial status of such a country could be in jeopardy. The 'causer' could then offer a solution - at a price!

An interesting observation may be to look at the countries suffering the most; and those sweeping across such lands, installing a myriad of transmitters.

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United States District Court
District of Oregon
Portland Division

AHM, by and through
her Guardian *ad litem* and father,
David Mark Morrison, and
David Mark Morrison, individually,

v.

Portland Public Schools,
Defendant.

Civil Action No. 3:11-cv-00739-MO

Amended Declaration of
Barrie Trower

I, Barrie Trower, under penalty of perjury pursuant to 28 U.S.C. § 1746, hereby make the following declaration in support of a preliminary and permanent injunction enjoining Portland Public Schools' use of WI-FI:

Background

1. I trained at the Government (Ministry of Defense) microwave warfare establishment(s) early in the 1960s covering all aspects of microwave (MW) radiation technology, uses and health dangers. Later works included underwater bomb-disposal, which incorporated MW technology.

2. In the late 1960's and 1970's a part of my task was to ~~extract confidential~~ (hitherto secret) information from master criminals, terrorists, and spies. This included Cold War MW technology.

3. My first degree is in Physics with a specialization in microwaves. My second degree is a research degree. I have a teaching diploma in human physiology. Before retiring, I taught advanced physics and mathematics at South Dartmoor College.

4. I am Scientific Advisor to the Radiation Research Trust and the H.E.S.E. (Human Ecological Social Economical) Project.

5. I am the author of both Tetra Reports for the Police Federation of England and Wales and the Public and Commercial Service Union.

6. In April 2010, I gave a speech for the King of Botswana. http://www.magdahavas.com/wordpress/wp-content/uploads/2010/08/Barrie_Trower_SA.pdf. I hereby adopt and incorporate by reference my opinions and findings therein.

7. My work is done entirely free of charge and I have never accepted money from any person or organization in the years I have been doing this research. I consider myself absolutely independent.

8. I reserve the right to amend to add new studies as they may become available through the time of trial.

Origins

9. To my knowledge, 'microwave' or 'radiowave sickness' was first reported in August 1932 with the symptoms of severe tiredness, fatigue, fitful sleep, headaches, intolerability and high susceptibility to infection. Hecht, K *et al.*, *Overloading of Towns and Cities with Radio*

Transmitters (Cellular Transmitter): A hazard for the human health and a disturbance of ecoethics, International Research Centre of Healthy Ecological Technology (IRCHET), Berlin-Germany, at ¶ 3 (2007). These symptoms were reported to be from athermal (which are sometimes also called subthermal or microthermal) effects.

10. By 1971, the US Naval Medical Research Institute (NMRI) referenced 2300 research articles listing in excess of 120 impairments and illnesses attributed to radiofrequency and microwave radiation. *Biography of Reported Biological Phenomena (Effect) and Clinical Manifestations Attributed to Microwave and Radio-Frequency Radiation*, Research Report. MF12.524.015-0004B, Report No. 2. NMRI, National Naval Medical Centre (1971). Under the Freedom of Information Act, extracts from published US Defence Intelligence Agency (DIA) Documents confirmed the NMRI research and stated: 'If the more advanced nations of the West are strict in enforcement of stringent exposure standards, there could be unfavourable effects on industrial output and military functions,' in order to protect industrial profit and military function, and to avoid litigation from military employees. It was suggested that governments in the West chose a safety level compatible to industrial output and military function. The governments that adopted the thermal level only denied and still to this day deny any adverse effect from subthermal levels. DIA Documents: DST - 1810S - 076-76, ST-c5-01-169-72, DST-18105-074-76 (1972-1983).

11. In 1975, after an extensive study, the United States DIA warned all of its personnel of the risk from low-level microwaves including illnesses ranging from microwave sickness (flu like symptoms, depression, suicidal tendencies) to cancers and leukaemia. *Biological effects of electromagnetic radiation (radiowaves and microwaves) – Eurasian Communist Countries*, Defence Intelligence Agency: DST-1810S-074-76, March (1976).

12. During the Cold War, the Russian Embassy microwaved the United States Embassy in Moscow with low-level microwaves for many years from across the road; why and how is outside the scope of this Declaration. After changes of staff for serious neurologic impairments, miscarriages, multiple cancers / leukaemias and other illnesses to both male and female employees and their children, the late John R. Goldsmith, M.D., was invited to investigate this matter. His investigative report on this incident showed that continuous, long-term low-level microwaves were responsible for those illnesses. Goldsmith, J. R., *Radiofrequency Epidemiology*, Environmental Health Perspectives, Vol 105, at 1585, Supp 6, Table 8, Dec (1997). Dr. Goldsmith held 11 Professorships and was the World Health Organization (WHO) representative for Europe. Interestingly, the power of the microwaves used by the Russians in some cases was less than the power used by modern-day transmitters, with the average ranging $<0.02 - 0.05 \mu\text{W}/\text{cm}^2$ and the maximum ranging $5 - 18 \mu\text{W}/\text{cm}^2$. Goldsworthy JR. Epidemiological evidence of radiofrequency radiation (microwave) effects on health in military, broadcasting, and occupational studies, Intl J Occ and Env Health, 1:47-57, 1995. http://www.radiationresearch.org/goldsworthy_bio_weak_em_07.pdf. Dr. Goldsmith's warning on health and fertility: <http://omega.twoday.net/stories/1755556/>.

13. Debriefing spies during The Cold War extended my military education into the full diversity of stealth microwave warfare and communication systems. In so doing, I learned a list of approximately 30 pulse frequencies that could induce some 50 physical and mental ailments by entrainment.

14. As soon as ordinary MW transmitters became commonplace, residents started to complain of neurologic impairments, illnesses and later of cancer clusters. Independent researcher Sue Webster took data from just 19 transmitters and found approx 92 cancers (breast, thyroid, bowel, leukaemia), where the average age of those affected was roughly only 39. Health

Dangers from Wireless Laptops, Sue Webster was quoted in Canceractive's ICON magazine in January 2003 article, <http://www.canceractive.com/s hop/product.php?productid=16157&cat=255&page=1>.

15. Microwave sickness was well documented by 1997, when over 100 further research documents pertaining to it were referenced. Grant, L., *Microwave Sickness*, Electrical Sensitivity News, Vol I No 6, Vol 2 Nos 1-4 (1997).

16. Portland Public Schools are transmitting electromagnetic, specifically MW, frequencies at low exposure levels compared to thermal levels. However, these exposure levels are very high compared to natural background levels at the frequencies deployed: 2.45 GHz and 5 GHz frequency, which means between 2.45 and 5 billion cycles per second. When I realized that power densities and frequencies similar to those used as weapons during the Cold War were being used as WI-FI in schools, I decided to come out of retirement and travel around the world free of charge and explain exactly what the problem is going to be in the future.

17. HAARP – High Frequency Active Auroral Research Program – was originally researched by Sister Dr. Rosalie Bertell, who investigated its electromagnetic interference to our atmosphere. HAARP reflects electromagnetic waves off the ionosphere and can influence any part of the air or land on this Planet. This has the potential to cause physiologic and neurologic effects on humans, animals and plants.

18. The paradox of course is how microwave radiation can be used as a weapon to cause impairment, illness and death and at the same time be used as a communications instrument. Therefore, WI-FI cannot be safe for the schoolchildren and teachers exposed to it. Also, there still exists an ongoing stealth microwave warfare industry, continuing from the 1950's.

Technology

19. The International Commission for Non-Ionizing Radiation (ICNIRP) classifies microwaves as electromagnetic waves from 300 MHz to 300 GHz. ICNIRP Guidelines, Guidelines for Limiting Exposure to Time-Varying Electric, Magnetic, and Electromagnetic Fields (Up to 300 GHz), Health Physics April 1998, Vol 74, No 4, 522, www.icnirp.de/documents/emfgdl.pdf. Therefore, everything discussed in this report is in the microwave 'band.'

20. Microwaves react very differently in our water-based bodies than do radio waves. The term 'Radio Frequency' is often used to describe MW-based communications systems. It is important that the term 'Radio Frequency' is not associated solely with Radio Waves, but rather primarily with Microwaves. Microwaves are the preferred medium for communication, over radiowaves, due to their *superior penetrative properties*. Penetration occurs in living tissues in particular, with more absorption due to water content; and microwaves will also penetrate most dwellings and other buildings.

21. What is all this really about? Imagine the field around a magnet and imagine ordinary everyday static electricity. If you put the force field from the magnet with the force field from the static electricity, you make a wave. This is called an electromagnetic wave. There are lots of different types of electromagnetic waves, but they are all made of the same two things, magnetic and static fields. The main difference between these waves is their wavelength or the length of the wave, hence the number of waves that can be produced per second, i.e. the frequency. All electromagnetic waves are included in a table called the electromagnetic spectrum.

22. At one end of this electromagnetic spectrum you have the very shortest lengths, namely cosmic, gamma rays and x-rays, and at the other end of the spectrum you have the very long ways, namely TV and radio. Physicists sometimes take the radiofrequency spectrum further yet, all the way to extreme low frequency (ELF), such as the electrical power frequency. All

waves have the same basic properties: they can be reflected, diffracted, and they all travel at the same speed, which is the speed of light. For interest, if you were one wave of light you would be able to travel around the world nearly seven times every second; that is the speed of light. The electromagnetic spectrum is ordered; starting with the shortest wave end you have cosmic and gamma rays, x-rays, ultra-violet, visible light, infra-red, microwaves, TV and radio being the longest, in that order. The ultra-violet and higher frequencies are known as ionizing waves; and they are damaging to the body. Longer than ultraviolet and visible light is the radiofrequency side of the spectrum, which is also damaging. The microwaves deployed for the WI-FI system are on this radiofrequency side of the electromagnetic spectrum. I will be discussing microwaves and health herein.

Adverse Health Effects

23. There is a plethora of extensive, well-researched documents from around the world highlighting impairments and illnesses caused by MW radiation. These papers (in their thousands) discuss adverse health outcomes caused by low-level (below thermal) microwaves as: arrhythmia, heart attack, cell death, diseases of the blood, interference to bone marrow, brain tumours, DNA damage, altered calcium level in cells, reduction in night-time melatonin, suppression of the immune system, arthritis, rheumatism, skin problems, lymphatic diseases, vaginal discharge, vascular system disease, tinnitus, leukaemia, childhood cancer, sleep problems, mental problems involving depression, irritability, memory loss, difficulty in concentrating, headache, dizziness and fatigue, suicidal tendencies, miscarriage and infertility.

24. Some have asserted that such symptoms and illnesses are psychogenic. For example, when a neighbourhood sees the erection of a transmitter, subsequent health problems are often attributed to that transmitter. Psychologically the mast is deemed to have caused the illnesses. However, an argument against this is the many cases where disguised, stealth, or concealed transmitters have been erected without local knowledge and similar illnesses still occur.

Moreover, when similar conditions arise in animals near new transmitters, and in laboratory trials under controlled circumstances, the animals do not have such a psychologic component, yet still respond similarly in the ways that humans do.

25. Advancement in microwave technology since the Cold War necessitated concurrent experimentation. Thousands of research studies exist concerning ill effects from low-level, below thermal irradiation levels, involving almost every organ in the body. Possibly the most comprehensive explanation for this phenomenon is written by Dr. A. Goldsworthy of Imperial College London: *The biological effects of weak electromagnetic fields* (2007), <http://tinyurl.com/2nfujj>; also: a.goldsworthy@imperial.ac.uk.

26. Before I go further, I wish to comment on the telecommunication industry's own research. In February 2007, I was invited to give a short presentation concerning low-level microwave irradiation and cancer at London's Great Ormond Street Hospital for Children. One of the other speakers present was Dr. George Carlo. Sharing the same hotel afforded me the opportunity to engage in several conversations with Dr. Carlo during the two days we were in London. Dr. Carlo explained how he was commissioned by the mobile industry to conduct research on its products. His study (www.health/concerns.org) involved 200 research doctors and 15 epidemiological studies (1993-1999), at a cost of 28.5 million US dollars. 'Our data showed *increased risk to children*, concerning tumours, genetic damage and other problems,' explained Dr Carlo. He continued, 'my results were suppressed by the telecommunications industry.'

27. Further discussion of industry influence is warranted as The University of Berne, Switzerland, published a data synthesis of 59 research studies involving ill health from low-level MW irradiation. The Department of Social and Preventive Medicine concluded: 'Studies funded exclusively by industry reported the largest number of outcomes, but were least likely to report a

statistically significant result. The interpretation of results * * * should take sponsorship into account.' Huss, A. *et al.*, Source of Funding and Results of Studies of Health effects of Mobile Phone Use: Systematic Review of experimental Studies, (2006), University of Berne, Finkenhubelweg II, Switzerland (egger@ispm.unibe.ch).

28. Moreover, the 'Journal of Industrial Medicine' published the fact that industrial affiliation was being concealed by research scientists, suggesting that biases from conflicting interests in risk assessments cannot be evaluated properly. Hardell, L., *et al.*, *Secret Ties to Industry and Conflicting Interests in Cancer Research*, American Journal of Industrial Medicine, at 1, May (2006), [Wiley-Liss Inc.]; www.interscience.wiley.com; Dept of Oncology, University Hospital, Orebro University, Sweden. Examples of these problems from Sweden, the United Kingdom and the United States are presented.

29. Notwithstanding industry's attempts to influence research, even their own studies continued to find adverse health effects. One example is a worldwide epidemiological study (commissioned by T-Mobile, on its own product) that concluded, 'On the cellular level, a *multitude of studies* found the type of damage from high frequency electromagnetic fields which is important for cancer initiation and cancer promotion.' Mobile Telecommunications and Health, ECOLOG Institute, Sec 7, April (2000) (mailbox@ecolog-institut.de). This document also describes DNA damage on the same page.

30. The US Environmental Protection Agency (EPA) recommended that electromagnetic radiation (which includes WI-FI radiation) be classified as a 'probable human carcinogen.' United States Environmental Protection Agency, Evaluation of the Potential Carcinogenicity of Electromagnetic Fields, External Review Draft, No. EPA1600/6-901005B, October 1990. With many new studies since 1990, there is certainty that microwave radiation in particular is carcinogenic.

31. Following a spate of illnesses in their practices, on October 9, 2002, a group of doctors produced the Freiburger Appeal. <http://omega.twoday.net/stories/555926/>, scroll down for cluster listing. Initially signed by 270 medical consultants, scientists, GPs, MPs and physicians, it now has many thousands of signatories worldwide. It is a warning to decision-makers concerning illnesses from low-level microwaves. This appeal lists 13 severe, chronic illnesses and various disorders involving: behaviour, blood, heart, cancers, migraines, tinnitus, susceptibility to infections and sleeplessness, all of them ascribed to 'pulsed microwaves from mobile communications technology.' *Interdisziplinäre Gesellschaft für Umweltmedizin*. e. V. <http://www.e-smog nrw.de/news/skandal/wewelsburg/HESEProject/FreiburgerAppell/LivelistenderunterschriftensammlungfurdenFreiburgerAppellArztelists.htm>.

32. During September 2002 at the University of Vienna, 19 of the world's top scientists met to discuss electromagnetic waves. This was known as the Catania Resolution. They stated 'we take exception to arguments suggesting that weak, low-intensity EMF cannot interact with tissue. There are plausible mechanistic explanations for EMF-induced effects that occur below present ICNRP guidelines and exposure recommendations by the EU.'

33. An international study of schools near cell towers or with a cell tower on school premises published a list of impairments and illnesses amongst staff and students, finding with large numbers of cancer clusters and other illnesses. There were 47 cancer clusters. *Schools and Cell Tower Antennas*, 2003, <http://members.aol.com/gotemf/emf/schools.htm>; www.omega.twoday.net/stories/55592.

34. Another report, *School References (school and cell tower antennas)* from 138 schools, dated November 2003, lists miscarriages, brain tumours, cancers, breast cancers and teachers ill within this report. One single school had transmitters on its roof in the Saint-Cyr-l'Ecole quarter of France, where eight cases of cancer were confirmed amongst children in the district.

35. The Stewart Report 2004 asks that anecdotal evidence be taken seriously in the absence of long-term epidemiological studies, regarding illnesses around the area of mobile phone transmitters. Such anecdotal evidence produced July 2002 refers to 92 cases of cancer around just 19 mobile phone transmitters. Other illnesses in the same paper refer to breast cancers, thyroid, bowel and blood problems. Now, of course, there are many epidemiological studies, and they are consistent in showing such illnesses and other harmful effects.

36. In 2007, an international group of scientists studied 2000 peer-reviewed and published research papers. They recommended an acceptable level of radiation of not more than $0.6 \text{ V/m} = \sim 1 \mu\text{W/cm}^2$ outdoors, and $0.2 \text{ V/m} = \sim 0.1 \mu\text{W/cm}^2$ indoors, based on the interaction between low-level microwaves and the cellular processes. This became known as the Bioinitiative Level, which has since been lowered by a factor of 10, to $0.01 \mu\text{W/cm}^2$.

37. A project called EU-Reflex or European Union Risk Evaluation of Potential Environmental Hazards from Low Frequency Electromagnetic Field Exposure using sensitive in Vitro Methods shows that cells exposed to cell phone radiation exhibit chromosomal damage well below the exposure guidelines of the WHO.

38. The following studies: Naila, Hutter, Santini, Oberfeld, Bamberg, Wolf, etc. all show increased neurologic impairments and/or cancers and/or other illnesses from low-level microwave irradiation. A good summary of these studies, with details, can be found on the Radiation Research Trust's website: www.radiationresearch.org.

39. The International Association of Fire Fighters opposes the use of fire stations as transmitter sites, because of the health problems of its members. International Association of Fire Fighters, www.iaff.org/safe/content/celltower/celltowerfinal.htm.

40. The world-renowned Irish Doctors' Association listed 70 research papers showing the dangers from low-level microwaves. Dr. Santini listed 20 similar studies; the

EM Radiation Research Trust listed 9 studies; Dr. Blackwell listed 6 similar studies in his report, and finally 4 international universities completed the Spanish Study, which verified all of these known illnesses. The authors of the Spanish study (The Microwave Syndrome-Further Aspects of a Spanish Study, 2004) recommended a level 10 million times below ICNIRP guidelines (discussed below), or $0.1 \mu\text{W}/\text{cm}^2$. Dr. Gerd Oberfeld, one of the authors of the study, is the Director of the Public Health Office in Salzburg, Austria, which lowered its precautionary value for indoor exposures to GSM frequencies to comply with the recommendation made by the study. See: <http://www.ideaireland.org/emrresearch.htm>; Santini paper (2006): http://next-up.org/pdf/Roger_SANTINI_Scientific_arguments_to_prove_application_of_precaution_principle_mobil_phone.pdf, Dr. Grahame - Six studies showing ill effect: <http://www.starweave.com/masts/>; The Microwave Syndrome Further Aspects of a Spanish Study: http://www.hese-project.org/hese-uk/en/papers/navarro_n%20045%20_p353%20-%20p358_.pdf.

41. Listing and referencing all such epidemiological studies would be too extensive and repetitive for this article; suffice to say, by 2006, it was reported that 80 percent of the extant epidemiological studies on the WHO database list symptoms from microwave sickness, including up to fourfold increase in cancers from low-level microwaves. Guilmot, Jean-luc, *WHO EMF Database*, Watch - Understand - Act 26, Sept (2006), www.001be.cx. I was curious to investigate the remaining 20 percent that showed no symptoms. However, this had already been looked at by Swiss scientists who said 'the interpretation of results * * * should take sponsorship into account.' By that time, Michael Meacher, Minister for the Environment 1997-2003 (United Kingdom), had published a report blaming some universities for accepting lucrative contracts in reporting favourable results from scientific research. In the same month, United States Congressman Henry Waxman published a similar report in *Scientific American* stating that science was being corrupted by industry. <http://www.next-up.org/pdf/Ope>

nLetterWHODrvanDeventer.pdf; Swiss Study on funding sources; <http://www.ehponline.org/docs/2006/9149/abstract.html>; Michael Meacher quote, <http://www.epolitix.com/EN/MPWebsites/Michael+Meacher/c8afdecc-b15e-41ad-b9cf-25354790d2dc.htm>, also published in The Times, May (2004); Henry Waxman in The Scientific American, <http://www.sciam.com/article.cfm?articleID=0000FF81-A7DD-1084-A73E83414B7F0000> (May 2004).

42. In April 2011, the Russian National Committee on Non-Ionizing Radiation Protection (RNCNIRP) found:

Preventing childhood and juvenile diseases from exposure to EMF sources is of paramount social and economic importance. * * * This problem has been already recognized by the international community: in May 2011, the World Health Organization (WHO) will be organizing the Second International Conference: 'Non-ionizing Radiation and Children's Health' dedicated to health protection of children exposed to EMF sources of various frequency ranges. It is the WHO's opinion that a 'child is more vulnerable to environmental factors.' * * *

Human brain and the nervous system tissues directly perceive EMF and react irrespective of its intensity, and in certain cases it depends on EMF modulation. * * * Analysis of scientific peer-reviewed national and international publications as well as analysis of actual population exposure to EMF have allowed the RNCNIRP to formulate 10 postulates. * * * (*Note: here and following, 'EMF' includes RF/MW radiation*).

1. For the first time in human evolution, the brain is daily exposed to modulated EMF at all developmental stages.

2. Absorption of EMF in a child's brain is greater than in adult phone users; larger brain areas including those responsible for intellectual development are exposed in a child's brain.

3. A child's brain is undergoing development * * *

8. Better safety criteria for children and teenagers are required *in the nearest term*. Features of the developing organism should be taken into account, as well as the significance of bioelectric process for human life and activities, present and future conditions of EMF, prospects of technological and technical development should be addressed in a document of legal status. (*Italics added*). RNCNIRP, *Electromagnetic Fields From Mobile Phones: Health Effects on Children and Teenagers*, (*Italics added*) April 2011, www.scribd.com/doc/55420788/Electromagnetic-Fields-from-Mobile-Phones-Health-Effect-on-Children-and-Teenagers.

43. On May 6, 2011, the European Parliament was presented with a report recommending that wireless networks and mobile phones be totally banned from schools on health grounds. Council of Europe, *The potential dangers of electromagnetic fields and their effect on the environment*, Parliamentary Assembly, Committee on the Environment, Agriculture and Local and Regional Affairs, assembly.coe.int/documents/workingdocs/doc11/edoc12608.pdf. This document notes that young people are most susceptible. *Id* at 2. The Assembly recommends that we take all reasonable measures to reduce exposure to electromagnetic fields on 'as low as reasonably achievable' (ALARA) (*Id.*) The Parliamentary Assembly asked education and health authorities to develop information campaigns 'aimed at teachers, parents and children to alert them to the specific risks of early, ill-considered and prolonged use of mobiles and other devices emitting microwaves.' *Id* at 3. The Assembly also asked that Governments '*ban all mobile phones, DECT phones or WI-FI or WLAN systems from classrooms and schools*, as advocated by some regional authorities, medical associations and civil society organizations.' (Italics added) *Id.*

44. In conclusion, *even so-called 'low' levels of microwave radiation are very serious!* Emphasis supplied. It is impossible to MW-irradiate the body without an effect. Low-level MW radiation is as dangerous or even more dangerous than high-level radiation.

45. I reserve the reserve the right to amend to add new relevant studies as they may arise and pending analysis, additional testing, and recently received voluminous discovery.

Current Regulations and Thermal Heating

46. The guidelines set by ICNIRP and the National Radiological Protection Board (NRPB), and which are followed by the United States' FCC, are amongst the least protective in the world. Being thermally based – no account whatsoever is given to the effect of the electric and magnetic of the wave interacting with the physiology of the body – it is very unlikely, if not impossible, for any person to receive warming of the body with exposure exceeding the guidelines, if this person

is not sitting right on top of the transmitter. Guidelines in units of microwatts per cm², the maximum level for 1,800 MHz transmitters, 1,000 of these units. By contrast, Russia and China have a total maximum of 10 of these units, $\mu\text{W}/\text{cm}^2$, Toronto has a maximum of 6 $\mu\text{W}/\text{cm}^2$ and in Salzburg, the limit is 0.1 $\mu\text{W}/\text{cm}^2$. The June 2000 International Conference at Salzburg, consisting of 19 of the world's top scientists in this field, set the level at 0.1 units.

47. The EU Parliament on September 4, 2008, by 522 votes to 16, stated that the 'ICNIRP guidelines were obsolete and out of date.' Mast Action UK - Legal Services (2010).

48. By way of example, Russia has recommended the banning of children under 16 from using cell phones when possible.

49. As a result of research that documents the harmful effects of MW radiation on fetuses, the British government warned in the cell phone handbook under 'safety,' that pregnant women should not have a cell phone near the abdomen, children under 16 should avoid carrying phones near their abdomen, like boys in their trouser pockets, and children should text rather than phone. The handbook recommends that if they do phone, they use hands-free, so the phone is away from the head; that, if one is going to make a long call, one should use a landline telephone; and that the phone should never be closer than 0.98 inch from the body. The government advice for children is 'essential calls only' to avoid exposure to MW radiation. See Statz, P., The Cell Phone Handbook: Everything You Wanted to Know About Wireless Telephony (But Didn't Know Whom or What to Ask) (1999) <http://www.amazon.com/Cell-Phone-Handbook-Everything-Telephony/dp/1890154121>.

50. These international bodies', NRPB's and ICNIRP's, guidelines are based purely on thermal effects. Looking at scientific papers, most of the rest of the world disagrees with this assessment. Dr. Cletus Kanavy, Chief of the Biological Effects Group of the Phillips Laboratory's Electromagnetic Effects Division at Kirkfield Air Force Base in New Mexico, says there is a 'Large amount of data, both animal, experimental and human clinical to support the existence of

chronic, non-thermal effects * * * these include behavioural, neural, fetal, blood, metabolic, endocrine and immune problems.'

51. Professor Adey, a Fellow of the US American Academy of Scientists and a distinguished visitor of the Royal Society of Medicine said of his own research, in parallel with similar studies in Russia in the early 1980s, that they showed that radio frequency and microwave radiation affected enzyme systems that regulate growth and the division of white blood cells.

52. Clearly there are experts worldwide, both in military-intelligence and from Universities, from the long before Cold War to the present, who have shown that microwave radiation below thermal effects can impinge on human and other living organisms' physiologic functions.

Pulse and Modulation

53. Carrier waves may be used to carry information (video or audio data) that can be superimposed on them by modulation.

54. Sometimes academic arguments arise where the word 'pulsing' is not used and a word like 'modulated' substituted. Theoretically, there can be very little difference between a modulated wave and a pulsed wave.

55. Scientists argue over what constitutes a modulation or pulse. A modulation is a superimposition of data upon a carrier wave; modulations are usually connected with an infinitesimally thin thread of 'energy.' A pulse has no such attachment to the following pulse. A reader may wonder why this distinction is relevant. Scientists specializing in this field blame pulsed microwaves for various biological reactions within our cellular structures, which may then cause illness and impairment.

56. Further arguments suggest that there is no biological difference between a frequency modulated transmission or pulse when it comes to resonance with our cyclotronic and circadian rhythms.

57. Transmissions may be directional or isotropic (equal in all directions), may be analogue (with continuously variable quantity e.g. spatial position) or digital (sometimes called 'frequency-modulated'). However, all transmissions are electromagnetically propagated. In the world of nuclear and atomic physics, electronic switches can make tens of millions of decisions a second; and all transmissions travel at the speed of light.

58. Transmissions can be increased by possibly up to 40 percent, with side lobe technology. Vector mathematics can demonstrate whether any of these transmissions are incident upon another transmitted wave, such as a low-frequency radio wave, as there can be a piggy-back effect (constructive interference).

59. The Health Council of the Netherlands Radio Frequency Radiation Committee says in its 200 page 1997 report, concerning frequencies of 300 Hz to 300 GHz: 'The experimental data indicate that the effects of EM fields occur at lower power densities when the object is exposed to pulsed electromagnetic fields.' In other words, you will get impairments and illnesses quicker if the microwaves are pulsed. Health Council of the Netherlands: Radiofrequency Radiation Committee, *Radiofrequente elektromagnetische velden (300 Hz – 300 GHz)*, at 134 (1997).

60. Professor Salford at Lund University in Sweden has shown in his work in the year 2000 that pulsing can alter the permeability of the blood/brain barrier in rats. This would reasonably occur in human brains as well, and could have profound effects on brain function.

61. The Freiburger Appeal (2002), as previous mentioned, says, 'One can no longer evade these pulsed microwaves. They heighten the risk of already present chemical/physical influences, stress the body's immune system and can bring the body's still functioning regulatory mechanisms to a halt. Pregnant women, children, adolescents, elderly and sick people are especially at risk.'

62. Assimilating knowledge from the Cold War and other sources, I accumulated a plethora of data describing how pulsed / modulated microwaves interfere with our cellular biochemistry.

Believing the communications industry to be spiralling out of control with its new innovations, I published my list on the Internet in the hope that the industry and policymakers would take note. (*The Communications Industry is in the position where it is spiralling out of any person's ability to control it*, An open letter from Barrie Trower (undated); <http://omega.twoday.net/search?qBarry+Trower>; <http://www.mastsanti.org>),

Transduction

63. I will try to summarise the thousand or so research papers written over the last 20 or so years and explain or summarise what happens when the electric and magnetic part of the wave goes into our bodies. We, being water-based animals, act like aerials to these waves. As the waves penetrate our bodies, an electric current is generated inside our bodies, which is how aerials work. Waves come in and electricity is generated. The electricity generated in our bodies, like all electric currents, goes to ground through our bodies; and like all electric currents, it takes the path of least resistance. Unfortunately, the path of least resistance through our bodies, although only representing 10 percent of our pathways, carries 90 percent of our traffic rather like the M1 motorway. The traffic in our bodies, namely hormones, antibodies and neurotransmitters, know where they are going because they also carry an electric charge. The hormones, antibodies and neurotransmitters know where to 'get off' the pathway, because there is a corresponding opposite charge at the site of delivery – rather like the positive and negative ends of a battery. The problem is, if you have an electric current passing through the body it can change this charge, either on the hormones, antibodies or neurotransmitters, or at the site of delivery.

64. A similar effect is that the destination for some of these hormones, neurotransmitters, and antibodies is a surface of a cell where chemicals will pass through a membrane into a cell. If you think of a cell in our body, be it a brain cell, bone cell, etc., as having a positive and negative charge on the outside and the inside similar to a battery the difference in these charges will draw

the chemical into the cell or draw poisonous substances out of the cell. If the charge is changed on the outside of the cell, then necessary chemicals may not go in or poisonous chemicals may not go out.

Children

65. WI-FI in a classroom is more powerful energy than having a cell tower 300m away. It makes no sense to have WI-FI in the class, especially where cell masts are disallowed.

66. My position as scientific advisor requires that I read and translate papers from all around the world, and, I have never, ever, no matter which country I lecture in, which paper I have read, I have never seen a single scientist brave enough to submit for peer review a safety level of microwave radiation for a child or embryo. There is not one that exists. Last year I lectured in six countries. When I'm in a country I challenge on TV the industry and the government to produce a scientist who will come on air with me and cite a safe level for children. In 12 years, no one has ever come forward.

67. Children act like antennas and absorb more radiation than adults because they are smaller, and their very dimensions approximate the deployment's wavelength. See example of humans acting as antennae: Cohn G, Morris D, Patel S, Tan D, *Your Noise is My Command: Sensing Gestures Using the Body as an Antennae*, http://research.microsoft.com/en-us/um/redmond/groups/cue/publications/chi2011_rfgestures_cohn.pdf:

A basic receiving antenna can be thought of as an apparatus that converts electromagnetic waves into electrical current * * * It turns out that the human body is also a very effective antenna over a broad frequency range. As an electrical conductor, when exposed to electromagnetic fields, it behaves as an antenna with a frequency resonance determined by various factors including height, posture, etc.

68. Children are not merely small adults. They are physiologically and neurologically immature; their systems have not yet formed. Microwave radiation alters the blood-brain barrier

so that toxins leak into the brain. This can cause neurologic and psychologic amongst many other problems more easily in children. A child's immune system, which fights off infection, takes 18 years to develop. Additionally, 122 layers of protein – myelin – insulate the electrically generated signals used by the nervous system to control muscles and organs. These layers of protein take 22 years to develop. MW radiation has been shown to affect protein synthesis. This could lead to muscular dystrophy-like symptoms in later life.

69. I have always predicted that any school that allows itself to be 'bathed' in microwaves from whatever source will see its sicknesses rise and behaviour fall. I have received many phone calls to confirm this. In all of the schools I have visited around the world with WI-FI, every one has reported the same symptoms in students: fatigue, headaches, nausea, chest pain, vision problems. I argue that one could experience from microwave radiation psychologic problems, with increase in aggression and other bad behaviour, as well as reduced immune symptoms, leading to more and longer colds and coughs, depression, anxiety, bad behaviour and suicidal tendencies from sleep deprivation and finally – leukaemia.

70. The effects of microwaves will continue long after the children are exposed at school. A study has been carried out on children using an ordinary microwave transmitter, a cell phone. What it found was that after just two minutes' use of a cell phone, the children had their natural brain waves disrupted for up to two hours thereafter. This is called long-term potentiation, and it can last up to six weeks.

71. Research suggests children and women (females have more complex hormone-based systems to be disrupted than males) exhibit more vulnerability to illnesses from MW irradiation than do adult males.

72. The problem with young girls is that microwave irradiation has been shown to damage the genetic structure in their ovaries. Girls are born with all of the eggs they need in their ovaries at

birth. They are immature eggs, hence susceptible to damage during growth. *Microwaves are genotoxic* (experiments can be linked to children showing low-level mobile telephony radiation disrupts the biochemistry of follicle cells in a mammalian egg chamber), hence the microwaves irradiation could affect the genetic structure within the eggs. The problem here is that the mitochondrial DNA, the genes inside the ovaries, is irreparable.^{[1][2][3]} If you have a little girl in whom there is damage through this mechanism to the genetic structure in one of her eggs, and she has a daughter, that daughter will carry that genetic problem. It is irreparable. And her daughter in turn will carry that genetic problem, because it is irreparable. And every female *forever*, in that line, will carry that problem in perpetuity, because it is irreparable. Attached as Addendum 'A' is a diagram further explaining this process.

73. I believe the most important research I have read is from Dr. Goldsworthy, *The biological effects of weak electromagnetic fields* (2007), <http://tinyurl.com/2nfuj>; also, a.goldsworthy@imperial.ac.uk. Dr. Goldsworthy not only shows the mechanism by which microwaves disrupt cells, but also predicts that a genetically damaged sperm and egg can lead to mutant offspring. If you think of children with these transmitters near their laps, the question must be, 'Why do this for the sake of a piece of cable and a plug, which could replace WI-FI with no loss of performance, and in fact improved performance?'

¹ Acharya, PVN; The Effect of Ionizing Radiation on the Formation of Age-Correlated Oligo Deoxyribo Nucleo Phospheryl Peptides in Mammalian Cells; 10th International Congress of Gerontology, Jerusalem. Abstract No. 1; January 1975. Work done while employed by Dept. of Pathology, University of Wisconsin, Madison.

² Acharya, PVN; Implications of The Action of Low-Level Ionizing Radiation on the Inducement of Irreparable DNA Damage Leading to Mammalian Aging and Chemical Carcinogenesis.; 10th International Congress of Biochemistry, Hamburg, Germany. Abstract No. 01-1-079; July 1976. Work done while employed by Dept. of Pathology, University of Wisconsin, Madison.

³ Acharya, PV Narasimh; Irreparable DNA-Damage by Industrial Pollutants in Pre-mature Aging, Chemical Carcinogenesis and Cardiac Hypertrophy: Experiments and Theory; 1st International Meeting of Heads of Clinical Biochemistry Laboratories, Jerusalem, Israel. April 1977. Work conducted at Industrial Safety Institute and Behavioral Cybernetics Laboratory, University of Wisconsin, Madison.

74. This represents permanent, low-level microwave damage, and it also involves the induction of chronic nitrosative and oxidative stress.

Warnke, http://www.hese-project.org/de/emf/WissenschaftForschung/Warnke_Dr.%20rer.%20nat_Ulrich/20050219_VortragDrWarnke.pdf (2005) (in German, English translation in progress). It is known that chronic nitrosative/oxidative stress damages the mitochondria, the 'powerhouses' of each cell in the body. Mitochondropathy is at the root of many of today's chronic illnesses, such as MS, Alzheimers, Parkinsons, Fibromyalgia Diabetes, Artherosclerosis and Obesity. Kuklinski, http://www.kpu-berlin.de/For_Neu_Kuklinski_1_en.html (2004). Even more disturbingly, when chronic nitrosative and oxidative stress is present, irreversible mitochondrial DNA damage will occur sooner or later (see also Kuklinski, http://www.kpu-berlin.de/For_Neu_Kuklinski_1_en.html (2004)). The mitochondrial DNA is ten times more susceptible to nitrosative / oxidative stress than is the DNA in the cell nucleus. Whilst regular cell DNA has built-in repair mechanisms, mitochondrial DNA is irreparable, due to its low histone protein content. The mitochondropathy is therefore irreversibly transmitted to the children by the maternal egg cell, causing cumulative irreparable damage to future generations.

75. There is no known safe level of MW irradiation for an embryo, a fetus, a child or a pregnant woman.

Electro-hyper-sensitivity

76. The World Health Organization (WHO) recognizes and describes electro-hyper-sensitivity. Electro-hyper-sensitivity can be compared to a food allergy that exposes the person to great harm on each occasion that the food is absorbed. If a food received this much adverse publicity from research all over the world, it would be immediately taken off the shelf.

77. In Sweden, it is published that 3.15 percent of its population is medically recognized and registered as being handicapped from electro-hyper-sensitivity. This number is comparable in California and it is believed to be similar in Australia. The Irish Doctors' Association believes this figure may actually be as high as 15 percent.

Experimentation

78. In 2008, the European Parliament wrote to its 27 countries urging them to ignore WHO guidelines and set exposure limits at lower levels. Ries, *European Parliament 2004-2009 Commission on the Environment. Public Health and Food Safety*, 2008/2211/INI (translation by www.nexyt-up.org) Editor: Frederique Ries (2008). In response, the WHO (which only began studying microwave radiation effects on children in 2009) stated it will not comment on microwave radiation effects on people until 2015, when it will be able to establish effects on human beings. Their researchers are watching people to see how many will become sick. We are being experimented upon.

The Cumulative Dose

79. Professors Sosskind, Provsnitz, Lai, and Cherry and a Russian International Medical Commission have all warned about the cumulative effect of these microwaves. See, Effects of chronic microwave irradiation on mice, S Prausnitz & C Susskind, 1962.

80. Professor Sosskind and Provsnitz write, 'An accumulated cellular level damage mechanism is not necessarily related to the intensity but can relate to total dose.' This is not surprising; a property of electromagnetic radiation exposure is that the effects are cumulative. By way of example, if we go out on a cloudy day we can still get sunburned, it just takes longer.

81. In the report *Mobile telephones, their base stations and health*, from the French Health General Directorate, January (2001), they warn of the cumulative exposure over the lifetime of a child. This body concluded with an interesting sentence stating, 'Biological

effects occur at energy levels that do not cause any rise in local temperature.’ As it may be argued that biological effects may not be hazardous, *the responsibility for this decision concerning children should lay with the parents*, guardians or those in loco-parentis and not the school.

82. Based upon a review of the Mount Tabor School WI-FI Floor Plan, schoolchildren will be exposed to as much as 30-40 hours per week of constant, digitally encoded pulsed WI-FI signals from each wireless device in the child’s vicinity, in addition to the infrastructure, making the cumulative exposure over a child’s lifetime successively higher.

83. When reviewing this case, it occurred to me to compare the relative cumulative dose of WI-FI in the classrooms with a commonly known device that emits the same frequencies. That device is a microwave oven. Both WI-FI and microwave ovens operate at a frequency of ~2.4 GHz. An average WI-FI transmitter operates on 0.2 J/s [0.2 Watts] power. Therefore, if using only 20 computer/laptop transmitters in a classroom, there is a combined 4 J/s [4 Watts]. A typical microwave oven (output) is 800 J/s [800 Watts] (magnetron input equals 1,200 J/s [1,200 Watts]). A classroom equals 4 J/s [4 Watts]; a microwave oven 800 J/s [800 Watts]. A ratio of 1:200. Thus, if WI-FI is used in morning and afternoon sessions, and if 200 seconds in a classroom (at 4 J/s [4 Watts]) equals 1 second inside a microwave oven (at 800 J/s [800 Watts]), then over a school day a child or adult receives the equivalent of 2 minutes in a microwave oven, 10 minutes per week.⁴

⁴ It should be noted these calculations will vary according to the following factors:

- i. There can be approximately 13 mathematical variations to wave formulae;
- ii. The $1/d^2$ rule will apply to distance;
- iii. The wall transmitter and main transmitter are not included/calculated;
- iv. Constructive interference patterns are not calculated;
- v. WI-FI sets and transmitters in nearby classrooms are not included/calculated; and
- vi. Reflective materials are unknown: i.e. wall insulation.

To understand fully the actual exposures, a reading will be taken in a classroom with 20 or more fully operational

84. As a final word about cumulative dose, it must be stressed that a long-low exposure can be more dangerous than a short-high exposure. By way of example, as I wrote in my published paper (co-written with Scientist Andrea Klein), *Wireless Laptops and Their Transmitters Using Microwaves in Schools*, <http://www.mastsanity.org/wifi/17/154-wireless-laptops-and-their-transmitters-using-microwaves-in-schools-a-report-by-barrie-trower.html>, Permanent low-level microwave exposure can induce chronic nitrosative/oxidative stress; hence damage to mitochondrial DNA.

Conclusion

85. There is a simple solution, use a cable and a plug or fibre optic cable to deliver the Internet.

86. With all of this evidence pointing to physical, mental and long-term disorders even long into the future (including cancers and mutant newborns), is this honestly worth the risk to our next generations for the sake of just a few metres of wire and a plug. As shown, the dangers of low-level, below-thermal microwaves, have been known to governments for >50 years. I was educated in microwave technology by the Military (United Kingdom) in the early 1960's, and even then we were instructed of these dangers. Nothing has changed to suddenly make microwaves safe.

87. The evidence for adverse effects of low-level microwave irradiation is currently strong and grows stronger with each new study. Using a cabled Internet system does not increase exposure.

88. I ask you, if a drink were reported in the 1950's to cause cancer and other ill effects, and if countless reports and epidemiologic and toxicologic studies and expert associations since showed these reports to be correct, would you give this to your children to drink, knowing they have their whole lives ahead of them? So what is the difference? It is simple. This product, pulse-modulated microwave radiation from WI-FI, is backed and financed by the most powerful

computers and WI-FI transmission devices next to other classrooms (below, above, adjacent, etc.) with 20 or more fully operational transmission devices in each of those rooms.

industry on the planet. This is an industry that apparently does not have to prove its product is safe (unlike a drug company). Incredibly, the public is rather told to prove it is not! Thence take this industry to court with your list of impairments, illnesses, cancers, leukaemias, early deaths, etc.

89. Within the relevant scientific community, it is generally accepted that that many bioeffects and adverse health effects occur at far lower levels of radio wave and MW exposure where no measurable heating occurs; some effects are shown to occur at several hundred thousand times below the existing public guidelines.

90. In my opinion, Portland Public Schools' use of WI-FI is causing and will continue to cause AHM, other students, and school staff and faculty adverse health effects, and should be discontinued immediately.

Dated this 21st day of December 2011.

/s/ Barrie Trower

BARRIE TROWER

LONG-TERM EXPOSURE TO MICROWAVE RADIATION PROVOKES CANCER GROWTH: EVIDENCES FROM RADARS AND MOBILE COMMUNICATION SYSTEMS

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In this review we discuss alarming epidemiological and experimental data on possible carcinogenic effects of long term exposure to low intensity microwave (MW) radiation. Recently, a number of reports revealed that under certain conditions the irradiation by low intensity MW can substantially induce cancer progression in humans and in animal models. The carcinogenic effect of MW irradiation is typically manifested after long term (up to 10 years and more) exposure. Nevertheless, even a year of operation of a powerful base transmitting station for mobile communication reportedly resulted in a dramatic increase of cancer incidence among population living nearby. In addition, model studies in rodents unveiled a significant increase in carcinogenesis after 17–24 months of MW exposure both in tumor-prone and intact animals. To that, such metabolic changes, as overproduction of reactive oxygen species, 8-hydroxy-2-deoxyguanosine formation, or ornithine decarboxylase activation under exposure to low intensity MW confirm a stress impact of this factor on living cells. We also address the issue of standards for assessment of biological effects of irradiation. It is now becoming increasingly evident that assessment of biological effects of non-ionizing radiation based on physical (thermal) approach used in recommendations of current regulatory bodies, including the International Commission on Non-Ionizing Radiation Protection (ICNIRP) Guidelines, requires urgent reevaluation. We conclude that recent data strongly point to the need for re-elaboration of the current safety limits for non-ionizing radiation using recently obtained knowledge. We also emphasize that the everyday exposure of both occupational and general public to MW radiation should be regulated based on a precautionary principles which imply maximum restriction of excessive exposure.

Key Words: non-ionizing radiation, radiofrequency, tumor, risk assessment, safety limits, precautionary principle.

Dramatic increase
in cancer in nearby
population after
only 1 year exposure

INTRODUCTION

Electromagnetic radiation (EMR) became one of the most significant and fastest growing environmental factors due to intensive development of communication technologies during the last decades. Currently, according to expert estimations, the level of electromagnetic radiation from artificial sources exceeds the level of natural electromagnetic fields by thousand folds. The active development of mobile communication technologies over the world will only raise this level further. In this connection the problem of possible adverse effects of anthropogenic EMR on human health and particularly strictest assessment of possible carcinogenic effects of EMR is extremely important.

In August 2007 an international working group of renowned scientists and public health experts released a report on electromagnetic fields (EMF) and human

health [1]. It raised a serious concern about safety limits for public electromagnetic irradiation from power lines, cell phones, radars, and other sources of EMF exposure in daily life. The authors concluded that the existing public safety limits were inadequate to protect public health. Moreover, very recently a vast number of new extremely important studies in this field have been published. Importantly, nowadays the problem is discussed on highest political level over the world. It appears that the most sound political document in Europe is a European Parliament Resolution from April 2, 2009 (www.europarl.europa.eu), where the direct appeals to activate the research and business strategy for effective solving of the problem over the member states were indicated.

In this review we would like to analyze the results of studies on specific biological effects of microwaves (MW), both epidemiological and experimental that deal with cancer promotion by long term low intensity microwave irradiation of human/animal beings. We will concentrate on unequivocal studies and will not analyze ambiguous data. For additional analysis of microwave risks we can recommend recently published reviews [2–10].

MICROWAVES OF RADARS AND MOBILE COMMUNICATION SYSTEMS

Microwaves are non-ionizing electromagnetic radiation. That means MW is a type of electromagnetic radiation which does not carry enough energy

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Abbreviations used: 8-OH-dG — 8-hydroxy-2-deoxyguanosine; EGF — epidermal growth factor; EMF — electromagnetic field; EMR — electromagnetic radiation; ERK — extracellular-signal-regulated kinase; GSM — Global System for Mobile communication; ICNIRP — International Commission on Non-Ionizing Radiation Protection; MW — microwaves; NHL — Non-Hodgkin lymphoma; ODC — ornithine decarboxylase; OER — observed/expected ratio; OR — odds ratio; ROS — reactive oxygen species; SAR — specific absorption rate; SIR — standardized incidence ratio; SMR — standardized mortality ratio; WHO — the World Health Organization.

quency. For example, for GSM–900 MHz standard ICNIRP safety limit will be calculated as $450 \mu\text{W cm}^2$ [11].

It is important to note that ICNIRP recommendations have no legal validity, as it is only a recommendation. Each country has their own national legislation in the field of electromagnetic safety, and national limits are rather different in different countries. Some countries such as the USA and Germany conformed national EMR limits to ICNIRP recommendation. Other countries have much tougher national limits as compared with ICNIRP guidelines. For example, for GSM–900 MHz standard MW safety limits are: in Italy, Russia and China — $10 \mu\text{W cm}^2$, in Switzerland — $4 \mu\text{W cm}^2$, in Ukraine — $2.5 \mu\text{W cm}^2$ [1]. As we can see, some countries, including Ukraine, have extremely strict national safety limits. Such national positions are explained first of all by long-term national research traditions in a field of electromagnetic biology, and on experience in studying the non-thermal biological effects of this kind of radiation. On the other hand, some countries like Switzerland follow a strict precautionary principle (Better protect than sorry).

RADAR RADIATION AND CANCER PROMOTION

Substantial military and occupational data indicate a significant effect of pulse microwaves on cancer development and other pathological conditions in human. Accordingly, a statistically significant increase in immature red blood cells among workers exposed to a radar was reported [15]. In addition, radar-exposed workers had significantly lower levels of leukocytes and thrombocytes than workers distant from MW sources.

Among Polish soldiers (128 thousand personnel subjects aged from 20 to 59 years), soldiers of 20–29 years old exposed to radar microwaves during 1970–1979 had cancer incidence rates 5.5 folds higher than non-exposed soldiers [16]. The greatest rise of cancer cases was detected in blood-forming organs and lymphatic tissues: by 13.9 folds for chronic myelocytic leukemia and 8.6 folds for myeloblastic leukemia. The level of mortality among all exposed personnel was significantly higher than in unexposed: for colorectal cancer (observed-expected ratio, OER 3.2; 95 %), for cancer of esophagus and stomach (OER 3.2; 95 %), cancer of blood-forming system and lymphatic tissues (OER 6.3; 95 %) [17].

Almost two times more cases of cancer were indicated in the high-exposed American naval personnel served during the Korean War (1950–1954) as compared with the low-exposed subjects among 40 thousands of personnel [18]. Death rates for aviation electronic technicians, the group with the highest exposure rate, were significantly higher than those for the other personnel during the following years up to 1974 [15].

A very substantial increase in cancer incidence was also detected in commercial airline pilots. Thus, the standardized incidence ratio (SIR) for malignant melanoma cases was 10.2; 95.5 % for pilots of com-

mercial airlines in Iceland [19]. Significantly increased risks of acute myeloid leukemia (SIR 5.1), skin cancer, excluding melanoma (SIR 3.0) and total cancer (SIR 1.2) were observed also among Danish male jet pilots [20]. These data have been explained as a result of excess cosmic ionizing radiation or even excessive sun radiation during a leisure time. However, analysis of brain cancers among US Air Force personnel has revealed that non-ionizing radiation and particularly MW had significant effect on cancer development (odds ratio, OR 1.38; 95%), whereas ionizing radiation had negative association with cancer cases (OR 0.58; 95 %) [21]. To that, standardizing mortality ratio (SMR) for brain tumors was 2.1; 95 % among German male cockpit crew members (6,017 people) [22]. Cancer risk was significantly raised (risk ratio 2.2; 95%) among cockpit crew members employed for 30 years as compared to those employed for less than 10 years. In addition, Non-Hodgkin's lymphoma (NHL) was also increased (SMR 4.2; 95%) among male cabin crew members (20,757 people). Importantly, any increase in cancers associated with ionizing (cosmic) radiation was not detected in this cohort study.

In another report, six incident cases of testicular cancer occurred within a cohort of 340 police officers between 1979 and 1991 in Seattle, Washington, observed/expected ratio was 6.9; $p < 0.001$ [23]. Occupational use of hand-held radar was the only shared risk factor among all six officers, and all had a routine habit of keeping the radar gun directly in close proximity to their testicles. Similarly, in Ontario, Canada risk assessment among police officers exposed to radar devices for speed measurement (1,596 females and 20,601 males) revealed an increased risk among men for testicular cancer (SIR 1.3) and for melanoma (SIR 1.45; 95 %) [24].

In another study, eighty seven persons working with radars (and 150 matched control) were divided into risk groups according to frequencies of MW (200 KHz to 26 GHz) and power density ($8 \mu\text{W cm}^2$ to $300 \mu\text{W cm}^2$) [15]. Three specific radiation cataracts in persons working with extremely high MW exposure were identified. Lens changes were associated with level of exposure in different risk groups.

Other occupational studies revealed the highest risk ratio (2.6) for acute myelogenous leukemia in radio and radar operators among all occupational groups studied [25]. In addition, excessive risk for breast cancer was detected (SIR 1.5) among Norwegian female radio and telegraph operators (2,619 women) with potential exposure to radio frequency (405 kHz—25 MHz) [26].

RADIATION FROM MOBILE COMMUNICATION SYSTEMS AND CANCER PROMOTION

Cell phones. A significant increase of risk of particular brain tumors in long-term (10 years or more) users of cell phones and cordless phones has been detected in series of epidemiological studies of Swedish oncologist Prof. L. Hardell with colleagues [27–33].

It is important that for a short-term use of cell phones similar effects were absent or less evident [4].

The risk of development of high-grade glioma has increased in more than 3 times (OR 3.1; 95 % for bilateral users of cell phones and in more than 5 times (OR 5.4; 95%) for ipsilateral users after 10 years of using [34].

The risk of development of acoustic neuroma for bilateral users of cell phones was OR 2.9; 95% and OR 3.5; 95 % for ipsilateral users after 10 years of using [29].

Notably, the highest risk of brain tumors has been detected in the youngest users of cell phones (20–29-yr) among all analyzed age groups (20–80 years old), with OR 5.91; 95% for ipsilateral use of cell phones. The highest risk was associated with more than 5-year using period in the 20–29-yr age group for analog cell phones (OR 8.17; 95%) [28].

International multiyear Interphone project conducted under the management of the World Health Organization and substantially supported by industry, was an interview-based case-control study with 2708 glioma and 2409 meningioma cases and matched controls, conducted in 13 countries using a common protocol [35]. The results of study were rather controversial. For example, authors were forced to declare "a reduced odds ratio related to ever having been a regular mobile phone users was seen for glioma (OR 0.81; 95 %) and meningioma (OR 0.79; 95 %), possibly reflecting participation bias or other methodological limitations." However, significantly increased risks of tumors development in "heavy" users of cell phones (with more than 1640 hours of using during less than four years) have been revealed in this study: for meningioma OR 4.8; 95 %, for glioma OR 3.77; 95% as compared with the matched controls [35]. One thousand and six hundred forty hours per four years means about one hour per day of a cell phone use. In this connection we can point to our data [36] that indicates amount of time which Ukrainian students (like students in other countries?) spend talking via cell phones every day. Our findings indicated that more than a half of them spend over one hour per day, and more than a quarter of them spend over two hours per day talking via cell phones every day.

Parotid gland, like a human brain, is another potential target for cell phone MW radiation during cell phone talks without hands-free devices. Thus, a study done by an Israeli team has indicated an association between a cell phone use and parotid gland tumors [37]. This study comprised 402 benign and 58 malignant cases of parotid gland tumors diagnosed in Israelis at age over 18 years in 2001–2003. The risk of parotid malignant tumors in intensive users of cell phones (for users with more than 5,479 hours of a use during less than five years) were OR 2.26; 95%. Recently new data have been published that totally a 4-fold increase of parotid malignant tumors in Israel during 1970–2006 took place, whereas other salivary glands tumors had been almost on a stable level

during that period of time [38]. Previously, a Finnish study has revealed the OR 5.0; 95% for salivary gland cancer among all Finland digital cell phone subscribers compared with control population after one-two years of a cell phone use [39].

The odds ratio for Non-Hodgkin's lymphoma of T-cell, cutaneous and leukemia types has been found for analogue-cell-phone users as 3.4; 95%; for digital-phone users 6.1; 95 %; and for cordless-phone users 5.5; 95% by L. Hardell group [40]. An American study indicated OR 1.6; 95 % for NHL in users of cell phones with a period of use over eight years [41].

Uveal melanoma (in analysis of 118 cases with uveal melanoma and 475 controls in Germany) has been indicated to have odds ratio 4.2; 95% for people probable/certain exposed to cell phone radiation [42].

Testicular cancer (seminoma) risk had odds ratio 1.8; 95% for men keeping a cell phone during "stand by" in ipsilateral trousers pocket [43]. The results have been based on 542 cases of seminoma in Sweden.

Base transmitting stations. During the last decades more than one and half million base transmitting stations for mobile communication have been installed over the world. However, the World Health Organization suggested a priority to study effects mainly of cell phones, while discouraging studies on the effects of transmitting stations (with an exception of years 2003–2006 when WHO recommended studies of possible effects of radiation of transmitting stations as well) [44]. This is probably the main reason why only a few publications on this particular problem can be found to date [45–49].

The comparison of cancer cases among people living up to 400 m from base transmitting station and people living further than 400 m from station during 1994–2004 was carried out in Germany [48]. A total increase of cancer cases among people living nearby to transmitting station over the control population was 1.26 times during the first five-year period (1994–1998), and 3.11 times during the second five-year period (1999–2004) of operation of the station. Particularly, in the second period the increase of cancer cases was statistically significant both as compared with the population from more distant area and with the expected background incidence.

Population (n=622) living in the area nearby (up to 350 m) the cell phone base transmitting station (850 MHz, 1500 watt of full power) during one year of operation and matched individuals (n=1222) from other area have been compared in Israel [47]. There were 4.15 times more cases of cancer in transmitted station area than in the rest of a city. Relative cancer rates for females were 10.5 for close to station area, 0.6 for control area and 1 for the whole town. Cancer incidence of women in close to base station area was significantly higher ($p < 0.0001$) as compared with the control area and the whole city. Keeping in mind that very significant increase in a number of cancer cases took place during only one year period, the authors of the study suggested that MW could provoke latent

cases of cancer in inhabitants of the area nearby transmitting station.

French and Spanish researchers also revealed that inhabitants living near base station for mobile communication (up to 300 m) developed significantly higher rates of many subjective symptoms of health like headache, fatigue, sleep disorder, depression as compared with the matched control from distant area [49, 50].

RODENT MODEL OF CANCER PROMOTION BY MICROWAVES

A highly representative research has been carried out at the University of Washington, Seattle commissioned by US Air Force [51]. The experimental rats (100 animals) were exposed during 24 months at 21.5 hours per day to 2,450-MHz pulsed microwaves at 800 pps with a 10 μ s pulse width. The pulsed microwaves were square-wave modulated at 8 Hz. An average SAR was 0.4 W/kg for a 200-g rat. It was a model of long-term irradiation of Air Force pilots to pulsed microwaves of radar systems. Totally 155 indexes of metabolisms were checked out during the study. As a result, the most expressive effect of long-term MW irradiation of animals was a dramatic increase in a level of cancer cases. In total, 3.6 folds more cancer cases were detected in irradiated animals than in matched control. Lymphoma cases were diagnosed in the irradiated animals 4.5 times more often than in the control group. In addition, benign tumors of adrenal were detected seven folds more often in the irradiated animals than in the control.

In the next study under US Air Force contract, 200 female C3H/HeJ mice were exposed for 21 months (22 h/day, 7 days/week) to a horizontally polarized 435 MHz pulse-wave (1.0 ps pulse width, 1.0 kHz pulse rate) RF radiation environment with an incident power density of 1.0 mW/cm² (SAR 0.32 W/kg), while 200 mice were sham-exposed [52]. Although under the conditions of this study, an exposure of mice prone to mammary tumors did not affect the incidence of mammary tumors, when compared with the controls, some other tumor cases increased markedly. For example, bilateral cases of ovary epithelial stromal tumor raised by five folds; multiple cases of hepatocellular carcinoma, raised 3 folds, and adrenal gland tumor cases (total) raised 1.63 folds.

In the third published study of this series [53] the same prone-mammary tumor mice were irradiated during 20 months to continuous wave 2450 MHz MW radiation with SAR from 0.3 to 1 W/kg (20 h/day, 7 days/week). A hundred mice were exposed, while 100 mice were used as sham-exposed. As a result, the exposed mice had higher level of mammary tumors (1.27 folds), and higher total level of all types of tumor (1.38 folds) as compared with sham-exposed; the difference between groups was statistically insignificant. Meanwhile, multiple mammary tumor cases occurred in exposed mice twice more frequently than in sham exposed.

In other study mice with high incidence of spontaneous breast cancer and mice treated with 3,4-benzopyrene (BP) were irradiated to continuous wave 2,450 MHz microwaves in an anechoic chamber at 5 or 15 mW/cm² (2 hours daily, 6 sessions per week, 3 months) [54]. Irradiation with MW at either 5 or 15 mW/cm² resulted in acceleration of development of BP-induced skin cancer. Microwaves-exposed mice with high incidence of spontaneous breast cancer developed breast tumors earlier than control. Authors indicated that the promotion of cancer development and lowering of natural antineoplastic resistance was similar in mice exposed to MW at 5 mW/cm² and chronically stressed by confinement, but level of cancer cases in animals exposed to 15 mW/cm² was significantly higher as compared to chronically stressed by confinement control.

And in well-known study of M. Ripacholi et al. (1997) transgenic mice moderately predisposed to develop lymphoma spontaneously have been used for exposure to MW of 900 MHz, with pulse repetition frequency of 217 Hz, incident power densities of 2.6–43 W/m², and average SAR of 0.13–1.4 W/kg [55]. One group of mice (101 females) has been exposed for two 30-min periods per day during 18 months. Another group of mice (100 females) has been a sham-exposed control. Lymphoma risk was significantly higher, more than twice, in the exposed mice than in the matched control (OR 2.4; 95 %). In particular, follicular lymphoma was the major contributor to the increased tumor incidence.

MICROWAVES AND CELL METABOLISM

Free radical species, including reactive oxygen species (ROS), is an intrinsic feature of cell metabolism [56–58]. But disturbance of redox balance, uncontrolled activation of free radical processes, overproduction of ROS and/or suppression of antioxidant defense in cell often are the important signals of some hazardous changes in cell metabolism [59, 60]. That is why data indicated oxidative effect of some factor is extremely important in risk-assessment research.

A significant increase of ROS and nitrogen oxide generation in cells under non-thermal intensities of MW has been detected both in vivo [61–67] and in vitro [68–72]. Possibilities of mitochondrial and membrane NADH oxidase dependent ways of ROS generation in exposed cells have been suggested [71, 72]. Accordingly, it was found that the first step in MW (875 MHz, 0.07 mW/cm²) interaction with model cells (Rat1 and HeLa) was mediated in the plasma membrane by NADH oxidase, which can rapidly (during the minutes) generate ROS [72]. ROS directly stimulate matrix metalloproteinases and allow them to cleave and release heparin-binding epidermal growth factor (EGF). This secreted factor activates the EGF receptor, which in turn activates the extracellular-signal-regulated kinase (ERK) cascade and thereby induces transcription and other cellular pathways. On the other hand, on the model of purified human

spermatozoa exposed to MW (1.8 GHz, SAR from 0.4 W/kg to 27.5 W/kg) a significant overproduction of ROS in mitochondria was detected, along with a significant reduction in motility and vitality of spermatozoa [71]. All observed effects were significantly correlated with SAR levels, suggesting that significant effects of MW exposure occurred under non-thermal levels of MW.

Therefore, MW can induce cellular oxidative stress, which in turn can cause cancer stimulation [57, 59]. To that, it is known nowadays that in addition to damage via oxidative stress, ROS in cells can play a role of a secondary messenger for certain intracellular signaling cascades which can induce oncogenic transformation [60].

DNA damage in cells exposed to low-intensity microwaves both *in vivo* and *in vitro* was demonstrated during the last years in more than 50 independent studies [73]. The most often method used for detection of DNA damage after the MW exposure was alkaline Comet Assay. A statistically significant increase of both single strand and/or double strand breaks of DNA has been detected in humans [74, 75], animal models [76–79] and cell cultures [76, 80–83] exposed to low intensity microwaves.

Recently, an oxygen damage of DNA in human spermatozoa through formation of 8-hydroxy-2-deoxyguanosine (8-OH-dG) under non-thermal microwaves irradiation *in vitro* has been demonstrated [71].

Consequently, as DNA mutation is a critical step in carcinogenesis and increased level of 8-OH-dG takes place in many tumors [60], the possibility of MW to initiate oxidative damage of DNA is extremely dangerous signal for risk-assessment studies.

Ornithine decarboxylase (ODC) significantly changes its activity under conditions of non-thermal microwave exposure [84–88]. It was one of the first markers of carcinogenesis revealed to be activated under the low intensity microwaves exposure. ODC is involved in processes of cell growth and differentiation, and its activity is raised in tumor cells. Although overexpression of ODC is not sufficient for transformation of normal cells into tumorigenic ones, an increased activity of the enzyme was shown to promote the development of tumors from pre-tumor cells [89].

DISCUSSION AND CONCLUSIONS

In this review we presented evidences for carcinogenic effects of low intensity microwaves. Both epidemiological and experimental data led us to a conclusion that at least under certain conditions the exposure to long term low intensity MW can lead to tumorigenesis. Supporting evidences come from statistically significant epidemiological data based either on long-term analysis, e.g., on mortality of US Navy personnel in 20 years after exposure during the Korean War [15], or on relatively short, one year exposure, e.g., by base transmitting station for mobile communication in Israel [47]. In the latter case we fully agree with the authors that MW exposure most likely results in acceleration

of pre-existed cancer development. It is of note here that the same conclusion was drawn in epidemiological research on fast increase cancer incidence among adult population in Colorado exposed to extremely low frequency radiation [90].

The main shortcoming of the most epidemiological data, both in military studies and in mobile communication risk assessment, is a lack of a strict dose measurement of exposure. We strongly suggest that in the forthcoming epidemiological studies the correct measurement of intensity and dosage of exposure should be obligatory. The example of a large-scale epidemiological research employing personal MW dosimeters can be found in recent studies in Germany [91–94]. On the other hand, we also realize that the levels of the MW exposure in contemporary epidemiological studies, at least in those which deal with mobile communication systems, were within the official "safety limits" set by appropriate national standards and ICNIRP recommendations. Therefore, taking into account the reviewed data, we conclude that the relatively long-term (e.g., 10 years) exposure to microwaves emitted from mobile communication devices operating within "safety limits" set by current regulating bodies can be considered as a potential factor for promotion of cancer growth. Indeed, in the most studies on rodents the intensity of MW exposure was appropriately measured, and in majority of them the MW intensity was below ICNIRP safety limits. Nevertheless, majority of these studies to a greater or lesser extent demonstrated obvious carcinogenic effects after long term exposure (up to 24 months). This further emphasizes that at least under certain conditions the exposure to both pulsed and continuous MW with intensities below the current official "safety limits" can indeed promote cancer development.

In addition, experimental evidences of involvement of typical markers of carcinogenesis like overproduction of reactive oxygen species or formation of 8-OH-dG under conditions of MW exposure further indicate potential danger of this type of radiation for human health. It is important to emphasize here that experimental data, especially obtained in studies *in vitro* often reveal significant biological effects even after short-term (e.g., only a few minutes) [72] and/or extremely weak intensity of exposure to MW (by several orders of magnitude lower than in ICNIRP recommendations) [95]. Taking these data into account we strongly suggest that currently used "thermal" assessment of potential hazards of MW exposure is far from being appropriate and safe.

Taken together, we state here that nowadays there is enough convincing data to appropriately assert that the long-term exposure to low intensity electromagnetic microwaves can indeed promote cancer development. To that, the official recommendations by ICNIRP and safety limits set by many national regulatory bodies for technical devices emitting microwave radiation, first of all for mobile communication systems, must be re-assessed according to the recent alarming

data; and additional studies for unprejudiced risk assessment must be carried out. At present, we strongly suggest for a wide implementation of precautionary principle for everyday microwave exposure that implies maximum restriction of excessive exposure.

CONFLICT OF INTEREST

The authors declare no conflict of interest.

ACKNOWLEDGMENTS

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Electromagnetic Radiation Safety

Scientific and policy developments regarding the health effects of electromagnetic radiation exposure cell phones, cell towers, Wi-Fi, Smart Meters, and other wireless technology

Monday, August 7, 2017

Cell Tower Health Effects

Federal regulations protect the public only from the thermal (i.e., heating) risk due to short-term exposure to high intensity, cell tower radiation. The Federal regulations ignore the hundreds of studies that find harmful bio-effects from long-term exposure to non-thermal levels of cell phone radiation.

The Telecommunications Act of 1996 does not allow communities to stop the siting of cell towers for health reasons. Nevertheless, landlords may be liable for any harm caused by cell phone radiation emitted by towers situated on their property.

Localities need to organize and change the Federal law to protect public health and wildlife from exposure to microwave radiation emitted by mobile phone base stations.

Following are some resources regarding the health effects of exposure to cell tower radiation. I will occasionally update this page.

Related posts

- Major newspaper editorials oppose 5G "small cell antennas"
- Is 5G Cellular Technology Harmful to Our Health?
- Electromagnetic Hypersensitivity
- Wireless Radiation TV News

Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations

Zothansiam, Zosangzuali M, Lalramdinpuli M, Jagetia GC. Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations. Electromagn Biol Med. 2017 Aug 4:1-11. doi: 10.1080/15368378.2017.1350584.

Abstract

Radiofrequency radiations (RFRs) emitted by mobile phone base stations have raised concerns on its adverse impact on humans residing in the vicinity of mobile phone base stations. Therefore, the present study was envisaged to evaluate the effect of RFR on the DNA damage and antioxidant status in cultured human peripheral blood lymphocytes (HPBLs) of individuals residing in the vicinity of mobile phone base stations and comparing it with healthy controls. The study groups matched for various demographic data including age, gender, dietary pattern, smoking habit, alcohol consumption, duration of mobile phone use and average daily mobile phone use.

The RF power density of the exposed individuals was significantly higher ($p < 0.0001$) when compared to the control group. The HPBLs were cultured and the DNA damage was assessed by cytokinesis blocked micronucleus (MN) assay in the binucleate lymphocytes. The analyses of data from the exposed group ($n = 40$), residing within a perimeter of 80 meters of mobile base stations, showed significantly ($p < 0.0001$) higher frequency of micronuclei (MN) when compared to the control group, residing 300 meters away from the mobile base station/s.

The analysis of various antioxidants in the plasma of exposed individuals revealed a significant attrition in glutathione (GSH) concentration ($p < 0.01$), activities of catalase (CAT) ($p < 0.001$) and superoxide dismutase (SOD) ($p < 0.001$) and rise in lipid peroxidation (LOO) when compared to controls. Multiple linear regression analyses revealed a significant association among reduced GSH concentration ($p < 0.05$), CAT ($p < 0.001$) and SOD ($p < 0.001$) activities and elevated MN frequency ($p < 0.001$) and LOO ($p < 0.001$) with increasing RF power density.

<https://www.ncbi.nlm.nih.gov/pubmed/28777669>

My note

All of the recorded RFR power density values in this study were well below the Federal Communication Commission's maximum permissible exposure limits in the U.S. for the general population. These limits are 6,000 mW/m² [milliwatts per square meter] for 900 MHz and 10,000 mW/m² for 1800 MHz radiofrequency radiation. In contrast, the highest recorded value in this study was 7.52 mW/m² of RFR. The "exposed individuals" who resided within 80 meters of a cell antenna received an average of 5.00 mW/m² of RFR in their bedrooms.

Excerpts



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Electromagnetic Radiation Safety

- Welcome to EMR Safety
- Index
- Cell phone cancer risk: Spin vs. Fact
- Tips to Reduce Your Wireless Radiation Exposure
- Latest News

Archive

- ▼ 2017 (39)
 - October (2)
 - September (11)
 - ▼ August (5)
 - Recent Research on WiFi Effects
 - Female Infertility & Cell Phone Radiation
 - Key Cell Phone Radiation Research Studies
 - 5G Wireless Technology: Millimeter Wave Health
 - Cell Tower Health Effects
 - July (2)
 - June (2)
 - May (4)
 - April (8)
 - March (2)
 - February (1)
 - January (2)
- 2016 (34)
- 2015 (33)
- 2014 (11)
- 2013 (41)

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RFR may change the fidelity of DNA as the increased incidence of cancer has been reported among those residing near mobile phone base stations (Abdel-Rassoul et al., 2007; Borkiewicz et al., 2004; Cherry, 2000; Eger et al., 2004; Hardell et al., 1999; Hutter et al., 2006; Wolf and Wolf, 2004). RFR emitted from mobile base stations is also reported to increase the DNA strand breaks in lymphocytes of mobile phone users and individuals residing in the vicinity of a mobile base station/s (Gandhi and Anita, 2005; Gandhi et al., 2014). Exposure of human fibroblasts and rat granulosa cells to RFR (1800 MHz, SAR 1.2 or 2 W/kg) has been reported to induce DNA single- and double-strands breaks (Diem et al., 2005). Irreversible DNA damage was also reported in cultured human lens epithelial cells exposed to microwave generated by mobile phones (Sun et al., 2006). The adverse health effects of RFR are still debatable as many studies indicated above have found a positive correlation between the DNA damage and RFR exposure; however, several studies reported no significant effect of RFR on DNA strand breaks and micronuclei formation in different study systems (Li et al., 2001; Tice et al., 2002; McNamee et al., 2003; Maes et al., 2006). The potential genotoxicity of RFR emitted by mobile phone base stations can be determined by micronucleus (MN) assay, which is an effective tool to evaluate the genotoxic or clastogenic effects of physical and chemical agents. This technique has also been used to quantify the frequencies of radiation-induced MN in human peripheral blood lymphocytes (HPBLs) (Fenech and Morley, 1985; Jagetia and Venkatesha, 2005; Prosser et al., 1988; Yildirim et al., 2010).

Six mobile phone base stations, operating in the frequency range of 900 MHz (N = 2) and 1800 MHz (N = 4), erected in the thickly populated areas of Aizawl city were selected for the present study... The power output of all the base stations is 20 W, with their primary beam emitting radiation at an angle of 20°. Power density measurements (using HF-60105V4, Germany) were carried out in the bedroom of each participant where they spent most of the time and hence have the longest constant level of electromagnetic field exposure. Power density measurement was carried out three times (morning, midday and evening), and the average was calculated for each residence around each base station. The main purpose of the measurement of power density was to ensure that RFR emission from each site did not exceed the safe public limits and to determine any difference in power density between selected households that were close to (within 80 m) and far (>300 m) from the mobile phone base stations. The safety limits for public exposure from mobile phone base stations are 0.45 W/m² for 900 MHz and 0.92 W/m² for 1800 MHz frequency as per Department of Telecommunications, Ministry of Communications, Government of India, New Delhi guidelines (DoT, 2012).

... some residences are located horizontally with the top of the towers from which RFR are emitted, making it possible to get an exposure at a short distance of 1–20 m, despite being erected on the rooftop or in the ground. A minimum of two individuals were sampled from each household and at least five individuals were sampled around each mobile base station. Individuals sampled around each base station were matched for their age and gender (Table 1). The exposed group consisted of 40 healthy individuals who fulfilled the inclusion criteria of being above 18 years of age and residing in the vicinity of mobile phone base stations (within 80 m radius). The control group comprised of 40 healthy individuals matched for age and gender who had been living at least 300 m away from any mobile phone base stations.... Sampling was also done only from those residences who did not use microwave oven for cooking, Wifi devices and any other major source of electromagnetic field as they are known to cause adverse effects (Atasoy et al., 2013; Avendaño et al., 2012).

The groups matched for most of the demographic data such as age, gender, dietary pattern, smoking habit, alcohol consumption, mobile phone usage, duration of mobile phone use and average daily mobile phone use (Table 2). A highly significant variation ($p < 0.0001$) was observed for the distance of household from the base station (40.10 ± 3.02 vs. 403.17 ± 7.98 m) between exposed and control groups.

The RF power density of the exposed group ($2.80\text{--}7.52$ mW/m²; average 5.002 ± 0.182 mW/m²) was significantly higher ($p < 0.0001$) when compared to the control group ($0.014\text{--}0.065$ mW/m²; average 0.035 ± 0.002 mW/m²). The highest power density was recorded at a distance of 1–20 m (6.44 ± 0.31 mW/m²), which is significantly higher ($p < 0.0001$) than those at a distance of 21–40 m (4.79 ± 0.33), 41–60 m (4.48 ± 0.22) and 61–80 m (4.61 ± 0.10).

The highest measured power density was 7.52 mW/m². Most of the measured values close to base stations (Table 1) are higher than that of the safe limits recommended by Bioinitiative Report 2012 (0.5 mW/m²), Salzburg resolution 2000 (1 mW/m²) and EU (STOA) 2001 (0.1 mW/m²). However, all the recorded values were well below the current ICNIRP safe level (4700 mW/m²) and the current Indian Standard (450 mW/m²).

The exact mechanism of action of RFR in micronuclei induction and reduced antioxidant status is not apparent. The possible putative mechanism of generation of DNA damage may be the production of endogenous free radicals due to continuous exposure. RFR has been reported to produce different free radicals earlier (Avci et al., 2009; Burlaka et al., 2013; Barcal et al., 2014; Kazemi et al., 2015). Cells possess a number of compensatory mechanisms to deal with ROS and its effects. Among these are the induction of antioxidant proteins such as GSH, SOD and CAT. Enzymatic antioxidant systems function by direct or sequential removal of ROS, thereby terminating their activities. An imbalance between the oxidative forces and antioxidant defense systems causes oxidative injury, which has been implicated in various diseases, such as cancer, neurological disorders, atherosclerosis, diabetes, liver cirrhosis, asthma, hypertension and ischemia (Andreadis et al., 2003; Comhair et al., 2005; Dhalla et al., 2000; Finkel and Holbrook, 2000; Kasparova et al., 2005; Sayre et al., 2001; Sohal et al., 2002). Because of the significant decrease in endogenous antioxidants and increased LOO among the exposed group, the extra burden of free radicals is unlikely to get neutralized, and these surplus ROS may react with important cellular macromolecules including DNA forming either DNA adducts or strand breaks, which may be later expressed as micronuclei once the cell decides to divide. The decline in the antioxidant status may be also due to the suppressed activity of Nrf2 transcription factor which is involved in maintaining the antioxidant status in the cells.

The present study has reported that [radiofrequency radiation] increased the frequency of [micronuclei] and [lipid peroxidation] and reduced [glutathione] contents, [catalase] and [superoxide dismutase] activities in the plasma of the exposed individuals. The induction of [micronuclei] may be due to the increase in free-radical production. The present study demonstrated that staying near the mobile base stations and continuous use of mobile phones damage the DNA, and it may have an adverse effect in the long run. The persistence of DNA unrepaired damage leads to genomic instability which may lead to several health disorders including the induction of cancer.

Biological effects from exposure to electromagnetic radiation emitted by cell tower base stations and other antenna arrays

Levitt BB, Lai H. Biological effects from exposure to electromagnetic radiation emitted by cell tower base stations and other antenna arrays. *Environmental Reviews*.18: 369–395 (2010) doi:10.1139/A10-018.

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Abstract

The siting of cellular phone base stations and other cellular infrastructure such as roof-mounted antenna arrays, especially in residential neighborhoods, is a contentious subject in land-use regulation. Local resistance from nearby residents and landowners is often based on fears of adverse health effects despite reassurances from telecommunications service providers

that international exposure standards will be followed.

Both anecdotal reports and some epidemiology studies have found headaches, skin rashes, sleep disturbances, depression, decreased libido, increased rates of suicide, concentration problems, dizziness, memory changes, increased risk of cancer, tremors, and other neurophysiological effects in populations near base stations.

The objective of this paper is to review the existing studies of people living or working near cellular infrastructure and other pertinent studies that could apply to long-term, low-level radiofrequency radiation (RFR) exposures. While specific epidemiological research in this area is sparse and contradictory, and such exposures are difficult to quantify given the increasing background levels of RFR from myriad personal consumer products, some research does exist to warrant caution in infrastructure siting. Further epidemiology research that takes total ambient RFR exposures into consideration is warranted.

Symptoms reported today may be classic microwave sickness, first described in 1978. Nonionizing electromagnetic fields are among the fastest growing forms of environmental pollution. Some extrapolations can be made from research other than epidemiology regarding biological effects from exposures at levels far below current exposure guidelines.

Excerpts

[Note: As of July 9, 2017, www.antennasearch.com, an industry website, reports 646,000 towers and 1.89 million cell antennas in the U.S.]

In lieu of building new cell towers, some municipalities are licensing public utility poles throughout urban areas for Wi-Fi antennas that allow wireless Internet access. These systems can require hundreds of antennas in close proximity to the population with some exposures at a lateral height where second- and third-story windows face antennas. Most of these systems are categorically excluded from regulation by the U.S. Federal Communications Commission (FCC) or oversight by government agencies because they operate below a certain power density threshold. However, power density is not the only factor determining biological effects from radiofrequency radiation (RFR).

An aesthetic emphasis is often the only perceived control of a municipality, particularly in countries like America where there is an overriding federal preemption that precludes taking the "environmental effects" of RFR into consideration in cell tower siting as stipulated in Section 704 of *The Telecommunications Act of 1996* (USFCC 1996). Citizen resistance, however, is most often based on health concerns regarding the safety of RFR exposures to those who live near the infrastructure. Many citizens, especially those who claim to be hypersensitive to electromagnetic fields, state they would rather know where the antennas are and that hiding them greatly complicates society's ability to monitor for safety.

Industry representatives try to reassure communities that facilities are many orders of magnitude below what is allowed for exposure by standards-setting boards and studies bear that out (Cooper et al. 2006; Henderson and Bangay 2006; Bornkessel et al. 2007). These include standards by the International Commission on Non-Ionizing Radiation Protection (ICNIRP) used throughout Europe, Canada, and elsewhere (ICNIRP 1998). The standards currently adopted by the U.S. FCC, which uses a two-tiered system of recommendations put out by the National Council on Radiation Protection (NCRP) for civilian exposures (referred to as uncontrolled environments), and the International Electricians and Electronics Engineers (IEEE) for professional exposures (referred to as controlled environments) (U.S. FCC 1997). The U.S. may eventually adopt standards closer to ICNIRP. The current U.S. standards are more protective than ICNIRP's in some frequency ranges so any harmonization toward the ICNIRP standards will make the U.S. limits more lenient.

All of the standards currently in place are based on RFRs ability to heat tissue, called thermal effects. A longstanding criticism, going back to the 1950s (Levitt 1995), is that such acute heating effects do not take potentially more subtle non-thermal effects into consideration. And based on the number of citizens who have tried to stop cell towers from being installed in their neighborhoods, laypeople in many countries do not find adherence to existing standards valid in addressing health concerns. Therefore, infrastructure siting does not have the confidence of the public (Levitt 1998).

The intensity of RFR decreases rapidly with the distance from the emitting source; therefore, exposure to RFR from transmission towers is often of low intensity depending on one's proximity. But intensity is not the only factor. Living near a facility will involve long-duration exposures, sometimes for years, at many hours per day. People working at home or the infirm can experience low-level 24 h exposures. Nighttimes alone will create 8 hour continuous exposures. The current standards for both ICNIRP, IEEE and the NCRP (adopted by the U.S. FCC) are for whole-body exposures averaged over a short duration (minutes) and are based on results from short-term exposure studies, not for long-term, low-level exposures such as those experienced by people living or working near transmitting facilities. For such populations, these can be involuntary exposures, unlike cell phones where user choice is involved.

The U.S. FCC has issued guidelines for both power density and SARs. For power density, the U.S. guidelines are between 0.2–1.0 mW/cm²...

At 100–200 ft (about 30–60 meters) from a cell phone base station, a person can be exposed to a power density of 0.001 mW/cm² (i.e., 1.0 μW/cm²)....

For the purposes of this paper, we will define low-intensity exposure to RFR of power density of 0.001 mW/cm²

Many biological effects have been documented at very low intensities comparable to what the population experiences within 200 to 500 ft (~60–150 m) of a cell tower, including effects that occurred in studies of cell cultures and animals after exposures to low-intensity RFR. Effects reported include: genetic, growth, and reproductive; increases in permeability of the blood-brain barrier; behavioral; molecular, cellular, and metabolic; and increases in cancer risk....

Ten years ago, there were only about a dozen studies reporting such low-intensity effects; currently, there are more than 60. This body of work cannot be ignored. These are important findings with implications for anyone living or working near a transmitting facility. However, again, most of the studies in the list are on short-term (minutes to hours) exposure to low-intensity RFR. Long-term exposure studies are sparse. In addition, we do not know if all of these reported effects occur in

humans exposed to low-intensity RFR, or whether the reported effects are health hazards. Biological effects do not automatically mean adverse health effects, plus many biological effects are reversible. However, it is clear that low-intensity RFR is not biologically inert. Clearly, more needs to be learned before a presumption of safety can continue to be made regarding placement of antenna arrays near the population, as is the case today.

... The previously mentioned studies show that RFR can produce effects at much lower intensities after test animals are repeatedly exposed. This may have implications for people exposed to RFR from transmission towers for long periods of time.

... The conclusion from this body of work is that effects of long-term exposure can be quite different from those of short-term exposure.

Since most studies with RFR are short-term exposure studies, it is not valid to use their results to set guidelines for long-term exposures, such as in populations living or working near cell phone base stations.

Numerous biological effects do occur after short-term exposures to low-intensity RFR but potential hazardous health effects from such exposures on humans are still not well established, despite increasing evidence as demonstrated throughout this paper. Unfortunately, not enough is known about biological effects from long-term exposures, especially as the effects of long-term exposure can be quite different from those of short-term exposure. It is the long-term, low-intensity exposures that are most common today and increasing significantly from myriad wireless products and services.

People are reporting symptoms near cell towers and in proximity to other RFR-generating sources including consumer products such as wireless computer routers and Wi-Fi systems that appear to be classic "microwave sickness syndrome," also known as "radiofrequency radiation sickness." First identified in the 1950s by Soviet medical researchers, symptoms included headache, fatigue, ocular dysfunction, dizziness, and sleep disorders. In Soviet medicine, clinical manifestations include dermatographism, tumors, blood changes, reproductive and cardiovascular abnormalities, depression, irritability, and memory impairment, among others. The Soviet researchers noted that the syndrome is reversible in early stages but is considered lethal over time (Tolgskeya et al. 1973).

The present U.S. guidelines for RFR exposure are not up to date. The most recent IEEE and NCRP guidelines used by the U.S. FCC have not taken many pertinent recent studies into consideration because, they argue, the results of many of those studies have not been replicated and thus are not valid for standards setting. That is a specious argument. It implies that someone tried to replicate certain works but failed to do so, indicating the studies in question are unreliable. However, in most cases, no one has tried to exactly replicate the works at all.... In addition, effects of long-term exposure, modulation, and other propagation characteristics are not considered. Therefore, the current guidelines are questionable in protecting the public from possible harmful effects of RFR exposure and the U.S. FCC should take steps to update their regulations by taking all recent research into consideration without waiting for replication that may never come because of the scarcity of research funding. The ICNIRP standards are more lenient in key exposures to the population than current U.S. FCC regulations. The U.S. standards should not be "harmonized" toward more lenient allowances. The ICNIRP should become more protective instead. All standards should be biologically based, not dosimetry based as is the case today.

Exposure of the general population to RFR from wireless communication devices and transmission towers should be kept to a minimum and should follow the "As Low As Reasonably Achievable" (ALARA) principle. Some scientists, organizations, and local governments recommend very low exposure levels — so low, in fact, that many wireless industries claim they cannot function without many more antennas in a given area. However, a denser infrastructure may be impossible to attain because of citizen unwillingness to live in proximity to so many antennas. In general, the lowest regulatory standards currently in place aim to accomplish a maximum exposure of 0.02 V/m, equal to a power density of 0.0001 $\mu\text{W}/\text{cm}^2$, which is in line with Salzburg, Austria's indoor exposure value for GSM cell base stations. Other precautionary target levels aim for an outdoor cumulative exposure of 0.1 $\mu\text{W}/\text{cm}^2$ for pulsed RF exposures where they affect the general population and an indoor exposure as low as 0.01 $\mu\text{W}/\text{cm}^2$ (Sage and Carpenter 2009). In 2007, *The BioInitiative Report, A rationale for a biologically based public exposure standard for electromagnetic fields (ELF and RF)*, also made this recommendation; based on the precautionary principle (BioInitiative Report 2007).

Citizens and municipalities often ask for firm setbacks from towers to guarantee safety. There are many variables involved with safer tower siting — such as how many providers are co-located, at what frequencies they operate, the tower's height, surrounding topographical characteristics, the presence of metal objects, and others. Hard and fast setbacks are difficult to recommend in all circumstances. Deployment of base stations should be kept as efficient as possible to avoid exposure of the public to unnecessary high levels of RFR. As a general guideline, cell base stations should not be located less than 1500 ft (~500 m) from the population, and at a height of about 150 ft (~50 m). Several of the papers previously cited indicate that symptoms lessen at that distance, despite the many variables involved. However, with new technologies now being added to cell towers such as Wi-Max networks, which add significantly more power density to the environment, setback recommendations can be a very unpredictable reassurance at best. New technology should be developed to reduce the energy required for effective wireless communication.

In addition, regular RFR monitoring of base stations should be considered....

Table 1. List of studies reporting biological effects at low intensities of radiofrequency radiation (RFR).

Reference	Frequency	Form of RFR	Exposure duration	SAR (W/kg)	Power density ($\mu\text{W}/\text{cm}^2$)	Effects reported
Balmain (2010) (in vivo)	88.5-1875.0 MHz	Cell phone base station emission	2 months		3.25	Retarded development
Belyaev et al. (2006) (in vitro)	915 MHz	GSM	24, 48 h	0.037		Genetic changes in human white blood cells
Belyaev et al. (2009) (in vitro)	915 MHz, 1947 MHz	GSM, UMTS	24, 72 h	0.037		DNA repair mechanism in human white blood cells
Blackman et al. (1980) (in vitro)	50 MHz	AM at 16 Hz		0.0014		Calcium in forebrain of chickens
Bosco et al. (2001) (in vitro)	500 KHz-2 GHz	TV broadcast			0.5	Immunological system in women
Campisi et al. (2010) (in vitro)	900 MHz	CW (CW = no effect observed)	14 days, 5, 10, 20 min per day		26	DNA damage in human glial cells
Cappi et al. (2004) (in vitro)	900 MHz	AM at 50 Hz GSM	1 h/day, 3 days	0.07		A slight decrease in cell proliferation when human immune cells were stimulated with mitogen and a slight increase in the number of

Chiang et al. (1989) (in vivo) (human whole body)	Lived and worked close to AM radio and radar installations for more than 1 year			10	cells with altered distribution of phosphatidylserine across the membrane
de Ponsatel et al. (2003) (in vitro)	1 GHz		24, 48 h	0.015	
D'Inzeo et al. (1986) (in vitro)	10.75 GHz	CW	90–120 s	0.008	People lived and worked near AM radio antennas and radar installations showed deficit in psychological and short-term memory tests
Dutta et al. (1964) (in vitro)	915 MHz	Sinusoidal AM at 16 Hz	30 min	0.05	Protein damages
Dutta et al. (1989) (in vitro)	147 MHz	Sinusoidal AM at 10 Hz	30 min	0.004	Operation of acetylcholine-related ion channels in cells. These channels play important roles in physiological and behavioral functions
Ferenko et al. (1999) (in vivo) (mouse: wavelength in unit range)	From 8.15–18 GHz		5 h to 7 days (direction of response depended on exposure duration)	1	Increase in calcium efflux in brain cancer cells
Fregues et al. (2006) (in vitro) (mouse whole body)	1800 MHz	GSM, 217 Hz pulses, 576 μ s pulse width	2 h/day, 10 days	0.018	Change in immunological functions
Guler et al. (2010) (in vitro) (rabbit whole body)	1800 MHz	AM at 217 Hz	15 min/day, 7 days	52	Increase in serum testosterone
Holland et al. (1997) (in vivo) (human partial or whole body)	Military radars			10	Oxidative lipid and DNA damages in the brain of pregnant rabbits
Iwaschuk et al. (1997) (in vitro)	836.55 MHz	TDMA	20 min	0.025	Sperm counts of Danish military personnel, who operated mobile ground-to-air mobile units that use several RFR emitting radar systems, were significantly lower compared to references
Jech et al. (2001) (in vitro) (human partial body exposure: neuroleptic patients)	900 MHz	GSM – 217 Hz pulses, 577 μ s pulse width	45 min	0.06	A gene related to cancer
Kesari and Bhatnagar (2009) (in vitro) (rat whole body)	50 GHz		2 h/day, 45 days	0.0008	Improved cognitive functions
Kesari and Bhatnagar (2010) (in vitro) (rat whole body)	50 GHz		2 h/day, 45 days	0.0008	Double strand DNA breaks observed in brain cells
Kesari et al. (2010) (in vitro) (rat whole body)	2450 MHz	50 Hz modulation	3 h/day, 35 days	0.11	Reproductive system of male rats
Kwone et al. (2001) (in vitro)	900 MHz	GSM	20 min	0.0021	DNA double strand breaks in brain cells
Lebedeva et al. (2006) (in vitro) (human partial body)	902.4 MHz	GSM	20 min	60	Increased stress protein in human epithelial amnion cells
Lerchl et al. (2008) (in vitro) (hamster whole body)	38.1 MHz, 900 and 1800 MHz	TETRA, GSM	24 h/day, 60 days	0.08	Brain wave activation
Margus and Xenos (1997) (in vitro) (mouse whole body)	900 MHz	TV and FM radio	Exposure over several generations	0.168	Metabolic changes
Munn et al. (1998) (in vitro) (human whole body)	900 MHz	GSM pulse modulated at 217 Hz, 577 μ s width	8 h	20	Decrease in reproductive function
Maricelli et al. (2004) (in vitro)	900 MHz	CW	2–48 h	0.0035	A transient increase in blood cortisol
Marková et al. (2008) (in vitro)	915 and 905 MHz	GSM	1 h	0.037	Cell's self-defense responses triggered by DNA damage
Navakutkian and Tomadcheykaya (1994) (in vitro) (rat whole body)	2450 MHz, 1000 MHz	CW (no effect observed) Pulse-modulated 2 μ s pulses at 400 Hz	Single (0.5–12 hr) or repeated (15–60 days, 7–12 h/day) exposure, CW-on effect	0.0027	Chromatin conformation in human white blood cells
Narby et al. (2008) (in vitro) (rat whole body)	900 MHz	GSM	2 h/week, 55 weeks	0.000	Behavioral and endocrine changes, and decreases in blood concentrations of testosterone and insulin
Novoselova et al. (1999) (in vitro) (mouse whole body – wavelength in unit range)	From 8.15–18 GHz		1 s sweep time – 16 ms reverse, 5 h	1	Reduced memory functions
Novoselova et al. (2004) (in vitro) (mouse whole body – wavelength in unit range)	From 8.15–18 GHz		1 s sweep time/6 ms reverse, 1.5 h/day, 30 days	1	Functions of the immune system
Panggiprasas et al. (2012) (in vitro) (fly whole body)	900 and 1800 MHz	GSM	6 min/day, 5 days	1–10	Decreased tumor growth rate and enhanced survival
Panggiprasas and Margarin (2010a) (in vitro) (fly whole body)	900 and 1800 MHz	GSM	6 min/day, 5 days	10	Reproductive capacity and induced cell death
Panggiprasas and Margarin (2010b) (in vitro) (fly whole body)	900 and 1800 MHz	GSM	1–21 min/day, 5 days	10	"Window" effect of GSM radiation on reproductive capacity and cell death
Pavlic and Tronc (2008) (in vitro)	864 and 935 MHz	CW	1–3 h	0.06	Reproductive capacity of the fly decreased linearly with increased duration of exposure
Perez-Castello et al. (2000) (in vitro)	9.6 GHz	90% AM	24 h	0.0054	Growth affected in Chinese hamster V79 cells
Persson et al. (1997) (in vitro) (mouse whole body)	915 MHz	CW and pulse-modulated (217 Hz, 0.57 ms; 50 Hz, 6.6 ms)	2–960 min; CW more potent	0.0004	Increased proliferation rate in human osteosarcoma cancer cells
Phillips et al. (1998) (in vitro)	813.5625 MHz, 836.55 MHz, 2.45 GHz	iDEN, TDMA	2, 21 h, 1 h	0.0024	Increase in permeability of the blood-brain barrier
Pologan-Morcu et al. (2002) (in vitro)	9.4 GHz	GSM (50 Hz pulses, 20 μ s pulse length)	1–3 days post-conium	0.0005	DNA damage in human leukocyte cells
Pyrasopoulos et al. (2004) (in vitro) (rat whole body)	990 MHz			7	Change in membrane of cells in the retina
Roux et al. (2006b) (in vitro) (plant whole body)	900 MHz			7	Exposure during early gestation affected kidney development
Salford et al. (2003) (in vitro) (rat whole body)	915 MHz	GSM	2 h	0.02	Gene expression and energy metabolism
Sarinov et al. (2004) (in vitro)	895–915 MHz	GSM	30 min	0.0054	Nerve cell damage in brain
Schwartz et al. (1995) (in vitro)	240 MHz	CW and sinusoidal modulation at 0.5 and 16 Hz; effect only observed at 16 Hz modulation	30 min	0.00015	Human lymphocyte chromatin affected similar to stress response
Schwartz et al. (2003) (in vitro)	1050 MHz	UMTS	24 h	0.05	Calcium movement in the heart
Somogyi et al. (1991) (in vitro)	2.45 GHz	CW and 16 Hz square-modulation, modulated field more potent than CW		0.024	Genes in human fibroblasts
Stagg et al. (1997) (in vitro)	836.55 MHz	TDMA duty cycle 3.3%	24 h	0.0059	Molecular and structural changes in cells of mouse embryos
Strunkiewicz et al. (2006) (in vitro)	900 MHz	GSM 217 Hz pulses, 577 ms width		0.024	Gloma cells showed significant increases in thymidine incorporation, which may be an indication of an increase in cell division
Tattersall et al. (2005) (in vitro)	700 MHz	CW	5–15 min	0.0016	Immune activities of human white blood cells
Velimirov et al. (1999) (in vitro)	900 MHz	GSM 217 Hz square-pulse, duty cycle 1.2%	30 min	0.00002	Function of the hippocampus
Veyen et al. (1991) (in vitro) (mouse whole body)	9.4 GHz	1 μ s pulses at 1000 tps, also with or without sinusoidal AM between 14 and 41 MHz; response only with AM; direction of response depended on AM frequency		0.015	Decrease in proliferation of human epithelial amnion cells
Vian et al. (2006) (in vitro) (plant)	900 MHz	Square-wave modulated at 217 Hz		7	Functions of the immune system
Volko et al. (1990) (in vitro)	900, 1500, 1800 MHz	CW, 10 Hz, 50 Hz, and 30 KHz modulations		0.001	Stress gene expression
Yurekli et al. (2005) (in vitro) (rat whole body)	915 MHz	GSM, 217 Hz pulse-modulation	7 h/day, 8 days	0.0113	Calcium concentration in ileum muscle cells of guinea pig

Notes: These papers gave either specific absorption rate (SAR, (W/kg)) or power density (W/m²) of exposure. (Studies that did not contain these values were excluded). AM, amplitude modulated or amplitude modulation; CW, continuous wave; GSM, global system for mobile communications; iDEN, integrated digital enhanced network; TDMA, time division multiple access; TE/TMA, terrestrial trunked radio; UMTS, universal mobile telecommunications system.

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Martens AL, Slotje P, Timmermans DR, Kromhout H, Reedijk M, Vermeulen RC, Smid T. Modeled and Perceived Exposure to Radio-Frequency Electromagnetic Fields From Mobile-Phone Base Stations and the Development of Symptoms Over Time in a General Population Cohort. *Am J Epidemiol*. 2017 Apr 7:1-10. <https://www.ncbi.nlm.nih.gov/pubmed/28398549>

Meo SA, Alsubaie Y, Almubarak Z, Almutawa H, AlQasem Y, Hasanato RM. Association of Exposure to Radio-Frequency Electromagnetic Field Radiation (RF-EMFR) Generated by Mobile Phone Base Stations with Glycated Hemoglobin (HbA1c) and Risk of Type 2 Diabetes Mellitus. *Int J Environ Res Public Health*. 2015 Nov 13;12(11):14519-14528. <http://www.mdpi.com/1660-4601/12/11/14519>

Sagar S, Dongus S, Schoeni A, Roser K, Eeftens M, Struchen B, Foerster M, Meier N, Adem S, Rössli M. Radiofrequency electromagnetic field exposure in everyday microenvironments in Europe: A systematic literature review. *J Expo Sci Environ Epidemiol*. 2017 Aug 2. <https://www.ncbi.nlm.nih.gov/pubmed/28766560>

Singh K, Nagaraj A, Yousuf A, Ganta S, Pareek S, Vishnani P. Effect of electromagnetic radiations from mobile phone base stations on general health and salivary function. *J Int Soc Prevent Communit Dent* 2016;6:54-9. <http://bit.ly/1USYGNs>

Waldmann-Selsam C, Balmori-de la Puente A, Breunig H, Balmori A. Radiofrequency radiation injures trees around mobile phone base stations. *Sci Total Environ*. 2016 Aug 20;572:554-569. <http://bit.ly/2cbXNBy>

Zothansiam, Zosangzuali M, Lalramdinpui M, Jagetia GC. Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations. *Electromagn Biol Med*. 2017 Aug 4:1-11. <https://www.ncbi.nlm.nih.gov/pubmed/28777669>

Resources

Campanelli & Associates, P.C. Cell tower lawyers. <http://www.anticelltowerlawyers.com/>

Center for Municipal Solutions. Excellent resource re: regulation of cell towers & wireless facilities. <http://bit.ly/1GX4mPY>

League of Minnesota Cities. Cell Towers, Small Cell Technologies & Distributed Antenna Systems. Nov 4, 2016. <http://bit.ly/2k5PQz0>

San Francisco Neighborhood Antenna-Free Union (SNAFU)
<http://www.antennafreeunion.org/neighborhoodaction.htm>

News

RCR Wireless News. Appeals Court rules that California cities have the right to block small cell based on aesthetic concerns. Sep 16, 2016. <http://bit.ly/2cE9GhN>

Rouhan Sharma. A Towering Problem. *Infrastructure Today*, Feb 2016. <http://bit.ly/1QcHSxO>

Special Correspondent. "Radiation levels of mobile towers should be cut." *The Hindu*. Feb 7, 2016. <http://bit.ly/1Pt5Sck>

"Stating that the current level of radiation (electromagnetic field, EMF) emitted by mobile phone towers was still high, Girish Kumar, Professor, Department of Electrical Engineering, IIT Bombay, on Saturday, urged the Centre to reduce the radiation level further.

The mobile tower radiation had been reduced [in India] from 45,000 milliwatt per square metre to 450 milliwatt a few years ago. It should be reduced to 10 milliwatt, he said"

Note: The FCC allows the American general public to be exposed to up to 5,800 milliwatts per square meter.

Lydia Beyoud. Not All 'Small Cells' Created Equal, Say Municipalities in Wireless Siting Rules Suit. *Bloomberg BNA*. Apr 27, 2015.
<http://www.bna.com/not-small-cells-n17179925917/>

"... the number of small cell and DAS installations is expected to grow exponentially in the next few years. As many as 37 million small cell installations could be in place by 2017, and up to 16 million distributed antenna system (DAS) nodes could be deployed by 2018, according to the FCC."

Joel Moskowitz. Press Release: Cell Tower Radiation Affects Wildlife: Dept. of Interior Attacks FCC. Mar 2014.
<http://www.saferemr.com/2014/03/dept-of-interior-attacks-fcc-regarding.html>

Ianthe Jeanne Dugan and Ryan Knutson. Cellphone Boom Spurs Antenna-Safety Worries. *Wall Street Journal*, Oct 2, 2014.
<http://www.wsj.com/articles/cellphone-boom-spurs-antenna-safety-worries-1412293055>



Labels: antenna, base station, cell tower, FCC, health effects, ICNIRP, Kumar, mobile phone, regulations, research, SB 649

Newer Post

Home

Older Post

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From: LJ Hansen
Date: Thu, Oct 5, 2017 at 2:54 PM
Subject: Amended and corrected Statement for the Record
To: "bennett@monterey.org" <bennett@monterey.org>

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PEEC DIVISION

Meeting ZA-10/5/17
Agenda Item # 1-12

REASONS I AM OPPOSED TO THE VERIZON ANTENNAS in MY MONTE VISTA NEIGHBORHOOD

1. There does not appear to be a gap in cellular coverage in my neighborhood. In talking to neighbors who have Verizon services, including my very own housemate, there is no gap in any reception or services with Verizon. Two people communicated to me this morning that their coverage is bad and they would like the cellular towers. One lives on Porta Vista and the other would not identify his location. Neither identified their cellular service as being Verizon.
2. Given those communications, I will amend my original statement to say that the overwhelming majority of people I have spoken with have nothing to gain from these antennas. Their service is fine and the only benefit for these towers will go to Verizon.
3. Monterey is 8.44 square miles in size. In using a map legend I am guesstimating now that Monte Vista neighborhood is roughly 1.2 square miles in size. Twelve or 13 towers in that small an area can only be characterized as a saturation which bears no relationship at all to residents need nor to the comfort of the people in the homes these antennas will be next to, nor to their neighbors who may or may not use Verizon. The Monte Vista neighborhood is so small & densely built that there is no place within that area where you can put an antenna that will not bring discomfort &, thus far, not yet calculated harm to families. The right of way placements are *effectively* inside people's living space and *effectively* on their properties.
4. Whether the FCC cares or not, I care about the health considerations these antennas bring with them. In shutting down or limiting these health considerations, the FCC just admits they're tired of the subject. It's just too much trouble to regulate for safe products so everyone just shut up about that. But each of us in Monterey using electronics & living around the power transmitters we have already installed, *are* still loaded down with the negative impacts of our electronics. When do we say "enough is enough"? I say we start now.
5. The City of Monterey has nothing to gain from these antennas. Verizon is the sole beneficiary of these impositions.
6. I am asking the City to deny the requested antenna-towers as unneeded & unhelpful to Monterey.

Lois Hansen 54 Via Ventura Monterey, CA 93940



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Meeting ZA - 10/5/17

Agenda Item # 1-12

Fwd: Questions at today's meeting?

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 2:24 PM

----- Forwarded message -----

From: **susan nine** <[REDACTED]>
Date: Thu, Oct 5, 2017 at 1:58 PM
Subject: Questions at today's meeting?
To: "bennett@monterey.org" <bennett@monterey.org>

Dear Mr. Bennett,

I understand the Public has been advised not to comment on health concerns, quoting studies, etc. at today's meeting. I do understand that these matters will not be relevant to making a decision. However, if applicants will be there to defend their application, I would hope they would be denied the opportunity to speak to the safety of their equipment, beyond repeating it meets FCC safety guidelines. To do so would give the appearance of a double standard, I think. I am also wondering whether there will be an opportunity to ask questions after your presentation. If you can find time to let me know, I would appreciate it.

Sincerely,
Susan Nine (nasusnine@hotmail.com)
Monterey Homeowner and Resident

Sent from my iPad

--

Todd Bennett
ext 3758



Meeting ZA-10/5/11
Agenda Item #1-12

Letter outlining strong legal basis for denial of these permits based on recent Calif.Appellate case that interprets Section 7901 of the California Public Utilities Code in favor of City control.

1 message

susan nine
To: Jenny Leinen <leinen@monterey.org>

Thu, Oct 5, 2017 at 9:41 AM

Dear Jenny,

Thank you very much for delivering my earlier letter to the appropriate parties. Although this additional letter is also addressed to Mr. Bennett, I would appreciate it also being distributed to the various individuals to whom you sent my previous letter.

Gratefully,
Susan Nine
373-4334

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October 5, 2017

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To: Zoning Administrator **Todd Burnett**
Fr: Monterey homeowner and resident, **Susan Nine**
Re: Objection to the approval of permits for towers

Dear Mr. Bennett,

Having read some of your responses to neighbors' inquiries, I have the impression that you believe that you are bound by the provisions of the Public Utility Code, section 7901 and speak as though you lack authority to deny the applications for 12 cellular towers to be placed in our Monte Vista neighborhood. However, are you familiar with the recently decided court case T-Mobile West LLC vs. City and County of San Francisco in which the Court of Appeal of the State of California, 1st Appellate District held that section 7901 is a limited grant of rights to telephone corporations, with a reservation of local police power that is broad enough to allow discretionary aesthetics-based regulation? The decision stated that the right of telephone corporations to construct telephone equipment in a public right-of-way is not absolute and that it has been observed by our Supreme Court that section 7901 grants a limited right to use the highways and does so only to the extent necessary for the furnishing of adequate services to the public.

In addition, the court noted section 2902 of the same code states that municipal corporations may not surrender to the Public Utility Commission its powers of control to supervise and regulate the relationship between a Public Utility and the general public in matters affecting public health, convenience and safety of the general public. Thus, the Public Utilities Code specifically contemplates potential conflicts between the rights of telephone corporations to install equipment in the public right of way, and the rights of cities to regulate local matters such as the location of poles and wires.

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The Court stated that 7901 unquestionably allows the city to condition approval of a particular wireless permit on aesthetic considerations. The plaintiff cellular company contended that 7901 impliedly preempted such local regulation by giving telephone corporations, "the power to install in the public right-of-way at such manner and at such points as not to incommode the public use of the road or highways or interrupt navigation of the waters." But the Court then focused its attention on the definition of incommode and accepted the dictionary definition as determinative and includes "inconvenience, discomfort, and disturbance beyond mere blockage." They also applied Webster's definition as of September 15, 2016 which defines "incommode" as to give inconvenience to, to give trouble to, to disturb or molest in the quiet enjoyment of something, denoting less than annoy, vex or harass." The Court put much emphasis on this stating, "It is an elementary rule of construction that effect must be given to every word, clause and sentence in a Statute."

The Court stated that a wireless facility might aesthetically incommode the public use if installed near to Coit Tower or the "Painted Ladies" neighborhood but present no similar incommmodation in other parts of an urban landscape.

This case is now legal precedent and is highly relevant and similar to the fact pattern here. The Monte Vista neighborhood which includes historic residential areas including Peter's Gate where I live, is mostly if not exclusively zoned residential. It is unique in its natural forested landscape where oaks and pines abound. It is a beautiful natural habitat where people and wildlife live in peace and harmony. This residential area is known and appreciated for its beauty and historical significance.

Aesthetically, cell phone antennas are completely incompatible here and will definitely incommode the residents, as in disturb the quiet

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enjoyment of, the public roadways in our neighborhood. This case interprets 7901 and affirms the right of cities such as ours to deny permits and require telephone companies to place such equipment in other parts of the urban landscape where there is no similar incommmodation.

I am a homeowner living within 300 feet of one of the proposed sites and I would experience every nuance of the word "incommode" and I believe the vast majority of my neighbors would concur. I hope this information proves to be of some interest and benefit in providing assurance to the City of Monterey that there is not an absolute right conferred by 7901 to cellular corporations, and that municipalities may selectively deny such permits on aesthetic and other grounds that would incommode the public use of right-of-ways.

I will also reiterate that other federal Court decisions surrounding this issue and based on TCA of 1996, have required a showing of a significant coverage gap, which means no signal and affecting many people over a wide area, and proof of no less invasive means, should a gap exist. A loss of property value is also a legitimate concern.

You can find the full text of the judgement for the case discussed above on line. <http://law.justia.com/cases/california/court-of-appeal/2016/a144252m.html>

Sincerely,
Susan Catherine Nine, JD



Fwd: Here's my Statement for the Record.

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 11:16 AM

----- Forwarded message -----

From: **LJ Hansen**
Date: Thu, Oct 5, 2017 at 9:56 AM
Subject: Here's my Statement for the Record.
To: "bennett@monterey.org" <bennett@monterey.org>

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See you at the meeting, Todd! Regards, Lois Hansen

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REASONS I AM OPPOSED TO THE VERISON ANTENNAS in MY MONTE VISTA NEIGHBORHOOD

1. There is no gap in cellular coverage in my neighborhood. In talking to neighbors who have Verizon services, including my very own housemate who is extremely vocal when things don't go his way, there is no gap in any reception or services with Verizon. The so-called service gap is simply non-existent. Rather, the gap Verizon wants to fill is in their pocket book.
2. The City of Monterey, not just Monte Vista neighborhood, has nothing to gain from these antennas. The gain will be for Verizon alone. And while I am deferring to call these products antennas, make no mistake: they ARE towers. They aren't cute little collapsible portable radio antennas. They are at least 2 ft tall, ten inches wide panels or cylindrical units, placed on the ground, in the ground, or overhead on power poles with other attachments. And they are powerful.
3. Monterey is 8.44 square miles in size. In using a map legend I am guesstimating now that Monte Vista neighborhood is roughly 1.2 square miles in size. Twelve or 13 towers in that small of an area can only be characterized as a saturation point which bears no relationship at all to need nor to the comfort of the people in the homes these antennas will be next to, nor to their neighbors who, by the way, care about the people at ground zero. Monte Vista is so small & densely built that there is no place within that area where you can put an antenna that will not bring discomfort &, thus far, uncalculated harm to families. Public right-of-way placement offers no mitigation. The placements are *effectively* inside people's living space and *effectively* on their properties.
4. Whether the FCC cares or not, I care & my Monterey neighbors care about the health considerations these antennas bring with them. In shutting down or limiting these considerations, the FCC just admits they're tired of the subject. It's just too much trouble to regulate for safe products so everyone just shut up about that. Granted, we are not yet drowned in the level of electronics cast offs that inhabit Palo Alto, Sunnyvale, San Jose, or Santa Clara. But each of us in Monterey using electronics & living around the power transmitters we have already installed, *are* still loaded down with the negative impacts of our electronics. When do we say "enough is enough"? When do we decide to stop adding to the cumulative negative impact of our electronics? When do we "just say no" to one more source of not yet valculated ill health in our lives? I say we start now.

5. The City of Monterey, not just Monte Vista neighborhood, has nothing to gain from these antennas. Verizon is the sole beneficiary of these impositions.
6. I am asking the City to deny the requested antenna-towers as unneeded & unhelpful to Monterey.

Lois Hansen

54 Via Ventura

Monterey, CA 93940

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Todd Bennett
ext 3758

Meeting ZA - 10/5/17
Agenda Item #1 - 12

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City of Monterey
PEEC DIVISION**The New York Times** | <https://nyti.ms/2xPW7UU>

Opinion | OP-ED CONTRIBUTOR

Why Does Verizon Care About Telephone Poles?

By SAM LICCARDO OCT. 3, 2017

SAN JOSE, Calif. — Like every other 8-year-old whom I tutored at a local school, Omar didn't know anything — and didn't care much — about high-stakes disputes over net neutrality, free speech and privacy that have consumed much of the news coverage of the telecommunications industry in recent years. Yet the inability of Omar's parents to afford broadband internet access lies at the heart of a battle that will have a far greater impact on his future: the fight over street poles.

Public street poles may not look like much, but to wireless service providers, they're valuable real estate. Companies like Verizon want low-cost access to them to install equipment to handle the rapidly growing demand for mobile data. But poles are owned locally, and cities and counties aren't eager to give away access at below-market rates. Doing so would essentially subsidize an already wealthy industry — nationwide, as much as \$2 billion a year, money that could otherwise go to expanding low-cost broadband access for people like Omar's family.

As a result, the industry is waging a war for those poles, at all levels. Big Telecom and its allies in the White House have quietly carried out a campaign to secure rapid and cheap access to those poles, at taxpayer expense. Here in California, state legislators recently advanced a bill introduced by Senator Ben

Hueso that would allow wireless service providers to install their equipment on public street poles at below-market rates — and to do so nearly wherever and whenever they choose — all in the name of “streamlining” local permit approvals.

We’ve seen similar efforts in Texas, Florida, Washington and dozens of other states, where telecommunications industry lobbyists spent more than \$24.5 million in campaign contributions last year, according to the National Institute on Money in State Politics. At the federal level, Trump administration appointees to the Federal Communications Commission have publicly cheered these proposals, while releasing their own draft regulations to carry out additional industry-friendly rules nationally.

What do our taxpayers get in return for this sweetheart deal? Wireless companies insist that these legislative proposals will reduce costs for consumers, and deliver better-quality cellular voice and data service. Yet, in truth, they do nothing to actually ensure that customers will benefit from **SEE MY OPTIONS** **Subscriber login** **no cost savings** that the corporate telecoms will pocket.

9

ARTICLES REMAINING

Moreover, service improvements will benefit only those customers able to afford its service. Despite the windfall that wireless providers receive at taxpayer expense, these industry-backed proposals do not require, or even encourage, the companies to expand broadband access to underserved rural and low-income neighborhoods.

There’s no provision in the California legislation, for example, for broader deployment for low-income neighborhoods. In San Jose alone, over 40 percent of low-income residents lack broadband access. While the industry will respond by pointing to its discounted internet service plans, they remain of such poor quality that students like Omar cannot download their teachers’ video-recorded lesson plans, or a Khan Academy instruction on algebra, particularly when multiple family members are sharing the same account.

In essence, these wireless service providers seek all of the privileges of a regulated water or electric utility — taxpayer-subsidized use of public infrastructure, deployment in locations of their choosing, overrides of the local government’s authority — but without the accompanying responsibility: to serve everyone.

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It gets worse. The push by industry and the Trump administration to override local authority to set lease rates will undermine many cities' efforts to expand digital access. That's because San Jose; Tacoma, Wash.; and many other progressive cities seek to use lease revenues from street poles to finance the expansion of low-cost broadband to poorer neighborhoods. Otherwise, the wealthy will receive better service, and the poor will remain shut out.

These proposed regulations also supplant local communities' authority with industry fiat to determine how to deploy telecommunications equipment over public streets, sidewalks and parks. Homeowners surprised by the sight of refrigerator-size equipment installed on poles outside of their windows will have no ability to seek redress from City Hall to change the location or to mitigate the aesthetic impact of these unsightly fixtures. And because signals from these devices can disrupt the operations of others, they can preclude cities from installing public-serving devices — such as gunshot-spotters or traffic safety sensors — on their own street poles.

These are just a few of the reasons a growing number of local elected leaders have opposed the industry's efforts in state legislatures and at the F.C.C. Here in California, the mayors of six of our largest cities — Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Santa Ana — have joined leaders of 150 other cities in opposing California's version of this industry-backed effort.

There is a better way. If the industry wants the same access to taxpayer-funded infrastructure that public utilities enjoy, it should bear the concomitant responsibility to make its services available to everyone in that jurisdiction. Alternatively, if Big Telecom doesn't want the responsibility of deploying broadband in low-income neighborhoods, then the states and the F.C.C. should continue to allow cities to charge market-rate fees and leases to generate municipal dollars needed to broaden access, as San Jose is doing in several low-income neighborhoods.

We should all embrace the opportunity of greater broadband deployment, at better speeds, with the latest technology. Yet how we deploy this technology — and whether families like Omar's' will benefit — matters. If we're going to provide the

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telecom industry with unfettered access to public property, then the public's interest must come first.

Sam Liccardo is the mayor of San Jose, Calif., and a member of the Federal Communications Commission's Broadband Development Advisory Committee.

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10/4/2017

City of Monterey Mail - Fwd: Cell Phone Towers

Meeting LA-10/3/17
Agenda Item #1-12



Fwd: Cell Phone Towers

1 message

Monterey Suggest <montereysuggest@monterey.org>
To: Todd Bennett <bennett@monterey.org>

Tue, Oct 3, 2017 at 1:14 PM

----- Forwarded message -----
From: **bianchini** [REDACTED]
Date: Sun, Oct 1, 2017 at 12:33 PM
Subject: Cell Phone Towers
To: montereysuggest@monterey.org

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Gentlemen,

There has, in fact, been some scientists warning in the past about the dangers of Cell Phone Towers to human health.

Until this particular proposal is studied and confirmed to be totally safe by appropriate authorities to be safe in our Monterey neighborhoods, and so clearly reported, we are firmly opposed to such installations.

Hugo & Maureen Bianchini
309 Mar Vista Drive
Monterey

Meeting 2A-10/5/17
Agenda Item #1-12



Fwd: Cell Towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 7:32 AM

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From: **Sheila Gale**
Date: Wed, Oct 4, 2017 at 7:35 PM
Subject: Cell Towers
To: Todd Bennett <bennett@monterey.org>

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I want to give you as much information as I can before this meeting.

I really believe the City will have lawsuits on its hands if this is approved.

Two of my neighbors have already hired a legal firm for the fight.

This came today through nextdoor.com

The best arguments and legal precedent are found in court cases. See, for example, see T-Mobile West LLC vs. City and County of San Francisco Court of Appeals, First Appellate District, State of California 2016 which upheld a city's right to deny permits based on aesthetic grounds when equipment is to be placed in residential settings out of character with such rather than in urban environments. The city can reject the permits, they just have to be prepared to defend themselves from Verizon if they sue. There are very good legal arguments to support a denial, but I get the impression they want to approve it because of the very late notice and hearing date. I believe they got these applications in early June. They are, even now, barely within deadlines to act or the permits will be deemed accepted. One California statute gives telephone corporations the power to install lines (equipment) in the public right of way at such points as not to "incommode" the public use of the road or highway. The case above affirmed that "incommode" as dictionary defined, means "inconvenience, discomfort, to disturb or molest in the quiet enjoyment of something, denoting something less than annoy, vex or harass. This then led them to the conclusion that jarring aesthetic consequences especially in sensitive non commercial urban areas, are at very least incommodious and the City was acting within its rights to deny the permit. Well I don't know how others feel about it but I am most vexed and incommoded by having the character of my environment negatively affected and being compelled either to live within 300 of a 24/7 microwave generator or move, not to mention the hit on our property values. I sent a letter to Zoning Administrator that I can provide to anyone who would like more ideas to present at tomorrow's meeting. If you send me private message with your email I will send you a copy. I hope that other Verizon or any other company users can come and attest to excellent coverage already to substantiate no gaps in coverage as they allege. Gap is legally defined as no signal and significant means affecting many people over a wide geographic area. Verizon has not met its burden of proof on that nor on the other requirement that there are no less invasive means to close a gap which doesn't appear to exist.

wishing you well~

S

--

Todd Bennett
ext 3758

Meeting 2A-10/5/17
Agenda Item #1-12



Fwd: Verizon Requests 12 Cellular Microwave Towers in Monterey Residential Zones

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 7:29 AM

----- Forwarded message -----

From: **Joanne Herren**
Date: Wed, Oct 4, 2017 at 10:05 PM
Subject: Verizon Requests 12 Cellular Microwave Towers in Monterey Residential Zones
To: bennett@monterey.org

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City of Monterey
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TO: Todd Bennett
FR: Joanne Herren
RE: Verizon Requests 12 Cellular Microwave Towers in Monterey Residential Zones

It is my understanding that Verizon is requesting a zoning change to allow placement of microwave transmitting cell sites (by attaching them to existing utility poles) next to our homes in the Monte Vista Neighborhood.

These "personal wireless device facilities" (PWS) are high power microwave transmitters, which will broadcast with 1800 watts (high power), high frequencies (short wavelengths) at 1900 MHz on a continual basis. Verizon claims the radiation exposure to be very low (not zero) at the ground level (compared to the transmitter), but does not address the issue of continued low level exposure. Verizon has not outlined their plan of how they are going to monitor (and verify), on a continued basis, that the ground level radiation surrounding our homes does not exceed their proposed levels of exposure.

Verizon states they are installing these PWS to provide better LTE or 4G service. Our service on Via Paraiso in the Monte Vista Neighborhood is fine, we have no complaints. Does Verizon have other reasons for installing these PWS?

It is a fact that when these cell transmitters are placed in residential areas, home values go down. I know that I would not even consider buying a home with a cell tower next to it! These cell sites should be located in commercial zones where they are more appropriate, and where people are not exposed to them on a continual basis.

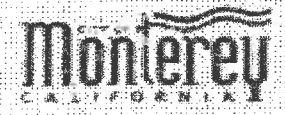
I am strongly opposed to the installation of "personal wireless device facilities" in the Monte Vista Neighborhood. Home owners will be negatively impacted due to a loss of property value. Current cell service is sufficient. Will this installation only benefit Verizon customers at the detriment of others? I strongly urge you to vote AGAINST allowing these high powered microwave transmitters to be located and installed in our neighborhood.

Joanne Herren

Todd Bennett
ext 3758

Meeting ZA-10/5/17

Agenda Item #1-12



Fwd: Cell towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 7:29 AM

----- Forwarded message -----

From: **Judy Dow** [REDACTED]
Date: Wed, Oct 4, 2017 at 10:55 PM
Subject: Cell towers
To: bennett@monterey.org

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Please consider not changing zoning laws that would allow a money-making company to lower our property values to increase their profits. It seems inappropriate that a for profit company would have access to our neighborhood that would only benefit residents subscribing to Verizon. Company makes money, residents loose money. Some things should still be sacred. Our local government looking out for its citizens and their concerns should be one of those things. No to Verizon! Yes to our neighborhood!

Thank you,

Dion and Judy Dow

Monterey Vista neighborhood residents and property owners

Sent from my iPad

--

Todd Bennett
ext 3758



Meeting ZA-10/5/17

Agenda Item #1-12

Fwd: Oppose Zoning change to allow microwave transmitting cell sites

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 7:28 AM

----- Forwarded message -----

From: **Martha Saylor** [REDACTED]
Date: Wed, Oct 4, 2017 at 11:47 PM
Subject: Oppose Zoning change to allow microwave transmitting cell sites
To: bennett@monterey.org
Cc: Martha Saylor [REDACTED]

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PEEC DIVISION

Dear Mr. Bennett,
I own a home and live in the Monte Vista neighborhood.
I object to the proposed Zoning change that would allow microwave transmitting cell sites in our neighborhood.
I do not want to allow this type of commercial business to get a "foot in the door" in our residential area.
I fear that these microwave cell transmitters may reduce our property's value.

Thank you.
Martha Saylor
29 Linda Vista Drive
Monterey, CA 93940
831-372-9215

--

Todd Bennett
ext 3758



Meeting ZA - 10/5/17

Agenda Item # 1-12

Fwd: Cellular facilities in Monterey Vista

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Oct 5, 2017 at 7:28 AM

RECEIVED

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Sheila Gale** [mailto:sheila.gale@monterey.org]
Date: Wed, Oct 4, 2017 at 7:30 PM
Subject: Re: Cellular facilities in Monterey Vista
To: Todd Bennett <bennett@monterey.org>

Hi Todd.

I really appreciate your keeping me in the loop! You for sure will have a fight on your hands. Is it possible for someone to read my letter or do I need to be there in person?

This email was sent to our neighbors today. It is very informative.

Thanks so much Todd.

All the Best~

Sheila

Verizon Requests 12 Cellular Microwave Towers In Monterey Residential Zones

To me this is an urgent alert!

I know this has been talked about before on this site, but this is now the final call to all of you who live in the Monterey area, particularly the Monte Vista Neighborhood, to be aware and understand that Verizon is requesting a zoning change to allow the placement of multiple (12) microwave transmitting cell sites, which they plan to attach to existing utility poles next to our homes, not a single site, but 12 sites! The applicant euphemistically refers to them as "personal wireless device facilities" (PWS), so don't be fooled - these are high power microwave transmitters, which will broadcast with 1800 watts (high power), high frequencies (short wavelengths) at 1900 MHz on a continual basis -- ALWAYS ON! The higher the frequency, the shorter the wavelength, the stronger the concentrated energy, but the shorter the distance it can be transmitted, thus why so many sites are needed. I suspect it not to shore up coverage in cell gaps, but to provide for the next generation of wireless, the so called 5G or 5th generation cell service. Verizon is not admitting this. They claim they are just helping to provide better LTE or 4G service with the addition of 12 new cell sites.

Here are the 12 cell site locations they are applying for tomorrow:

1. Johnson Street Right-of-Way Immediately Adjacent to 1006 Madison Street and Across the Johnson Street Right-of-Way from 1000 Johnson Street
2. Larkin Street Right-of-Way Immediately Adjacent to 598 Madison Street
3. Herrmann Drive Right-of-Way Immediately Adjacent to 136 Herrmann Drive and 150 Herrmann Drive
4. Herrmann Drive Right-of-Way Immediately Adjacent to 1 Dorey Way and 501 Herrmann Drive
5. Via Paraiso Right-of-Way Immediately Adjacent to 302 Via Paraiso and 316 Via Paraiso
6. Via Encina Right-of-Way Immediately Adjacent to 81 Via Encina and 71 Via Encina
7. Toyon Drive Right-of-Way Immediately Adjacent to 531 Toyon Drive and 101 Shady Lane
8. Via Del Rey Right-of-Way Immediately Adjacent to 231 Via Del Rey and Across Street from 2 Via Del Pinar
9. Mar Vista Drive Right-of-Way Immediately Adjacent to 273 Mar Vista Drive and 7 Cuesta Vista Drive

10. Corner of Via Del Rey and Yerba Buena Court, Immediately Adjacent to Yerba Buena Court

11. Skyline Drive Right-of-Way at the Corner of Skyline Drive and Huckleberry Drive

Zoning Administrator Thursday, October 5, 2017 2

12. Toda Vista Drive Right-of-Way Immediately Adjacent to 3 Toda Vista Drive and 5 Toda Vista Drive

The effects of long-term, accumulated exposure to microwaves transmission (electromagnetic radiation) at such a close proximity to people has never been studied. Verizon claims the radiation exposure to be very low (not zero) at the ground level (compared to the transmitter), but does not address the issue of continued low level exposure. They also do not mention that there are no proposed means of verifying the radiation levels on the ground at our homes on a continued basis to ensure their proposed levels of exposure are not exceeded.

It is a fact that when these cell transmitters are placed in residential areas, home values go down. I know that I would not even consider buying a home with a cell tower next to it! Think about it, there are reasons we have zoning laws. We need to keep out commercial interests from activities that may put us at risk in our homes. The city zoning process is the only thing in the way of Verizon from keeping us from enjoying our way of life in a healthy, peaceful environment. These cell sites should be located in commercial zones where they are more appropriate, and where people are not exposed to them on a continual basis.

The meeting of the Zoning Administrator is tomorrow, October 5th at 4:00 PM at Monterey City Hall Council Chambers on 580 Pacific Street. If you can be there and just state your opposition, based upon the inappropriate nature of this commercial application in our residential neighborhood. You may state it is due to a loss of property value or challenge the fact that it is not needed (Verizon must demonstrate a good reason to change the zoning code to allow it to operate) because only Verizon customers potentially will benefit, or that cell service is already sufficient. The health issue will not be a determining factor, due to some bizarre Federal law that the cell companies lobbied in to protect them from this issue.

If you can't make it, write an email, or call the Zoning Administrator stating that you oppose it. His contact information is: Todd Bennett, Zoning Administrator, Voice: (831) 646-3758 email, bennett@monterey.org

You can read the Agenda for the meeting tomorrow at the link to isearchmonterey.org below

<http://isearchmonterey.org/cache/2/gau2m2zeofbd53fkalvzkbni/3942581004201711145810.PDF>

Thanks.

RECEIVED

In Joy~ Sheila

OCT 04 2017

On Wed, Oct 4, 2017 at 12:59 PM, Todd Bennett <bennett@monterey.org> wrote:

Hi Sheila,

City of Monterey
PEEC DIVISION

I wanted to give you a heads up regarding the Zoning Administrator meeting tomorrow afternoon. Due to the outpouring of comments and concerns regarding these applications, I will hold the meeting tomorrow afternoon, including having the applicant provide a description of the proposed facilities, and to solicit interested party comments from the public. But I will not make any decisions on any of the applications tomorrow, but will instead refer all of the applications to the Planning Commission for their consideration. At this time, we are looking at the November 14th Planning Commission meeting. Hopefully, with this delay you will be back in town and be able to make your comments in person.

Sincerely,

Todd Bennett

Todd Bennett
ext 3758



Meeting ZA-10/5/17

Agenda Item #1-12

Fwd: Verizon Cell Sites

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

RECEIVED

Wed, Oct 4, 2017 at 5:44 PM

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Alan Herren** [REDACTED]
Date: Wed, Oct 4, 2017 at 5:24 PM
Subject: Verizon Cell Sites
To: bennett@monterey.org

Mr. Bennett

I am writing to you to express my opposition to the proposed installation of cell sites in the Monte Vista neighborhood. I don't see the need for these high powered microwave transmitters as the cell reception at our house on Via Paraiso is fine as it is. We have experienced no gap in coverage. If anywhere, the proposed transmitters belong in a commercially zoned area and not in a residential neighborhood. The presence of these telephone mounted emitters will do nothing to enhance the quality of life in our neighborhood and in my opinion will have a negative impact on property values. In my experience no one wants to live next to a cell tower. In addition the residents of our neighborhood will as I understand it, be exposed to microwave radiation 24/7 as these emitters will always be active. This cannot be a good thing for us or our children. Thus I strongly urge you to vote AGAINST allowing these high powered microwave transmitters to be located and installed in our neighborhood.

One last thought toward the future, I believe that PGE will eventually be under grounding their utility wires, to mitigate storm damage repairs, which is being done with most new residential construction. With the removal of these poles, where will these emitters go?

Respectfully yours

Alan Herren
380 Via Paraiso
[REDACTED]
5108627755

--

Todd Bennett
ext 3758



Meeting 2A - 10/5/17
Agenda Item #1-12

Fwd: Verizon towers--nope

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

RECEIVED

Wed, Oct 4, 2017 at 4:34 PM

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **ryan stuart** [redacted]
Date: Wed, Oct 4, 2017 at 4:30 PM
Subject: Verizon towers--nope
To: bennett@monterey.org

Hello,

can't think of one good reason to allow this. can think of all kinds of good reasons to oppose it (health effects of cell towers are not known, and i can't think of one good reason to be a guinea pig for Verizon).

please nope the rezoning off the table, ya?

thanks,
ryan stuart
122 seeno st #9
monterey ca 93940

Todd Bennett
ext 3758



Meet. JA - 10/5/17

Agenda Item #1-12

RECEIVED

Fwd: Cell towers

1 message

OCT 04 2017

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

City of Monterey
PEEC DIVISION

Wed, Oct 4, 2017 at 4:23 PM

----- Forwarded message -----

From: **Paula O'Connor** [REDACTED]
Date: Wed, Oct 4, 2017 at 3:59 PM
Subject: Cell towers
To: bennett@monterey.org

I would like to object to the many cell towers in our neighborhoods. There must be another way with placement and not near so many homes or schools. Thank you

Sent from my iPad

--

Todd Bennett
ext 3758

Meer ZA - 10/5/17
Agenda Item #1-12



Fwd: Cell antenna applications in the Monte Vista area

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 3:51 PM

RECEIVED

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City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Bob Jaques** [REDACTED]
Date: Wed, Oct 4, 2017 at 3:51 PM
Subject: Cell antenna applications in the Monte Vista area
To: bennett@monterey.org
Cc: Bob Jaques [REDACTED]

Todd,

I am a resident of Via Encanto in the Monte Vista area. I have looked at the proposed pole locations that are nearest to me in the group of cell antenna applications that will be discussed at your October 5 meeting. I will be out of town on that date and thus unable to attend in person.

I am opposed to allowing these antennas to be installed at the proposed pole locations. There are numerous reasons for this including exposure to electromagnetic radiation, possible interference with reception of radio and TV stations, and loss of property value.

Please include my opposition in your presentation at the October 5 meeting.

Thank you.

Robert Jaques
83 Via Encanto
Monterey, CA 93940

--

Todd Bennett
ext 3758



Meeting ZA-10/5/17
Agenda Item #1-12

Fwd: My opposition to rezoning for Verizon cell towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 3:42 PM

----- Forwarded message -----

From: **Shirmaine Jones** [REDACTED]
Date: Wed, Oct 4, 2017 at 3:37 PM
Subject: Re: My opposition to rezoning for Verizon cell towers
To: bennett@monterey.org
Cc: Michael Baer [REDACTED]

RECEIVED
OCT 04 2017
City of Monterey
PEEC DIVISION

Hello Mr. Bennett,

I am writing to state my opposition to a zoning change to allow the placement of multiple microwave transmitting cell sites requested by Verizon.

My reasons are:

1. It is a fact that when these cell transmitters are placed in residential areas, home values go down.
2. Only Verizon customers potentially will benefit
3. Cell service is already sufficient
4. This is a use that is best placed in a commercially zoned area of the city.

Sincerely,
Shirmaine Jones
560 Madison Street, Monterey

--

Todd Bennett
ext 3758

Meeting ZA-10/5/17
Agenda Item #1-12



Fwd: Draft MVNA Opposition to Cell Phone Towers for Pat's signature

1 message

RECEIVED

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

OCT 04 2017

Wed, Oct 4, 2017 at 3:42 PM

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: [REDACTED]
Date: Wed, Oct 4, 2017 at 3:29 PM
Subject: Re: Draft MVNA Opposition to Cell Phone Towers for Pat's signature
To: MVNA [REDACTED]
Cc: Todd Bennett <bennett@monterey.org>, "Venza, Pat" [REDACTED], Christine [REDACTED], "Rasch, Jean" [REDACTED], "Davenport, Doug" [REDACTED], Charles Martin [REDACTED], Arthur [REDACTED]

Hans,

Thanks for forwarding this article. I am a subscriber of the NYTimes because their journalism remains old school and top notch. So I feel I can trust this article.

It explains a whole lot of the *why* that we were puzzling over Monday night. With this new understanding of the motivations and the potential negatives to the communities coffers and services, this further confirms my vote Monday night. This is about politics and big money with little or no advantage to the neighborhood and a possible negative impact to the city.

This leaves me with several questions that hopefully can be answered before the Thursday planning meeting:

Who owns the poles in our neighborhood? Is it the city or the county? PGE services and uses in part so is that under a contract with municipality?

If our poles are owned by the community then is Verizon now or later on going to lease pole usage at full market value?

Why our neighborhood that already has a significant investment in broadband? Is it merely to serve Verizon advantage?

Bruce Zanetta

From: "MVNA" <[REDACTED]>
To: "Todd Bennett" <bennett@monterey.org>
Cc: "Pat Venza" <[REDACTED]>, "Bruce Zanetta" <[REDACTED]>, "Christine" <[REDACTED]>, "Jean Rasch" <[REDACTED]>, "Doug Davenport" <[REDACTED]>, "Charles Martin" <[REDACTED]>, "Arthur" <[REDACTED]>
Sent: Wednesday, October 4, 2017 8:31:08 AM
Subject: Re: Draft MVNA Opposition to Cell Phone Towers for Pat's signature

Hi Todd,

Thanks for your email. A neighbor also sent me an excellent article from the New York Times well worth reading:

Why Does Verizon Care About Telephone Poles? <https://nyti.ms/2xPW7UU>

Regards,

Hans

--

Hans Jannasch
Monterey Vista Neighborhood Association
mvneighborhood@gmail.com
www.montereyvistaneighborhood.org

--

RECEIVED

OCT 04 2017

City of Monterey
PEEC DIVISION

On Oct 3, 2017, at 9:35 PM, Monterey Vista [REDACTED] wrote:

Dear Todd and City Clerk,

We ask that you please include the attached letter in the packet for the Thursday, Oct 5th, Zoning Administrator's meeting regarding the permit for installing at least twelve cellular antennas within the Monterey Visa Neighborhood.

Regards,

Hans

--

Hans Jannasch
Monterey Vista Neighborhood Association
[REDACTED]
www.montereyvistaneighborhood.org

--

<100317-CellAntennaLetter.pdf>

--

Todd Bennett
ext 3758



Meeting ZA -10/5/17

Agenda Item #1-12

Fwd: Towers

1 message

RECEIVED

OCT 04 2017

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

City of Monterey
PEEC DIVISION

Wed, Oct 4, 2017 at 2:52 PM

----- Forwarded message -----

From: Maria Nunez [REDACTED]
Date: Wed, Oct 4, 2017 at 2:27 PM
Subject: Towers
To: bennett@monterey.org

Another strong opposition to the possible infiltration of disturbing cell phone dominance in our neighborhood. How can private citizens be so affected by the whim of the that "super power", VERIZON....Can you hear me now??

Todd Bennett
ext 3758



Meeting ZA - 10/5/17

Agenda Item #1-12

Fwd: Monte vista zoning and Verizon micro cell towers

1 message

RECEIVED

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 2:52 PM

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: Linda [REDACTED]
Date: Wed, Oct 4, 2017 at 2:36 PM
Subject: Monte vista zoning and Verizon micro cell towers
To: bennett@monterey.org

Hello,

As a resident of Monte Vista Monterey, I am writing to oppose the re-zoning of our neighborhood so that Verizon can install their towers to our utility poles. We do not need the towers and these additions will devalue our homes. Please do not approve this measure. Residents do not want them or need them!

Thank you.

Linda and Don Davie
61 San Bernabe Drive
Monterey
Sent from my iPad

--

Todd Bennett
ext 3758



Meeting ZA-10/5/17
Agenda Item #1-12

Fwd: Cell towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

RECEIVED

Wed, Oct 4, 2017 at 1:55 PM

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Alina Hurd**
Date: Wed, Oct 4, 2017 at 1:50 PM
Subject: Cell towers
To: bennett@monterey.org

I am strongly opposed to cell/ microwave tower equipment being placed in residential neighborhoods. I think more studies need to be done as to their effectiveness and safety. Please take more time deciding to allow these devices around our homes! Thank you. Alina Hurd

Sent from my iPhone

Todd Bennett
ext 3758



Fwd: Proposed cell sites in Monterey residential zones

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 1:24 PM

----- Forwarded message -----

From: **Beverley Principal** [REDACTED]
Date: Wed, Oct 4, 2017 at 1:22 PM
Subject: Proposed cell sites in Monterey residential zones
To: bennett@monterey.org

RECEIVED

OCT 04 2017

City of Monterey
PEEC DIVISION

Dear Mr. Bennett,

I live on Toyon Drive, and it has just been brought to my attention that a plan is in process to construct 12 microwave transmitting cell structures, on existing utility poles, in my neighborhood.

I strongly object to this project. I feel the number of structures (12) in such a small, dense, residential area is inappropriate. I do not understand why we need the structures as current cell service is very good here. I also do not understand why this project has to happen in a residential area. It would seem more appropriate in a commercial area.

I have no idea about the potential health risks due to the possibility of increased radiation levels at ground level, but I have read several articles over the years, both good and bad. However, I can certainly see how my property value could drop as potential buyers fear health risks. There is a fairly high percentage of people who seriously question the affects from sites like this. They will avoid purchasing property in this area.

I moved to Monterey two years ago to get away from the poor air, water and traffic in Silicon Valley. I really do not want this project in my residential neighborhood.

Thank you for your serious consideration of my request.

Beverley Principal
764 Toyon Drive
Monterey

Sent from my iPhone

--

Todd Bennett
ext 3758



Meeting ZA-10/5/17
Agenda Item #1-12

Fwd: upcoming ZA agenda -- twelve items for personal wireless facilities projects

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 1:21 PM

----- Forwarded message -----

From: **Kimberly COLE** <cole@monterey.org>
Date: Mon, Oct 2, 2017 at 7:55 AM
Subject: Fwd: upcoming ZA agenda -- twelve items for personal wireless facilities projects
To: Elizabeth Caraker <caraker@monterey.org>, Todd Bennett <bennett@monterey.org>



RECEIVED

OCT 02 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Molly Erickson** <[REDACTED]>
Date: Mon, Oct 2, 2017 at 7:09 AM
Subject: upcoming ZA agenda -- twelve items for personal wireless facilities projects
To: Kimberly COLE <cole@monterey.org>, Kim Cole <cole@ci.monterey.ca.us>

Kim:

This email expresses serious concerns about the 12 items on the ZA agenda. When I click on each of the items online looking for the staff report, I get the same message "no files found." It is disturbing that there is no information and no materials to describe the projects and the impacts, and no public information that shows any staff analysis.

The agenda items are projects to "allow for the development of a personal wireless service facility". What does that mean? The description is meaningless from a practical standpoint. Does it really mean "attach large privately-owned devices to a City telephone pole" or something else?

A fundamental issue is the lack of adequate project description. What is a "personal wireless service facility"? Critically, what do they look like, and what will they look like in place, on the poles? What would be the views for the residents and passers by?

The City should have provided photo representations of the Before and After representations for each project site.

The City should have provided dimensioned drawings of all "facilities" proposed for approval. It appears from research that there can be multiple parts to a single "facility." In other words, a single telephone pole would have multiple devices attached to it, on different parts of the pole, all presumably making up one "facility." The descriptions presented in the ZA agenda are inadequate and misleading.

Research shows that some PWS "facilities" include separate cabinets that include fans and other equipment that can make noise. Is there anything that could make noise, or light, or reflection, or have any other impact, including aesthetic impacts and other environmental impacts? Are there any fans in the proposed "facilities"?

Where will the facilities be located on the pole? At the top of pole? What is the maximum height allowed, with and without the "facilities"?

Would these proposed project approvals set precedent for other carriers/operators/other uses and projects? What controls are in place? What are the cumulative impacts, including visual clutter? Are these 12 projects merely the first, to be followed by 12 more, and 12 more after that, either by this or another applicant?

Are any of these proposed locations adjacent to or visible from historic properties or historic districts? Would these facilities be allowed in front of a historic resource, or in a historic district, if the applicant requests? If not, why not? If so, why?

As to each of the described impacts, how does the City proposed to mitigate the impact?

The City should require screening and camouflage of the "facilities," to the extent any are permitted. What has the City done here?

The City should anticipate the future undergrounding of utilities, which is a very real goal of many neighborhoods and comes up annually during the NIP processes for the neighborhoods for which these "facilities" are proposed, and has been discussed by residents for self-assessing for smaller areas as well.. The City should require as a condition of approval that the applicant remove its facilities when that happens.

Why does the City allow ancillary equipment above ground, including in residential areas, and what controls has the City placed?

Why does the City want to allow a lot of small antennas instead of a few larger antennas?

If the City allows any single user on its proprietary property, will the City be required to lease to others and allow collocation?

If City allows wireless facilities on grounds that they are unintrusive, how will collocation be addressed? What if multiple providers wish to build?

Has any resident requested these "facilities"?

I urge you to look at the following information from San Francisco for helpful ways for Monterey to deal with this issue:

http://sf-planning.org/ftp/files/currentplanning/wireless/FAQ_Wireless_Facilities_on_Poles.pdf

As presented to the ZA, the projects do not qualify for the Category 3 CEQA exemption.

I ask that the items be continued until the information has been presented to the public with adequate time for review and response.

Please let me know that you have received this. I respectfully request a written response to the concerns expressed in this email because I am away from the office today. Thank you.

Regards,

RECEIVED

Regards,

OCT 02 2017

Molly

City of Monterey
PEEC DIVISION

Molly Erickson
STAMP ERICKSON
479 Pacific St., Suite One
Monterey, CA 93940

--
Kimberly Cole, AICP
Interim Community Development Director
City of Monterey, Planning Office
580 Pacific Street
Monterey, CA 93940

cole@monterey.org

1-831-646-3759

RECEIVED

OCT 02 2017

City of Monterey
PEEC DIVISION

--
Todd Bennett
ext 3758



FAQ_Wireless_Facilities_on_Poles.pdf
982K



Meeting ZA - 10/5/17
Agenda Item #1-12

Fwd: PWS/Zoning Administrator

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

RECEIVED

Wed, Oct 4, 2017 at 1:20 PM

OCT 03 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Kimberly COLE** <cole@monterey.org>

Date: Tue, Oct 3, 2017 at 11:03 AM

Subject: Re: PWS/Zoning Administrator

To: "Fred E. Cohn" [REDACTED], Elizabeth Caraker <caraker@monterey.org>, Todd Bennett <bennett@monterey.org>

Hi Fred,

Good to hear from you. We haven't ever prepared staff reports for ZA meetings.

We plan to hold the meeting on Thursday to discuss the proposals and familiarize the community with the technology. It basically involves an antenna and equipment connected to existing poles. I'll ask Todd or Elizabeth to send you a photo simulation of the concept. Kim

On Tue, Oct 3, 2017 at 10:53 AM, Fred E. Cohn <fred.e.cohn@gmail.com> wrote:

Hey Kim, I hope you're doing well. I know that you have been wearing the "interim" hat for a while and I hope you find that is working - I know that you are well prepared and equipped for it. If I can help at all, just let me know!

I just got back from a trip to Oregon to see that the neighborhood is in a bit of uproar regarding the PWS sites. A couple of the neighbors have asked me questions that I would like to answer intelligently, but I'm not finding the staff reports for the 10/5 Zoning Administrator posted on the SIRE page. Is there something that you can shoot over to me?

I would have contacted Todd directly but I'm not sure if he is doing ZA anymore. Thanks and take care!

-Fred C

Sent from my iPhone

--
Kimberly Cole, AICP
Interim Community Development Director
City of Monterey, Planning Office
580 Pacific Street
Monterey, CA 93940

cole@monterey.org

1-831-646-3759

--
Todd Bennett
ext 3758



Meeting ZA-10/5/17

Agenda Item #1-12

Fwd: Public Records Request - Cell Phone Tower proposal before Zoning Administrator Oct. 5, 2017 at 4:00pm

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

RECEIVED

Wed, Oct 4, 2017 at 1:20 PM

OCT 03 2017

----- Forwarded message -----

From: **Jenny Leinen** <leinen@monterey.org>

Date: Tue, Oct 3, 2017 at 10:57 AM

Subject: Re: Public Records Request - Cell Phone Tower proposal before Zoning Administrator Oct. 5, 2017 at 4:00pm

To: Mike Pekin [REDACTED]

Cc: Elizabeth Caraker <Caraker@monterey.org>, Todd Bennett <Bennett@monterey.org>

City of Monterey
PEEC DIVISION

Good Morning Mr. Pekin,

I've received your Public Records Request and will forward it to the appropriate staff person for response.

Sincerely,

Jenny E. Leinen

Administrative Assistant II

City of Monterey Planning Office

(831) 646-3888

www.monterey.org

On Tue, Oct 3, 2017 at 10:35 AM, Mike Pekin <pugger@prodigy.net> wrote:

Hi Jenny:

My Neighbors are complaining: **"Where did this proposal come from; why is it going to Hearing so quickly?"**.

1. When was the City first made aware, from the Cell Phone Tower applicant, of the Project going to Hearing Oct. 5? Under my "Adequacy of Notice to Public Affected" Records Request, please include any intra-City emails that the proposal for Cell Phone Towers was developing, City response, and decisions/timing of giving Notice to the Public of same.

2. I need all evaluations made by City Staff as to the appropriateness of placing these Cell Phone Towers all over a R-1 Neighborhood. What is the reason(s); what is the benefit(s); what are the drawbacks? Has anyone in the City made any evaluation that this project should, or should not, be approved by the City? I request any documentation on this.

3. Recently there was a failed attempt to place a Cell Phone Tower, or some installation to that effect, on the commercial building on Munras Ave. at the entrance to the Del Monte Center. I request to examine all City files on that application.

Thanks as always, Mike Pekin 831 905 3756.

--
Todd Bennett
ext 3758



Fwd: Another Question on the Monte Vista neighborhood cellular antennas

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Oct 4, 2017 at 1:20 PM

RECEIVED

OCT 04 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **LJ Hansen** [REDACTED]
Date: Wed, Oct 4, 2017 at 8:54 AM
Subject: Re: Another Question on the Monte Vista neighborhood cellular antennas
To: Todd Bennett <bennett@monterey.org>

Thanks again, Mr. Bennett. You are wonderful about responding to my emails. But my question got lost among my comments, so let me re-phrase my question to be more direct and unencumbered by other thoughts.

What specific State law are you referring to in the quote you made which I copied back to you below?

Lois Hansen

From: Todd Bennett <bennett@monterey.org>
Sent: Wednesday, October 4, 2017 6:56 AM
To: LJ Hansen
Subject: Re: Another Question on the Monte Vista neighborhood cellular antennas

Ms. Hansen,

Thank you for your message. Due to the outpouring of comments and concerns from the Monterey Vista Neighborhood residents, I intend to open the Zoning Administrator hearing tomorrow at the scheduled time and will provide a general overview of the applications. At that point, I intend to refer all 12 applications to the Planning Commission for their review and deliberation. At this time, we are looking at the November 14th Planning Commission hearing date for the review of the applications.

Sincerely,

Todd Bennett

On Tue, Oct 3, 2017 at 3:18 PM, LJ Hansen <ljhansen@hotmail.com> wrote:

Hi Mr. Bennett:

In your Sept 29th response to my email, you stated the following. **By State law, cities cannot deny applications requesting approval to locate new small cell facilities in the right of way, and are limited to evaluating only whether a different pole in the immediate vicinity could meet the applicants cellular coverage needs and whether the facility is designed in a manner to minimize visual impacts".**

In reading everything I could on this, I missed which law that is and would like to know what specific state law you are referring to.

If it is SB649 that you are referring to, I believe that has not been signed into law yet. It is my understanding that it would not become effective until 2018.

If SB649 does become law, I'm guessing that there will be a lawsuit and the matter could be tied up in court for a long time. I suspect the company that wants to put these antennas in knows that and wants to get in before that happens.

Unless I don't understand something, Monterey does not have to approve the application nor restrict itself to choosing different telephone poles for the antennas to go on. If the city IS forced to accept the application and approve the antennas, why bother with notifying the public?

Thanks again for your response.

Lois Hansen

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OCT 04 2017

City of Monterey
PEEC DIVISION

Todd Bennett
ext 3758

Todd Bennett
ext 3758

Meeting ZA - 10/5/17Agenda Item # 1-12

12 Cellular Microwave Towers Mar Vista Area - Our neighborhood OPPOSE ! CITY HALL OCT 5th 4pm

1 message

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Michele Altman
To: bennett@monterey.org

OCT 04 2017

Wed, Oct 4, 2017 at 11:45 AM

City of Monterey
PEEC DIVISION

Dear Todd Bennett,

I live just above Mar Vista on Cuesta Vista and there is no issue with our cell service in this area? Even if there was no one in our area would opt for these towers in our residential area.

The entire neighborhood is up in arms about even the suggestion that these harmful high frequency towers will be installed in our neighborhoods!!!!

We purposefully live in these private forested areas to be free of this kind of harmful pollution.

I will be at City Hall tomorrow but wanted to do everything possible to articulate to you how this proposal must be stopped and never come to our neighborhoods.

Below are just some of the conversations from our neighborhood forum:

Concerned,

Michele Altman
84 Cuesta Vista Drive
Monterey, CA

this is an urgent alert! I know this has been talked about before on this site, but this is now the final call to all of you who live in the Monterey area, particularly the Monte Vista Neighborhood, to be aware and understand that Verizon is requesting a zoning change to allow the placement of multiple (12) microwave transmitting cell sites, which they plan to attach to existing utility poles next to our homes, not a single site, but 12 sites! The applicant euphemistically refers to them as "personal wireless device facilities" (PWS), so don't be fooled - these are high power microwave transmitters, which will broadcast with 1800 watts (high power), high frequencies (short wavelengths) at 1900 MHz on a continual basis -- ALWAYS ON! The higher the frequency, the shorter the wavelength, the stronger the concentrated energy, but the shorter the distance it can be transmitted, thus why so many sites are needed. I suspect it not to shore up coverage in cell gaps, but to provide for the next generation of wireless, the so called 5G or 5th generation cell service. Verizon is not admitting this. They claim they are just helping to provide better LTE or 4G service with the addition of 12 new cell sites.

7. Toyon Drive Right-of-Way Immediately Adjacent to 531 Toyon Drive and 101 Shady Lane 8. Via Del Rey Right-of-Way Immediately Adjacent to 231 Via Del Rey and Across Street from 2 Via Del Pinar 9. Mar Vista Drive Right-of-Way Immediately Adjacent to 273 Mar Vista Drive and 7 Cuesta Vista Drive 10. Corner of Via Del Rey and Yerba Buena Court, Immediately Adjacent to 1 Yerba Buena Court 11. Skyline Drive Right-of-Way at the Corner of Skyline Drive and Huckleberry Drive Zoning Administrator Thursday, October 5, 2017 2 12. Toda Vista Drive Right-of-Way Immediately Adjacent to 3 Toda Vista Drive and 5 Toda Vista Drive The effects of long-term, accumulated exposure to microwaves transmission (electromagnetic radiation) at such a close proximity to people has never been studied. Verizon claims the radiation exposure to be very low(not zero) at the ground level (compared to the transmitter), but does not address the issue of continued low level exposure. They also do not mention that there are no proposed means of verifying the radiation levels on the ground at our homes on a continued basis to ensure their proposed levels of exposure are not exceeded. It is a fact that when these cell transmitters are placed in residential areas, home values go down. I know that I would not even consider buying a home with a cell tower next to it! Think about it, there are reasons we have zoning laws. We need to keep out commercial interests from activities that may put us at risk in our homes. The city zoning process is the only thing in the way of Verizon from keeping us from enjoying our way of life in a healthy, peaceful environment. These cell sites should be located in commercial zones where they are more appropriate, and where people are not exposed to them on a continual basis. The meeting of the Zoning Administrator is tomorrow, October 5th at 4:00

10/4/2017

City of Monterey Mail - 12 Cellular Microwave Towers Mar Vista Area - Our neighborhood OPPOSE ! CITY HALL OCT 5th 4pm

PM at Monterey City Hall Council Chambers on 580 Pacific Street. If you can be there and just state your opposition, based upon the inappropriate nature of this commercial application in our residential neighborhood. You may state it is due to a loss of property value or challenge the fact that it is not needed (Verizon must demonstrate a good reason to change the zoning code to allow it to operate) because only Verizon customers potentially will benefit, or that cell service is already sufficient. The health issue will not be a determining factor, due to some bizarre Federal law that the cell companies lobbied in to protect them from this issue.

Michele Altman

SOTHEYBY'S INTERNATIONAL REALTY

3775 Via Nona Marie, Suite 100

Carmel CA 93923

Cell 831-214-2545

MicheleAltman@Sothebyshomes.com

MicheleAltman.com

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10/4/2017

City of Monterey Mail - (no subject)



Meeting

ZA - 10/5/17

Agenda Item # 1-12

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(no subject)

1 message

OCT 04 2017

[REDACTED]
To: bennett@monterey.org

City of Monterey
PEEC DIVISION

Wed, Oct 4, 2017 at 12:03 PM

I oppose the placement of cell towers in our neighborhoods. We don't know the effect on our health and lives.

Kathy Whilden
98 Via Campana
Monterey, CA 93940

10/4/2017

City of Monterey Mail - NO to transmitters in Monte Vista



Meeting ZA-10/5/17

Agenda Item #1-12

NO to transmitters in Monte Vista

1 message

steve wilson [REDACTED]
To: "bennett@monterey.org" <bennett@monterey.org>

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Wed, Oct 4, 2017 at 12:10 PM

OCT 04 2017

City of Monterey
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Todd,

I am opposed to the 11 supposed "personal wireless device facilities" in the Monte Vista neighborhood. There is no question this will significantly affect property values. I'm a Verizon customer, so these will most likely increase my cell reception, but at the expense of my home value, not to mention the dangers to residents' health. The city should stand up to this private company running roughshod over Monterey residents.

Steve Wilson

7 Toda Vista

Cell: 831.247.2026

Email: [REDACTED]

10/4/2017

City of Monterey Mail - Opposition to change in Zoning in Monterey Vista Neighborhood



Meeting ZA - 10/5/17

Agenda Item #1-12

Opposition to change in Zoning in Monterey Vista Neighborhood

1 message

Emily Tsai

To: bennett@monterey.org

Wed, Oct 4, 2017 at 12:50 PM

Dear Mr. Bennett,

I am writing to voice my opposition to a change in the zoning law to allows personal wireless devices to be placed in my neighborhood. It would impact the property values of our homes.

Thank you for your consideration.

Sincerely,
Emily Tsai Brownfield
756 Toyon Drive
Monterey, CA 93940
310.339.4982

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City of Monterey
PEEC DIVISION



Meeting ZA-10/5/17
Todd Bennett
Agenda Item #1-12

cellular towers

1 message

Brook Knowles [redacted]

To: "bennett@monterey.org" <bennett@monterey.org>

Cc: "ms.brook.knowles@gmail.com" [redacted]

RECEIVED Wed, Oct 4, 2017 at 12:58 PM

OCT 04 2017

City of Monterey
PEEC DIVISION

Hello-

Please be advised that I am completely opposed to any installation by Verizon or their partners of cell phone tower devices for transmission in the Monte Vista neighborhood, or anywhere in Monterey.

Please DO NOT allow zoning changes that would permit that.

Thank you.

Brook Knowles
Executive Assistant / Underwriting / Notary Public
AmTrust Financial Services, Inc.
31 Upper Ragsdale
Monterey, California 93940
831.657.4569 office
[redacted]

[redacted]

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Meeting ZA - 10/5/17
Agenda Item #1-12

Letter to Mr. Bennett regarding proposed cell antennas

1 message

susan nine

Tue, Oct 3, 2017 at 1:21 PM

To: Jenny Leinen <leinen@monterev.org>

Cc: susan nine

Dear Jenny,

Would you please forward the attached letter to Mr. Bennett in preparation for Thursday's meeting. I am assuming members of the planning commission will not be present, but I would also like them, the City Manager, City attorney and possibly the Mayor and City Council members to receive the letter when it becomes appropriate procedurally. Please let me know if and when this should happen.

Thank you,
Susan Nine

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To: Zoning Administrator **Todd Bennett**

Fr: Susan Catherine Nine

Re: Objection to placement of cell phone towers

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Dear Mr. Bennett,

City of Monterey
PEEC DIVISION

My name is Susan Nine and I own and live in my home with my husband, Mark Farina, at 70 Via Encanto, in the Monte Vista neighborhood potentially impacted by the request for permits that would allow twelve new cellular antennas to be placed on existing poles, in effect converting them into cellular transmission towers throughout our neighborhood in a cluster type configuration.

The requesting provider has the burden of proof to demonstrate the existence of a "significant coverage gap." The two pronged test formulated by relevant circuit and appeals court cases that have grappled with the somewhat ambiguous TCA prohibition clause concerns what constitutes a "significant coverage gap" and whether there are less invasive ways to eliminate such gap should one exist. The negative effects on property value resulting from cell antennas in close proximity to homes in residential areas such as these, as the courts have upheld, is also a valid basis for denial of permits. A 2014 Wall Street Journal article revealed that when provider and municipal engineers, hired to conduct safety audits, examined more than 5000 cellular antenna sites, they found that one in ten were found to be out of compliance with FCC rules. Also, in 2013, the International Brotherhood of Electrical Workers wrote the FCC saying, "ensuring compliance with existing FCC RF human exposure limits by the FCC licensees is not being enforced." The EM Radiation Policy Institute wrote the FCC with documentation of failure to regulate antennas and a lack of FCC monitoring of compliance with FCC RF policies stating the FCC does not monitor compliance and does not take any effective enforcement actions against violators. Thus, while I am aware

environmental and health issues are not to be considered so long as FCC guidelines are met, there appears to be an industry wide failure to assure compliance with or enforcement of FCC rules.

While the petitioning provider alleges there to be a coverage gap in the area they want to install their additional antennas, in fact one does not exist, significant, insignificant or otherwise. I personally have been a Verizon customer the entire time I have lived in the Monte Vista neighborhood, almost a decade. During that time I have experienced nothing but stellar calling ability and voice service with no dropped calls, with strong signal strength, and fast and efficient data use on my mobile anywhere in Monterey or throughout the Monte Vista neighborhood in particular. The courts have defined a gap as absence of a signal and "significant" as affecting many people over a broad geographic area. The courts have also held that the desire of providers to make improvements in capacity and speed do not constitute a coverage gap. Using the Next Door site and by walking and driving all over Monte Vista, I can report that all Verizon customers in our area have good usable service with good signal strength, and are happy with their data use on mobile phones. Verizon has sold their plans to many residents of Monte Vista neighborhoods because they advertise and claim to provide excellent coverage and have consistently succeeded in doing so. Because this is by far a primarily residential area, we are also well supplied in our homes with internet and WiFi capability which allow us to stream movies, etc. on larger screens so there is little demand for that on small mobile phones. At any rate, providing awesome new optimal capabilities well beyond what is necessary is hardly grounds for meeting the standard defined by the courts as a "significant coverage gap". It is interesting to note that the police and fire department, both within Monte Vista, choose to use Verizon because of its reliable service and coverage. Simply put, Verizon has failed to meet their burden that a "significant coverage gap" exists and just saying there is one doesn't make it so. The 9th Circuit Court of

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Appeals found that the Telecommunications Act does not assure every wireless carrier a right to seamless coverage in every area it serves. If a provider applies on the basis of improving existing capacity, cities do not have to grant access. The court stated that the fact it already has existing service means there is no gap. The court also found projected coverage maps unclear and even if there was a gap it was certainly not sufficient to show a significant gap in coverage. In addition, the court noted the provider already had existing towers throughout the city and public comment further illustrated that existing network was at very least functional. In short, improving existing service or increasing capacity is not provided for in 1996 TCA. Also, the LTE marketing maps on Verizon's website, which showed existing coverage in the area under consideration were in conflict with Verizon's propagation maps. Residents used crowd sourced data and conducted field tests which showed strong to adequate service in the area of the purported gap. The same situation is present here.

There is really little need to discuss the second prong which provider has the burden of proving before depriving cities of the right to deny access, since there is clearly no proof of a significant coverage gap in Monte Vista. Suffice to say that I see nothing close to proof that the provider could not attend to any supposed gap through less invasive means than surrounding our residential neighborhoods with unnecessary clusters of antennas in effect turning our utility poles into cell phone towers. There are quite a few commercial areas within or adjacent to Monte Vista and no proof has been given that there are absolutely no less invasive alternatives to these cluster towers in residential neighborhoods adjacent to several public schools regardless of cost to provider.

The last element that could legally factor into cities' rights to deny permits is the demonstrated resultant decline in property values for homes in close proximity to cellular antennas. When twelve new

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antennas are clustered within a small area of densely populated residential neighborhoods we can expect the effects on property values to be fairly widespread since many homes, my own included, would be close enough to raise concerns to potential buyers. According to a survey by the National Institute for Science, Law & Public Policy, 94% of respondents said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it. There were over 1,000 respondents. 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas. And almost 90% of respondents said they were concerned about the increasing number of cell towers and antennas in their residential neighborhoods generally. A study published in The Appraisal Journal found that buyers would pay as much as 20% less, as determined by an opinion survey in addition to a sales price analysis. In a New York Times article an associate broker and co-owner of a RE/MAX stated that a cell antenna poking from the top of a telephone pole at the front of a home on the market makes people shy away. "If they have the opportunity to buy another home, they do." She said cell antennas and towers near homes affected values, adding, "You can see a buyer's dismay..." A civil rights attorney hired by a group of residents to oppose a provider's application, said they were worried about the property values. He said, "if your home is near a cell antenna, the value of your property is going down 4%. Depending on the size and proximity, it is going down 10%. While the TCA of 1996 says health concerns are not a valid reason to deny zoning for a tower or antenna, property values and aesthetics, however, do qualify, according to the act. Wireless companies have to prove that the selected location had "the least negative impact on area character and property values."

Can you imagine a neighborhood less in character with cell phone antennas embedded in clusters and where an owner of a million dollar home in close proximity to them would suffer an immediate 40,000 to 100,000 dollar loss of property value overnight? We bought our house

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here and love living in this beautiful natural setting as do our neighbors. We deeply resent the threat of this intrusion. That is one of the reasons why our Monte Vista Neighborhood Association board voted unanimously to urge the Planning Commission to deny the permits for these antennas. There are many adequate grounds for doing so that strongly tip the balance in favor of maintaining the character and value of our beautiful neighborhood. These are values we would never trade for ever faster and more technology well beyond those needed for meeting our reasonable cellular needs.

On a final note, I am very aware that SB 649 has passed the state legislature, although the governor has not yet signed the bill. Approximate 250 California municipalities have petitioned the governor not to sign it. If it is signed into law it is very probable it will be challenged on constitutional and other grounds in court. In any event it would not go into effect until January 2018 so it should have no bearing on what action is taken on this matter.

I appreciate your willingness to take the time to read this letter and hope it may be helpful in your decision making process.

Respectfully,
Susan Catherine Nine, JD

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City of Monterey
PEEC DIVISION

Meeting ZA-10/5/17
Agenda Item #1-12

From: Monterey Vista [REDACTED]
Subject: Re: Draft MVNA Opposition to Cell Phone Towers for Pat's signature
Date: October 3, 2017 at 9:35:13 PM PDT
To: Clementine Bonner Klein <[REDACTED]@monterey.org>, Todd Bennett <bennett@monterey.org>
Cc: MVNA [REDACTED], Pat Venza [REDACTED], Bruce Zanetta [REDACTED], Hans Jannasch [REDACTED], Christine & Mike Pekin [REDACTED], Jean Rasch [REDACTED], Doug Davenport <[REDACTED]@gmail.com>, Charles Martin [REDACTED], Arthur Simons [REDACTED]

Dear Todd and City Clerk,

We ask that you please include the attached letter in the packet for the Thursday, Oct 5th, Zoning Administrator's meeting regarding the permit for installing at least twelve cellular antennas within the Monterey Visa Neighborhood.

Regards,

Hans

--

Hans Jannasch
Monterey Vista Neighborhood Association
[REDACTED]
www.montereyvistaneighborhood.org

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Monterey Vista Neighborhood Association

c/o 5 El Caminito del Sur, Monterey, CA 93940

Web: montereyvistaneighborhood.org Email: mvneighborhood@gmail.com

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City of Monterey
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To: Zoning Administrator **Todd Bennett**

Fr: Monterey Vista Neighborhood Association

Re: Objection to placement of Cellular Antennas in Our Neighborhood

October 3rd, 2017

Dear Todd,

The Monterey Vista Neighborhood Association (MVNA) has received numerous concerns on the addition of the cellular antennas proposed within our boundaries. Concerns included the antennas and equipment's effect on views and home values, and the short public notice that was sent out only last week. In addition, most Verizon customers do not seem to notice a lack of cell phone service in the area; possibly only a reduction in data speeds. Another concern seems to be that the addition of these cellular antennas will be the start of more and more antennas and equipment by other companies unnecessarily cluttering our neighborhood streets.

The MVNA board, representing the majority of the members in the neighborhood, asks that you either deny this request or at the least postpone a decision so that the residents in the area, as well as yourselves, can do more research.

Regards,

Hans Jannasch

MVNA Board President

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.



Meeting ZA-10/5/17
Agenda Item #1-12

Fwd: Cell Phone Tower placement in Monterey

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Fri, Oct 6, 2017 at 8:06 AM

----- Forwarded message -----

From: **Stan** [REDACTED]
Date: Thu, Oct 5, 2017 at 4:18 PM
Subject: Cell Phone Tower placement in Monterey
To: bennett@monterey.org

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Mr. Bennett,

We are writing to you to express our concern and opposition regarding the 12 proposed cell phone tower placements in the Monterey residential zones.

We are frankly surprised and shocked that we were not properly notified of these proposed placements. We heard about them through word of mouth.

While someone will benefit monetarily from these proposed placements (the city of Monterey?) there are many reasons to reconsider these cell towers in residential neighborhoods.

It seems appropriate that all affected and concerned citizens should be properly notified before any such placements are considered, whereby voices can be heard and discussion can begin.

Thank you for your time and consideration.

Christie Balestrieri and Stan Jennings
Forest Vale Pl, Monterey

--

Todd Bennett
ext 3758

From: Lore Lingner <[REDACTED]>

Date: Sat, Oct 7, 2017 at 9:32 PM

Subject: Verizon Cell Antennas

To: "montereysuggest@monterey.org" <montereysuggest@monterey.org>, "bennett@monterey.org" <bennett@monterey.org>

I think a great many of the folks in the Monte Vista neighborhood don't understand that Verizon is proposing 12 antennas, not the huge "**towers**" and are totally over reacting. Regarding their complaint that they are a health hazard, I disagree based on: <https://www.cancer.org/cancer/cancer-causes/radiation-exposure/cellular-phone-towers.html>

As far as devaluing residential properties, I believe that is another unfounded complaint. It should be a plus to have excellent cell service.

If Verizon customers are experiencing poor connections or dead spots, I'm in favor of the antennas since there is no health hazard and, speaking as a Realtor, the antennas will not devalue properties.

Lore Lingner
966 Doud St.
Monterey, CA 93940
831-646-8320

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Cellular Phone Towers

Cellular (cell) phones first became widely available in the United States in the 1990s, but since then their use has increased dramatically. The widespread use of cell phones has led to cell phone towers being placed in many communities. These towers, also called *base stations*, have electronic equipment and antennas that receive and transmit radiofrequency (RF) signals.

How do cellular phone towers work?

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Cell phone base stations may be free-standing towers or mounted on existing structures, such as trees, water tanks, or tall buildings. The antennas need to be high enough to adequately cover the area. Base stations are usually from 50-200 feet high.

Cell phones communicate with nearby cell towers mainly through radiofrequency (RF) waves, a form of energy in the electromagnetic spectrum between FM radio waves and microwaves. Like FM radio waves, microwaves, visible light, and heat, they are forms of **non-ionizing radiation**. This means they do not directly damage the DNA inside cells, which is how stronger (**ionizing**) types of radiation such as x-rays, gamma rays, and ultraviolet (UV) light are thought to be able to cause cancer.

At very high levels, RF waves can heat up body tissues. (This is the basis for how microwave ovens work.) But the levels of energy used by cell phones and towers are much lower.

When a person makes a cell phone call, a signal is sent from the phone's antenna to the nearest base station antenna. The base station responds to this signal by assigning it an available radiofrequency channel. RF waves transfer the voice information to the base station. The voice signals are then sent to a switching center, which transfers the call to its destination. Voice signals are then relayed back and forth during the call.

How are people exposed to the energy from cellular phone towers?

As people use cell phones to make calls, signals are transmitted back and forth to the base station. The RF waves produced at the base station are given off into the environment, where people can be exposed to them.

The energy from a cellular phone tower antenna, like that of other telecommunication antennas, is directed toward the horizon (parallel to the ground), with some downward scatter. Base station antennas use higher power levels than other types of land-mobile antennas, but much lower levels than those from radio and television broadcast stations. The amount of energy decreases rapidly as the distance from the antenna increases. As a result, the level of exposure to radio waves at ground level is very low compared to the level close to the antenna.

Public exposure to radio waves from cell phone tower antennas is slight for several reasons. The power levels are relatively low, the antennas are mounted high above ground level, and the signals are transmitted intermittently, rather than constantly.

At ground level near typical cellular base stations, the amount of RF energy is thousands of times less than the limits for safe exposure set by the US Federal Communication Commission (FCC) and other regulatory authorities. It is very unlikely that a person could be exposed to RF levels in excess of these limits just by being near a cell phone tower.

When a cellular antenna is mounted on a roof, it is possible that a person on the roof could be exposed to RF levels greater than those typically encountered on the ground. But even then, exposure levels approaching or exceeding the FCC safety guidelines are only likely to be found very close to and directly in front of the antennas. If this is the case, access to these areas should be limited.

The level of RF energy inside buildings where a base station is mounted is typically much lower than the level outside, depending on the construction materials of the building. Wood or cement block reduces the exposure level of RF radiation by a factor of about 10. The energy level *behind* an antenna is hundreds to thousands of times lower than in front. Therefore, if an antenna is mounted on the side of a building, the exposure level in the room directly behind the wall is typically well below the recommended exposure limits.

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Do cellular phone towers cause cancer?

Some people have expressed concern that living, working, or going to school near a cell phone tower might increase the risk of cancer or other health problems. At this time, there is very little evidence to support this idea. In theory, there are some important points that would argue against cellular phone towers being able to cause cancer.

First, the energy level of radiofrequency (RF) waves is relatively low, especially when compared with the types of radiation that are known to increase cancer risk, such as gamma rays, x-rays, and ultraviolet (UV) light. The energy of RF waves given off by cell phone towers is not enough to break chemical bonds in DNA molecules, which is how these stronger forms of radiation may lead to cancer.

A second issue has to do with wavelength. RF waves have long wavelengths, which can only be concentrated to about an inch or two in size. This makes it unlikely that the energy from RF waves could be concentrated enough to affect individual cells in the body.

Third, even if RF waves were somehow able to affect cells in the body at higher doses, the level of RF waves present at ground level is very low – well below the recommended limits. Levels of energy from RF waves near cell phone towers are not significantly different from the background levels of RF radiation in urban areas from other sources, such as radio and television broadcast stations.

Studies in people

Very few human studies have focused specifically on cellular phone towers and cancer risk.

In one large study, British researchers compared a group of more than 1,000 families of young children with cancer against a similar group of families of children without cancer. They found no link between a mother's exposure to the towers during pregnancy (based on the distance from the home to the nearest tower and on the amount of energy given off by nearby towers) and the risk of early childhood cancer.

In another study, researchers compared a group of more than 2,600 children with cancer to a group of similar children without cancer. They found that those who lived in a town that could have exposed them to higher than average RF radiation from cellular phone towers in the previous 5 years had a slightly higher risk of cancer, although not of any certain type of cancer (like leukemia or brain tumors). This study estimated the children's possible exposure based on the number of towers in their town and how

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strong the signals were from the towers. It did not look at actual exposure of any individual child based on how far their home or school was from a tower. This limitation reduces confidence in the results of the study.

One study looked for signs of DNA and cell damage in blood cells as a possible indicator of cancer-causing potential. They found that the damage was no worse in people who lived near a cell phone tower as compared with those didn't.

The amount of exposure from living near a cell phone tower is typically many times lower than the exposure from using a cell phone. About 30 studies have looked at possible links between cell phone use and tumors in people. Most studies to date have not found a link between cell phone use and the development of tumors, although these studies have had some important limitations. This is an area of active research. For more information, see *Cellular Phones* ([/cancer/cancer-causes/radiation-exposure/cellular-phones.html](#)).

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City of Monterey
PEEC DIVISION

Studies done in the lab

Laboratory studies have looked at whether the types of RF waves used in cell phone communication can cause DNA damage. Most of these studies have supported the idea that the RF waves given off by cell phones and towers don't have enough energy to damage DNA directly. Because of this, it's not clear how cell phones and towers might be able to cause cancer, but research in this area continues.

Some scientists have reported that RF waves may produce other effects in human cells (in lab dishes) that might possibly help tumors grow. However, these studies have not been verified, and these effects weren't seen in a study that looked at the blood cells from people living near a cellular phone tower.

Several studies in rats and mice have looked at whether RF energy might promote the development of tumors caused by other known carcinogens (cancer-causing agents). These studies did not find evidence of tumor promotion, but this is still an area of research.

A large study by the US National Toxicology Program (NTP) exposed groups of lab rats and mice to RF energy over their entire bodies for about 9 hours a day, starting before birth and continuing for up to 2 years. The NTP recently released partial findings from this study, which found increased (although still low) risks of brain and heart tumors in male rats exposed to RF radiation, although there was no increased risk among female rats. Some aspects this study, such as the high doses of RF radiation and the long amount of time the rats were exposed to it, make it hard to know just how well these results might be applied to people. Still, the results add evidence to the idea that the signals used in cell phone communication might potentially impact human health.

What expert agencies say

About cell phone towers

The 3 expert agencies that usually classify cancer-causing exposures (carcinogens) – the International Agency for Research on Cancer (IARC), the National Toxicology Program (NTP), and the US Environmental Protection Agency (EPA) – have not classified cell phone towers specifically as to their cancer-causing potential.

The **US Federal Communications Commission (FCC)** has said this about cell phone towers near homes or schools:

“Radiofrequency emissions from antennas used for cellular and PCS [personal communications service] transmissions result in exposure levels on the ground that are typically thousands of times below safety limits. These safety limits were adopted by the FCC based on the recommendations of expert organizations and endorsed by agencies of the Federal Government responsible for health and safety. Therefore, there is no reason to believe that such towers could constitute a potential health hazard to nearby residents or students.”

About RF radiation

Some of the agencies that classify cancer-causing exposures have, however, made statements about radiofrequency radiation.

The **International Agency for Research on Cancer (IARC)** has classified RF fields as “possibly carcinogenic to humans,” based on limited evidence of a possible increase in risk for brain tumors among cell phone users, and inadequate evidence for other types of cancer. (For more information on the IARC classification system, see *Known and Probable Human Carcinogens* (</cancer/cancer-causes/general-info/known-and-probable-human-carcinogens.html>)). IARC also noted that exposure to the brain from RF fields from cell phone base stations (mounted on roofs or towers) is less than 1/100th the exposure to the brain from mobile devices such as cell phones.

The **Environmental Protection Agency (EPA)** states:

“At very high levels, RF energy is dangerous. It can heat the body's tissues rapidly. However, such high levels are found only near certain equipment, such as powerful long-distance transmitters. Cellphones and wireless networks produce RF, but not at levels that cause significant heating. In addition, RF energy decreases quickly over distance. At ground level, exposure to RF from sources like cellphone towers is usually very low.

Some people are concerned about potential health effects, especially on the developing brains and bodies of children. Some studies suggest that heavy long-term use of cellphones could have health effects. Other studies don't find any health effects from

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cellphone use. Long-term studies on animals exposed to the RF found in wireless networks (Wi-Fi) have, so far, found no health effects. Scientists continue to study the effects of long-term exposure to low levels of RF.”

Can I limit my exposure?

Cell phone towers are not known to cause any health effects. But if you are concerned about possible exposure from a cell phone tower near your home or office, you can ask a government agency or private firm to measure the RF field strength near the tower (where a person could be exposed) to ensure that it is within the acceptable range.

What should I do if I've been exposed to cellular phone towers?

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There is no test to measure whether you have been exposed to RF radiation from cellular phone towers. But as noted above, most researchers and regulatory authorities do not believe that cell phone towers pose health risks under ordinary conditions. If you have additional health concerns, you might want to talk with your doctor.

Written by Additional resources Resources

The American Cancer Society medical and editorial content team



(</cancer/acs-medical-content-and-news-staff.html>) Our team is made up of doctors and master's-prepared nurses with deep knowledge of cancer care as well as journalists, editors, and translators with extensive experience in medical writing.

Last Medical Review: December 2, 2014 | Last Revised: May 31, 2016

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From: **LJ Hansen** <lhansen@cox.net>
Date: Fri, Oct 6, 2017 at 1:27 PM
Subject: from Lois Hansen
To: "bennett@monterey.org" <bennett@monterey.org>

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OK Todd, it has finally come together for me.

The "service gap" that Verizon wants to fill is Del Monte Center. Joe said as much in his presentation and after a good night's sleep, I finally heard it. Now get it.

Monte Vista neighborhood is just the area on the hill above the shopping center where the towers will stand high in the sky to radiate the needed connectivity for the stores and shops at the Center.

So admittedly, there is no need for the towers in our neighborhood. The upgraded "need" is in the commercial center. So I say, put the towers where the need is, if you must put them anywhere at all. And then put warning signs all over the grounds that advise of the situation at the shopping center so people can either choose to shop and work there or not.

The arguments against the towers in the residential area are correct. You know that. I know that. You recused yourself from making a decision last night due to perceived lack of legal knowledge on some matters. However, I don't think you needed legal knowledge beyond what is stated in our own published Monterey ordinances in order to make a decision.

The prospect of these towers in our neighborhood is crushing to me, even now just thinking about it... 24/7/365 radiation making people sick and sicker. This is not hysteria. This is fact. The physical drain may be slow for most of us, but you can't live in an irradiated field without certain, negative physical consequences.

5G is known for its' negative health impacts.

At least at the shopping center, those who choose to work there and shop there can get away from the negative impact for several hours a day. The rest of us, with the towers by our homes and on our neighborhood streets, are subject to it 24/7/365.

There has to be a better way to provide for the commercial district. I'm sure there is. But as someone said last night, "the science needs to catch up with the technology" so we aren't killing ourselves slowly with what might otherwise be a helpful product. (Yes, 5G is a product.)

On a related note, I am disturbed by the lack of notice on this issue to the entire Monte Vista neighborhood as it is a small enough area to be pertinent to each resident, renter or owner, direct proximity to tower location or not.

I learned a lot last night, Todd. It was a good group and you did a good job of over-seeing the meeting. You are clearly a man with a lot of energy, proper decorum, and obviously doing admirably at your job. And you are friendly with a sense of good will about you. That is the most important thing to me.

Important: I will use the bold print part of this letter in other communications, leaving out your name and anything directed personally to you. You've already caught enough hell on this matter.

Lois

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Jenny Leinen <leinen@monterey.org>

urgent letter for the Monterey City Planning Commission

1 message

nancy mellon [REDACTED]
To: leinen@monterey.org

Fri, Oct 6, 2017 at 5:46 PM

To whom this concerns,

I urge you not to approve new cell/wifi access units in Monterey. I have made an extensive study of the effects of wifi devices on human and natural surroundings. Also I am in touch with individuals in the business who are pushing more sales of these units.

Everyone needs to inform ourselves; the industry does not.

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Short annotated list of resources addressing EMF impacts

EMF WARRIORS <https://m.youtube.com/watch?v=Cf65HJ42m6k>

Singer, Katie. An electronic silent spring: facing the dangers and creating safe limits.

This book reports the effect of electrification and wireless devices on people, plants, birds and bee colonies. Like Rachel Carson, Singer's warnings will not be popular with power companies and telecommunications executives and lobbyists. Her findings deserve thoughtful attention by concerned citizens and elected officials. "A must-read for those of us rushing heedlessly into the wireless age." Sally Fallon Morell, President, the Weston A. Price Foundation and author of Nourishing Traditions.

Sherry Turkle Alone Together: Why We Expect More from Technology and Less from Each Other

Technology has become the architect of our intimacies. Online, we fall prey to the illusion of companionship, gathering thousands of Twitter and Facebook friends, and confusing tweets and wall posts with authentic communication. But this relentless connection leads to a deep solitude. MIT professor Sherry Turkle argues that as technology ramps up, our emotional lives ramp down. Based on hundreds of interviews and with a new introduction taking us to the present day, Alone Together describes changing, unsettling relationships between friends, lovers, and families.

Sherry Turkle, Reclaiming Conversation: The Power of Talk in the Digital Age

Renowned media scholar Sherry Turkle investigates how a flight from conversation undermines our relationships, creativity, and productivity—and why reclaiming face-to-face conversation can help us regain lost ground.

We live in a technological universe in which we are always communicating. And yet we have sacrificed conversation for mere connection.

Preeminent author and researcher Sherry Turkle has been studying digital culture for over thirty years. Long an enthusiast for its possibilities, here she investigates a troubling consequence: at work, at home, in politics, and in love, we find ways around conversation, tempted by the possibilities of a text or an email in which we don't have to look, listen, or reveal ourselves.

We develop a taste for what mere connection offers. The dinner table falls silent as children compete with phones for their parents' attention. Friends learn strategies to keep conversations going when only a few people are looking up from their phones. At work, we retreat to our screens although it is conversation at the water cooler that increases not only productivity but commitment to work. Online, we only want to share opinions that our followers will agree with – a politics that shies away from the real conflicts and solutions of the public square.

The case for conversation begins with the necessary conversations of solitude and self-reflection. They are endangered: these days, always connected, we see loneliness as a problem that technology should solve. Afraid of being alone, we rely on other people to give us a sense of ourselves, and our capacity for empathy and relationship suffers. We see the costs of the flight from conversation everywhere: conversation is the cornerstone for democracy and in business it is good for the bottom line. In the private sphere, it builds empathy, friendship, love, learning, and productivity.

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But there is good news: we are resilient. Conversation cures.

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Based on five years of research and interviews in homes, schools, and the workplace, Turkle argues that we have come to a better understanding of where our technology can and cannot take us and that the time is right to reclaim conversation. The most human—and humanizing—thing that we do.

The virtues of person-to-person conversation are timeless, and our most basic technology, talk, responds to our modern challenges. We have everything we need to start, we have each other.

Cris Rowan . Virtual Child: the terrifying truth about what technology is doing to children. Zone-in.org

Cris Rowan is an occupational therapist who has witnessed the profound impact of technology on 21st century children who are overly exposed to technology.

Mari Swingle i-Minds: How Cell Phones, Computers, Gaming and Social Media are Changing Our Brains, Our Behavior, and the Evolution of Our Species.

Many of us would no more go out without our cell phone than we would leave the house without clothes. We live our lives on social media, and PDAs, tablets, computers and other devices are completely integrated into our global culture. From connectedness to accessibility and instant access to information, a wealth of benefits accompanies this digital revolution. But what about the cost?

Weaving together history, popular literature, media and industry hype, sociology and psychology, and observations from over eighteen years of clinical practice and research, Dr. Mari Swingle explores the pervasive influence of i-technology. Engaging and entertaining yet scientifically rigorous, i-Minds demonstrates: How constant connectivity is rapidly changing our brains What dangers are posed to children and adults alike in this brave new world The positive steps we can take to embrace new technology while protecting our well-being and steering our future in a more human direction This extraordinary book is a virtually indispensable look at a revolution where the only constant is change—food for thought about which aspects of technology we should embrace, what we should unequivocally reject, and the many facets of the digital era that we should now be debating. Dr. Mari K. Swingle is a neurotherapist and behavioral specialist who practices at the highly-regarded Swingle Clinic. She holds a BA in Visual Arts, an MA in language

education, and an MA and PhD in clinical psychology, and has won numerous awards for her post-doctoral work on the effects

Sincerely,
Nancy Mellon
www.healingstory.com
831-373-3349

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From: Rick Moore [REDACTED]
Date: Mon, Oct 9, 2017 at 9:08 AM
Subject: Cell tower proposal
To: bennett@monterey.org

At the risk of excommunication by my neighbors, I would like to speak IN FAVOR of the Verizon proposal.

I live at 2 Victoria Rise at the top of the hill in Skyline Forest. I rely on cell service for my voice communications. The current coverage is spotty, one bar mostly. I would love for it to be stronger so I can avoid dropped calls and the dropouts that occur as the system searches for a better connection.

So, I am one resident who asks that the city approve the proposal. I have seen photos of the new antennae and they don't seem visually objectionable to me. I cannot speak to the issue of radiation -- I just don't know.

Thanks for listening.

A handwritten signature in black ink, appearing to read "Rick", is located on the left side of the page.

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From: chip dorey [REDACTED]
Date: Fri, Oct 6, 2017 at 4:12 PM
Subject: Cell Tower Applications
To: bennett@monterey.org

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Mr. Bennet,

City of Monterey
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My name is Chip Dorey, I am a third generation Monterey resident currently living at 25 Via Chualar. I was at the City Hall meeting yesterday regarding the cell tower applications in my neighborhood. I don't really know where to begin, what I saw yesterday was a powerful opposition to what Verizon is trying to do in OUR neighbor hood and I left feeling we have no say that will make a difference. A business owner has every right to refuse doing business with a customer for what ever reason it chooses. This situation should be no different!! If you need a legal basis than FIND one and help support the people of this neighborhood and not the crooks that want to bully us around. The fact that so many of the home owners oppose the applications for these cells towers in our neighborhood and the feeling the city is not standing behind us is frightening. I have been doing a little reading and I understand that no basis of denial can be based on perceived health affects, which you did say last night, and this fact alone is incredibly disturbing It doesn't take much reading to find out what the dangers are, but you already know this. You must find a way for denial or this will start to destroy what makes this town so unique and special.

I also need understand how the city is benefiting from this? There must be some way the city will benefit, if this passes, housing values WILL decline meaning less income to the city. There must be some way the cell company is going to compensate for that loss? Otherwise this is a bad deal for the city and everyone is loosing accept these bully cooperations that push everyone around to get what they want. I need to understand how the city is going to benefit from a huge portion of it residents loosing incredible value in their homes that they have worked decades to build while decreasing city revenue?

The real-estate agent spoke last night about the percentage that housing prices would decline if this happens. Those facts are also common knowledge and easily found after a little searching. The women also spoke about a mass exodus of people trying to get out before this happens. Well....my wife and I, plus our two children ages 5 and 8, have already started that process of preparing our house for sale to move away from this type of ridiculousness. I can't afford to loose that kind of value in my home after everything I have worked for. I can't risk exposing my children to the dangers of this level of radiation.

We are lucky as humans to be born with common sense, to know what is right and what is wrong. I would have a hard time sleeping for the rest of my life if I didn't do what ever I could to protect my children and family. You have a lot of weight on your shoulders Mr. Bennet to protect more than just my family, you have a whole neighborhood, with generations of families to protect now. I trust you will do the right thing.

Sincerely,

Chip Dorey
25 Via Chualar
Monterey, Ca. 93940
831 238-5791



Jenny Leinen <leinen@monterey.org>

Fwd: Good News

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Oct 16, 2017 at 10:20 AM

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----- Forwarded message -----

From: **susan nine** [REDACTED]
Date: Mon, Oct 16, 2017 at 10:01 AM
Subject: Good News
To: "bennett@monterey.org" <bennett@monterey.org>

I imagine you were as delighted as I was to get the news of Gov. Brown's Veto of SB 649. I think the cities joining together as they did provided the support that allowed this to happen. I am proud our City was among them.

The reason I am writing you is because I have not heard back from you regarding the telecom lawyer who will be assisting the city. I will tell you off the bat that I am not opposed to the City using Telecom. Mr. Kramer from Telecom helped San Francisco win the suit that T-Mobile brought against them because some permits were denied in areas that were inappropriate. T-Mobile vs city and Co. of SF is a very interesting holding which, if you haven't already read it, makes a good read in that it thoroughly discusses the scope of a city's right to regulate. The text is available on line and it does provide helpful legal precedent for the City.

I only want to know the name of the specific lawyer Telecom is sending and who will be in attendance at the PC meeting, as I'd like to study his/her background and perhaps reassure people who are expressing concerns that the City is in league with Verizon and chose a law firm which also is.

As I see it, the problem revolves around competing interests of providing 4g and maybe 5g technology which seems to require this sort of equipment with the property and zoning rights of residents not to have this equipment in residential neighborhoods outside our bedroom windows. If there are commercial interests in the city who are clamoring for more advanced technology, then let these be installed away from our residential hillsides and placed in commercially zoned areas. As you heard my neighborhood is quite satisfied with current coverage based on 3g technology. Our population is not increasing or developmentally growing. Most would give up our cell phones before having these in our neighborhood close to homes and schools.

I can appreciate the delicate balancing act you are engaged in but think that the defeat of 649 was a step in the right direction as was the holding in T-Mobile. They both confirmed a city's ability to act in conformity with local zoning ordinances. In case you haven't seen the Mercury News article I am attaching the link.

<https://www.google.com/amp/www.mercurynews.com/2017/10/16/california-gov-jerry-brown-vetoes-bill-easing-permits-on-cell-phone-towers/amp/>

Sincerely,
Susan Nine

Sent from my iPad

--

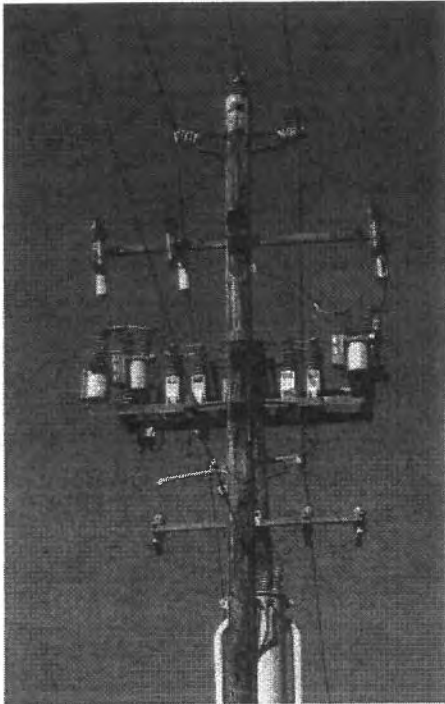
Todd Bennett
ext 3758

California: Gov. Jerry Brown vetoes bill easing permits on cell phone towers

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Karl Mondon/Bay Area News Group
Gov. Jerry Brown late Sunday vetoed Senate Bill 649, which proposed to scale back local government permit processes for antennas and equipment for wireless services.

By **TRACY**

SEIPEL | tseipel@bayareanewsgroup.com |

Bay Area News Group

PUBLISHED: October 16, 2017 at 12:25

am| UPDATED: October 16, 2017 at 10:46 am

SACRAMENTO — Gov.

Jerry Brown late Sunday

vetoed a bill backed by the cell

phone industry that would have made it easier to install microwave radiation antennas.

Senate Bill 649, authored by Sen. Ben Hueso, D-San Diego and co-authored by Assemblyman Bill Quirk, D-Hayward, proposed to scale back the permitting process for antennas and other equipment in an effort to meet demand for wireless services.

In a signing statement, Brown wrote that while he saw the value in "extending this innovative technology rapidly and efficiently," the bill took too much control away from cities and counties.

The bill was primarily supported by the Cellular Telecommunications and Internet Association, the main trade group for the U.S. wireless telecommunications industry. The group said SB 649 would help boost the economy.

Yet the bill had alarmed many local government officials around the state. They worried if SB 649 became law, it would cap how much they

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could charge phone companies for leases to \$250 a year.

Others raised concerns about the risk to public health from cell towers.

Grass-roots activists and scientists said that if SB 649 became law, a projected 50,000 new cellular antennas would be installed on public buildings and utility poles in California neighborhoods, creating a risk to public health because of the dangers of radiation and electromagnetic frequencies emitted by cell towers.

"I am thrilled that Governor Brown showed strength and stood up to this powerful wireless industry and said no — you are not going to do this in my state!" Ellen Marks, a San Francisco-based leader of the California Alliance for Safer Technology, wrote in an email after Brown's decision was posted online.

"This is a tremendous victory for democracy," said Marks, whose group is trying to keep cellular antennas away from homes, schools, offices and parks.

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An industry spokeswoman said the bill maintained local authority for "small cell" antennas, particularly in historical or coastal areas, and that governments could recover capital and administrative costs.

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San Jose Mayor Sam Liccardo was among several Bay Area leaders who voiced their opposition to the bill.

Quirk and Hueso called the health concerns overblown, saying the cell towers are safe.

Joel Moskowitz, director of the Center for Family and Community Health at UC Berkeley's School of Public Health, was heartened by Brown's veto, coming on the heels of a federal appeals court ruling last week that supports Berkeley's landmark cell phone "right to know" ordinance.

The city law, which took effect in 2016, requires retailers to warn cellphone customers that wearing their device next to the body could result in exposure to radio frequency

radiation exceeding federal guidelines. Cellphone retailers must either post the message or provide a paper copy to anyone who buys or leases phones.

“The Governor’s veto of SB 649 protects Californians from exposure to millimeter radiation from as many as 50,000 new cell towers,” Moskowitz wrote in an email Sunday night.

He noted that more than 180 scientists and doctors have signed a declaration calling for a moratorium on the increase of cell antennas required for 5G deployment, “as we are concerned about the health effects including neurological impacts, infertility, and cancer.”

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Jenny Leinen <leinen@monterey.org>

Fwd: Proposed Cell Towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Tue, Oct 17, 2017 at 1:49 PM

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----- Forwarded message -----

From: Ann Packer [REDACTED]
Date: Tue, Oct 17, 2017 at 1:39 PM
Subject: Proposed Cell Towers
To: bennett@monterey.org

Dear Mr. Bennett,

I attended the meeting on October 5 where the presentation was made to allow cell towers in our neighborhoods. I was among the many residents there who oppose the cell towers and their potential impact on property values, human health and wild life. If Verizon is allowed to use these, what happens when other carriers want to offer similar coverage? Add on to existing towers, find new poles?

Please read the article below from the New York Times and forward it to anyone in the Planning Department who has a vote on whether or not these towers are allowed within the City of Monterey. I sincerely hope this is not allowed no matter how much the City receives in payment.

Ann Packer
Skyline Forest Homeowner

Read More...<<https://www.nytimes.com/2017/10/03/opinion/wireless-verizon-telephone-poles.html>>

--

Todd Bennett
ext 3758

Why Does Verizon Care About Telephone Poles?

By SAM LICCARDO OCT. 3, 2017



Street poles used by public utilities in Northern California. Companies like Verizon and Sprint want to install equipment on street poles at below-market rates. Jim Wilson/The New York Times

SAN JOSE, Calif. — Like every other 8-year-old whom I tutored at a local school, Omar didn't know anything — and didn't care much — about high-stakes disputes over net neutrality, free speech and privacy that have consumed much of the news coverage of the telecommunications industry in recent years. Yet the inability of Omar's parents to afford broadband internet access lies at the heart of a battle that will have a far greater impact on his future: the fight over street poles.

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Public street poles may not look like much, but to wireless service providers, they're valuable real estate. Companies like Verizon want low-cost access to them to install equipment to handle the rapidly growing demand for mobile data. But poles are owned locally, and cities and counties aren't eager to give away access at below-market rates. Doing so would essentially subsidize an already wealthy industry — nationwide, as much as \$2 billion a year, money that could otherwise go to expanding low-cost broadband access for people like Omar's family.

As a result, the industry is waging a war for those poles, at all levels. Big Telecom and its allies in the White House have quietly carried out a campaign to secure rapid and cheap access to those poles, at taxpayer expense. Here in California, state legislators recently advanced a bill introduced by Senator Ben Hueso that would allow wireless service providers to install their equipment on public street poles at below-market rates — and to do so nearly wherever and whenever they choose — all in the name of “streamlining” local permit approvals.

We've seen similar efforts in Texas, Florida, Washington and dozens of other states, where telecommunications industry lobbyists spent more than \$24.5 million in campaign contributions last year, according to the National Institute on Money in State Politics. At the federal level, Trump administration appointees to the Federal Communications Commission have publicly cheered these proposals, while releasing their own draft regulations to carry out additional industry-friendly rules nationally.

What do our taxpayers get in return for this sweetheart deal? Wireless companies insist that these legislative proposals will reduce costs for consumers, and deliver better-quality cellular voice and data service. Yet, in truth, they do nothing to actually ensure that customers will benefit from a single dollar of the cost savings that the corporate telecoms will pocket.

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Moreover, service improvements will benefit only those customers able to afford its service. Despite the windfall that wireless providers receive at taxpayer expense, these industry-backed proposals do not require, or even encourage, the companies to expand broadband access to underserved rural and low-income neighborhoods.

There's no provision in the California legislation, for example, for broader deployment for low-income neighborhoods. In San Jose alone, over 40

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percent of low-income residents lack broadband access. While the industry will respond by pointing to its discounted internet service plans, they remain of such poor quality that students like Omar cannot download their teachers' video-recorded lesson plans, or a Khan Academy instruction on algebra,

particularly when multiple family members are sharing the same account.

In essence, these wireless service providers seek all of the privileges of a regulated water or electric utility — taxpayer-subsidized use of public infrastructure, deployment in locations of their choosing, overrides of the local government's authority — but without the accompanying responsibility: to serve everyone.

It gets worse. The push by industry and the Trump administration to override local authority to set lease rates will undermine many cities' efforts to expand digital access. That's because San Jose; Tacoma, Wash.; and many other progressive cities seek to use lease revenues from street poles to finance the expansion of low-cost broadband to poorer neighborhoods. Otherwise, the wealthy will receive better service, and the poor will remain shut out.

These proposed regulations also supplant local communities' authority with industry fiat to determine how to deploy telecommunications equipment over public streets, sidewalks and parks. Homeowners surprised by the sight of refrigerator-size equipment installed on poles outside of their windows will have no ability to seek redress from City Hall to change the location or to mitigate the aesthetic impact of these unsightly fixtures. And because signals from of these devices can disrupt the operations of others,

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they can preclude cities from installing public-serving devices — such as gunshot-spotters or traffic safety sensors — on their own street poles.

These are just a few of the reasons a growing number of local elected leaders have opposed the industry's efforts in state legislatures and at the F.C.C. Here in California, the mayors of six of our largest cities — Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Santa Ana — have joined leaders of 150 other cities in opposing California's version of this industry-backed effort.

There is a better way. If the industry wants the same access to taxpayer-funded infrastructure that public utilities enjoy, it should bear the concomitant responsibility to make its services available to everyone in that jurisdiction. Alternatively, if Big Telecom doesn't want the responsibility of deploying broadband in low-income neighborhoods, then the states and the F.C.C. should continue to allow cities to charge market-rate fees and leases to generate municipal dollars needed to broaden access, as San Jose is doing in several low-income neighborhoods.

We should all embrace the opportunity of greater broadband deployment, at better speeds, with the latest technology. Yet how we deploy this technology — and whether families like Omar's' will benefit — matters. If we're going to provide the telecom industry with unfettered access to public property, then the public's interest must come first.

Sam Liccardo is the mayor of San Jose, Calif., and a member of the Federal Communications Commission's Broadband Development Advisory Committee.

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Jenny Leinen <leinen@monterey.org>

To: Monterey Planning Commission Members

1 message

LJ Hansen [REDACTED]
To: City of Monterey <leinen@monterey.org>

Tue, Oct 17, 2017 at 8:31 PM

To: Monterey Planning Commission Members;

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Stephen Millich (Chair)
Michael Dawson (Vice Chair)
Michael Brassfield
Sam Ezekiel
Daniel Fletcher
Terry Latasa
Hansen Reed

I am writing to register my opposition to having the 12 or 13 cellular antennas being crowded into the Monte Vista neighborhood near our homes and schools. I am not alone in this as shown by the large attendance at the October 5th Public Hearing.

Since the FCC has outlawed health concerns as a stand-alone reason for denying the towers, I will include them along with the others so that you can validly use all concerns in your considerations.

Recent court cases have allowed cities to consider (1) the aesthetic impact in their permit process as well as (2) loss of property values; (3) interference in the public's use and (4) quiet enjoyment of public roadways i.e. whether the public would be "incommoded" by the location of cellular equipment. And, yes, we may consider (5) health. Numerous people spoke to the health impact of these towers over and across and through our neighborhood. The comments were thoughtful, researched, and came from reasonable but concerned people. While most of us DON'T feel the impact of the electromagnetic cast-off from our electronic tools and paraphernalia, some people do. Those of us who do not feel impacted tend to not believe it is there or that it has any importance. We are prone to dismiss those who do feel the negative impact as hysterical or hyper-sensitive or somehow mentally disturbed. We ignore them at our own peril.

I must add a 6th consideration that really troubles me. Verizon says there is a "service gap" in our neighborhood. That is not so. So why choose the Monte Vista neighborhood for the onslaught of electronics power? I asked that question of the towers presenter in Chambers during a break in the October 5 meeting. I asked him *Why our neighborhood [to locate these towers?]* He said that "the topography makes it ideal". I ask, for whom? For what? *Not* for Monte Vista neighborhood.

Combining the presenter's statement with another comment he made during the meeting, that the Del Monte Shopping Center could benefit from upgraded services, I now believe that this whole cluster planned for our neighborhood is not for our benefit. It likely never was. The service gap explanation is false. Instead: (1) the elevation over the commercial area is advantageous for providing *new* and *upgraded* service for the commercial area. (2) The ugly towers are hidden away from the parts of Monterey that most tourists go to – downtown and the coast. So you do not want these eye sores to be seen by the hundreds of thousands of visitors that come here every year. I don't blame you. But hiding these ugly towers and their accompanying equipment in our residential neighborhood like we are some back alley is inexcusable. Do not do this to the people who live here.

RECEIVED

OCT 17 2017

You can deny them on the grounds that they will bring property values down.

City of Monterey
PEEC DIVISION

You can deny them on the basis that they are *not fitting* for a residential neighborhood. Even the presenter kept referring to how the various locations hid the towers or down-played their presence *There is nothing about these towers that fits in with this special Monte Vista environment of lush greenery, comfortable homes, beautiful yards both cultivated and wild, parks, schools and area wild life.* There is nothing about having these towers in the neighborhood that we will enjoy. If these towers are allowed, we will always know you simply took the side of big business against the residents of the city you are positioned to protect. And we will live with the physical, emotional, financial fallout of that fact.

Otherwise stated, you can deny the towers on the grounds that they will "incommode" the people living in the neighborhood. I'm *already* "incommoded". I am *dreading* my future in Monterey, and that of my neighbors, in anticipating this cluster of 13 antennas in our neighborhood.

You can deny the towers because it is experienced by the majority of Monte Vista residents that there is no gap in service in that area. Indeed, the applicants have not met their burden of proving a "significant coverage gap" nor have they met their burden of proving that less invasive options do not exist.

You can deny the antennas in the interest of public safety. These antennas, accompanied by mandatory safety zones, worker safety equipment, large warning signs to "protect" both workers and passers-by just advise us that the antennas are harmful. The applicants *know* that.

You can deny the towers because you are obligated to put the welfare of Monterey residents above that of invading commercial interests who don't give a twit about this community beyond the money they can make off our backs.

Make sure that the decision you make for residents in Monterey in this matter *in no way whatsoever* harms them. Do not try and foist responsibility for this decision off onto Sacramento. This decision is your decision to make and your responsibility to do so in the best interest of Monterey residents, not the multi-billion dollar telecom industry.

cc: Monterey City Mayor

cc: Monterey City Council Members

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OCT 17 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: How Can City Form a united response to Verizon threat?

1 message

Todd Bennett <bennett@monterey.org>

Mon, Oct 23, 2017 at 7:50 AM

To: Jenny Nelson <leinen@monterey.org>, Elizabeth Caraker <caraker@monterey.org>, Kimberly COLE <cole@monterey.org>, Christine Davi <davi@monterey.org>

FYI

----- Forwarded message -----

From: Mike Pekin [REDACTED]

Date: Sun, Oct 22, 2017 at 10:25 PM

Subject: How Can City Form a united response to Verizon threat?

To: Bennett@monterey.org

RECEIVED

OCT 23 2017

City of Monterey
PEEC DIVISION

Good morning Todd:

I'd like to first acknowledge that you were distinctly more gentlemanly to me than I was to you at the City's first ill-fated Meeting. I apologize and I'm resolved not to let it happen again.

I'd next like to discuss my resolution to do everything in my power to demonstrate a united Residents - Staff - Planning Commission and City Council opposition to these numerous and dangerous Microwave Radiation Antennas (MRAs).

You will notice that you are the sole recipient of my thoughts because this appears to be "your case".

Per my letter to the Herald attached below, I am, and will be, 100% in the City's corner. I think a successful, and long-term defense to this invasion depends on how this City can demonstrate unity and determination.

There was confusion in the City's response, and the confusion was widely misinterpreted as favoritism to Verizon.

- a. Through no fault of yours, the Hearing was divisive. And frightening.
- b. The Wireless Ordinance was amended in 2016 to reduce R-1 protections against MRAs, *presenting the appearance of the City Paving the Way for the MRAs into the neighborhoods, no matter the reason for those Amendments.*
- c. Staff responses to public inquiry into the MRAs presented a picture of hopeless weakness, no path of resistance for the residents.
- d. And more, to create the impression, however false in fact, *the strong appearance that the MRAs are a done-deal.*

So the issue is not the truth or falsity of these unfortunate appearances, the issue is how to get rid of them; put them behind us, immediately, so that we can form a uniform resolve against Verizon.

Todd, the Community simply cannot go into the Nov. 14 Planning Commission Hearing in this state of affairs. There must be something we can do, and immediately, to let this Town know we are Together.

And we can't put anything off; the Shot Clock is rapidly running.

I want to help put every one of mis-steps a. through d. above, and 500 foot Rule, and every other distraction behind us for good.

I have said I was wrong in my letter to the editor supporting the City.

I am saying I was wrong here.

So what can we work on together to do RIGHT? How about a Study Session exclusively about the City's proposed future actions to get this visibly going in the right direction? How about working together to dispel doubt about where the City

stands?

How about the City Council taking into the record the Zoning Administrator testimony, new testimony Nov. 7, and denying the applications on the merits?

I have attached a Request to Agendize I filed last Friday, Oct. 20. It is meant to generate thinking in the City to do something positive BEFORE the Planning Commission, to get in front of this. If you convince me my Request somehow weakens, not helps the City, I'll walk into the Clerk's Office and Cancel it on the spot.

And so on.

Respectfully offering to do what I can; hoping to hear from you shortly, Mike Pekin 905 3756

RECEIVED

OCT 23 2017

City of Monterey
PEEC DIVISION

--

Todd Bennett
ext 3758

2 attachments



Herald 102317.pdf
34K



Request to Agendize Amendment of City Codes.pdf
56K

Verizon is applying to install 13 dangerous Microwave Radiation Antennas (MREs), 1,800 watts each, in a small R-1 residential neighborhood in Monterey. This combined 25,000 watts of radiation is not for cell phone reception, which is excellent in the impacted neighborhood. Verizon has so far successfully concealed its true intentions.

Verizon's intrusion caught the City by surprise. The City's initial reactions seemed uncertain. Frightened, I mistook the City's confused responses as an official green light for the flood of radiation into our homes. I was wrong. My City is forming up an effective and uniform defense to the intruder.

Ever wonder why we have a Window on the Bay rather than a line of high-rise beach resorts ringing Monterey's waterfront? Decades ago, uninvited outside resort developers made the first moves. Our City Council presented a unified denial to that over-development. We are enjoying the benefits of that Community resolve today. Same leadership resolve too.

Monterey places the interests of its residents first. Period. Verizon, do not be deceived by my City's initial unprepared reaction to your intention to profit at our expense. You have a right to apply. Monterey will deny; whatever it takes; united; again.

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OCT 23 2017

City of Monterey
PEEC DIVISION

Request to Agendize before City Council Re-draft of City's Wireless Ordinance.

By hand delivery and email Oct. 20, 2017.

To: Mike McCarthy, City Manager; Christine Davi, City Attorney; Clyde Roberson, Mayor; Ed Smith, Councilman; Alan Haffa, Councilman; Timothy Barrett, Councilman; Dan Albert, Councilman.

RECEIVED

OCT 23 2017

From: Mike Pekin, resident.

City of Monterey
PEEC DIVISION

Re: Request to Agendize before City Council residents' need:

1. To amend City of Monterey Wireless Ordinance to Protect inviolability of all R-1, residential neighborhoods from blight of unsightly commercial exploitation by Verizon's numerous and dangerous Microwave Radiation Antennas (MREs). AND,
2. To impose an immediate City-wide Moratorium on the acceptance for all applications for such MREs, and an immediate and complete halt to all processing of all applications received but not yet granted. AND,
3. To cancel the Nov. 14, 2017 Planning Commission Hearing for the 13, or any of the 13 Microwave Radiation Antenna antennas, at that time.

Requested date before City Council Nov. 7, 2017 at 7:00pm.

The City Council needs to re-draft and enact its Wireless Ordinance to accord R-1 zoning the maximum protection permissible following Governor Jerry Brown's veto of SB 649:

The bill (SB 649) took too much control away from Cities and Counties.

Dear Mr. McCarthy, et al:

1. Among California cities, there are two distinct legal approaches being taken to local control over the placement of Cell Phone Towers. Some cities, San Francisco for example, are exercising local control over placement of the Towers to maximize protection of those fortunate residents. Residents and our City need to know that all applications for the installation of MREs be processed and governed by the strictest guidelines permissible for the protection of the R-1 residential areas.
2. There is urgency in City Council taking all three of these steps immediately and publicly. Verizon's application to install 13 dangerous MREs, densely in the Monterey Vista Neighborhood, with all other Neighborhoods certain to be subjected to the same commercial exploitation, is set before the City's Planning Commission

Page 2 of 2.

for Hearing November 14, 2017. It is of vital importance that those applications, and every application to follow hereafter, be subject to, and processed according to the most stringent local control permissible at all times.

Conclusion: City Council has the power to, and must:

- 1. Impose an immediate Moratorium to Stop processing the present, pending 13 Verizon applications.**
- 2. Re-draft the Wireless Ordinance to provide maximum protection to the residents, not the installers of MREs.**
- 3. Cancel the Planning Commission Hearing for those Applications on Nov. 14, 2017, or any other date prior to the finalization of the City's re-drafted Wireless Ordinance.**

Respectfully submitted,

P. MICHAEL PEKIN
Resident.

PMP/p

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OCT 23 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: Verizon Microwave Radiation Antennas not welcome in Monterey neighborhoods

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Oct 23, 2017 at 7:51 AM

----- Forwarded message -----

From: Mike Pekin [REDACTED]
Date: Sun, Oct 22, 2017 at 9:22 PM
Subject: Verizon Microwave Radiation Antennas not welcome in Monterey neighborhoods
To: Herald letterstoeditor <[REDACTED]>

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OCT 23 2017

City of Monterey
PEEC DIVISION

Verizon is applying to install 13 dangerous Microwave Radiation Antennas (MREs), 1,800 watts each, in a small R-1 residential neighborhood in Monterey. This combined 25,000 watts of radiation is not for cell phone reception, which is excellent in the impacted neighborhood. Verizon has so far successfully concealed its true intentions.

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Ever wonder why we have a Window on the Bay rather than a line of high-rise beach resorts ringing Monterey's waterfront? Decades ago, uninvited outside resort developers made the first moves. Our City Council presented a unified denial to that over-development. We are enjoying the benefits of that Community resolve today. Same leadership resolve too.

Monterey places the interests of its residents first. Period. Verizon, do not be deceived by my City's initial unprepared reaction to your intention to profit at our expense. You have a right to apply. Monterey will deny; whatever it takes; united; again.

Mike Pekin, Monterey 905 3756.

--

Todd Bennett
ext 3758



Jenny Leinen <leinen@monterey.org>

TO the Planning Commission RE: Cell antennas in Monte Vista Neighborhood

1 message

LJ Hansen [REDACTED]
To: City of Monterey <leinen@monterey.org>

Mon, Oct 23, 2017 at 8:24 AM

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OCT 23 2017

City of Monterey
PEEC DIVISION

November 14th is fast approaching. What are *you* going to do? Are you going to side with the billion dollar telecom industry and let them take over our R-1 Monte Vista neighborhood as their first step into taking over all the other neighborhoods in Monterey? Understand this, if you let them in to Monte Vista, you will be FORCED to let them in to the rest of Monterey *wherever* they need to go to make their system work for them. Is that where you're headed? The City's silence on this matter, except to work with the tower plan applicants to get their plans completed, is discouraging and troubling.

My hope is that your silence means you are busy trying to find legal grounds to deny the antennas. But to date the silence from Monterey decision-makers stirs no confidence in me. Where do you stand on this issue for Monterey neighborhoods?

This town belongs to the people who live here. We have *no obligation* to turn our neighborhoods over to the telecom industry, no matter what they say or threaten to do.

As you have seen, the residents of this neighborhood do not want or need Verizon's jump start over the competition with their intrusion of their experimental small cell antenna installations.

Yes, Verizon probably will sue the city if you do not approve their Extenet "applications" (nice way to not talk about what they are.) So do your homework and be able to state comprehensively, with every "i" dotted and "t" crossed, your legal reasons for denying their applications. You need to be ready to go on Nov 14th and that means you, like the rest of us, have a PILE of work to do between now and then to protect this city. We can help you. This is not just a city staff job. This is a job for all of us.

Other cities and towns have denied cell tower applications. You can do it, too. You need to start working WITH the citizens who can help you do this. Let the city attorney do her job and find the cases that will support the legal denial of these antennas. The cases exist and the legal reasons to deny exist.

As for any decision makers recusing themselves from their decision making responsibility on the matter of the towers, that is not correct. As Monterey officials, all Monterey issues are on the table for you. Claiming conflict of interest just won't cut it on this. Monterey decision-makers will benefit in no way financially by the towers coming in or not coming in, so there is no conflict of interest. Recusal in this matter is not an option. Municipal ordinances give all of you the power to move forward with a decision in keeping with the overwhelming majority of the town residents who have spoken and written in opposition to the towers. We are a Charter City. We win.

But the next step belongs to you. What will you do? Will you be so afraid of a telecom law suit that you are willing to sacrifice the beautiful, unique, peaceful and historic setting that IS Monterey in order to avoid an expensive court case? This is going to be expensive either way. You go to court with Verizon or, over time, you ruin your whole town of neighborhoods with small cell antennas every 300 yards. Both are expensive avenues. And remember, the towers may be that far apart from each other, but for some homes they will be only a few feet away, ruining views, ruining the tranquility of the area, making some houses unsaleable and some unlivable due to electronic cast off into the property. Would YOU buy a home next to a small cell tower? The telephone poles themselves with wires strung every which way are enough of an obstruction but at least they don't bring with them the harmful electronics cast off that the small cell antennas will bring. Does *some* obstruction mean we have to bring *more*?????????

There has to be a better way than letting these antennas saturate our neighborhoods. *Find it.* Please! Do what your citizens are doing and research the cases where cities have won against putting these structures into residential and/or historic areas. I'm not saying there isn't a place for safe, upgraded technology, but not in the R-1 neighborhoods where people have CHOSEN to live and spend millions of their hard earned dollars to be away from commercial interests during non-work hours.

Please. Work with Monterey citizens to defeat this improper invasion of our neighborhoods. This may just be a knotty on-the-job challenge for you – weaving your way through “upset residents” and powerful telecom interests, but as a reminder, *this is our home*. What's it to *you*?

Signed,

Lois Hansen

54 Via Ventura

Monterey resident / Monte Vista neighborhood

RECEIVED

OCT 23 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: still need 231Via del Rey and Dorey Way application packets

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Oct 23, 2017 at 7:46 AM

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OCT 23 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **LJ Hansen** [REDACTED]
Date: Mon, Oct 23, 2017 at 7:23 AM
Subject: still need 231Via del Rey and Dorey Way application packets
To: "bennett@monterey.org" <bennett@monterey.org>

Hi Todd, after all that work and I KNOW it was tedious, I received two of Via Paraiso and two of the Toyon address.

I did look through the "duplicates" to make sure that the top page was the only incorrect page, but no, these two were duplicates.

Also, I acknowledge that you sent me Toyon and Via Paraiso a few weeks ago when I asked for them so I actually ended up with 3 copies of Via Paraiso and three of the Toyon address.

I am already pouring over the other applications and will be visiting sites today and this week just to see what I can see. However, but as I have done the research that I have done, this whole thing goes far beyond just our neighborhood. We are clearly looking at the first wave of an intended invasion by the telecom community. I am not against 5G per se. It's coming.

I just want the towers (1) to be placed in the right locations (& R-1 neighborhoods by homes & schools ain't it); (2) to be SAFE. (Give Verizon a few more years to develop their product & equipment so it is SAFE to be near; I am certain this can be done if they care enough to work at it.) (3) to be unobtrusive no matter where they are placed in the commercial areas.

Thanks again for your tremendous help.

Lois

54 Via Ventura

373-7886



Jenny Leinen <leinen@monterey.org>

Fw: Corporate Invasion Of America... One Neighborhood At A Time

1 message

JEFF GALFIN [REDACTED]

Thu, Oct 26, 2017 at 2:29 PM

Reply-To: JEFF GALFIN <[REDACTED]>

To: "roberson@monterey.org" <roberson@monterey.org>, "albert@monterey.org" <albert@monterey.org>, "barrett@monterey.org" <barrett@monterey.org>, "haffa@monterey.org" <haffa@monterey.org>, "smith@monterey.org" <smith@monterey.org>, "mccarthy@monterey.org" <mccarthy@monterey.org>, "davi@monterey.org" <davi@monterey.org>, "leinen@monterey.org" <leinen@monterey.org>

RECEIVED

OCT 26 2017

On Thursday, October 26, 2017 2:23 PM, JEFF GALFIN <[REDACTED]> wrote:

City of Monterey
PEEC DIVISION

Once upon a time, in a small historic coastal city, there was a neighborhood. It was a quiet, peaceful, setting with single family homes on the kind of lots you don't see anymore in newer developments. It was in the woods. Most of the streets didn't have sidewalks. Wildlife abounded. The residents were a diverse group of all races and colors, older retired folks and young families with children. Everyone treated others with respect. There was little crime. It was a paradise.

On October 3rd, while out walking I noticed a small sign with small print announcing the zoning meeting for these cell tower applications to be held on October 5th. Short time to announce something as intrusive as this. I went to the meeting. There I learned that the applications were filed back in June.

I learned that the technology they are proposing is new and of higher wattage and radiation than those previously in use. They are to be placed outside peoples homes, near elementary, middle, and high schools.

This is relatively new technology and the long term health effects are unknown. Verizon claims their "Proprietary Software" has determined that there is no risk. Bullshit! We need a few years to see the effects of this.

The tone of the city representative at the meeting sounded like they have given up ahead of time. They claimed that some legal consultant has advised them that Verizon has such deep pockets and will relentlessly keep suing until they get what they want. The whole deal smells like rotten fish. The previously passed Monterey Wireless Ordinance Amendments passed in 2016 gave away most protections for owners and residents. Why?

What's in it for Monterey? Nothing for the residents of Monterey Vista Neighborhood, nor any other neighborhood in Monterey. So I have to ask, What's in it for the city council? Why are they acting like wimps in the face of this home invasion scenario? Have they been paid off? Perhaps a large campaign contribution? Are our leaders just as corrupt and full of sh** as the clowns in Washington and Sacramento?

This is Monterey. The first capitol of California. The men who founded our town are rolling over in their graves. I urge the City, Council Members, and all residents of our town to stand WITH us and fight Verizon. We don't want this, don't need this, and shouldn't have it forced on us, now or ever!

If you're so dead set on this, why don't you volunteer to put one of these cell towers outside your kid's bedroom window?

Those clowns studied the Steam Engine in El Estero park for years. How can they sell us out in a few months on something that has unknown risk factors to our health and well being? Cui Bono?

Asbestos was great for fireproofing.

Talcum powder was great for hygiene.

The Romans ate and drank from plates and goblets made of lead. Many went mad and died at young ages.

They all thought it was safe.

Jeff Galfin
Monterey

RECEIVED

OCT 26 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: Please forward to Jenny to forward to Ms. Davi and to those listed on letter as CC recipients...Letter to ms. Davi.pdf

1 message

Mary-Kathryn Salameh <msalameh@monterey.org>

Mon, Oct 30, 2017 at 2:40 PM

To: Jenny Leinen <leinen@monterey.org>

You may already have this one.

Mary-Kathryn Salameh
Administrative Assistant II
City of Monterey | Planning Department
(831) 242-8789

RECEIVED

OCT 30 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **susan nine** [REDACTED]

Date: Mon, Oct 30, 2017 at 2:24 PM

Subject: Please forward to Jenny to forward to Ms. Davi and to those listed on letter as CC recipients...Letter to ms. Davi.pdf

To: "msalameh@monterey.org" <msalameh@monterey.org>

Thanks for your help with this!

Sent from my iPad



Letter to ms. Davi.pdf

58K

To: City Attorney, Ms. Christine Davi

CC: Mayor, Planning Commission, City Manager, City Council, Zoning Administrator. RECEIVED

Fr: Susan Nine, Monterey homeowner and resident

Re: Permits for Verizon to install 13 towers in unique historic residential areas

OCT 30 2017

Dear Ms. Davi,

City of Monterey
PEEC DIVISION

As an inactive retired member of the California Bar Association, I am quite concerned about legal issues relating to the City making a determination whether or not to approve the 13 permits requested by Extenet acting on behalf of Verizon Corporation.

I remain concerned that a zoning hearing regarding these permits was publicly noticed and took place, with hours of public input against the proposed antennas without a decision, or even a decision maker/s having been present, since Mr. Bennett recused himself from his decision making power at the start of the hearing. I believe this violated due process rights of the eighty or more people who showed up and spoke, to be heard in the presence of a decision maker. I expect that the Planning Commission Meeting will be lawfully noticed as it is the first venue where decision makers will be present to hear public comment.

It is the City's right and responsibility to uphold and defend local regulatory control and act in accordance with their zoning and other ordinances. The approval of these permits would create an unsightly and potentially dangerous invasion of commercial interests into residential, R1 zoned areas of Monterey. Wireless antennas dotting the landscape of the Monte Vista Neighborhood would be so out of character with the beauty and historic quality of this neighborhood as to be unimaginable to property owners. It would seriously "incommode" the peaceful enjoyment of homes and right of ways, lowering property values without compensation.

With regard to the applicability of the federal Telecommunications Act of 1996, the courts have consistently applied a two prong test with the burden of proof placed on applicant wireless corporations. The first requires a showing of the existence of a "significant coverage gap" which has been defined as no calling ability for many people over a large geographic area. It has been established through public comment from numerous Verizon customers throughout the impacted area, that no gap exists here let alone a significant one. The provider's claim that there is one runs afoul not only of Verizon's published coverage maps, but also of a publicly conducted field test soon to be published on YouTube that confirms excellent calling ability and data streaming at each of the thirteen proposed antenna locations. Only if a significant coverage gap were proven, would the second prong be required, again with the burden of proof on provider. This would necessitate proof that there are no less invasive means of bridging the proven significant coverage gap. These applicant providers cannot claim the protections of the Prohibition Clause of the TCA, since no gap exists nor has it been proven that no less invasive means are available even if a gap did exist, which it doesn't.

My reading of applicable California case law, particularly those interpreting Section 7901 of the California PUC, the most recent being T-Mobile West LLC v. City and County of San Francisco, indicates that not only is the City able to deny these permits, they are required to do so since decision makers must act in accordance with City zoning and other ordinances and in the public's interest whenever possible. It is interesting to note that Mr. Kramer from the Telecom Law Firm was San Francisco's expert who assisted in getting a positive result in both the trial and appellate court. his case is now before the California Supreme Court, but the appellate holding stands unless overturned, which is unlikely. If it would be of benefit to you, I can provide additional citations of the several California cases and statutory support which uphold a municipality's regulatory and police powers to deny such applications and remain on firm legal footing should the party in question seek expedited court review. It may also be of some benefit to review City of Piedmont's City Council Agenda Report dated October 16, 2017, available on line, which contains the written basis for denial for each of six permits for the same type of Verizon equipment, as well as three conditional approvals. It may provide a good model of what meets the evidentiary standards required, which is less than preponderance of evidence, should court review be requested.

Sincerely,

Susan Catherine Nine, JD

O<https://www.law360.com/cases/4d59a2cab4e3ed27b7000002>ctober 10, 2017

RECEIVED

OCT 30 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Jenny, please distribute to the same parties as the letter to Ms. Davi, as an addendum...I neglected to include these links. Thank you, Susan Nine

1 message

susan nine [REDACTED]
To: "leinen@monterey.org" <leinen@monterey.org>

Tue, Oct 31, 2017 at 10:02 AM

Addendum to letter to Ms. Davi:

Dear Ms. Davi,

Please disregard the link below my signature that was placed in error. These are the links I intended to provide, should you wish to see the written bases used in Piedmont's written denials and/or read the text of the pivotal T-Mobile decision.

Sincerely,
Susan Nine

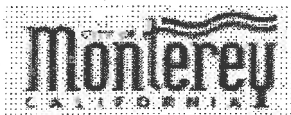
<http://www.ci.piedmont.ca.us/html/govern/staffreports/2017-10-16/crown-castle-applications.pdf>

<https://www.google.com/url?sa=t&source=web&cd=1&ved=0ahUKEwjwwdOopZvXAhWrqFQKHUMbA DUQFggKMAA&url=http%3A%2F%2Fcaselaw.findlaw.com%2Fca-court-of-appeal%2F1751556.html&usg=AOvVaw1VsDM421Vq5FY6AXnZsM6M>
Sent from my iPad

RECEIVED

OCT 31 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: Letter re cell towers

1 message

Jeannette Gross [REDACTED]

Fri, Oct 27, 2017 at 9:35 AM

To: roberson@monterey.org, albert@monterey.org, barrett@monterey.org, haffa@monterey.org, smith@monterey.org, mccarthy@monterey.org, davi@monterey.org, leinen@monterey.org

Dear City Council Members and Planning Commissioners (forwarded from Jenny Leinen)

The beautiful Monterey hillside areas do not need the horrendous cell towers proposed by Verizon Wireless. First, there is no need as many Verizon users stated at the planning hearing that they currently have more than adequate signal service. Next we do not need to blight the neighborhoods with more unsightly pole devices that negatively impact our wonderful view sheds and real estate values. Finally, and most importantly, residents and students should never be subjected to proven as well as unknown health risks. I have fallen in love just a few times in my life. First with my wife and children, and then later with Monterey. We live in such a very special place. I am just recently retired, and was told I made a difference. Early in my career I wanted to "do things right." Later I discovered doing the "right thing" was actually more important than doing things right, and perhaps that is why I made a difference. At the recent planning hearing over 80 residents showed up, all opposed to this silly money grab. They articulated countless reasons to deny this application. Seems overwhelming to me. This is a no-brainer. Do the "right thing." No cell towers!

Edmund Gross

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OCT 27 2017

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Jenny Leinen <leinen@monterey.org>

Fwd: Why Does Verizon Care About Telephone Poles? - The New York Times

1 message

Ann Packer [REDACTED]
To: Jenny Leinen <leinen@monterey.org>

Mon, Oct 30, 2017 at 3:12 PM

Dear Ms. Leinen,

- > You have heard from many local residents about their concern with Verizon's proposal to install cell towers on our telephone poles. There are many reasons to oppose it: aesthetics, effect on property values, seismic stability concerns, risk from fires, high winds or traffic accidents, and negative effects on our quality of life in our homes, schools, etc.
- > There is one other reason that this NY Times article mentions—a social justice one of telecom companies not helping to provide broadband service to those in low income communities even though taxpayers help subsidize these wealthy corporations.
- > It seems there are many reasons to reject Verizon's proposal of these 13 sites. I hope you will listen to those who attend the Zoning and Planning Commission meetings, letters to the editor in the Herald, petitions, etc. when you make your decision.
- > Please read this article for a different perspective on the issue. Please forward this to the Planning Commission members as well.
- >
- > Many thanks for your consideration of public sentiment around this controversial proposal,
- >
- > Ann Packer
- > Skyline Forest
- >
- >
- >
- > <https://www.nytimes.com/2017/10/03/opinion/wireless-verizon-telephone-poles.html>

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OCT 30 2017

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Why Does Verizon Care About Telephone Poles?

By SAM LICCARDO OCT. 3, 2017



Street poles used by public utilities in Northern California. Companies like Verizon and Sprint want to install equipment on street poles at below-market rates. Jim Wilson/The New York Times

SAN JOSE, Calif. — Like every other 8-year-old whom I tutored at a local school, Omar didn't know anything — and didn't care much — about high-stakes disputes over net neutrality, free speech and privacy that have consumed much of the news coverage of the telecommunications industry in recent years. Yet the inability of Omar's parents to afford broadband internet access lies at the heart of a battle that will have a far greater impact on his future: the fight over street poles.

Public street poles may not look like much, but to wireless service providers, they're valuable real estate. Companies like Verizon want low-cost access to them to install equipment to handle the rapidly growing demand for mobile data. But poles are owned locally, and cities and counties aren't eager to give away access at below-market rates. Doing so would essentially subsidize an already wealthy industry — nationwide, as much as \$2 billion a year, money that could otherwise go to expanding low-cost broadband access for people like Omar's family.

As a result, the industry is waging a war for those poles, at all levels. Big Telecom and its allies in the White House have quietly carried out a campaign to secure rapid and cheap access to those poles, at taxpayer expense. Here in California, state legislators recently advanced a bill introduced by Senator Ben Hueso that would allow wireless service providers to install their equipment on public street poles at below-market rates — and to do so nearly wherever and whenever they choose — all in the name of “streamlining” local permit approvals.

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We've seen similar efforts in Texas, Florida, Washington and dozens of other states, where telecommunications industry lobbyists spent more than \$24.5 million in campaign contributions last year, according to the National Institute on Money in State Politics. At the federal level, Trump administration appointees to the Federal Communications Commission have publicly cheered these proposals, while releasing their own draft regulations to carry out additional industry-friendly rules nationally.

What do our taxpayers get in return for this sweetheart deal? Wireless companies insist that these legislative proposals will reduce costs for consumers, and deliver better-quality cellular voice and data service. Yet, in truth, they do nothing to actually ensure that customers will benefit from a single dollar of the cost savings that the corporate telecoms will pocket.

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Moreover, service improvements will benefit only those customers able to afford its service. Despite the windfall that wireless providers receive at taxpayer expense, these industry-backed proposals do not require, or even encourage, the companies to expand broadband access to underserved rural and low-income neighborhoods.

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There's no provision in the California legislation, for example, for broader deployment for low-income neighborhoods. In San Jose alone, over 40 percent of low-income residents lack broadband access. While the industry will respond by pointing to its discounted internet service plans, they

remain of such poor quality that students like Omar cannot download their teachers' video-recorded lesson plans, or a Khan Academy instruction on algebra, particularly when multiple family members are sharing the same account.

In essence, these wireless service providers seek all of the privileges of a regulated water or electric utility — taxpayer-subsidized use of public infrastructure, deployment in locations of their choosing, overrides of the local government's authority — but without the accompanying responsibility: to serve everyone.

It gets worse. The push by industry and the Trump administration to override local authority to set lease rates will undermine many cities' efforts to expand digital access. That's because San Jose; Tacoma, Wash.; and many other progressive cities seek to use lease revenues from street poles to finance the expansion of low-cost broadband to poorer neighborhoods. Otherwise, the wealthy will receive better service, and the poor will remain shut out.

These proposed regulations also supplant local communities' authority with industry fiat to determine how to deploy telecommunications equipment over public streets, sidewalks and parks. Homeowners surprised by the sight of refrigerator-size equipment installed on poles outside of their windows will have no ability to seek redress from City Hall to change the location or to mitigate the aesthetic impact of these unsightly fixtures. And because signals from these devices can disrupt the operations of others, they can preclude cities from installing public-serving devices — such as gunshot-spotters or traffic safety sensors — on their own street poles.

These are just a few of the reasons a growing number of local elected leaders have opposed the industry's efforts in state legislatures and at the F.C.C. Here in California, the mayors of six of our largest cities — Los Angeles, San Jose, San Francisco, Oakland, Long Beach and Santa Ana — have joined leaders of 150 other cities in opposing California's version of this industry-backed effort.

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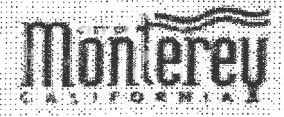
There is a better way. If the industry wants the same access to taxpayer-funded infrastructure that public utilities enjoy, it should bear the concomitant responsibility to make its services available to everyone in that jurisdiction. Alternatively, if Big Telecom doesn't want the responsibility of deploying broadband in low-income neighborhoods, then the states and the F.C.C. should continue to allow cities to charge market-rate fees and leases to generate municipal dollars needed to broaden access, as San Jose is doing in several low-income neighborhoods.

We should all embrace the opportunity of greater broadband deployment, at better speeds, with the latest technology. Yet how we deploy this technology — and whether families like Omar's' will benefit — matters. If we're going to provide the telecom industry with unfettered access to public property, then the public's interest must come first.

Sam Liccardo is the mayor of San Jose, Calif., and a member of the Federal Communications Commission's Broadband Development Advisory Committee.

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Jenny Leinen <leinen@monterey.org>

Please share this letter with Planning Commission, City Council, Mayor, City Manager

1 message

Mark Farina [REDACTED]
To: leinen@monterey.org

Mon, Oct 30, 2017 at 7:35 PM

An Artist's Perspective

My wife and I live in the Monterey neighborhood where Verizon is seeking to place thirteen cell antennas. I am a local artist who frequently paints the vistas of our unique community. The aesthetics of this neighborhood are what attracted us to buy a home here. The famous Early California artist, Charles Rollo Peters' home and studio is two blocks from one of the proposed towers, now owned by artist/author Elizabeth Murray. Next door is the last home designed by the famous early California architect, Charles Sumner Greene, an Arts & Crafts treasure. We enjoy the peace and natural beauty of the oaks and pines, as well as the bountiful birds and wildlife. Via Paraiso Park would be at the epicenter of these towers, where families gather and children play. Three neighborhood schools are here, where over a thousand children attend. Nothing could be more out of character with this area than cell antennas sticking out above the tree lines, detracting from the natural beauty of the environment. We must preserve the best of what Monterey has to offer. Cell towers are so out of character in this halcyon and historic neighborhood that it's unimaginable.

Mark Farina
Monterey Resident

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To: Planning Commission, City Council, Mayor, City Attorney, City Manager, and Zoning Administrator

Fr: Monterey homeowner and resident, **Susan Nine**

Re: Objection to the approval of permits for towers

Having read some of the City Staff's responses to neighbors' inquiries, I have the impression that the City staff believes that its power is limited by the provisions of the Public Utility Code, section 7901 and the TCA of 1996. Staff members have spoken as though the City lacks authority to deny the applications for 13 pole mounted wireless antennas to be placed in our Monte Vista neighborhood. However, are you familiar with the recently decided court case ***T-Mobile West LLC. Vs. City and County of San*** Francisco, in which the Court of Appeal of the State of California, 1st Appellate District held that section 7901 is a limited grant of rights to telephone corporations, with a reservation of local police power that is broad enough to allow discretionary aesthetics-based regulation? The decision stated that the right of telephone corporations to construct telephone equipment in a public right-of-way is not absolute and that it has been observed by our Supreme Court that section 7901 grants a limited right to use the highways and does so only to the extent necessary for the furnishing of adequate services to the public.

In addition, the court in *T-Mobile* noted section 2902 of the same Public Utilities Code states that municipal corporations may not surrender to the Public Utility Commission its powers of control to supervise and regulate the relationship between a Public Utility and the general public in matters affecting public health, convenience and safety of the general public. Thus, the Public Utilities Code specifically contemplates potential conflicts between the rights of telephone corporations to install equipment in the public right of way, and the

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rights of cities to regulate local matters such as the location of poles and wires.

The Court in *T-Mobile* stated that 7901 unquestionably allows the city to condition approval of a particular wireless permit based on aesthetic considerations. The plaintiff cellular company contended that 7901 impliedly preempted such local regulation by giving telephone corporations, "the power to install in the public right-of-way at such manner and at such points as not to incommode the public use of the road or highways or interrupt navigation of the waters." The Court focused its attention on the meaning of incommode and accepted the dictionary definition as determinative and includes "inconvenience, discomfort, and disturbance beyond mere blockage." They also applied Webster's definition as of September 15, 2016 which defines "incommode" as to give inconvenience to, to give trouble to, to disturb or molest in the quiet enjoyment of something, denoting less than annoy, vex or harass." The Court put much emphasis on this stating, "It is an elementary rule of construction that effect must be given to every word, clause and sentence in a Statute."

The Court stated that a wireless facility might aesthetically incommode the public use if installed near to Coit Tower or the "Painted Ladies" neighborhood but present no similar incommmodation in other parts of an urban landscape.

This case is now legal precedent and is highly relevant to the situation here. The Monte Vista neighborhood which includes historic residential areas including Peter's Gate where I live, is mostly if not exclusively zoned residential. It is unique in its coastal views, natural forested landscape where oaks and pines abound. It is a beautiful natural habitat where people and wildlife live in peace and harmony. This residential area is known and appreciated for its beauty and historical significance.

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Aesthetically, cell phone antennas are completely incompatible here and will definitely incommode the residents, as in disturb the quiet enjoyment of, the public roadways in our neighborhood. This case interprets 7901 and affirms the right of cities such as ours to deny permits and require telephone companies to place such equipment in other parts of the urban landscape where there is no similar incommodation.

In *NEXTG NETWORKS OF CALIFORNIA, INC. V. CITY OF NEWPORT BEACH (2011)*,

The U.S. District Court for the Central District of California, upheld the City of Newport Beach's denial of five applications for similar pole mounted antennas. At oral argument NEXTG took issue with the factual foundation of many residents' concerns because they touched on health issues that the City was not allowed to consider. But the Court noted that the City did not adopt the residents' reasoning for opposing the the monopole antennas, but rather simply to establish that public resistance to the poles existed. The stated reasons for denial of each permit, as well as the evidentiary support behind the decision were identical:

- (1)The detrimental visual effect that the proposed facilities would have on the public streetscape along the Pacific Coast Highway;
- (2)NextG's failure to show that higher priority locations were either unavailable or not feasible;
- (3)NextG's failure to show that installation on a new pole was necessary to provide service;
- (4)NextG's failure to show that the lack of such a facility would result in a denial of service;
- (5)NextG's failure to present evidence that an identified alternative was not feasible
- (6)The conflict between the proposed installations and the City's codified policy to use underground facilities whenever feasible and to prohibit new above ground facilities in areas where facilities are currently underground

The Court went on to say that no reasonable fact-finder could conclude that the City violated Section 332(c)(7)(B)(iii) of the TCA. This section provides: "Any decision by a State or local government or instrumentally thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record." Because Congress, with the TCA, "intended that the traditional prerogatives of local zoning authorities not to be disturbed," *Id.* at 724, the Court must give considerable deference to a local government's decisions. See also *id.* at 725 ("Courts may neither engage in their own fact-finding nor supplant the local agency's reasonable determinations.")

The Court further noted that "the quantity of evidence required to satisfy the substantial evidence standard, courts have found that a local government must have "less than a preponderance, but more than a scintilla of evidence." *MetroPCS, 400 F 3D at 725.*

The Court then said "The City may prevail even if a reasonable jury could find the majority of the City's stated reasons for denial lacked merit—the City need only show that no genuine issue of material fact exists regarding **one** of its rationales for denial and that a reasonable jury would be required to find at least this one reason valid.

With regard to "Aesthetic Concerns", the Court noted that beside the underground facility code requirement, the City had other bases for denial that would entitle it to summary judgement. "For example, the City determined that NextG's would exert negative aesthetic effects. A provision of the NBMC forbids the construction of telecommunications facilities that would "result in conditions which are materially detrimental to nearby property owners, residents, and businesses, or to public health or safety." The Court stated that the City was entitled to determine that degrading the aesthetic of the scenic, Coastal area near the Pacific Coast Highway would prove "materially detrimental" to

nearby owners, residents and businesses, noting that The Ninth Circuit has previously stressed the importance of aesthetic concerns. In *sprint PCS Assets, LLC v. City of Palos Verdes Estates*, 583 F.3d 723 (9th Cir. 2009), *The Circuit stated*,

The experience of traveling along a picturesque street is different from the experience of traveling through a utility structure, and we see nothing exceptional in the City's determination that the former is less discomforting, less troubling, less annoying and less distressing than the latter. ...The 'public use' of right-of-way is not limited to travel. It is a widely accepted principle of urban planning that streets may be employed to serve important social, expressive and aesthetic functions.

As a homeowner living within 300 feet of one of the proposed sites and I would experience every nuance of the word "incommodate" and I believe the vast majority of my neighbors would concur. I hope this information proves to be of some interest and benefit in providing assurance to the City of Monterey that there is not an absolute right conferred by 7901 to cellular corporations, and that municipalities may selectively deny such permits on aesthetic and other grounds if such installations would incommodate the public use of right-of-ways.

I will also reiterate that other federal court decisions discussing this issue based on the TCA of 1996, have required proof by applicants of a "significant coverage gap", which means no signal affecting many people over a wide area, and proof of no less invasive means, should a gap exist. There is no gap in Verizon's service throughout the area in question, let alone a significant one. This fact is confirmed by much public comment by Verizon customers, a video demonstration at each of the proposed sites showing excellent calling ability and data streaming, and Verizon's own published coverage maps.

Sincerely,

Susan Catherine Nine, JD



Jenny Leinen <lennen@monterey.org>

Fwd: Questions raised by Fortune article

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <lennen@monterey.org>

Mon, Nov 6, 2017 at 9:40 AM

----- Forwarded message -----

From: susan nine
Date: Mon, Nov 6, 2017 at 9:08 AM
Subject: Questions raised by Fortune article
To: "bennett@monterey.org" <bennett@monterey.org>

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City of Monterey
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Dear Mr. Bennett,

Please read this very short article below from Fortune Magazine and kindly answer the following question:
Are these permit requests really to get the infrastructure in place for Verizon to roll out or do trials for this huge new money making (for them) enterprise which has nothing at all to do with a claimed but non existent coverage gap in calling ability?

If this is the case, it would indicate that Extenet has been anything but candid about revealing the true purpose for these installations. Extenet may not seek the protections of laws that only apply to wireless phone services, and not to a vast commercial venture by Verizon to use the public right of ways and existing poles to create the infrastructure to inexpensively cash in on the huge home television and internet market currently provided by the likes of Comcast and AT&T. If that is the case, they have no rights to access the public right of ways to build wireless antennas, or gain access to City poles and streetlights since this would be purely for the benefit of Verizon to conduct trials of their new product line expansion effort, having nothing to do with meeting the needs of wireless callers; needs which incidentally are already being met. This was confirmed yet again when I walked into the Verizon store today, and asked the salesperson if she would check the coverage where I live. She inputted my address and displayed a map which showed complete 4G LTE coverage at my home and throughout the entire Monte Vista neighborhood. I asked if this was for both calling and data service and was assured excellent service for both is completely covered.

If my supposition is correct, is the City already aware of this plan as outlined in the Fortune Magazine article; or are you quite certain my conclusion is incorrect? I would imagine you would be in the best position to clarify this for me.

Please get back to me with regards to these two points of inquiry as soon as you possibly can. There needs to be transparency regarding this project as it is already causing anguish, confusion and anxiety to many residents in our neighborhood, and Monterey neighborhoods generally, since they could be next. Thank you in advance for taking time to address these questions.

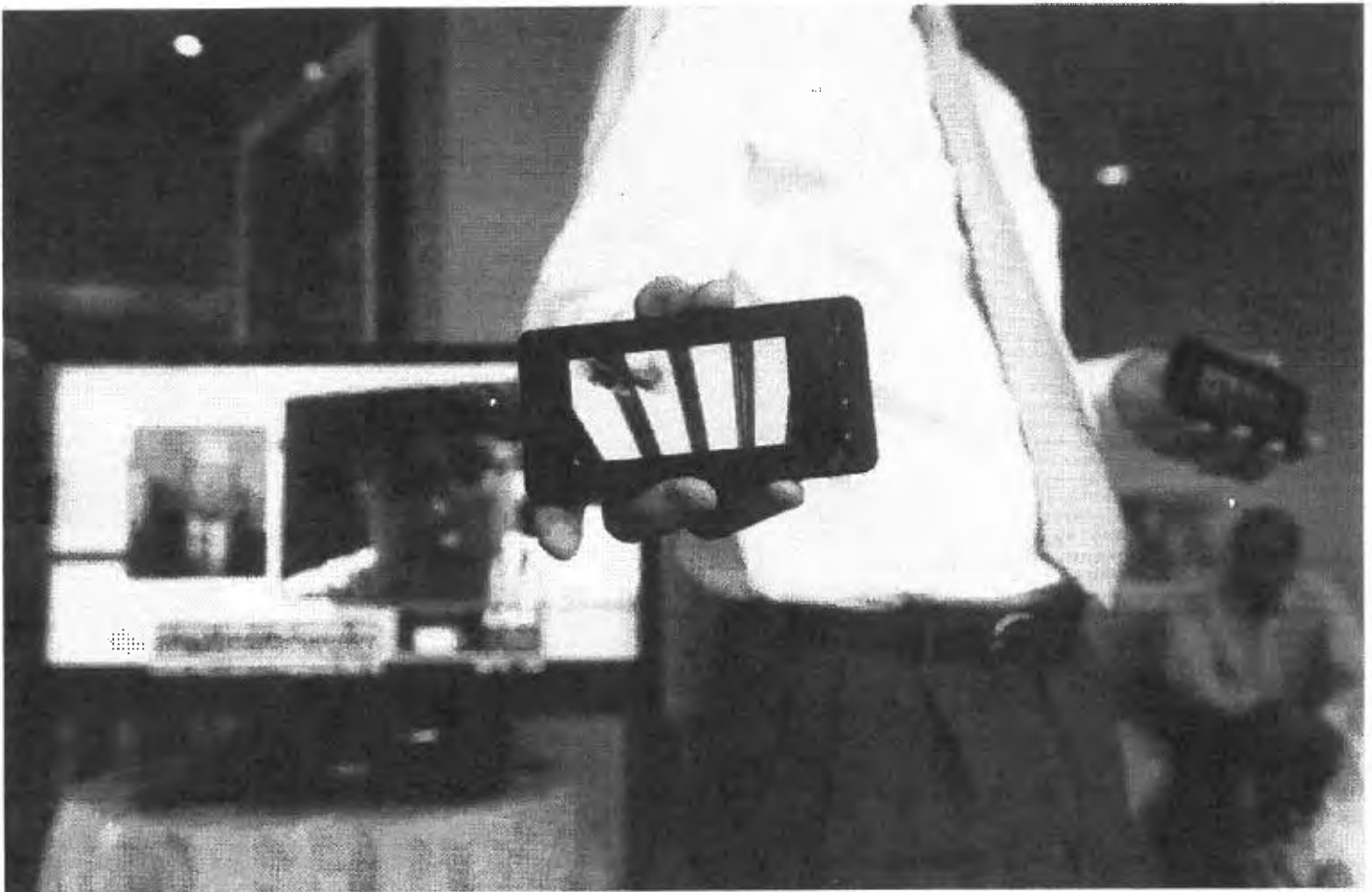
Sincerely
Susan Nine

<http://fortune.com/2016/12/06/verizon-5g-test-small-towns/>

Sent from my iPad

Todd Bennett
ext 3758

Verizon's Wireless TV And Internet Service Coming To Small Towns Soon



Jack Gallagher, executive director of product development for Verizon Communications Inc., holds a Motorola mobile device while speaking at a news conference. Photo credit: Bloomberg via Getty Images

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By Aaron Pressman December 6, 2016

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Verizon is getting close to its first large scale trials of a high-speed wireless video service to compete with cable television.

The company will roll out the service, which is based on the upcoming 5G wireless standard, in several small towns by the end of March, CEO Lowell McAdam said on

Tuesday. The goal is to provide high-speed connectivity for TV and Internet service to homes and businesses without needing to run fiber optic lines to every customer.

"We won't be charging for the service, but we will be learning from it and figuring out the distance between the transmitter and the receiver in a 5G environment," McAdam said at a UBS investor conference in New York.

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Verizon has long touted the upcoming 5G standard, which can be up to 100 faster than current 4G wireless service, as the basis for a new cable and Internet service. The 5G technology is needed for Verizon's six year, \$300 million plan to offer TV and Internet in Boston, for example. But McAdam had not previously given the early 2017 timeline and additional details about Verizon's efforts.

The carrier is looking for ways to save money and crack new markets as growth in its two main lines of business, wired and wireless phone service, have slowed. In addition to 5G video service, McAdam has also targeted service for smart, connected devices in the Internet of things and online advertising, via the acquisition of AOL and pending purchase of Yahoo.

Verizon's Fios unit, which offers TV and Internet service, largely ceased expanding years ago because of the expense of building fiber optic lines to customers.

For more on the Yahoo deal delay, watch:

Verizon Is Sticking With Yahoo

But may ask for a deal discount

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But the 5G wireless plan could dramatically reduce those costs. A customer would only need a typical router placed by a window to receive signals for Internet and TV service from a neighborhood-based cell tower. Verizon

(VZ, -4.24%)

(VZ, -4.24%)

(VZ, -4.24%)

has even discussed deploying more numerous microcells, with new technology that can put a 5G transmitter inside a street light, for example.

“This will allow you to stop anywhere from 200 feet to 1,000 feet, somewhere in that range, we think, from the home and then make it a wireless last leg into the home,” McAdam explained. “And I think that is going to be the predominant architecture for wireless service going forward.”

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Jenny Leinen <leinen@monterey.org>

Fwd: hi Todd; Thanks for your quick response and.....

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Nov 6, 2017 at 10:04 AM

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----- Forwarded message -----

From: LJ Hansen
Date: Mon, Nov 6, 2017 at 9:38 AM
Subject: hi Todd; Thanks for your quick response and.....
To: "bennett@monterey.org" <bennett@monterey.org>

The more I look into this whole thing the worse it gets. 5G is coming, of course, but I think we need to demand that their towers not saturate the residential neighborhoods, that they ARE appropriately placed in the commercial areas and, finally, that they are safe for human consumption no matter where they are placed. There was clearly no thought put in to the people whose houses are forever devalued by having these things next door. The photos they showed at the October 5th meeting were so narrowly focused as to be inaccurate as to the placement of the antennas. AND my guess is, they will be saying "oops" a lot..."thought we needed this here but no, we really need it over there with two more antennas inbetween to make the system flow." Verizon and AT&T refer to all their placement towns as "trial towns". Wow. I think these people need to get honest and go back to the drawing board. Come back when you've got it right. Don't use Monterey for your experimental lab.

Regards,

Lois

Todd Bennett
ext 3758



Jenny Leinen <leinen@monterey.org>

Fwd: About Nov 14th

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Nov 6, 2017 at 10:42 AM

----- Forwarded message -----

From: LJ Hansen [REDACTED]
Date: Mon, Nov 6, 2017 at 10:37 AM
Subject: About Nov 14th
To: "bennett@monterey.org" <bennett@monterey.org>

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hi again, Todd;

I'm kind of slow on the draw about things but one issue that I have heard over and over and over is about the "shot clock".....and IF Monterey denies these applications so close to the running out of the clock, Verizon or Extenet will certainly object in court.

Why not just go back to making November 14th a decision date? That keeps that decision further away from the Dec 4th -- or whatever the date is that stops the shot clock.

I DO realize that we could talk endlessly about the antenna issue and Verizon would be only too happy to talk us right past the due date when no decision by the city turns into a default approval.

Granted, Verizon is here under the false pretense of a significant service gap in our area and the more they talk the more they are going to prove their own falsehood. But we don't need them to dig a deeper hole for themselves. We have enough common sense and local testing of our own to prove there is no service gap. I think it is appropriate to just say no now than at the last minute when they can come back and say "you missed the clock by 3 hours. We're in."

SO..... my vote now is to go back to Nov 14th as a Planning Commission hearing/decision date.

Lois



Jenny Leinen <leinen@monterey.org>

Fwd: Nov. 14 informational meeting, and related Nov. 28 Plan. Comm. Hearing.

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Nov 6, 2017 at 12:51 PM

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----- Forwarded message -----

From: Mike Pekin [REDACTED]
Date: Mon, Nov 6, 2017 at 12:43 PM
Subject: Nov. 14 informational meeting, and related Nov. 28 Plan. Comm. Hearing.
To: Bennett@monterey.org

1. Please state each and every ground the Planning Commission has for denial of all, or any number of Verizon's pending applications for cell towers.
2. When can our Residents expect that that our City's Wireless Ordinance will be amended to provide our R-1 Neighborhoods the same level of protection from Microwave Radiation Abtennas as that provided by the City of Pleasanton for their Residents, and like jurisdictions?
3. Kindly confirm that City Staff and Attorney will be present at the Nov. 14 Informational Meeting to explain the process, and reasonable completion date of the City's amendments to the Wireless Ordinance which will provide protection of R-1 Neighborhoods consistent with Strictest Local Control, in the State of CA, of applications such as Verizon's.

Thank you. Mike Pekin

Sent from my iPhone

--

Todd Bennett
ext 3758



Jenny Leinen <leinen@monterey.org>

Fwd: Questions

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Tue, Nov 7, 2017 at 12:51 PM

not sure if I sent this to you or not.

TB

----- Forwarded message -----

From: LJ Hansen
Date: Mon, Nov 6, 2017 at 3:47 PM
Subject: Questions
To: "bennett@monterey.org" <bennett@monterey.org>

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City of Monterey
PEEC DIVISION

hi Todd;

I'm curious.

(1) What independent investigation did the city do into the need for Verizon to put 13 cellular antennas into our neighborhood prior to pursuing the application process with the applicants?

(2) Did the planning commissioners and/or council members or city staff go up into our neighborhood and test for existing Verizon cell service gaps? What were their specific findings?

(3) What questions did city representatives or staff ask of Extenet/Verizon about their specific findings in our neighborhood that led them (Extenet/Verizon) to present the service gap rationale for these towers?

(4) What answers did the applicants give that told the city the need was present?

I'm just sort of wondering how things got this far. If no investigation into their "service gap" claim was made, I see no reason whatsoever to be this far into any discussion with Extenet/Verizon. City representatives could have gone up into the Monte Vista neighborhood and done their own first hand research/testing, found that there were no gaps -- or significant gaps -- and come back to say "No need here, service is adequate, thank you anyway". That said, I would really like to know the answers to my questions.

Thanks. Again.

Lois (Hansen)

--

Todd Bennett
ext 3758

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NOV 06 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Please forward to Zoning Administrator, City Manager, City Attorney, Mayor, Planning Commissioners, City Council Members

1 message

susan nine

Tue, Nov 7, 2017 at 1:05 AM

To: "leinen@monterey.org" <leinen@monterey.org>

To: Mr. Bennet, Zoning Administrator; Mr. McCarthy, City Manager;
Ms. Davi, City Attorney; Mr. Roberson, Mayor; Planning
Commissioners; City Council Members

Fr: Susan Catherine Nine, JD

Re: Video field test confirmation of excellent calling ability and data
streaming use on Verizon system at each of the 13 proposed
antenna locations and posted on YouTube November 6, 2017

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City of Monterey
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Dear Mr. Bennet, Ms. Davi, Mr. McCarthy, Mr. Roberson, Planning Commissioners, City Council Members,

I have been delegated to share with you and place in the public record, the videotaped field test performed by Monte Vista resident Verizon customers using a wireless smart phone at each of the 13 proposed antenna sites, where on first attempt a call was made and promptly answered, and videos were then streamed seamlessly from YouTube to demonstrate fast and efficient data usage. The same test was performed at each site with consistent results at each location.

This test corroborates the many public comments made by Verizon customers living throughout the Monte Vista neighborhood at the hearing on October 5, describing consistent reliable calling and data usage, no dropped calls, and strong signals, indoors and out.

This test also verifies the results from repeated visits by residents who inquired of Verizon sales representatives at local Verizon stores whether Verizon provides good wireless calling and data usage at their home addresses and throughout their Monte Vista neighborhood. In every instance they were shown Verizon's own coverage maps on the stores' computers confirming total coverage in the pinpointed neighborhood and surrounding areas. When Verizon customers initially signed the necessary term agreements to obtain service they had relied on Verizon representatives' claims of outstanding coverage throughout their home area neighborhood and Monterey generally.

This test also verifies the complete absence of the "significant coverage gap" claimed by Extenet in its permit applications, which under the Telecommunications Act of 1996, providers have the burden of proving. A "significant coverage gap" has been defined in circuit court cases as nonexistent calling ability affecting many people over a wide geographic area. That is far from a factual description of the level of outstanding service currently available from Verizon in this neighborhood. And this better than adequate service is already being provided in a far less invasive means than the proposed installation of thirteen pole mounted antennas and accompanying equipment throughout an exclusively residential neighborhood no more than three square miles in size and in very close proximity to homes and schools.

To view the video field test, please use the attached link:
<https://youtu.be/h5YIBHTJ844>

This field test video also demonstrates how visually jarring and out of character with the surroundings this equipment would be due to a wireless antenna and two accompanying radio transmitters mounted on most poles or light posts very much out in the open at each site with four foot high meter pedestals very close to the road and on people's property. In some cases, the height of the poles and streetlights would be raised to greater heights than existing poles. In most locations the proposed equipment would appear to overload poles which do not appear to be in top-notch condition. The poles are riddled with woodpecker holes which also demonstrates that birds will get well within the extremely dangerous up-close areas of these antennas. Unfortunately, they cannot read the required warning labels.

Please feel free to contact me should you have any questions regarding the content of the video.

Sincerely,
Susan Catherine Nine



Jenny Leinen <leinen@monterey.org>

Fwd: Notice of Nov. 28 meeting.

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Tue, Nov 7, 2017 at 9:55 AM

----- Forwarded message -----

From: susan nine [REDACTED]
Date: Tue, Nov 7, 2017 at 9:30 AM
Subject: Notice of Nov. 28 meeting.
To: "bennett@monterey.org" <bennett@monterey.org>

Dear Mr. Bennett,

Thank you for getting back to me so quickly concerning your understanding of what is motivating the 13 pending applications.

I have a couple of additional questions for you.

The first regards noticing for the changed Planning Commission hearing now scheduled for the 28th. Since this will be the first hearing before a designated decision making body, and since it will take place on a different date than what was announced at the October 5 meeting and elsewhere, will those of us living near to one of the proposed sites be receiving a notice from the City of this meeting? I believe it is the right of potentially affected property owners to be noticed of their right to attend be heard via public comment and other avenues of communication ten days prior to this newly scheduled meeting. The use of The Nextdoor site, though convenient, does not constitute legal notice and the information is only available to those who subscribe and chose to read posts on that site. The meeting on the 28th is not an appeal since there is no decision to appeal at this point. While I understand your (and/or the City's) decision to announce no decision would be made at the October 5 meeting, it did prevent public comment from being made before an initial decision making body. The additional confusion created by changing the date from that announced to those in attendance at the Oct. 5 meeting raises additional noticing concerns. While the City Manager's announcement may reach some people, there was no mention of what time the hearing on the 28th will begin.

My second question concerns the running of the shot clock. At the meeting on the 5th you assured those present that a decision at a Planning Commission meeting on Nov. 14th would take place before any shot clock deadlines. Does this remain true if the meeting is changed to the 28th and would it still provide time for parties to appeal the decision to the City Council and get a decision before the expiration of any shot clock deadlines?

Thank you,
San Nine

Sent from my iPad

—

Todd Bennett
ext 3758

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Jenny Leinen <leinen@monterey.org>

Objection to "Small Cell" being installed in Monterey

1 message

Danielle Barton [REDACTED]
To: Leinen@monterey.org
Cc: bennet@monterey.org

Tue, Nov 7, 2017 at 5:15 PM

Hi Jenny,

I was told to send my objections of the "small cell" installation in Monterey City to you and it would be included in the agenda packet for the meeting on the Nov. 28th.

My mom lives in the Monte Vista neighborhood and would be right in the middle of all these new "small cells." I also live in Monterey and strongly object to these small cells coming to my neighborhood; We are both homeowners and do not want our health or our property values affected by this.

Despite their name, the radiation from small cells is not small: Wireless antennas emit microwaves — non-ionizing radio-frequency radiation — and essentially function as cell towers. Radiation emitted from small cells is expected to typically travel from 10 meters up to several hundred meters.

The National Toxicology Program of the National Institutes of Health announced in May that this radiation causes brain tumors, heart tumors and pre-cancerous lesions BELOW FCC thermal limits. Substantial peer-reviewed research has shown harm from this radiation for decades and that cancer clusters occur around cell towers up to one-quarter-mile away.

The health effects from these towers are not just tumors. The microwaves from cell phone towers can interfere with your body's own electrical system, found by several peer reviewed research studies, to cause a variety of health problems, including (but not limited to):

- Headaches
- Sperm damage
- Altered brain development
- Depression
- Neurological symptoms
- Hormone changes
- Memory problems
- Sleep problems
- Cancer

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Scientists worldwide are calling for a halt to the 5G Roll-out: In 2017, over 180 scientists and doctors issued a declaration calling for a moratorium on the increase of 5G cell antennas citing human health effects and impacts to wildlife. I have attached the 2017 Scientific Appeal on 5G to the European Commission for inclusion in the agenda as well as many reference links at the end of this email with scientific research to support my statements.

5G will add to — not replace — our current wireless technology: 5G will add in another layer of wireless radiation to our environment and will not only utilize wireless frequencies already in use but also add in higher frequencies — submillimeter and millimeter waves — in order to transmit data at super-fast speeds. This is not for phone coverage; It is for future technology uses and faster streaming video.

On 4/21/17, Scientist for Wired Technology completed measurements of Radio-Frequency Microwave Radiation (RF/MW radiation) on the sidewalks beneath and near these "small cell" antennas installed in a Palo Alto neighborhood by Crown Castle on behalf of Verizon using a professionally-certified RF/MW radiation meter. The results (linked to below) show that these antennas are forcibly exposing Palo Alto residents, workers and visitors to hazardous levels of RF/MW radiation 24/7/365. Their RF/MW radiation measurements, unbelievably, are the only actual RF/MW radiation measurements ever completed for this project.

Antennas in and around Monterey already exceed FCC thermal guidelines, guidelines which have not been updated since 1996, and those limits are only based on heating effects to a large man for a few minutes of exposure. There are no

guidelines for non-thermal biological effects or chronic exposure or exposure to children and many other countries have much stricter standards than the United States.

The American Academy of Pediatrics Healthy Child webpage says: "An Egyptian study confirmed concerns that living nearby mobile phone base stations increased the risk for developing:

- Headaches
- Memory problems
- Dizziness
- Depression
- Sleep problems"

A letter from Lennart Hardell MD & Colleagues "There is a substantial body of evidence that this technology is harmful to humans and the environment. The 5G millimeter wave is known to heat the eyes, skin and testes... Of particular concern are the most vulnerable among us — the unborn, children, the infirm, the elderly and the disabled. It is also expected that populations of bees and birds will drastically decline."

Crown Castle's 2016 10-K Annual Report says: "If radio frequency emissions from wireless handsets or equipment on our wireless infrastructure are demonstrated to cause negative health effects, potential future claims could adversely affect our operations, costs or revenues... We currently do not maintain any significant insurance with respect to these matters." Monterey will not get help from them to pay their share of these settlements.

Not only does this effect health, but property values as well. In Vermont, a jury awarded a family \$1 million after a cell tower was built next to their property because it blocked their view. I'm sure Monterey doesn't want to be sued by homeowners because of the health effects and inevitable property value decline resulting from an undesirable "small cell" that was approved by the city to be installed outside their window.

These "small cells" are anything but small. They are housed in a refrigerator-sized equipment cabinet, weighing several hundred pounds and can be installed on:

- Street lights
- Utility poles
- Bus stops
- Sides of buildings

If there is not a utility pole where they want to install them, they will install a pole to fit their needs. However, small cells cannot be installed by fire stations. If these are so safe, why do fire stations get a safe radius when the general public does not?

I implore you, read the research, and not the research being paid for and supplied by the telecom industry. Listen to the Monterey residents which you are tasked with protecting and heed the environmental warnings that are surfacing everyday. Small cells are not safe for the people, the plants and the animals of Monterey.

Danielle

RESOURCES:

<http://www.saferemr.com/2016/05/national-toxicology-program-finds-cell.html>

<http://www.ca4safertech.com/wp-content/uploads/2017/08/Physicians-for-Safe-Technology-letter.pdf>

<http://emfsafetynetwork.org/wp-content/uploads/2017/07/SB-649-Alliance-of-Nurses-for.pdf>

<http://emfsafetynetwork.org/wp-content/uploads/2017/07/Dr.-Golomb-Oppose-SB-649.pdf>

<https://www.emfscientist.org/index.php/emf-scientist-appeal>

<http://www.babysafeproject.org/joint-statement.html>

<http://scientists4wiredtech.com/2017/04/palo-alto-4g-small-cells/>

Press release on the American Pediatrics statement about wireless exposure and children:

<http://www.releasewire.com/press-releases/american-academy-of-pediatrics-issues-new-recommendations-to-reduce-exposure-to-cell-phones-726805.htm>

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Article about RF insurance and liability concerns:

<http://www.talkmarkets.com/content/stocks--equities/a-coming-storm-for-wireless?post=143501&page=2>



Scientist-5G-appeal-2017.pdf

293K

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Scientists warn of potential serious health effects of 5G

September 13, 2017



We the undersigned, more than 180 scientists and doctors from 35 countries, recommend a moratorium on the roll-out of the fifth generation, 5G, for telecommunication until potential hazards for human health and the environment have been fully investigated by scientists independent from industry. 5G will substantially increase exposure to radiofrequency electromagnetic fields (RF-EMF) on top of the 2G, 3G, 4G, Wi-Fi, etc. for telecommunications already in place. RF-EMF has been proven to be harmful to humans and the environment.

(Note: [Blue links](#) below are references.)

5G leads to massive increase of mandatory exposure to wireless radiation

5G technology is effective only over short distance. It is poorly transmitted through solid material. Many new antennas will be required and full-scale implementation will result in antennas every 10 to 12 houses in urban areas, thus massively increasing mandatory exposure.

With "the ever more extensive use of wireless technologies," nobody can avoid to be exposed. Because on top of the increased number of 5G-transmitters (even within housing, shops and in hospitals) according to estimates, "10 to 20 billion connections" (to refrigerators, washing machines, surveillance cameras, self-driving cars and buses, etc.) will be parts of the Internet of Things. All these together can cause a substantial increase in the total, long term RF-EMF exposure to all EU citizens.

Harmful effects of RF-EMF exposure are already proven

More than 230 scientists from 41 countries have expressed their "serious concerns" regarding the ubiquitous and increasing exposure to EMF generated by electric and wireless devices already before the additional 5G roll-out. They refer to the fact that "numerous recent scientific publications have shown that EMF affects living organisms at levels well below most international and national guidelines". Effects include increased cancer risk, cellular stress, increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being in humans. Damage goes well beyond the human race, as there is growing evidence of harmful effects to both plants and animals.

After the scientists' appeal was written in 2015 additional research has convincingly confirmed serious health risks from RF-EMF fields from wireless technology. The world's largest study (25 million US dollar) National Toxicology Program (NTP), shows statistically significant increase in the incidence of brain and heart cancer in animals exposed to EMF below the ICNIRP (International Commission on Non-Ionizing Radiation Protection) guidelines followed by most countries. These results support results in human epidemiological studies on RF radiation and brain tumour risk. A large number of peer-reviewed scientific reports demonstrate harm to human health from EMFs.

The International Agency for Research on Cancer (IARC), the cancer agency of the World Health Organization (WHO), in 2011 concluded that EMFs of frequencies 30 KHz – 300 GHz are possibly carcinogenic to humans (Group 2B). However, new studies like the NTP study mentioned above and several epidemiological investigations including the latest studies on mobile phone use and brain cancer risks confirm that RF-EMF radiation is carcinogenic to humans.

The EUROPA EM-EMF Guideline 2016 states that "there is strong evidence that long-term exposure to certain EMFs is a risk factor for diseases such as certain cancers, Alzheimer's disease, and male infertility...Common EHS (electromagnetic hypersensitivity) symptoms include headaches, concentration difficulties, sleep problems, depression, lack of energy, fatigue, and flu-like symptoms."

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An increasing part of the European population is affected by ill health symptoms that have for many years been linked to exposure to EMF and wireless radiation in the scientific literature. The International Scientific Declaration on EHS & multiple chemical sensitivity (MCS), Brussels 2015, declares that: "In view of our present scientific knowledge, we thereby stress all national and international bodies and institutions...to recognize EHS and MCS as true medical conditions which acting as sentinel diseases may create a *major public health concern in years to come worldwide* i.e. in all the countries implementing unrestricted use of electromagnetic field-based wireless technologies and marketed chemical substances... *Inaction is a cost to society* and is not an option anymore... we unanimously acknowledge this serious hazard to public health...that major primary *prevention measures are adopted and prioritized, to face this worldwide pan-epidemic in perspective.*"

Precautions

The Precautionary Principle (UNESCO) was adopted by EU 2005: "When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm."

Resolution 1815 (Council of Europe, 2011): "Take all reasonable measures to reduce exposure to electromagnetic fields, especially to radio frequencies from mobile phones, and particularly the exposure to children and young people who seem to be most at risk from head tumours...Assembly strongly recommends that the ALARA (as low as reasonably achievable) principle is applied, covering both the so-called thermal effects and the athermal [non-thermal] or biological effects of electromagnetic emissions or radiation" and to "improve risk-assessment standards and quality".

The Nuremberg code (1949) applies to all experiments on humans, thus including the roll-out of 5G with new, higher RF-EMF exposure. All such experiments: "should be based on previous knowledge (e.g., an expectation derived from animal experiments) that justifies the experiment. No experiment should be conducted, where there is an a priori reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects." (Nuremberg code pts 3-5). Already published scientific studies show that there is "a priori reason to believe" in real health hazards.

The European Environment Agency (EEA) is warning for "Radiation risk from everyday devices" in spite of the radiation being below the WHO/ICNIRP standards. EEA also concludes: "There are many examples of the failure to use the precautionary principle in the past, which have resulted in serious and often irreversible damage to health and environments...harmful exposures can be widespread before there is both 'convincing' evidence of harm from long-term exposures, and biological understanding [mechanism] of how that harm is caused."

"Safety guidelines" protect industry – not health

The current ICNIRP "safety guidelines" are obsolete. All proofs of harm mentioned above arise although the radiation is below the ICNIRP "safety guidelines". Therefore new safety standards are necessary. The reason for the misleading guidelines is that "conflict of interest of ICNIRP members due to their relationships with telecommunications or electric companies undermine the impartiality that should govern the regulation of Public Exposure Standards for non-ionizing radiation...To evaluate cancer risks it is necessary to include scientists with competence in medicine, especially oncology."

The current ICNIRP/WHO guidelines for EMF are based on the obsolete hypothesis that "The critical effect of RF-EMF exposure relevant to human health and safety is heating of exposed tissue." However, scientists have proven that many different kinds of illnesses and harms are caused without heating ("non-thermal effect") at radiation levels well below ICNIRP guidelines.

We urge the EU:

- 1) To take all reasonable measures to halt the 5G RF-EMF expansion until independent scientists can assure that 5G and the total radiation levels caused by RF-EMF (5G together with 2G, 3G, 4G, and WiFi) will not be harmful for EU-citizens, especially infants, children and pregnant women, as well as the environment.
- 2) To recommend that all EU countries, especially their radiation safety agencies, follow Resolution 1815 and inform citizens, including, teachers and physicians, about health risks from RF-EMF radiation, how and why to avoid wireless communication, particularly in/near e.g., daycare centers, schools, homes, workplaces, hospitals and elderly care.
- 3) To appoint immediately, without industry influence, an EU task force of independent, truly impartial EMF-and-health scientists with no conflicts of interest¹ to re-evaluate the health risks and:
 - a) To decide about new, safe "maximum total exposure standards" for all wireless communication within EU.
 - b) To study the total and cumulative exposure affecting EU-citizens.
 - c) To create rules that will be prescribed/enforced within the EU about how to avoid exposure exceeding new EU "maximum total exposure standards" concerning all kinds of EMFs in order to protect citizens, especially infants, children and pregnant women.
- 4) To prevent the wireless/telecom industry through its lobbying organizations from persuading EU-officials to make decisions about further propagation of RF radiation including 5G in Europe.
- 5) To favor and implement wired digital telecommunication instead of wireless.

We expect an answer from you no later than **October 31, 2017** to the two first mentioned signatories about what measures you will take to protect the EU-inhabitants against RF-EMF and especially 5G radiation. This appeal and your response will be publicly available.

Respectfully submitted,

Rainer Nyberg, EdD, Professor Emeritus (Åbo Akademi), Vasa, Finland (NRNyberg@abo.fi)

Lennart Hardell, MD, PhD, Professor (assoc) Department of Oncology, Faculty of Medicine and Health, University Hospital, Örebro, Sweden (lennart.hardell@regionorebrolan.se)

WE will add signatories to the following list through the end of 2017. The updated list of signatories and the appeal can be found later HERE.



¹ Avoid similar mistakes as when the Commission (2008/721/EC) appointed industry supportive members for SCENIHR, who submitted to EU a misleading SCENIHR report on health risks, giving telecom industry a clean bill to irradiate EU-citizens. The report is now quoted by radiation safety agencies in EU.

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Signatories to the 5G Appeal (As of September 13, 2017)

Note: The endorsements are personal and not necessarily supported by the affiliated universities or organizations.

EU and European Nations

AUSTRIA

Gerd Oberfeld, MD, Public Health Officer, Salzburg

BELGIUM

Marie-Claire Cammaerts, PhD, Researcher (retired), Faculty of Science, Free University of Brussels, Brussels

CYPRUS

Stella Canna Michaelidou, PhD, Chemist Expert on Environment, Health and Food Safety, President of the Cyprus National Committee on Environment and Children's Health

FINLAND

Marjukka Hagström, LL.M, M.Soc.Sc., Senior researcher, The Finnish Electrosensitivity Foundation, Turku

Osmo Hänninen, PhD, Professor Emeritus (Physiology), Kuopio

Georgiy Ostroumov, PhD (In the field of RF EMF), Independent researcher

FRANCE

Marc Arazi, MD, Physician (Whistleblower on Phonegate International scandal), Nogent-sur-Marne

Dominique Belpomme, MD, MSc, Full Professor in Medical Oncology; Director of ECERI, Paris University, Paris & European Cancer and Environment Research Institute, Brussels

Philippe Irigaray, PhD, Scientific Director, Association for Research on Treatment against Cancer (ARTAC), Paris; European Cancer and Environment Research Institute (ECERI), Brussels

Vincent Lauer, Ing. ECP, Independent Researcher, La Chapelle sur Erdre

Annie J Sasco, MD, DrPH, Former Director of Research, French National Institute of Health and Medical Research; Former Chief of Epidemiology for Cancer Prevention, International Agency for Research on Cancer; Former Acting Chief of Program, Cancer Control, World Health Organization, Bordeaux

GERMANY

Franz Adlkofer, MD, Professor, Pandora-Foundation for Independent Research

Christine Aschermann, MD (retired) member of the Kompetenzinitiative e.V., Leutkirch

Mario Babilon, Dr. rer. nat., Professor, Baden-Wuerttemberg Cooperative State University Stuttgart

Wolf Bergmann, Dr. med., Kompetenzinitiative zum Schutz von Mensch, Umwelt und Demokratie e.V., Freiburg

Rainer Frentzel-Beyme, MD, Professor emeritus, University of Bremen.

Helmut Breunig, Diploma degree in forestry, Specialty: Radio frequency injuries on trees around phone masts, Osterode am Harz

Klaus Buchner, Dr. rer. nat., Professor, MEP – Member of the European Parliament, Kompetenzinitiative zum Schutz von Mensch, Umwelt und Demokratie e.V., München

Horst Eger, Dr. med., Ärztlicher Qualitätszirkel "Elektromagnetische Felder in der Medizin - Diagnostik, Therapie, Umwelt", Nalla

Karl Hecht, Dr, Professor of Pathophysiology and Neurophysiology (Emeritus of the Medical center Charité), Berlin

Peter Hensinger, MA, diagnose:funk, consumer protection organisation, Stuttgart

Markus Kern, Dr. med., Kompetenzinitiative zum Schutz von Mensch, Umwelt und Demokratie e.V., Kempten

Florian M. König, Dr.Sc. Man. Dir. & Science Header of the Company/Institute "Florian König Enterprises GmbH"

Andrea Leute, Dr. med., Ärzteiniziativa Mobilfunk Allgäu-Bodensee-Oberschwaben, Überlingen

Martin Lion, Dr. med., Allgemeinmedizin - Homöopathie, Ulm

Peter Ludwig, Dr. phil., Kompetenziniziativa zum Schutz von Mensch, Umwelt und Demokratie e.V., Saarbrücken

Willi Mast, Dr., Arzt für Allgemeinmedizin und Innere Medizin, Gelsenkirchen

Joachim Mutter, Dr. med., Paracelsus Clinic / Switzerland, *Kompetenziniziativa zum Schutz von Mensch, Umwelt und Demokratie e.V.*, Murg

Gertraud Teuchert-Noodt, Dr.med., Professor of Neurobiology, University of Bielefeld

Peter Ohnsorge, Dr. med., European Academy for Environmental Medicine

Karl Richter, Dr. phil., Professor, *Kompetenziniziativa zum Schutz von Mensch, Umwelt und Demokratie e.V.*, St. Ingbert

Claus Scheingraber, Dr. med. dent., German Working Group Electro-Biology, Brunnthal

Cornelia Waldmann-Selsam, Dr.med., Competence Initiative for the Protection of Humanity, Environment and Democracy e.V., Bamberg

Werner Thiede, Dr. theol., Professor, Pfarrer der Evangelisch-Lutherischen Landeskirche in Bayern und Publizist, Neuhausen

Helmut Wagner, Dr. med., Ophthalmologist, Stuttgart

Harald Walach, Professor, PhD in psychology, PhD in theory and history of science, Change Health Science Institute, Berlin; affiliation: Witten-Herdecke University, Poznan Medical University, Poland

Ulrich Warnke, Dr.rer.nat., Academic Superior Council (retired) University of Saarland

Isabel Wilke, Diplom-Biologin, Editor ElektrosmogReport, Kassel/Berlin

Roland Wolff, Dipl.-Phys., Medical Physicist, Bremen

Ortwin Zais, PhD (Dr. med.), European Academy for Environmental Medicine

GREECE

Christos Georgiou, PhD, Member, Scientific Secretariat of ICEMS; Professor of Biochemistry, Biology Department, University of Patras, Patras

Theodore P. Metsis, PhD, Electrical, Mechanical, Environmental Engineer, Consultant, Athens

ITALY

Domenico Agrusta, Medicina e chirurgia spec. in Odontostomatologia, Libero professionista Iscritto ISDE, Taranto

Fernanda Amicarelli, Full Professor in Applied Biology, Department of Life, Health and Environmental Sciences, University of L'Aquila, L'Aquila

Fiorella Belpoggi, Dr., Director, Research Department, Ramazzini Institute, Bologna

Sergio Bernasconi, Full Professor of Pediatrics, former Director, Pediatric Department, Editor emeritus: Italian Journal of Pediatrics, University of Parma

Dr Franco Berrino, MD, PhD, former Director, Department of Preventive and Predictive Medicine, Istituzione nazionale dei Tumori, Milan

Ernesto Burgio, MD, Pediatrician, ECERI – European Cancer and Environment Research Institute (Bruxelles)

Dr Franco Cherubini, Degree in medicine and surgery, Vetralla

Dott. Agostino Di Ciaula, President of Scientific Committee, Italian Society of Doctors for the Environment - ISDE Italy, Arezzo

Dott. Andrea Cormano, MD, Italian Society of Doctors for the Environment - ISDE, Benevento

Ugo Corrieri, Medicina e chirurgia spec. in Psichiatria, Docente della Scuola Romana di Psicoterapia Familiare, Roma; Presidente di ISDE-Medici per l'Ambiente della Provincia di Grosseto; Coordinatore di ISDE-Medici per l'Ambiente per il Centro Italia

Dr Patrizia Difonte, Physician, Surgeon, General practitioner and occupational medicine, Associazione Italiana Elettrosensibili, Lonate Pozzolo, Varese

Anna Maria Falasconi, MD, Primary Care Pediatrician, National Health System, Rome

Dott. Filippo Maria di Fava, Laurea in Medicina e Chirurgia, Libero professionista, Rome

Dr. Mario Frusi, MD, medico, Cuneo

Dr. Stefano Gallozzi, Astrophysician and technologist at the INAF Italian National Astrophysical Institute in the Observatory, President of the Comitato di Tutela e Salvaguardia dell'Ambiente in Monte Porzio Catone (ONLUS association), Rome

Dott. Roberto Gava, Pharmacologist and Toxicologist, ISDE, Padua

Teresa Pia Anna Maria Del Gaudio, Degree in Medicine and Surgery, specialist in pediatrics, Medical Manager, ASL Salerno, Roccagloriosa (SA)

Patrizia Gentilini, Degree in Medicine (Oncology and Hematology). ISDE (International Society Doctor's for Environment), FORLÌ

Valerio Gennaro, MD, PhD, Head, Liguria Mesothelioma Registry (COR Liguria), UO Clinical Epidemiology (IST Nord - CBA); IRCCS Policlinico Ospedale San Martino National Cancer Research Institute, Genoa

Livio Giuliani, PhD, Professor, Università dell'Abruzzo - Corso di Laurea in Fisiatria, Chieti

Angelo Levis, PhD, Professor, Biologist, University of Padua

Roberto Lucchini, MD, Professor of Occupational Medicine; University of Brescia

Salvatore Magazù, PhD, Full Professor of Experimental Physics, Dipartimento di Scienze Matematiche e Informatiche, Scienze Fisiche e Scienze della Terra, Università di Messina

Fiorenzo Marinelli, PhD, Institute of Molecular Genetics (IGM), National Research Council (CNR), Member of the International Commission for Electromagnetic Safety (ICEMS), Bologna

Antonio Maria Pasciuto, Laurea in Medicina e Chirurgia, Specialista in Medicina Interna, Presidente ASSIMAS (Associazione Italiana Medicina Ambiente e Salute), Roma

Dott. Carlo Ratti, MD, Ordine dei Medici della SPEZIA; Genova

Ruggero Ridolfi, MD, Oncologist Endocrinologist, ISDE, Forlì-Cesena

Sandro Rinaldi, Laurea in medicina e chirurgia specializzazione in Allergologia; specializzazione in Ematologia. Medico di medicina generale convenzionato con l'Azienda Sanitaria di Bolzano, Terzano

Dott. Massimo Melelli Roia, MD, Italian Society of Doctors for the Environment - ISDE, Perugia

Dott. Roberto Romizi, President, Italian Society of Doctors for the Environment - ISDE, Arezzo

Dott.ssa Ida Santellocco, MD, Medico chirurgo, Pediatria, medico chirurgo - pediatra, Roma

Massimo Scalia, Coordinator of the Bioelectromagnetism Section of CIRPS (Interuniversity Research Center for Sustainable Development)

Alessandro Solerfo, Degree in Medicine and Surgery, Sanremo

Franco Verzella, MD, physician, practice dedicated to autistic children, Bologna

Myriam Zucca, Dr. ssa, Medical Director, Dermatology, Cagliari University Hospital, Sardinia

MALTA

Pierre Mallia, MD, PhD, CBIol, MPhil, MA(Law), Professor of Family Medicine, Bioethics & Patients' Rights; Chairperson, National Health Ethics Committee, Dept. of Health; Chairperson, Bioethics Consultative Committee, Ministry of Health; Coordinator, Bioethics Research Programme, Univ. of Malta; President, Malta College of Family Doctors

NETHERLANDS

Hugo Schooneveld, PhD, Retired Associate professor (Wageningen Agricultural University), Advisor to the Dutch EHS Foundation, former president of 'Stichting elektro-hypersensitiviteit', Wageningen

PORTUGAL

Paulo Vale, PhD, Auxiliary Researcher, Sea and Marine Resources Department, The Portuguese Sea and Atmosphere Institute, Lisbon

SLOVAKIA

Jan Jakus, MD, PhD, DSc., Professor, Jessenius Faculty of Medicine, Comenius University, Martin

Ladislav Janousek, PhD, Professor, Department of Electromagnetic and Biomedical Engineering Faculty of Electrical Engineering, University of Žilina, Žilina

Michal Teplán, PhD, Institute of Measurement Science, Slovak academy of sciences, Bratislava

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SPAIN

Alfonso Balmori, BSc, Master in Environmental Education, Biologist. Junta de Castilla y León, Valladolid

José Luis Bardasano, PhD, Biologist and Physician, Prof. of Medical Bioelectromagnetism, Department of Medicine and Medical Specialties, School of Medicine, University of Alcalá. Alcalá de Henares, Madrid

Pilar Muñoz-Calero, MD, President, Fundación Alborada; Co-director, Chair of Pathology and Environment, Faculty of Medicine, Universidad Complutense de Madrid (UCM), Madrid

Miguel Lopez-Lazaro, PhD, Associate Professor, Department of Pharmacology, Faculty of Pharmacy, University of Seville

María Elena López Martín, MD, PhD, Associate Professor of Human Anatomy, School of Medicine, University of Santiago de Compostela (USC)

Enrique A. Navarro, PhD, Professor, University of Valencia, Valencia

Claudio Gómez-Perretta, MD, PhD, Chief of Section, Hospital Universitario La Fe, Valencia

SWEDEN

Mikko Ahonen, PhD, researcher, Sundsvall

Michael Carlberg, MSc, Department of Oncology, Faculty of Medicine and Health, University Hospital, Örebro

Mikael Eriksson, MD, PhD, Associate Professor, Department of Oncology, Skane University Hospital, Lund

Lena Hedendahl, MD, Independent Environment and Health Research, Luleå

Olle Johansson, Associate Professor, Experimental Dermatology Unit, Department of Neuroscience, Karolinska Institute, Stockholm

Gunilla Ladberg, PhD, Member of the Board of the Swedish association Vågbrytaren, Lidingö

Leif G. Salford, MD, PhD, Senior Professor of Neurosurgery, Director of the Rausing Laboratory for Translational NeuroOncology, Lund University, Lund

Elsy-Britt Schildt, MD, PhD, Senior Consultant, Department of Oncology and Radiation, County Hospital, Kalmar

Fredrik Söderqvist, PhD, Center for Clinical Research, Uppsala University, Västerås

SWITZERLAND

Daniel Favre, Dr. phil. nat., Biologist, Independent Researcher, Brent

Peter Meier, Dr. Med., Facharzt für Innere Medizin FMH, M.Sc. Präventivmedizin, Mitglied der European Academy for Environmental Medicine, Sissach

UK

Erica Mallery-Blythe, MD, Founder of PHIRE (Physicians' Health Initiative for Radiation and Environment) Trustee Radiation Research Trust (RRT), Soton

David Gee, Visiting Fellow, Institute of Environment, Health and Societies, Brunel University, London

Andrew Goldsworthy, BSc, PhD, Lecturer in Biology (retired), Imperial College London, Monmouth

Alasdair Phillips, BSc, DAgE, Professional engineer, Powerwatch

Syed Ghulam Sarwar Shah, MBBS, MA, MSc, PhD, Post-Doctoral Research Fellow, Department of Occupational Health, Guy's and St. Thomas' NHS Trust; Honorary Research Fellow, Department of Clinical Sciences, Brunel University, London

Sarah Starkey, PhD, Independent Neuroscience and Environmental Health Research

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Other Nations

ARMENIA

Sinerik Ayrapetyan, PhD, Professor, Life Sciences International Postgraduate Educational Center, UNESCO Chair in Life Sciences, Yerevan, Head of Research Council and Chairholder of UNESCO Chair

AUSTRALIA

Priyanka Bandara, PhD, Environmental Health Consultant, Castle Hill/Sydney, NSW

Katherine Georgouras, OAM, DDM, FACD, Professor of Dermatology, (semiretired), Kenthurst NSW

Ray Kearney OAM, PhD, Honorary Assoc. Professor (retired), Department of Medicine, University of Sydney

Don Malsch, PhD, Independent researcher, author of "The Procrustean Approach", Lindisfarne, Tasmania

May Murray, PhD, Independent Environmental Health researcher, Canberra

Elena Pirogova, PhD, Associate Professor, Biomed Eng, BEng (Hons) Chem En, Discipline of Electrical and Biomedical Engineering, School of Engineering, RMIT University

Charles Teo, AM, MBBS, Professor, Neurosurgeon, Prince of Wales Private Hospital, Randwick, NSW, Sydney

Steve Weller, BSc, Founding member of ORSSA, Brisbane

BRAZIL

Orlando Furtado Vieira Filho, PhD, Professor, Cellular & Molecular Biology, Federal University of Rio Grande do Sul

Claudio Enrique Fernández-Rodríguez, PhD, MSEE, Professor, Federal Institute of Rio Grande do Sul, IFRS, Canoas

Alvaro Augusto A. de Salles, PhD, Full Professor, Federal University of Rio Grande do Sul, UFRGS, Porto Alegre

Francisco de Assis Ferreira Tejo (retired) D.Sc., Professor, Grupo de Eletromagnetismo Computacional e Bioeletromagnetismo, Electrical Engineering Dept, Universidade Federal de Campina Grande

CANADA

Frank Clegg, CEO, Canadians for Safe Technology (C4ST); Former President of Microsoft Canada

Paul Héroux, PhD, Occupational Health Program Director, Department of Epidemiology, Biostatistics and Occupational Health, McGill University Medicine, Montreal, PQ

Anthony B. Miller, MD, FRCP, Professor Emeritus, Dalla Lana School of Public Health, University of Toronto

Malcolm Paterson, PhD, Director, Research Initiatives, BC Cancer Agency Sindi Ahluwalia Hawkins Centre for the Southern Interior, Kelowna, BC

Michael A. Persinger, PhD, Professor, Biomolecular Sciences, Behavioural Neuroscience and Human Studies, Laurentian University, Sudbury, Ontario

CHINA

Wenjun Sun, PhD, Professor, Bioelectromagnetics Key Laboratory, Zhejiang University, School of Medicine, Hangzhou

Minglian Wang, M.M., PhD, Associate Professor, College of Life Science & Bioengineering, Beijing University of Technology (BJUT), Beijing

COLOMBIA

Carlos Sosa, MD, University of Antioquia, Medellín

EGYPT

Nasr Radwan, Prof. Dr., Cairo University, Faculty of Science, Cairo

INDIA

Ganesh Chandra Jagetia, PhD, Professor (ret.), Department of Zoology, Mizoram University, Aizawl, Udaipur

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Sareesh Naduvil Narayanan, PhD, Assistant Professor, Department of Physiology, RAK College of Medical Sciences, RAK Medical & Health Sciences University, Ras Al Khaimah, UAE
R. S. Sharma, PhD, Head, Scientist - G & Sr. DDG, Div. of Reproductive Biology, Maternal & Child Health and Chief Project Coordinator - EMF Health Project India, Indian Council of Medical Research, Ansari Nagar, New Delhi

IRAN

Hamid Mobasherl, PhD, Head of Biomaterials Research Center, Head of Laboratory of Membrane Biophysics and Macromolecules, Institute of Biochemistry and Biophysics, University of Tehran
Amirnader Emami Razavi, PhD, Executive Manager and Principal Investigator of Iran, National Tumor Bank, Cancer Institute of Iran, Tehran University of Medical Sciences
Dr. Masood Sepehrmanesh, PhD, Assistant Professor, Gastrointestinal and Liver Disease Research Center, Guilan University of Medical Sciences, Rasht

ISRAEL

Iris Atzman, MPH, Epidemiology, University of Haifa, EMF author and researcher, Haifa
Michael Peleg, M.Sc., Radio Communications Engineer and Researcher, Technion, Israel Institute of Technology, Haifa
Elihu D Richter, MD, MPH, Professor, Occupational and Environmental Medicine, Hebrew University-Hadassah School of Public Health and Community Medicine, Jerusalem
Yael Stein, MD, Hebrew University - Hadassah Medical Center, Jerusalem
Danny Wolf, MD, Pediatrician, Clalit Health Services Razei, Netanya Herzelia

JORDAN

Mohammed Saleh Al Salameh, PhD, Professor, Department of Electrical Engineering, University of Science & Technology, Irbid

KOREA (South)

Kiwon Song, PhD, Professor, Department of Biochemistry, Yonsei University, Seoul
Young Hwan Ahn, MD PhD, Professor, Department of Neurosurgery, Ajou University School of Medicine, Suwon

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NEW ZEALAND

Mary Redmayne, PhD, Adjunct Research Fellow, Victoria University of Wellington
Damian Wojcik, MD, MBChB, Medical director/ Northland Environmental health Clinic, Whangare, Northland

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NIGERIA

Aneyo Idowu Ayisat, M.Sc., Lecturer, Environmental Biology Unit, Biological Science Department, Yaba College of Technology, Yaba, Lagos

OMAN

Dr Najam Siddiqi, MBBS, PhD, Associate Professor of Anatomy, Oman Medical College, Sohar

RUSSIAN FEDERATION

Yury Grigoriev, Professor, M. Dr Sci., Federal. Medical Biophysical Center, Moscow
Maxim V. Trushin, PhD, Associate Professor, Kazan Federal University, Kazan

TURKEY

Osman Cerezci, Professor Dr., Dept. Electrical-Electronics Engineering, Sakarya University, Adapazarı
Suleyman Dasdag, PhD, Prof. Dr., Biophysics Department, Medical School, Istanbul Medeniyet University, Uskudar, Istanbul
Onur Elmas, MD, PhD, Faculty of Medicine, Dept. Of Physiology, Mugla Sitki Kocman University, Mugla

Ayşe İnhan Garip, Assoc. Prof., School of Medicine, Biophysics Dept., Marmara University, Istanbul
Süleyman Kaplan, PhD, Professor, President of Turkish Society for Stereology, Board member of Journal Chemical Neuroanatomy (Elsevier), Board member of Journal of Microscopy and Ultrastructure (Elsevier), Department of Histology and Embryology, Ondokuz Mayıs University, Samsun
Fulya Kunter, Assistant Professor Dr., Dept. Electrical-Electronics Engineering, Marmara University, Istanbul
Selim Şeker, Professor Dr., Department of Electrical-Electronics Engineering, Bogazici University
Nesrin Seyhan, Prof. Dr., Gazi University Medical Faculty, Founder Head, Biophysics Department; Founding Director, Gazi Non-Ionizing Radiation Protection Centre (GNRK), Ankara

UKRAINE

Olexandr Tsybulin, PhD, Department of Biophysics, Bila Tserkva National Agrarian University

USA

David O. Carpenter, MD, Director, Institute for Health and the Environment, A Collaborating Centre of the World Health Organization, University at Albany, NY
Barry Castleman, ScD, Environmental Consultant, Garrett Park, MD
Devra Davis, PhD, MPH, Visiting Prof. Medicine, Hebrew University, Hadassah Medical Center & Ondokuz Mayıs University, Medical School (Turkey); Pres., Environmental Health Trust, WY
Paul Doyon, MA, MAT, EMRS, Independent Researcher, Doyon Independent Research, CA
Arthur Firstenberg, BA, EMF researcher and author; President, Cellular Phone Task Force, NY
Beatrice A. Golomb, MD, PhD, Professor of Medicine, University of California, San Diego, CA
Peter F. Infante, DrPH, Managing Member, Peter F. Infante Consulting, LLC, VA
Toril H. Jelter, MD, MDI Wellness Center, CA
Elizabeth Kelley, MA, Electromagnetic Safety Alliance, AZ
Henry Lal, PhD, Professor Emeritus, University of Washington, WA
B. Blake Levitt, medical/science journalist, former New York Times contributor, EMF researcher and author
Marko Markov, PhD, Professor of Biophysics (emeritus), Department of Biophysics and Radiobiology, Sofia University, Bulgaria; President, Research International, NY
Trevor G Marshall, ME, PhD, Director, Autoimmunity Research Foundation, CA
Ronald Melnick, PhD, Senior Toxicologist, (Retired radiofrequency section leader of) US National Toxicology Program, National Institute of Environmental Health Sciences, NIH, NC
L. Lloyd Morgan, Senior Research Fellow, Environmental Health Trust; Board Member, International EMF Alliance (IEMFA), CA
S. M. J. Mortazavi, PhD, Professor of Medical Physics, Visiting Scientist, Fox Chase Cancer Center, PA
Joel M. Moskowitz, PhD, Director, Center for Family and Community Health, School of Public Health, University of California, Berkeley, CA
Martin Pall, PhD, Professor Emeritus, Biochemistry and basic medicine, Washington State U., Pullman, WA
Jerry L. Phillips, PhD, Exec. Director, Excel Centers, Professor Attendant, Department of Chemistry and Biochemistry, University of Colorado, Colorado Springs, CO
Camilla R. G. Rees, MBA, health researcher and author; CEO, Wide Angle Health; Sr. Policy Advisor, National Institute for Science, Law & Public Policy, NY
Cindy Sage, MA, Sage Associates, Co-Editor, BioInitiative Reports, CA
Eugene Sobel, PhD, Professor (Retired), University of Southern California School of Medicine, CA
John G. West, MD, Director of Surgery, Breastlink, CA

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Jenny Leinen <leinen@monterey.org>

Fwd: Format for Informational Meeting Nov. 14, 7:00pm at Council Chambers.

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Nov 8, 2017 at 9:31 AM

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----- Forwarded message -----

From: Mike Pekin [REDACTED]
Date: Wed, Nov 8, 2017 at 9:07 AM
Subject: Re: Format for Informational Meeting Nov. 14, 7:00pm at Council Chambers.
To: Todd Bennett <bennett@monterey.org>
Cc: Kimberly COLE <cole@monterey.org>, Elizabeth Caraker <caraker@monterey.org>, Hans Uslar <uslar@monterey.org>, Christine Davi <davi@monterey.org>, susan nine [REDACTED], Pat Venza [REDACTED], "Hans jannasch" [REDACTED], Ray Meyers [REDACTED], Nina Beety [REDACTED], LJ Hansen [REDACTED], brzan [REDACTED], Mvna [REDACTED], Charles Martin [REDACTED]

Good morning Todd:

All good on this side. Do float with Verizon how they will accept our pre-Meeting foundational documents and provide us with all responsive material they have. Outstanding Fortune magazine article is a good example; does Verizon intend to provide written material that Monterey is NOT one of the "small towns" headed for 5G wireless coverage with this initial installation?

"The company will roll out the service, which is based on the upcoming 5G wireless standard, in several small towns by the end of March, CEO Lowell McAdam said on Tuesday. The goal is to provide high-speed connectivity for TV and Internet service to homes and businesses without needing to run fiber optic lines to every customer."

Not a word in the Fortune article about cell phone service?

2. How does Verizon intend to provide Residents the documentation for the sequence of the "roll out the service" for the rest of the Monterey?

3. In a letter to the editor of the Herald, I generalized that our small Neighborhood is scheduled to receive approximately 25,000 watts of transmitting power. That figure was challenged. Will Verizon please provide us the precise cumulative wattage of the 13 Microwave Radiation Antennas so that all of us can be more accurate in our upcoming discussion?

Thanks again to you and City Manager McCarthy for your prompt cooperation to provide our Community such an effective Information-gathering Meeting to obtain and disseminate accurate information. Mike Pekin 831 905 3756

On Nov 7, 2017, at 11:31 AM, Todd Bennett <bennett@monterey.org> wrote:

Mr. Pekin,

Thank you for your message and proposal. I suggest that prior to the beginning of the meeting, you provide your suggestions to the facilitator in written form. The facilitator will have an idea of how they want to organize the meeting based upon prior experience, but may be open to suggestions.

Sincerely,

Todd Bennett

On Tue, Nov 7, 2017 at 4:16 AM, Mike Pekin [REDACTED] wrote:

Mr. Bennett,

The speed at which you responded, clarity and professionalism were well-received.

My questions, and your responses, were shared with approximately a dozen of the opponents (Opposing Group) to the Verizon Cell Phone Towers - participants you'd recognize as speakers at the first Hearing; letters to the various local papers; MVNA Board, etc.

A first response within the Opposing Group was, "I'm not sitting through another 4 hour one-sided promotional..." A reply within the Group was, "Well, if a Verizon representative is present, I could ask some pertinent questions that everyone wants to know..." Result - I am proposing to you that Verizon and Extenet (Applicants) be given a 15 minute opening presentation. And so on.

While I was presenting your responses to my questions, I found myself becoming a proponent that the Opposing Group actively participate in Mr. McCarthy's suggested Informational Meeting. We think the public would benefit from the information shared between Applicants and Opposing Group, keeping the Staff out of it. Perhaps that's the reason for the "Facilitator".

MVNA and I have a shared background for making this Proposed Format. Over the years, MVNA has conducted many forums on public matters. Public Water Now before the last election immediately comes to mind. As I am doing with you now, I set up that Debate between the opposing sides, but then I did not Moderate, nor participate beyond perhaps a question from the audience. I've set up others, but the Public Water one was especially contentious. The key was, and is, there has to be something in it for everybody or it won't come together.

Can we try this:

1. Accept your responses to my three questions as "Agreed Format". Additionally,
2. Applicants share a 15 minute opening presentation, to adequately orient the topic and at the same time leave time for questions and participation from the audience.
3. Opposing Group organize around their own Moderator, who calls in sequence approximately the same speakers who presented, and were widely appreciated by the large audience at the Casa Nova/Oak Knolls Community Center last month. Each speaker may state a position or question the Applicants, subject to the supervision and discretion of the Facilitator to keep things relevant and informative to the public.
4. Leave the remaining hour or so for questions from the audience at large.
5. Applicants identify themselves by name, position with their companies, and emails. The purpose would be to provide them with professional-grade information from which questions could be formed at the Informational Meeting. To get the ball rolling, I am attaching an article from Fortune Magazine regarding Verizon's potential long-term business model. The idea would be for the Verizon rep. to familiarize him/herself with the material, be given the opportunity to provide responsive material to a designated email, and to expect questioning along the lines suggested by the materials shared in advance.

<http://fortune.com/2016/12/06/verizon-5g-test-small-towns/>

Respectfully, Mike Pekin ~~XXXXXXXXXX~~

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From: Todd Bennett <bennett@monterey.org>
Date: November 6, 2017 at 2:16:14 PM PST
To: Mike Pekin ~~XXXXXXXXXX~~
Cc: Elizabeth Caraker <caraker@monterey.org>, Christine Davi
<davi@monterey.org>

**Subject: Fwd: Nov. 14 Informational meeting, and related
Nov. 28 Plan. Comm. Hearing.**

Mr. Pekin,

Thank you for your email inquiry. Following are my responses to your questions:

1. Please state each and every ground the Planning Commission has for denial of all, or any number of Verizon's pending applications for cell towers.

Information pertaining to Staff's recommendations on the small cell facility applications, and the basis for those recommendations, will be contained in the agenda report and draft resolutions that will be publicly available prior to the Planning Commission meeting.

2. When can our Residents expect that that our City's Wireless Ordinance will be amended to provide our R-1 Neighborhoods the same level of protection from Microwave Radiation Antennas as that provided by the City of Pleasanton for their Residents, and like jurisdictions?

3. Kindly confirm that City Staff and Attorney will be present at the Nov. 14 Informational Meeting to explain the process, and reasonable completion date of the City's amendments to the Wireless Ordinance which will provide protection of R-1 Neighborhoods consistent with Strictest Local Control, in the State of CA, of applications such as Verizon's.

The purpose of the November 14th meeting is for the public to have an opportunity ask questions of Verizon and Extenet, and to share and discuss residents' concerns. Staff will not be giving a presentation or responding to questions at this meeting. Ordinance amendments will not be a topic of discussion at the meeting. A facilitator will run the Nov. 14th meeting, and will advise the public on the process for conducting the meeting.

Sincerely,

Todd Bennett
Senior Associate Planner/
Zoning Administrator

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Todd Bennett
ext 3758



Jenny Leinen <leinen@monterey.org>

Fwd: What if they're not cell phone towers, but powerful radiation transmitters, all over the Coast? Verizon answers the questions! City Council Chambers Nov. 14;

7:00pm

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Nov 8, 2017 at 11:32 AM

----- Forwarded message -----

From: Christine Davi <davi@monterey.org>

Date: Wed, Nov 8, 2017 at 10:26 AM

Subject: Fwd: What if they're not cell phone towers, but powerful radiation transmitters, all over the Coast? Verizon answers the questions! City Council Chambers Nov. 14; 7:00pm

To: Elizabeth Caraker <caraker@monterey.org>, Todd Bennett <bennett@monterey.org>, Kimberly COLE <cole@monterey.org>

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NOV 08 2017

Christine Davi
City Attorney
City of Monterey
(831) 646-3915
davi@monterey.org

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From: Mike Pekin [REDACTED]

Date: Wed, Nov 8, 2017 at 10:18 AM

Subject: What if they're not cell phone towers, but powerful radiation transmitters, all over the Coast? Verizon answers the questions! City Council Chambers Nov. 14; 7:00pm

To: Esther Malkin [REDACTED]

Cc: Laurie Huelga Mry Comm <huelga@monterey.org>, Hans Uslar Mry Asst City Mgr <uslar@monterey.org>, Scott Hanson [REDACTED], Mike Brassfield [REDACTED], Clyde Roberson <roberson@monterey.org>, Kathie Buaya [REDACTED], Kala Fossum [REDACTED], Jill Johnson Next Door [REDACTED], Christine Davi <davi@monterey.org>, brzan@comcast.net

Good morning Esther:

Good to see you at City Council last nite! Would have loved to chat, but, as usual, we were focused...

Thank you for continuing to share your thoughts on this important issue of radiation transmission in our Community.

Now I think we need to change the discussion from, "Cell Phone Towers" to "Microwave Radiation Antennas". I'll be blunt. The evidence is now overwhelming that Verizon is saying, "cell towers, cell towers" while it is getting ready for 5G service, starting right here. And all the other service providers will be right behind them. Just who is going to be supervising all of this radiation headed into our homes, 24/7, and expanding as fast as the market will permit?

So, almost a year ago, back in December, 2016, Verizon CEO Lowell McAdam is discussing the long term plan of his multi-billion dollar corporation to essentially replace cable transmission of data to wireless radiation antenna service. CEO McAdam doesn't say a word about improvement, or expansion of cell phone service. The point is:

"The carrier is looking for ways to save money and crack new markets as growth in its two main lines of business, wired and wireless phone service, have slowed. In addition to 5G video service, McAdam has also targeted service for smart, connected devices in the Internet of things and online advertising, via the acquisition of AOL and pending purchase of Yahoo."

Let's pause and give each other credit. We're in this for our loved ones, which means all of us. Please consider getting the word out that the Informational Meeting City Manager Mike McCarthy has set up for next Tuesday, Nov. 14 at 7:00pm, City Council Chambers is a watershed moment for all of us. I have a few questions for Verizon CEO Mc Adam, or his designate, and I think you'll have some too, if you find out it's true that this Corporation is using its considerable resources to pull the wool over our eyes.

Thank you for continuing to matter so much for all you do. Fondly, Mike Pekin.

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On Nov 7, 2017, at 11:12 AM, Esther Malkin [REDACTED] wrote:

<Screenshot_20171107-110623.png>

Todd Bennett
ext 3758



Verizon To Test Speedy Internet And TV Service With 5G Wireless.pdf
1828K

Verizon's Wireless TV And Internet Service Coming To Small Towns Soon



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Jack Gallagher, executive director of product development for Verizon Communications Inc., holds a Motorola mobile device while speaking at a news conference. Photo credit: Bloomberg via Getty Images

By **Aaron Pressman** December 6, 2016

Verizon is getting close to its first large scale trials of a high-speed wireless video service to compete with cable television.

The company will roll out the service, which is based on the upcoming 5G wireless standard, in several small towns by the end of March, CEO Lowell McAdam said on Tuesday. The goal is to provide high-speed connectivity for TV and Internet service to homes and businesses without needing to run fiber optic lines to every customer.

"We won't be charging for the service, but we will be learning from it and figuring out the distance between the transmitter and the receiver in a 5G environment," McAdam said at a UBS investor conference in New York.

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Get Data Sheet, Fortune's technology newsletter.

Verizon has long touted the upcoming 5G standard, which can be up to 100 faster than current 4G wireless service, as the basis for a new cable and Internet service. The 5G technology is needed for Verizon's six year, \$300 million plan to offer TV and Internet in Boston, for example. But McAdam had not previously given the early 2017 timeline and additional details about Verizon's efforts.

The carrier is looking for ways to save money and crack new markets as growth in its two main lines of business, wired and wireless phone service, have slowed. In addition to 5G video service, McAdam has also targeted service for smart, connected devices in the Internet of things and online advertising, via the acquisition of AOL and pending purchase of Yahoo.

Verizon's Fios unit, which offers TV and Internet service, largely ceased expanding years ago because of the expense of building fiber optic lines to customers.

For more on the Yahoo deal delay, watch:

But the 5G wireless plan could dramatically reduce those costs. A customer would only need a typical router placed by a window to receive signals for Internet and TV service from a neighborhood-

based cell tower. Verizon

(VZ, -4.68%)

(VZ, -4.68%)

(VZ, -4.68%)

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has even discussed deploying more numerous microcells, with new technology that can put a 5G transmitter inside a street light, for example.

“This will allow you to stop anywhere from 200 feet to 1,000 feet, somewhere in that range, we think, from the home and then make it a wireless last leg into the home,” McAdam explained. “And I think that is going to be the predominant architecture for wireless service going forward.”



Jenny Leinen <leinen@monterey.org>

Fwd: MVNA opposition letter to Verizon cellular antennas

1 message

Elizabeth Caraker <caraker@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Nov 13, 2017 at 8:08 AM

Jenny,

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For the Planning Commission:

NOV 12 2017

----- Forwarded message -----

From: **Monterey Vista** <mvneighborhood@gmail.com>

Date: Sun, Nov 12, 2017 at 1:48 PM

Subject: MVNA opposition letter to Verizon cellular antennas

To: Mike McCarthy <mccarthy@ci.monterey.ca.us>, Christine Davi <davi@monterey.org>, Clyde Roberson <roberson@monterey.org>, Timothy Barrett <[REDACTED]>, Alan Haffa <[REDACTED]>, Dan Albert <albert@monterey.org>, Ed Smith <smith@monterey.org>, Elizabeth Caraker <caraker@monterey.org>, Todd Bennett <bennett@monterey.org>

Cc: MVNA <[REDACTED]>, Pat Venza <[REDACTED]>, Elaine Lalancette <[REDACTED]>

<[REDACTED]>, Barbara Moore <[REDACTED]>, Bruce Zanetta <[REDACTED]>, Hans

Jannasch <[REDACTED]>, Nancy Selfridge <[REDACTED]>, Christine & Mike Pekin <[REDACTED]>

Bill Scannell <[REDACTED]>, Patrick Aldinger <[REDACTED]>, Jean Rasch <[REDACTED]>, Lore

Lingner <[REDACTED]>, Doug Davenport <[REDACTED]>, Charles Martin <[REDACTED]>

<[REDACTED]>, Becky Jones <[REDACTED]>, Arthur Simons <[REDACTED]>, Sharon

Dwight <[REDACTED]>, Richard Ruccello <[REDACTED]>, Mike Dawson <[REDACTED]>

To: Mike McCarthy, Christine Davi, Clyde Roberson, City Councilmembers, Planning Commission and Planning Staff

From: The Board of the Monterey Vista Neighborhood Association (MVNA)

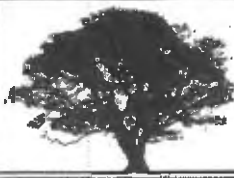
Date: November 12th, 2017

We submit the attached letter to the City in support of rejecting the application for the cellular antennas proposed for R1 neighborhoods by Extenet for Verizon.

Regards,

Hans

--
Hans Jannasch, President
Monterey Vista Neighborhood Association
Monterey, CA 93942
mvneighborhood@gmail.com
www.montereyvistaneighborhood.org
--



Monterey Vista Neighborhood Association

c/o 5 El Caminito del Sur, Monterey, CA 93940

Web: montereyvistaneighborhood.org Email: mvneighborhood@gmail.com

To: Mike McCarthy, Christine Davi, Clyde Roberson, City Councilmembers, Planning Commission and Planning Staff

Re: Overwhelming opposition to installation of cellular antennas within MVNA and other R1 neighborhoods

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Date: November 12th, 2017

NOV 12 2017

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From the many emails, discussions on our nextdoor.com website, and the large crowd at the October 5th Zoning Administrator meeting, the Board of the MVNA voted unanimously to oppose the current request by Extenet to install cellular antennas for Verizon within our Monterey Vista neighborhood. We believe that within a residential R1 neighborhood, residents should be able to decide if this type of service is desired or not. Although we believe that a robust wireless network for cellular phone calls is desirable (which exists), we strongly oppose the visual impacts, the added stress to our aging utility poles, and unknown and/or perceived health consequences of high-frequency wireless 4 and 5G data streaming.

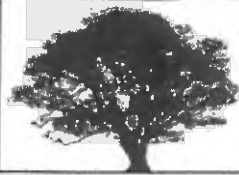
From the limited research, we have been able to conduct so far due to the short notice given to residents on this topic, we find:

A: Monterey Vista residents value their views! We have been pushing hard to underground utilities; and do not want more antennas and equipment installed on either existing or new utility poles. R1 neighborhoods are not a place for *utility pole blight*!!

B: The current Extenet/Verizon plan to install unsightly antennas and equipment is likely only the first of many similar projects that competing cellular carriers will undoubtedly submit. Thus we feel it is important to stop this now, before our residential neighborhoods are further impacted by what we feel is an unwanted invasion of our neighborhood.

C: While no studies or plans for monitoring the impact of the cellular radiation on health were shared at the October 5th Zoning Administrator's meeting, there is a definite *perceived* risk to health that has a direct impact on many residents. These impacts include radiation-sensitive residents, close proximity to our three schools within MVNA, and our hilly terrain that aims antennas directly into resident's living and bedrooms. Such information should be provided to residents. Existing information appears to be based on much older cellular technologies, with much lower frequencies and power emissions.

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.



Monterey Vista Neighborhood Association

c/o 5 El Caminito del Sur, Monterey, CA 93940

Web: montereyvistaneighborhood.org Email: mvneighborhood@gmail.com

D: Many residents are worried about their home values being decreased by nearby cellular antennas -- by both view and perceived radiation impacts. Sellers are required to disclose potential nearby hazards, and would need to include this information in any sale.

E: We live in an older neighborhood with well-perforated utility poles due to our healthy woodpecker population. The extra weight on these poles increases the risk of overloading and exacerbating fire danger such as with the 2007 Malibu fires. Our area is well endowed with oaks and pines that are stressed due to the drought, and any added fire risk to our neighborhood is unacceptable.

F: Last year in 2016, the City Council amended their Wireless Ordinance to comply with national standards which weakened the ability for residents to defend themselves. We will continue to work with the city to strengthen their codes to defend itself against powerful corporations wanting to intrude into local neighborhoods without the resident's consent.

We thus look forward to an open dialogue with the City BEFORE any decisions are made with regard the current plan by Extenet to install antennas for Verizon, AND to find a more solid path forward to involve residents in the planning process of similar projects within neighborhoods.

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NOV 12 2017

Regards,

City of Monterey
PEEC DIVISION

Hans Jannasch

MVNA Board President

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.



Jenny Leinen <leinen@monterey.org>

Fwd: Questions

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Thu, Nov 16, 2017 at 7:56 AM

----- Forwarded message -----

From: **LJ Hansen** [REDACTED]
Date: Mon, Nov 6, 2017 at 3:47 PM
Subject: Questions
To: "bennett@monterey.org" <bennett@monterey.org>

RECEIVED

NOV 06 2017

City of Monterey
PEEC DIVISION

hi Todd;

I'm curious.

(1) What independent investigation did the city do into the need for Verizon to put 13 cellular antennas into our neighborhood prior to pursuing the application process with the applicants?

(2) Did the planning commissioners and/or council members or city staff go up into our neighborhood and test for existing Verizon cell service gaps? What were their specific findings?

(3) What questions did city representatives or staff ask of Extenet/Verizon about their specific findings in our neighborhood that led them (Extenet/Verizon) to present the service gap rationale for these towers?

(4) What answers did the applicants give that told the city the need was present?

I'm just sort of wondering how things got this far. If no investigation into their "service gap" claim was made, I see no reason whatsoever to be this far into any discussion with Extenet/Verizon. City representatives could have gone up into the Monte Vista neighborhood and done their own first hand research/testing, found that there were no gaps -- or significant gaps -- and come back to say "No need here, service is adequate, thank you anyway". That said, I would really like to know the answers to my questions.

Thanks. Again.

Lois (Hansen)

--

Todd Bennett
ext 3758

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NOV 06 2017

City of Monterey
PEEC DIVISION

From: **Kristina Magill** [REDACTED]
Date: Mon, Nov 13, 2017 at 7:39 AM
Subject: Cell Towers
To: montereysuggest@monterey.org

RECEIVED

NOV 13 2017

City of Monterey
PEEC DIVISION

November 13 2017

Dear Planning Commission, City of Monterey

I will be unable to attend the meeting, however I WOULD LIKE TO VOICE MY DISAPPROVAL OF THE NEW CELL EQUIPMENT.

I am not concerned about the potential health effects, but feel that the issues around the "extra" equipment needed beyond the cell itself, the use of our utility poles that are aging and the potential for unsightly views should go beyond the minor improvements in Verizon Service.

Please do not approve this invasion of our neighborhood and those that will follow. We should not have to be the Beta Test for a private company.

Sincerely
Kristina Magill
2 El Caminito Del Sur
Monterey



Jenny Leinen <leinen@monterey.org>

Fwd: cell towers

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Tue, Nov 14, 2017 at 7:49 AM

----- Forwarded message -----

From: **deb sandweiss** [REDACTED]
Date: Mon, Nov 13, 2017 at 5:00 PM
Subject: cell towers
To: "bennett@monterey.org" <bennett@monterey.org>

RECEIVED

NOV 13 2017

City of Monterey
PEEC DIVISION

Hi,

I'm writing to express my opposition to the proposed cell towers for Mar Vista Drive. I am concerned about the health impact of living near the towers and am especially worried because I have a nine year old child. I moved into the area a year ago and may have decided against it had I known there would be cell towers going up. I urge you to oppose these towers for the health of our community.

Thanks for your time.

Deb Sandweiss

--

Todd Bennett
ext 3758



Jenny Leinen <leinen@monterey.org>

Fwd: small cell tower technology in Monterey

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Tue, Nov 14, 2017 at 2:22 PM

----- Forwarded message -----

From: Chris Barlow [REDACTED]
Date: Tue, Nov 14, 2017 at 2:13 PM
Subject: small cell tower technology in Monterey
To: "bennett@monterey.org" <bennett@monterey.org>

RECEIVED

NOV 14 2017

City of Monterey
PEEC DIVISION

Hi Todd,

I'm not able to make tonight's meeting. While I am not knowledgeable as to the environmental effects of the technology, I do feel that I can speak to the aesthetics of this potential deployment. The typical sidewalk cabinets or pole mounted equipment options are strongly detrimental to the streetscape. Therefore, I would suggest that strict conditions are established requiring the providers to put the majority of their equipment underground.

I came across the following solution in the APA Planning magazine that describes how this can be done:

https://oldcastleprecast.com/oldcastle_product/48-manhole-riser/

Thanks,

-Chris

Christopher Barlow AIA, LEED AP, EDAC

Principal

WRD Architects, LLP

2340 Garden Rd, Suite 100 Monterey, CA 93940

T: 831.649.4642 : www.wrdarch.com

Please consider the environment before printing this e-mail

--

Todd Bennett
ext 3758



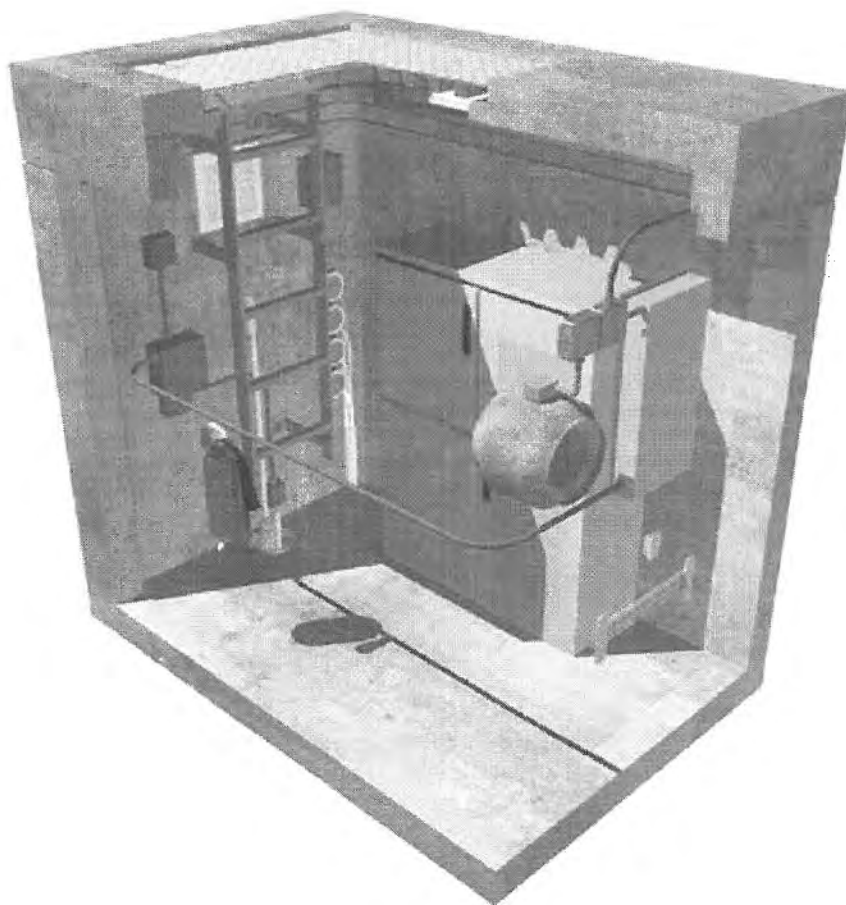
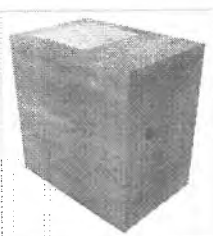
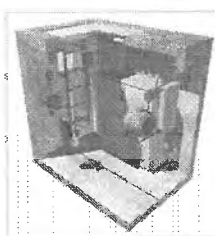
(888) 965-3227

6'-4"X4'-0" MICROCELL COMMUNICATIONS VAULT

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NOV 14 2017

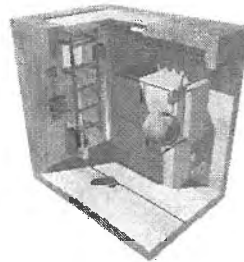
City of Monterey
PEEC DIVISION



OVERVIEW

FEATURES & BENEFITS

DOWNLOADS



OO

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NOV 14 2017

City of Monterey
PEEC DIVISION

Oldcastle Precast below-grade Microcell vaults are secure and watertight precast concrete structures which install quickly and are delivered pre-wired with lighting, alarm, and intake/exhaust ventilation. Microcell vaults are designed to fit applications which require a compact footprint.

MC 577 MICROCELL COMMUNICATIONS VAULT - 6'-4" X 4'-0"

LOOKING FOR ADDITIONAL
INFORMATION?

► [REQUEST A QUOTE](#)

Microcell vaults provide underground access to telecommunications and fiber optic utility cabling in applications which require a compact footprint. Oldcastle Precast Microcell vaults provide coverage and capacity without compromising the aesthetics of the environment.



MODEL:

MC 577

MFG PLANT:
National

DIMENSIONS:
6'-4" x 4'-0"

OVERVIEW

FEATURES & BENEFITS

DOWNLOADS

FEATURES

- Modular Construction
- Manhole Coatings
- Compact Footprint
- Grade Rings and Risers
- Flat Slabs
- Lids, Rings and Covers

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NOV 14 2017

City of Monterey
PEEC DIVISION

BENEFITS

- Offers immediate accessibility to maintain and inspect the critical infrastructure; Customizable sectional design; Quick and easy install
- Water-based damp-proofing, epoxy-based chemical resistant, and other coating options are available upon request
- Cover and protect; Maintenance and inspection

[Read More](#)

MC 577 MICROCELL COMMUNICATIONS VAULT - 6'-4" X 4'-0"

Microcell vaults provide underground access to telecommunications and fiber optic utility cabling in applications which require a compact footprint. Oldcastle Precast Microcell vaults provide coverage and capacity without compromising the aesthetics of the environment.

LOOKING FOR ADDITIONAL INFORMATION?

► [REQUEST A QUOTE](#)

NOV 16 2017

November 15, 2017

City of Monterey
PEEC DIVISION

To Monterey City Council Members and the Planning Department

My husband and I have attended both informational meetings concerning the cell tower installation in our neighborhood. After sitting through three and one half hours both times, we came to the conclusion that all of the comments and questions brought up by our neighbors were being heard by only those of us that oppose the antennas. Those that will vote on the issue DID NOT attend nor did the company (Verizon) have the promised representative there. We were told by the facilitator that indeed the meeting was being taped and the Council and Planning department members would be able to see it (if they were so inclined).

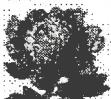
Our concerns were all well presented by our neighbors at the very beginning of the meeting, so neither one of us got up to just reiterate what had already been said. It disturbs us greatly that after living in this neighborhood since 1962 and raising 7 healthy children here, something perhaps harmful can move into our residential area with little or no notice. We, like several others are Verizon customers and have not experienced the poor quality of reception that the company is trying to convince us we have. We never received a questionnaire from Verizon as to our satisfaction with the service. It all seems quite strange that our area has been targeted. Have other neighborhoods such as New Monterey, Fisherman Flats, Oak Grove been checked for reception quality? Perhaps because Pebble Beach has known dead areas of reception, our antennas will help them out and they won't have to put up with the 365 24/7 waves of questionable stuff emitted into our space. Is an AT&T antenna next? Is the city favoring one company over another, or is this just the beginning of allowing all to have equal pole space? Is our neighborhood a trial or is the city getting something at our expense? These are some of the questions that have not been answered.

We elected council members to stand up for us not only for controlling growth because of water issues, but also to keep our beautiful area environmentally safe. The effects of cell towers is not fully known and our neighborhood is home to an elementary, middle school and high school. Children walk the streets that these poles are on as do many dog walkers. What problems might show up later?

We hope you will consider the residents' concerns (which have NOT been adequately answered) before casting your vote.

Sincerely,

Robert M. Young
Synthia Young



Mr. & Mrs. Robert M. Young
340 Via Paraiso
Monterey, CA 93940



Jenny Leinen <leinen@monterey.org>

Old Town Monterey at risk!

1 message

Susanne Piccari [REDACTED]
To: "leinen@monterey.org" <leinen@monterey.org>

Sun, Nov 19, 2017 at 4:25 PM

I live in Old Town Monterey, just up from Monterey High School. I understand the risks associated with cell towers in our neighborhood, and vehemently oppose the plan to install them, this close to our high school. This is a densely populated neighborhood, with families and their pets as well as many students enrolled at Middlebury Institute.

I say NO TO CELLTOWERS!

Susanne Piccari, homeowner
845 Jefferson St. Monterey CA 93940
8312413847

RECEIVED

NOV 19 2017

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Cell tower

1 message

Patricia Fritz [REDACTED] >
To: leinen@monterey.org

Mon, Nov 20, 2017 at 9:07 AM

Sent from my iPad. I live on Via Gayuba and I am very concerned about the cell towers going in. I have a daughter with epilepsy who lives with me. I don't want her to go through problems because of this Verizon cell tower install. Please do not allow this installation. Thank you, Patricia Fritz 330 Via Gayuba.

RECEIVED

NOV 20 2017

City of Monterey
PEEC DIVISION

Dear Planning Commission, City Council Members, and City Staff,

I am opposed to the installation of 13 high intensity, high frequency, highly visible, microwave cell antennas throughout a one square mile, completely residential Monterey neighborhood. The industry's end game is cell installations blanketing the City, not where typical monopoles are, but deeply embedded in all residential neighborhoods throughout the fabric of our town. This unaesthetic, uncharacteristic ubiquitous technology would turn our utility poles and streetlights into cell towers everywhere. Allowing this to degrade the natural beauty and historic quality of our city, is completely at odds with the City's General Plan and codes. This is the greatest threat to Monterey I have ever witnessed. If the precedent is set to approve them in this first neighborhood, it will require that all competing providers be given equal access and there will then be no grounds to deny permits in all neighborhoods. The ensuing loss of character and constant exposure to RF radiation will cause widespread loss of property values. The irony is that this first neighborhood already has excellent, reliable Verizon data service and calling ability. It is just a foot in the door. Our entire community needs to stand up and say, "No!" before it is too late.

This is the most significant issue the Planning Commission, Staff, and City Council now face. How you lead will have a great and lasting impact on our precious jewel of a city. No cost is too high in order to preserve the beauty, historic character, property values and safety of Monterey neighborhoods from this aggressive, for profit threat.

Susan Nine

Monterey homeowner and resident

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NOV 20 2017

City of Monterey
PLANNING DIVISION



Jenny Leinen <leinen@monterey.org>

STOP VERIZON'S DANGEROUS CELL TOWERS

1 message

Joanne Platter [REDACTED]
Reply-To: Joanne Platter [REDACTED]
To: leinen@monterey.org

Mon, Nov 20, 2017 at 12:12 PM

I wish to voice my opposition to installation of cell towers near my property on Pinehill Way, Monterey, CA.

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NOV 20 2017

City of Monterey
PEEC DIVISION

11.10.2017

To: City of Monterey

Once again, be informed that I am

"Totally Against Cell Towers" anywhere!

Also, the City should NOT force cell towers down our throats. Keep in mind that children should not be exposed to any level of G5 radio frequency radiation, ever.

Use your common sense.
No cell towers in Monterey.

Marie Compagno
and family

Mrs. Marie Compagno
90 Via Paraiso
Monterey, CA 93940

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NOV 13 2017

City of Monterey
PECC DIVISION

MONTEREYHERALD.COM OBITUARIES 5

GOVERNMENT

Monterey to hold public meeting addressing cell tower technology

By Carly Mayberry
cmayberry@montereyherald.com
@CarlyMayberry on Twitter

MONTEREY » Many of the over 100 attendees who showed up to a Zoning Administration meeting in Monterey last month voiced their complaints with city officials about the proposed plan to install 13 new cellular towers in the city's Monterey Vista area.

Tuesday, the city is hosting a public outreach meeting at 7 p.m. in the Council Chambers to address those ongoing concerns related to the small cell tower technology. Representatives from ExteNet Systems and Verizon will be in attendance.

It's ExteNet Systems, a subcontractor of Verizon, that requested to install 13 "small cell" units in the Monterey Vista neighborhood, a move that is consistent with the latest trend to move away from cell towers and instead install a number of the smaller units in a community. But a group of vocal residents are opposed to the cell antennas that emit G5 radio frequency radiation, which they say has effects that are still unknown. They also note a segment of the population

that is hyper sensitive to this exposure while others site the visual blight that such antennas might have on neighborhoods.

The proposed towers are set to be installed on top of existing utility poles. Proposed locations are on Johnson Street at Madison Street, Larkin Street at Madison Street, Hermann Drive, Via Paraiso, Via Encina, Toyon Drive at Shady Lane, Via Del Rey at Via Del Pinar, Mar Vista Drive at Cuesta Vista Drive, Via Del Rey at Yerba Buena Court, Skyline Drive at Huckleberry Drive, and Toda Vista Drive. Still, Verizon defends the technology, noting that wireless data usage has increased dramatically. The company has also noted that installing these "small cells" is designed to add network capacity where it is needed most and to lay the groundwork for 5G technology.

For those who can't be present Tuesday, the meeting will also be broadcast on AMP Channel 25 and live-streamed and rebroadcast on the Monterey Channel at monterey.org/tv.

Carly Mayberry can be reached at 726-4363.



Jenny Leinen <leinen@monterey.org>

Fwd: [CoM Approved] Citizen Comment Form

1 message

Kimberly COLE <cole@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Mon, Nov 27, 2017 at 9:48 AM

RECEIVED

NOV 27 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Hans Uslar** <uslar@monterey.org>
Date: Sun, Nov 26, 2017 at 5:34 PM
Subject: Fwd: [CoM Approved] Citizen Comment Form
To: Todd Bennett <bennett@monterey.org>
Cc: Kimberly COLE <cole@monterey.org>, Elizabeth Caraker <caraker@monterey.org>, Ashley Sanks <sanks@monterey.org>

For the files and reports.

Begin forwarded message:

From: huelga@monterey.org
Subject: **[CoM Approved] Citizen Comment Form**
Date: November 26, 2017 at 1:28:08 PM PST
To: uslar@monterey.org

Citizen Comment Form

Comments

Fullname

Email

Address

As a long time Monterey resident I am concerned about the Verizon cell antenna project proposal in my neighborhood. Disregarding the unknown RF health concerns of a new technology, I am more concerned about the precedence setting in allowing the antenna placements. Other companies are going to want the same consideration and the neighborhood could wind up looking like the cell towers along I-5 and we in the neighborhood do not want unsightly cell sites. Please deny the application for these cell sites.

Russell McBurney

35 Via EEncanto
Monterey, Ca 93940
United States

Kimberly Cole, AICP
Acting Community Development Director
City of Monterey, Planning Office
580 Pacific Street
Monterey, CA 93940

cole@monterey.org

1-831-646-3759

Hebard Olsen
720 Woodcrest Lane
Monterey Cal
11-27-17
831 375 2016

Monterey Planning Department;

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NOV 28 2017
CITY OF MONTEREY
PEEC DIVISION

The city council has ability to regulate commerce in residential neighbor hoods. Residents should be surveyed if they would like to have cell towers so they can surf the web with their smart phones at home in the Monte Vista neighborhood. If no surfing web with smart phones no increase in service needed! This would extend democracy to the Monte Vista neighborhood.

The city council should decide how to regulate the total radiation dose from multiple cell phone companies and where to put cell towers after all light poles and telephone poles are filled for the rest of the cell phone companies before allowing cell towers in Monte Vista neighbor hood.

My wife and I are 80 years old with bad hearts the cell towers will have no power back up so when the power fails and one of us falls these cell towers will be useless to call 911. Telephone company wants to discontinue land lines. The new towers should be allowed only as long as emergency powered towers remain.

Hebard Olsen

Hebard Olsen



Jenny Leinen <leinen@monterey.org>

Fwd: Voice Message From: WIRELESS CALLER, 1(408)8328558

1 message

Fernanda Roveri <roveri@monterey.org>

Wed, Nov 29, 2017 at 10:49 AM

To: Jenny Leinen <leinen@monterey.org>, Todd Bennett <bennett@monterey.org>

Hi,

I received a voicemail (attached) from Greg Hamlin(?) - a resident on Van Buren Circle who wants the Planning Commission to know that he is opposed to the 13 cell facility applications.

----- Forwarded message -----

From: **WIRELESS CALLER** <tel=1_408_8328558@monterey.org>

Date: Tue, Nov 28, 2017 at 1:09 PM

Subject: Voice Message From: WIRELESS CALLER, 1(408)8328558

To: Fernanda Roveri <roveri@monterey.org>

RECEIVED

NOV 28 2017

City of Monterey
PEEC DIVISION

--
Fernanda Roveri
Associate Planner
City of Monterey
direct: (831) 242-8788



VoiceMsg[ID=576193 F=168 G=40 A=2CB79545-DC61-4986-9CBB-29462BB26921 C=1].wav
524K

RECEIVED

DEC 05 2017

Dec. 5, 2017

City of Monterey
PEEC DIVISION

Dear Monterey City Official,

Since it is unclear to me who has the responsibility for ruling on ExteNet's applications for "small cell facilities" (their term) to be installed in the Monterey Vista neighborhood, I am addressing this letter to the Mayor, all members of the city council, as well as the city manager, city attorney, the zoning administrator and the planning commissioners.

My husband and I own a home in the Monterey Vista neighborhood and we have been full-time residents there for over 22 years. I have spoken against approving these applications at the Oct. 5 meeting chaired by Todd Bennett, the Monterey Zoning Administrator, and at the Nov. 14 "informational" meeting facilitated by Candace Ingram. I don't think either of these people are part of the city decision-making process on this topic, so I don't know if anyone who is in a position of authority in this regard has logged my, or my neighbors', objections. Hence I am writing this letter to make sure my voice is on record as objecting to the installation of these facilities.

Before I get into the specific reasons why I think these applications should be rejected, let me express my concerns with how the city has handled this process to date.

- 1) First of all, in spite of having spent a total of about six hours at these two meetings, I haven't heard from anyone in the city who has said they have the responsibility for making the decision on these applications.
- 2) Changing the date of meetings on this topic at the last minute (I refer to changing the Planning Commission meeting on this topic from Nov. 14 to Nov. 28 and the subsequent cancellation of the meeting on Nov. 28) is irritating at best, and at worst could be interpreted as the city hoping that its concerned citizens will become tired of this process and stop trying to influence the decision. I, and many of my neighbors, are not going to go silent on this topic, and the more you try to avoid meeting with us, the more annoyed and annoying we are likely to become.
- 3) The City has yet to make all the applications available for review by the public. Application UP-17-0343 is still not posted on the city's website, and until very recently it wasn't possible to get application UP-17-0335 since the link to it brought up application UP-17-0334.

Now as to my objections regarding these applications:

- 1) The applicant states that there is a significant coverage gap in Verizon cell phone service in this neighborhood. Having been a Verizon customer until just a few months ago, I can state that I have never experienced a lack of service in this area, neither at my home nor at the homes of my many friends in the area, nor on my many walks through all parts of the neighborhood. At meetings and online, I have never heard or seen anyone in the neighborhood complain about a lack of Verizon service. Frankly, the map entitled *Existing VZW Macro Cell Coverage*, included with some of the applications, is just fiction.

DEC 05 2017

City of Monterey
PEEC DIVISION

Chapter 38, Article 17, section 38-112.4, paragraph H.2 of the city's zoning ordinance states that "the Zoning Administrator (or, if referred, the Planning Commission) shall approve an application for a use permit if supported by substantial evidence, and on the basis of the application, plans, materials and testimony submitted, the Zoning Administrator finds:" Par. F "The facility is necessary or desirable for, and compatible with, the neighborhood or community." The applicant certainly has not shown that the facility is necessary for the neighborhood, and I have neither seen nor heard indication that the neighborhood thinks it is desirable. In fact, quite the opposite. The neighborhood is vociferously objecting to these facilities.

If there are in fact neighborhood residents who are in favor of these facilities, I can certainly understand that they might not want to make their feelings known at the public meetings which have been held (which have gotten somewhat heated at times), so I would ask that the City make public the number of residents of this neighborhood who have expressed support for these applications compared to the number who have stated objections to having these facilities installed in their neighborhood, and that the City consider this ratio when making their decision.

2) The applicant refuses to provide information as to what requirements the proposed array is designed to meet. I posed this question to the ExteNet representatives at the Nov. 14 meeting and at first they pretended not to understand what I was asking. Then they stated the same generalities that they've stated before, i.e. that the array is designed to "fill coverage gaps and increase capacity". When I pressed for specifics, since I know that engineering designs are not done on the basis of such vague requirements, one of the ExteNet employees asked another if there were "any metrics we can share with them". In other words, of course there are metrics, they're just not telling us what they are. The most they would say is that they want to provide coverage inside buildings throughout the neighborhood.

3) The applications, if granted, may give one telecommunications company, Verizon, an advantage over other competing companies. If there was a compelling reason to bring this small cell technology into the city, which I don't think there is, a more reasonable way to do it would be to design a system whereby antennae could be shared by multiple service providers. As explained by ExteNet in response to my question at the Nov. 14 meeting, other communities including Memorial Village in Texas and Rancho Santa Fe in southern California have done this. Planning for shared facilities would have to be done in advance of the first installations. The proposed facilities likely could not be piggy-backed onto after the fact. It would be ludicrous for Monterey to approve the current set of applications without having a strategy in place as to how to deal with applications from other companies, which no doubt would follow in the future.

4) The applicant has stated (at the Nov. 14 meeting and perhaps elsewhere) that the proposed facilities would provide much-needed communications capabilities during emergencies, even giving the recent massive fire in Santa Rosa as an example. Upon further questioning however, ExteNet admitted that the proposed installations will not have backup power so will be unavailable for use in a widespread power outage until generators can be brought in to power them. Also, they most certainly would not survive a fire such as the one in Santa Rosa. And if the power poles on which they are mounted fall, as happened in Santa Rosa, they also will not be of any use.

RECEIVED

DEC 05 2017

City of Monterey
PEEC DIVISION

5) At the Nov. 14 meeting the representative from Hammett and Edison, who performed the analysis for ExteNet to show that the proposed installations will be in compliance with FCC guidelines limiting public exposure to RF electromagnetic fields, stated that the highest exposure anywhere in the vicinity of these antennae would be 0.8% of the federally allowed level (of 1 mW/cm^2). Yet in reviewing all 12 of the available applications, the stated maximum calculated levels of exposure are as high as 27% at ground level (for the 273 Mar Vista site) and 29% at the second floor elevation (at the 1006 Johnson St site). The maximum predicted exposure levels at most of the sites are well above the 0.008 mW/cm^2 the level that was stated in the meeting as being "the highest anywhere". Upon reviewing the video, I think it is possible that the speaker meant that the 0.8% level was the highest anywhere near a school, but he certainly left the impression that that was the highest level anywhere and only a careful reading of the applications shows that the maximum predicted levels are $\frac{1}{4}$ to almost $\frac{1}{3}$ of the FCC allowable maximum. That certainly allows for a much smaller range of error than what was stated in the "informational" meeting.

6) Much of the Monterey Vista neighborhood has above-ground power lines. The neighborhood is subject to frequent and often prolonged power outages (I can recall at least two occasions when power was out for four days). Above-ground power also exacerbates the fire potential in this wooded region. As such, it is desirable to bury the power lines. The placement of additional infrastructure on power poles in this area will only make it harder to move to buried power lines in the future.

7) While the FCC has guidelines for the maximum allowable human exposure to RF electromagnetic energy, to my knowledge there are no such standards for non-human animals; although numerous reputable studies indicate the potential for harm to many species at lower levels than the 1 mW/cm^2 deemed safe for humans.

In conclusion, let me say that I am impressed by the intelligent, articulate, motivated response of many of my neighbors to this issue. Even if I don't feel personally threatened by these facilities, and even if I wanted better Verizon cell service (which I don't), I wouldn't want to put my neighbors' peace-of-mind at risk just to be able to stream a movie a little faster.

Sincerely,
Leslie Rosenfeld

791 Dry Creek Rd
Monterey, CA



Jenny Leinen <leinen@monterey.org>

Fwd: Emailing: RBC Insight re Verizon

1 message

Kimberly COLE <cole@monterey.org>

Thu, Dec 7, 2017 at 10:11 AM

To: Jenny Nelson <leinen@monterey.org>, Elizabeth Caraker <caraker@monterey.org>, Todd Bennett <bennett@monterey.org>

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DEC 05 2017

City of Monterey
PEEC DIVISION

----- Forwarded message -----

From: **Sandy Freeman**
Date: Tue, Dec 5, 2017 at 2:28 PM
Subject: Emailing: RBC Insight re Verizon
To: cole@monterey.org

Hello Kim, as mentioned previously I received this analyst's report on the Verizon plan to expand into homes a week ago. Normally these "reveals" are followed by a press release from the company directly. In this case, though, the follow-up is just a CNET review: <https://www.cnet.com/news/verizon-to-launch-residential-5g-service-next-year/>. I would like to submit this as a meeting attachment for the Planning Commission scheduled for January 2018. There may be other announcements between now and then, and if there are I will add them to this package. As a resident of the target neighborhood, Monterey Vista, who attended the November 14, 2017 community presentation, I thought that the Extenet representative did not fully disclose the reasons for selecting this small neighborhood for the expanded service. In fact, he only mentioned that the proposed 13 cable signal boxes to be mounted on existing utility poles were to improve mobile phone reception coverage.

Thank you — Sandy Freeman, 10 Via Paraiso, Monterey 93940.

Verizon to Launch Wireless Residential Broadband Service

SPARC

November 29, 2017 10:34 pm ET

Telecommunication Services

VZ

Analyst

Atkin, Jonathan

Equity Research Consumer Discretionary, Information Technology, Telecommunication Services, Real Estate

Disclosures

- Verizon Communications Inc.
- Atkin, Jonathan

DEC 05 2017

Disseminated on Wednesday, November 29, 2017, 10:34 PM ET

City of Monterey
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Verizon senior management hosted an analyst session this evening. Most of the discussion related to the launch of a wireless residential broadband service in 2H18. Following are some of the highlights:

Residential Broadband Service: Management expects to launch a wireless residential broadband service in 3-5 markets in 2H18. It believes the initial market opportunity extends to 30M households (versus approximately 14M FIOS and 115M non-FIOS households) and that business services is an ancillary longer-term opportunity (\$16B TAM, 10M premises). Management believes it can achieve 20-30% penetration in markets where the residential fixed wireless broadband service is launched. Sacramento will be the first launch market; the other markets were not disclosed.

Fixed Wireless 5G Test Results: Management stated that tests have achieved throughputs of 1 Gbps at vegetation or limited line of sight of 1,000 to 2,000 feet and even pointed to an extreme test case in which Verizon achieved near gigabit speeds at 2,600 feet. Additionally, management claimed that certain test cases have allowed it to circumvent problems associated with low e-glass penetration, with mm wave spectrum penetrating building materials effectively. Further, certain tests have reached the 19th floor of MDUs (versus expectations of penetration limited to the 6th floor). Management mentioned that its initial estimates of the market opportunity for the fixed wireless product were based on propagation estimates not exceeding 2,000 feet.

Mobile Network and Spectrum Portfolio: Hans Vestberg, Verizon's Chief Technology Officer, believes that existing technologies (C-RAN, carrier aggregation, massive MIMO etc.) can lead to capacity improvements of approximately 80-100%. Currently 50% of Verizon's spectrum portfolio is used for LTE, while 98% of its data usage is on LTE. Management believes that the refarming of 800 MHz and AWS-3 spectrum will allow the company to meet its near to mid-term capacity requirements.

Capital Spending and Cost Reduction: Management maintained that the initial deployment of the wireless residential broadband service will not drive higher capital spending in 2018. Results from the initial launches and further 5G tests will inform the pace of subsequent rollouts and capital spending levels in 2019. Management believes that, with hardware modifications, existing 4G sites can be rendered 5G compatible, which will serve to contain capital expenditures. Finally, management mentioned that it expects to extract \$10B of cost efficiencies in the next 4 years.

Competition to Cable: Management intends to launch the service primarily outside of its existing FIOS footprint, and it believes the service to be a catalyst for top-line growth rather than a retention tool. Management believes that there is a potential opportunity to disrupt the traditional pay TV model as it views the current cost per channel for the consumer as unsustainable. Given the limited details surrounding price points for the new service, propagation assumptions underlying the 30M household market opportunity, and the capital outlay of a broad-based deployment, we believe the extent of the threat to cable is currently difficult to gauge. Material P&L impacts to Verizon or cable peers appear unlikely in the near-term, but we believe cable sentiment (and hence trading multiples) could see volatility over the coming quarters as datapoints around Verizon's 5G launches become known.

Company Name	Exchange	Ticker	Rating	Risk Qualifier	Price Target	Currency	Price	Price Date
Verizon Communications Inc.	NYSE	VZ	Sector Perform	Not Assigned	52.00	US Dollar	49.90	29 Nov 2017 22:34:38 ET

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City of Monterey
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--
Kimberly Cole, AICP
Acting Community Development Director
City of Monterey, Planning Office
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Monterey, CA 93940

cole@monterey.org

1-831-646-3759





Jenny Leinen <leinen@monterey.org>

RE: Fire Threat and Cell Tower Placement in Monterey

1 message

LJ Hansen

Mon, Dec 11, 2017 at 6:29 AM

To: City of Monterey <leinen@monterey.org>

J.Leinen: I request this letter be forwarded to the Planning Commission, the Mayor, and the City Council AND entered into the record regarding the Verizon/ExteNet applications for the 13 cell towers in the Monte Vista neighborhood. Thank you. Lois Hansen

December 8, 2017

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To the Planning Commission, Mayor, and City Council:

I hope you are paying attention to the fire safety aspect involved in bringing electromagnetic equipment into our forested neighborhood. In addition to the "normal" toxicity that the fire environment produces from wood, plastics and other synthetic materials, the cell towers bring their own hazards which include structural collapse and the inability to suppress the fires these towers may be a part of. Water, typically the most available fire suppressant, is not helpful in electromagnetic fire situations. The various foam retardants, while helpful, may not be available in the amounts needed to actually put out a fire entirely, leaving hot spots and the potential for re-ignition. This is true with water, also, of course. But, so far, water is amply available. And I am not saying that these cell towers will start fires -- unless they fall from over-weighted poles -- but once fires start in an area where the antennas are posted, they will only hinder the fire fighting process.

In this already super-dry environment, unless you can say with total certainty that these towers will in NO WAY bring increased fire hazard to our neighborhood, there is no excuse for allowing them into any forested area of Monterey. The only way to guarantee that these cell towers will NOT start or expand fires, thwart fire suppression efforts, contribute to the injury or death of residents and fire personnel, is to keep the towers OUT of our neighborhood. Our forests are already littered with down and downed timber. We allegedly keep that timber for bird habitat. Our area is populated by a great variety of migratory birds in addition to the birds that live here year around. (We have many predatory birds such as hawks, owls, and falcons, too. These are often seen on power poles.) What sense does it make to preserve downed timber for bird habitat if we are willing to destroy the birds with daily radiation fallout or a toxic fire resulting from whatever starts the fire but is then exacerbated by the electri-toxins from the antennas? Think about that.

When it comes to wild fires or small local fires that get out of control, California in general and Monterey specifically, is already at a great environmental disadvantage, no matter how great our fire department is. Of course Monterey Fire Department is exceptionally well trained. Of course, they are "the greatest". But as you well know, many great fire fighters have been lost in their valiant fight against fires. And, do not be fooled, a "wild" fire can start from a single house fire, should an ember fly away while the "greatest" fire

fighters in the world are striving to put out the house fire -- or car fire or other fire. You simply cannot put total responsibility on the fire fighters. True fire fighting starts with prevention and that starts with you, the PLANNING commissioners and the City Council. And that is exactly where we want fire fighting to begin & end -- with planning and prevention -- that is to say: with YOU.

It is not enough to promise that there is enough fire fighting equipment and personnel in the area to put out a fire involving these towers. There may be. But there also may NOT be if the fire gets out of hand or personnel is involved in mutual aid in other areas. In any case, *we in Monte Vista neighborhood don't want fires to begin with.*

You obviously see how good we (in California) are at putting out wild fires. We are NOT good at it. Basically what happens in our state now is, the fires put themselves out once they have burned to the ground everything they touch. The fire fighters get hero status for showing up, for trying, for putting their lives on the line. But, face it, they are not a match for the conditions that exist in California and in Monterey after several years of drought. You need to think clearly about what it means to congest our forests with more and more fuel and/or obstructions that will thwart fire fighting. Again, you need to think more in terms of fire prevention. These cell towers just add to the threat and damage load. They are not preventative measures at all.

Were a fire to start in Monte Vista (with or without the towers in place) that fire, with prevailing wind currents, could spread through our neighborhood down to Pacific Ave, over to Soledad, back to Franklin and up the hill all the way to Hwy 68 -- just for starters. It would only take a spark from a welder's torch while installing the towers or, really, anything else in these super dry conditions, to start a conflagration all the fire departments in the area could not stop before millions upon millions of dollars in property damage was done. Collectively, Monterey would eventually come back. It would not be the same, but it would eventually rebuild. But individually, people would be wiped out. Hundreds of families would be homeless and have to leave the area to find temporary or permanent shelter. It would be a disaster.

With all these negative potentials at stake, I want to encourage you to please don't make the mistake of forming an alliance with the telecom industry over your obligation to protect Monterey residents and property. I say this for the foregoing reasons, but I also want to make another important point. For those in the City who have worked along side of the ExteNet people to get the cell tower applications completed, don't get sucked into their agenda. I realize it's hard not to get friendly with people you work hard with and try to get along with. However, I have heard staff speak in friendlier tones of voice and with more warmth and sense of familiarity with ExteNet personnel than I have heard them speak to the residents of Monterey. This makes it appear that the City is quite comfortable with ExteNet representatives and their agenda. To date, you have worked well together to bring the applications to this point. And now, here come the "hysterical" or, at best, just grumpy "nay sayer" residents getting in your way, expressing opposition to what City staff and ExteNet have worked so hard to make complete. I'm not saying that ExteNet people aren't real people, even good people, capable of forming friendships on the job, but you have to remember that you are their ticket to what they want in our neighborhood and, ultimately, in Monterey. This is their business. Getting your approval is part of that business. At the same time it's easy to be frustrated with residents who are bringing up logical, solid, reasonable, legal objections to the plans you have helped the applicants make complete for City review.

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But as Verizon's and ExteNet's "ticket to play" here in Monterey, you are still primarily obligated to do what is best for the city, not the applicants. You owe the applicants consideration of their plans only as they benefit and fit in to the betterment of Monterey. If their plans do not benefit Monterey, you must deny them. If their plans threaten Monterey, you must deny them. The fire safety issue alone is enough to warrant a denial simply on the grounds that the added fuel does not serve us. This area is already dry enough to burst into flames WITHOUT the added threat of new cellular system equipment.

Don't be conned. Stay focused on the job you have to protect and preserve Monterey. Protecting and preserving Monterey is NOT what Verizon is about. Using Monterey's topography is what they are about. So if you and the residents -- WE -- together don't do the protecting and preserving, who will? Certainly NOT Verizon. We are dirt for them. We are tower sites. We are "ideal topography." We are just a place to start work, to dig up, to make whatever changes Verizon seeks to get their system in place. We are not a beautiful place to live to them. We are not home to them. Our historical buildings, both business and residential, *are nothing* to them except a setting in, on, and over which to place their equipment.

Due to the abundance of trees and downed trees left for bird habitat or lack of funding to clean them up, our Monte Vista neighborhood would go up quite quickly in a fire that could, given prevailing winds, spread equally as quickly down to the City offices on Pacific -- the Library, the Fire Station, Police Headquarters, City Hall and all those adjoining City buildings, to say nothing of Monterey High School, MIIS buildings, historic business and residential buildings as well as all the way up through Veterans Park, Skyline Drive, to and across Hwy 68. This entire part of town could be completely lost to a fire or fires starting in the beautiful and densely forested neighborhood where Verizon wants to place its first cellular equipment installations.

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In a fire, our neighborhood, with its lovely but narrow old streets, fire fighting apparatus, parked strategically for use in fire fighting, often do and could well block streets which people would use for evacuation routes. Vehicle crashes involving people who can't see where they are going are known to happen in fire zones. People fleeing fire zones are known to start out "ok" but get overwhelmed by fire conditions, slowed down by crowded or blocked roadways. Injury and death result before they can escape the heat, smoke, and attendant toxins. If wildlife can flee, they will not return to the scorched out areas for years to come.

Monterey pines, Live Oak, Cypress trees will be decades in the rebirth if they come back at all. And the after-fire clean-up? It will be as big a toxic threat as the fire itself. Look at Santa Rosa now.

Verizon, of course, will take NO responsibility for any resulting damage or loss of life, even if their equipment can be found to be the cause or contributory factor. In that sense, this is also a very important budget issue. It costs far less to prevent fires than to put them out and then have to deal in court with entities that will take no responsibility for their share of the problem. Ultimately, the responsibility **would** come back on you, planning commissioners and council members, for allowing the towers in.

Do you think what I am saying is "hyperbole" as one person has claimed. My guess is that the planning commissions and city councils in the North Bay and now, again, in cities across Southern California would not consider what I am writing to be hyperbole. For them all that I have said has already happened. Why should Monterey add cell towers to the fire hazards we are already faced with? Let's heed the ample warnings we are being given and just say "no" to the cellular towers. There is no "service gap" here. This is all new technology coming in. We do NOT need it. Verizon needs it. Verizon needs the towers. We do not.

And speaking of the North Bay, you do realize, don't you, that many residents there are NOT going to rebuild. They are selling. After being burned out, they are getting out. A mass exodus to.....*anywhere*; anywhere they can find a new home or at least temporary shelter. They will no go back to their old stomping grounds, the homes they paid dearly for and loved and were bringing up their children in. Is this something you would like to contribute to here in Monterey? Of course not. Instead of preserving and protecting Verizon and the telecom industry, preserve and protect Monterey. Let's just say Enough is Enough. This technology does not belong in this kind of forested neighborhood. It is unnecessary and dangerous. (See Monterey City Code section 38-112.4 Personal Wireless Services Section F2 listing the preferred locations and, F3 listing the discouraged locations.)

So, please, don't add these cell towers to the already existing fire threat that we face here in California and in Monterey, specifically. Don't think that a house or grass or Veterans Park camp fire or welding spark during installation of the towers can't turn into a wild fire. Don't think that the poles, already overloaded in some cases, won't snap and bring wires and antenna down. Poles fail once a month across America. Pretty good odds? You only need one in our neighborhood to fail and spark a fire. But, look, right now you have NO new tech cell towers to even worry about! Isn't that nice! As you know from Big Sur, from Oakland, from Santa Rosa (2nd time in 53 years), and now again in Southern California (a frequent occurrence), once a fire gets big enough, it creates its own wind and weather that furthers the fire expansion. And all the "rules" of fire behavior go straight down the proverbial tubes. We have enough strong seasonal winds in Monterey as it is to blow a spark or ember that can result in a fire storm. We don't need the storm. Let's not add to the prospect of it with these towers.

Be smart. Be forward thinking for your town. Our power poles are loaded down enough already without added tons of hazardous electromagnetic equipment which will accumulate

with the addition of multiple telecom companies equipment coming into the area.

And finally, **your one point of power with the telecom industry is NOW.** Once you let them in, you will simply be listening to why they have to do this and that and the other thing to make their system work for them. Again, you are – we are – nothing but a location, a plot of dirt on which to work. They do not and will not care about the safety and beauty of this area. If they did, they would not have chosen such a beautiful, high risk area in which to start their take-over of Monterey. They will only take and demand more and more and more from you, the city fathers, as they complain and whine that your denial of or adjustments to whatever more they want will sink their project. You've got to know that this is true.

I realize this is very long. However, it is not as long as a recovery would take after the Monte Vista area (and beyond) in Monterey turned to ash under the weight and congestion of more and more and more experimental electromagnetic equipment. Let's just stop now and deal with the fire threats that we have, without adding more to them.

Sincerely,

Lois Hansen, Monterey resident

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City of Monterey
PEEC DIVISION

Retired Public Safety Officer / Fire-Police-EMT

54 Via Ventura Monterey, CA 93940



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City of Monterey
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Dec 13, 2017

Mr. Todd Bennett
City of Monterey
Senior Associate Planner
bennett@monterey.org

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DEC 14 2017
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Re: Monte Vista Neighborhood
Small Cellular Facilities

Dear Todd,

I have been following the discussions of concerns regarding Verizon's application for the installation of thirteen small cellular facilities in the Monte Vista Neighborhood.

I would like to share with you, and the Planning Commissioners, that in my professional opinion as a Realtor, I do feel there may be a diminution of property values in the area in question. I don't have an exact percentage loss on property values, but I hold the opinion there exist the strong potential for a "perception" of loss of property value including, but not limited to, the below reasons:

- Cell facilities represent a potential health hazard from radio frequency emissions
- Aesthetics and public safety concerns
- Fire danger in forested areas
- Visual blight and loss of character

I would hope the above is taken into consideration in the final determination to approve or dis-approve the project.

Respectfully,

Mario Torrente

Mario Torrente
Shankle Real Estate, Inc.
Broker Associate
BRE #00515075

261 Webster Street
Monterey, CA 93940
Tel 831-646-1401
Fax 831-373-7341
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Cell 831-917-1605
Lic. # 00515075





Jenny Leinen <leinen@monterey.org>

Please ENTER INTO THE RECORD and Distribute to the Planning Commission and CC the City Mayor, City Councilmen, City Attorney, Zoning Administrator and City Manager

1 message

charisse

To: leinen@monterey.org

Thu, Dec 28, 2017 at 7:01 PM

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DEC 28 2018

City of Monterey
PEEC DIVISION

December 28, 2017

Subject: Please ENTER INTO THE RECORD

Jenny please distribute to:

The Planning Commission, Stephen Millich, Michael Brassfield, Sam Ezekiel, Daniel Fletcher, Terry Latasa, Michael Dawson, and Hansen Reed.

CC the Mayor, the City Councilmen, the City Attorney, the Zoning Administrator, and City Manager.

Dear Monterey City Official:

I want this Entered into the Record that I am opposing the 13 cell towers in the Monte Vista Neighborhood. I have been a Verizon Customer for years, and I have no trouble with my service, in dropped calls or reception, that being inside my residence or anywhere on the Monterey Peninsula. I don't know of anyone here in Monterey that is having problems with their Verizon service either.

Most of the residents here believe that this naturally beautiful area is the wrong place for these ugly cell facilities, and will ruin the ascetic views of Monterey which is the biggest attraction here. I am continually hearing the shock of so many residents here, feeling imposed upon by this Verizon plan that we don't even want them here and many are people have high emotions about it too.

Please consider that instead of assuring our safety, you will actually be endangering us by scattering these facilities through our forest with an increased fire hazard. You have to realize that this is a high fire forest area and we just came out of drought. Numerous of the residents here are worried about this as one of the leading causes of wild fires in the last several years are linked to these utility poles being overloaded. Also, just the environment alone is all wrong because no one can control the elements in our forest with high winds, drought, and our numerous dry trees that can break or fall on any of these facilities – anytime.

This unnecessary and deplorable plan for our beautiful environment will degrade the area, lower property values, and will rob the residents of our peace of mind. As for advancing technology, many are requesting underground installation of all of this equipment for our safety. Without a doubt these cell towers will increase the fire risks in our forest community, so those who approve these cell towers will also be responsible for our safety. We ask you to think about that and do the right thing by denying these 13 Verizon cells tower permits.

Sincerely,
Charisse Lauren Carlile

801 Dry Creek Road, Monterey, CA

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DEC 28 2018

City of Monterey
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Jenny Leinen <leinen@monterey.org>

Re: Jenny, when you get back, please distribute only this letter to the Mayor, City Council and Planning Commissioners. Please disregard and delete the two earlier drafts I sent in your absence, as they contained errors corrected in this version. Please en...

1 message

Christine Davi <davi@monterey.org>

Fri, Dec 29, 2017 at 12:57 PM

To: susan nine

Cc: "leinen@monterey.org" <leinen@monterey.org>, "bennett@monterey.org" <bennett@monterey.org>, "caraker@monterey.org" <caraker@monterey.org>, Planning <pccommembers@monterey.org>, City Council Group <citycouncilgroup@monterey.org>

Dear Ms. Nine:

Thank you for sharing your thoughts with us on the upcoming small cell wireless facilities applications. We appreciate your input. I would like to offer a few points of clarification:

(1) the Ninth Circuit's interpretation in the Palos Verdes Estates case is mandatory authority only in federal district court. In state court, the federal interpretation given to a state statute is merely persuasive.

(2) the focus of the Planning Commission (and the City Council should the decisions be appealed) will be on the required findings under the City Code. If challenged, the decisions will be reviewed under the substantial evidence standard, which requires that the decisions be authorized by local law and supported by reasonable evidence in the written record. While courts have found substantial evidence to uphold a denial based on aesthetics in the right of way, discretion must be exercised in a manner consistent with the required findings in the City Code.

(3) some of the authorities cited in your email illustrate that an otherwise valid denial under a local ordinance may nevertheless be overturned on state or federal preemption grounds. For example, the Ninth Circuit in the Anacortes case found that the city's denial was supported by substantial evidence because the project conflicted with local code requirement, but nevertheless overturned the denial because it would result in an effective prohibition. In the Palos Verdes Estates case, the court held that the city could consider aesthetics and found substantial evidence to support the denial, but remanded the case back to the district court for further proceedings on whether a significant gap existed in Sprint's service (the case was subsequently settled before those proceedings took place). Thus, while aesthetics may be substantial evidence to support a denial, that finding alone does not necessarily mean that the denial will ultimately be upheld on judicial review.

Thanks again for your input on these complex issues.

Sincerely,
Christine

Christine Davi
City Attorney
City of Monterey
(831) 646-3915
davi@monterey.org

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On Thu, Dec 28, 2017 at 12:02 PM, susan nine

To: Planning Commissioners, City Council Members,
and Mr. Mayor

Fr: Susan Catherine Nine

Re: Legal Precedent for Denial of 13 WCF Permits in a Residential District
With Historic Overlays and Open Space Districts within the
Neighborhood

Ms. Davi's understanding is that the T-Mobile West LLC v. City and County of San Francisco, Cal. Appellate case holding, cannot be taken as legal precedent because it was granted Certiorari by the Cal. Supreme Court, and no decision has yet been published. Instead, I refer you to Sprint PCS Assets, L.L.C. v. City of Palos Verdes Estates, decided by the Ninth Circuit (California's circuit). If you haven't already read it, please do. I am including a link. It settles the question of aesthetic regulation, as it applies to the federal Telecommunications Act, as well as Cal. Pub. Util. Code sections 7901 and 7901.1, by upholding aesthetics, as well as other local time, place and manner limitations, as permissible grounds for denial of WCF (wireless communications facility) permits. The fact pattern is very similar to the situation here. The Court states that the California Constitution gives cities the authority to regulate the placement telephone equipment in public rights-of-ways on aesthetic grounds and that neither PUC section 7901 nor PUC section 7901.1 divest it of that authority. "We conclude that neither PUC Section 7901 nor PUC 7901.1 conflicts with the City's default power to deny a WCF permit application for aesthetic reasons." The court went on to add, "Aesthetic regulations are 'time, place, and manner' regulations..." The California Constitution authorizes local governments to "make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." California's Supreme Court has explained that a "city's police power under this provision can be applied only within its own territory and is subject to displacement by general state law but otherwise is as broad as the police power exercisable by the Legislature itself." "There is no question the City's right to regulate aesthetics is contained within this broad constitutional grant of power." See Landgate, Inc. v. Cal. coastal Comm'n, 953 P.2d 1188, 1198 (Cal.1998) (aesthetic preservation is 'unquestionably a legitimate government purpose.');" Ehrlich v. City of Culver City, 911 P.2d 429, 450 (Cal. 1996) ("Aesthetic conditions have long been held to be valid exercises of the city's traditional police power.")

Please, also see City of Anacortes, 572 F.3d at 994-95 cited in the Palos Verdes Estates case. There, the city determined that the proposed WCF would have "a commercial appearance and would detract from the residential character and appearance of the surrounding neighborhood"; that it "would not be compatible with the character and appearance of the existing development"; and that it would "negatively impact the views " of residents. The Ninth Circuit noted that the City ordinance governing permit applications required the city to consider such factors as the height of the facility, the proximity to residential structures, the nature of uses of nearby properties, the surrounding typography, and the surrounding tree coverage and foliage. (Id. at 994.) The court stated that it and other courts, have held that these are legitimate concerns for a locality. Id. (Citing T-Mobile Cent., LLC v. United Gov't of Wyandotte County, Kan City, 546 F.3d 1299, 1312 (10th Cir. 2008); Tel Co. v. Town of Oyster Bay, 166 F.3d 490, 494 (2d Cir. 1999))

The Ninth Circuit, in the attached Sprint PCS Assets v Palos Verdes Estates decision added, "What was implicit in our decision in City of Anacortes we make explicit now: California law does not prohibit local governments from taking into account aesthetic considerations in deciding whether to permit the development of WCFs within their jurisdiction."

The Court then went on to rule on the applicability of the TCA requirement of proof of a "significant coverage gap" in circumstances quite similar to those here, where the area already had existing wireless facilities providing adequate and better coverage and found that Sprint's existing network, "was at very least functional." On that basis they determined that no "effective prohibition" of services existed, just as none exists here as confirmed by: Verizon customers (myself included) throughout the potentially affected area; resident conducted field testing at all 13 proposed sites posted on YouTube; Verizon's own published coverage maps, as well as; assurances to existing and potential customers by Verizon's local sales representatives that Verizon currently provides excellent calling and data streaming throughout this neighborhood in particular, information upon which potential customers rely when contracting for Verizon service. The City of Monterey has very adequately avoided prohibition of wireless service by already having approved the existing facilities that are currently providing the excellent personal wireless services enjoyed by Verizon customers locally. Denying these applications would not constitute a prohibition of personal wireless service.

My reading of it is that this decision settles the question of a city's right to exercise and enforce its reasonable and traditional local zoning and other regulatory ordinances. This applies to Monterey's Wireless Facility Ordinance, so many requirements of which are in conflict with the 13 applications before you. Each of the ExteNet applications contain multiple violations of the City's ordinances as well as the City's General Plan. These will be enumerated in greater detail in future communications.

It is my opinion that the City's interests, as well as those of its residents, are best served when it enforces its adopted ordinances. If it does, there could be only one possible outcome. All 13 permit requests are for placement of facilities in a discouraged residential district with historic overlays and open space districts in immediate proximity, also disfavored for wireless facilities. Section F 3. Of Monterey's Personal Wireless Facilities Ordinance states, "All applicants should avoid proposing new facilities...in the following locations: a. Open space districts; b. Residential districts; and c.H-1, H-2, D-1, and overlay zones." Seven applications violate the required height limit for residential districts (25') in spite of section F. 4. b. "Wireless facilities **must** not exceed the applicable height limit for structured in the applicable zoning district." Concealment design requirements are not met; equipment placement requirements are not followed; collocation considerations required are ignored; the requirements for ground mounted equipment have not been followed; nor have those for pole mounted equipment; the requirement that equipment other than antenna and smart meter be underground not complied with in most cases; the antenna requirements for top mounting exceed the diameter of the poles which the Ordinance does not allow; the disfavored side arm-mounted design is used in several applications; the equipment violates the maximum set off for pole mounted equipment; applications contain inaccurate and missing information; some photographs are inaccurate and not accurately scaled; the applications claim a "significant coverage gap" where nothing close to a legal definition of that term exists. Also, ExteNet does not own the

City's non-utility pole mounted street lights and has no proprietary claim over them for their use, but two of the applications require use of City's free-standing streetlights and require alterations be made to them.

These provide but a few examples of reasonable time, place and manner limitations in the City's Codes to which these applications run afoul. These applications are also inconsistent with applicable sections of the General Plan meant to guide decision making. The City has more than adequate grounds for denial and it should, if not must, exercise its regal right to enforce its laws and exercise its rights to the benefit of those it serves. The Public has overwhelmingly expressed its strong opposition to this project.

When the courts have reviewed denials of permits for WCFs, so long as the denials are based on enforcement of the City's reasonable time, place and manner, ordinances, which include, among others, aesthetic considerations, they have given due deference to local regulations. The Ninth Circuit explained that if the local ordinance is reasonable, it satisfies the substantial evidence requirement of the TCA.

The court applied the traditional standard used for judicial review of agency decisions; "A municipality's decision that is valid under local law will be upheld under the TCA's 'substantial evidence' requirement where it is supported by 'such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.'" The Court applied this standard and held, "From the entirety of the evidence, one could reasonably determine, as the City did, that the Via Azalea WCF would detract from the residential character of the neighborhood..."

The links below are provided for access to the case discussed as well as to an article summarizing the significance of the case in layman's language.

Sincerely,

Susan Nine, JD

Retired, Inactive Member, Cal. Bar Assoc.

City of Monterey

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Sent from my iPad

**SPRINT PCS ASSETS, L.L.C., a Delaware limited liability company, wholly-owned by Sprint
Telephony PCS, LP, a Delaware limited partnership, Plaintiff-Appellee,**

v.

**CITY OF PALOS VERDES ESTATES, a California municipality; City Council of the City of Palos
Verdes Estates, its governing body; Joseph Sherwood, in his official capacity as Mayor Pro Tem of
the City of Palos Verdes Estates; John Flood, in his official capacity as Councilmember of the City
of Palos Verdes Estates; Rosemary Humphrey, in her official capacity as Councilmember of the
City of Palos Verdes Estates; Dwight Abbott, in his official capacity as Councilmember of the City
of Palos Verdes Estates; James F. Goodhart, in his official capacity as Councilmember of the City
of Palos Verdes Estates, Defendants-Appellants.**

No. 05-56106.

United States Court of Appeals, Ninth Circuit.

Argued and Submitted July 6, 2009.

Filed October 14, 2009.

719 *719 Scott J. Grossberg, Richard R. Clouse, Amy R. von Kelsch-Berk, and Angelica A. Arias of Cihigoyenette, Grossberg
& Clouse, Rancho Cucamonga, CA, and Daniel P. Barer of Pollak, Vida & Fisher, Los Angeles, CA, for the appellants.

John J. Flynn III, Gregory W. Sanders, and Michael W. Shonafelt of Nossaman, Guthner, Knox & Elliott, LLP, Irvine, CA, for
the appellee.

Before: BARRY G. SILVERMAN, KIM McLANE WARDLAW, and JAY S. BYBEE, Circuit Judges.

WARDLAW, Circuit Judge:

The City of Palos Verdes Estates ("City") appeals the grant of summary judgment in favor of Sprint PCS Assets, L.L.C. ("Sprint"). We must decide whether the district court erred in concluding that the City violated the Telecommunications Act of 1996 ("TCA"), Pub.L. No. 104-104, 110 Stat. 56 (codified as amended in various sections of U.S.C. titles 15, 18, and 47), when it denied Sprint permission to construct two wireless telecommunications facilities in the City's public rights-of-way. Specifically, we must decide (1) whether the City's denial is supported by substantial evidence, as required by 47 U.S.C. § 332(c)(7)(B)(iii), and (2) whether the City's denial constitutes a prohibition on the provision of wireless service in violation of 47 U.S.C. §§ 253(a) and 332(c)(7)(B)(i)(II). Because the City's denial is supported by substantial evidence, and because disputed issues of material fact preclude a finding that the decision amounted to a prohibition on the provision of wireless service, we reverse and remand.

I. FACTUAL AND PROCEDURAL BACKGROUND

720 The City is a planned community, about a quarter of which consists of public rights-of-way that were designed not only to
serve the City's transportation needs, but also to contribute to its aesthetic appeal. In 2002 and 2003, Sprint applied for
permits to construct wireless telecommunications facilities ("WCF") in the City's public rights-of-way. The City granted eight
permit applications but denied two others, which are at issue in this appeal. One of the proposed WCFs would be
constructed on Via Azalea, a narrow residential street, and the other would be constructed *720 on Via Valmonte, one of the
four main entrances to the City. Sprint acknowledged that it already served four thousand customers in the City with its
existing network but stated that the proposed WCFs were nonetheless needed to replace its existing infrastructure.

A City ordinance ("Ordinance") provides that WCF permit applications may be denied for "adverse aesthetic impacts arising
from the proposed time, place, and manner of use of the public property." Palos Verdes Estates, Cal., Ordinances ch.
18.55.040(B)(1). Under the Ordinance, the City's Public Works Director ("Director") denied Sprint's WCF permit applications,

concluding that the proposed WCFs were not in keeping with the City's aesthetics. The City Planning Commission affirmed the Director's decision in a unanimous vote.

Sprint appealed to the City Council ("Council"), which received into evidence a written staff report that detailed the potential aesthetic impact of the proposed WCFs and summarized the results of a "drive test," which confirmed that cellular service from Sprint was already available in relevant locations in the City. The Council also heard public comments and a presentation from Sprint's representatives. The Council issued a resolution affirming the denial of Sprint's permit applications. It concluded that a WCF on Via Azalea would disrupt the residential ambiance of the neighborhood and that a WCF on Via Valmonte would detract from the natural beauty that was valued at that main entrance to the City.

Denied permits by the Director, the Commission, and the Council, Sprint took its case to federal court, seeking a declaration that the City's decision violated various provisions of the TCA. The district court concluded that the City's decision was not supported by substantial evidence and thus violated 47 U.S.C. § 332(c)(7)(B)(iii). This determination was premised on a legal conclusion that California law prohibits the City from basing its decision on aesthetic considerations. The district court also concluded that the City violated 47 U.S.C. §§ 253 and 332(c)(7)(B)(i)(II) by unlawfully prohibiting the provision of telecommunications service, finding that the City had prevented Sprint from closing a significant gap in its coverage. The City timely appeals.

II. JURISDICTION AND STANDARD OF REVIEW

The district court exercised jurisdiction pursuant to 28 U.S.C. § 1331. We have jurisdiction pursuant to 28 U.S.C. § 1291. "We review summary judgment de novo." Nelson v. City of Davis, 571 F.3d 924, 927 (9th Cir.2009) (citation omitted). Summary judgment is appropriate only if the pleadings, the discovery, disclosure materials on file, and affidavits show that there is no genuine dispute as to any material fact and that the moving party is entitled to judgment as a matter of law. Fed. R.Civ.P. 56(c). All justifiable factual inferences must be drawn in the City's favor, and we must reverse the grant of summary judgment if any rational trier of fact could resolve a material factual issue in the City's favor. See Nelson, 571 F.3d at 927.

III. DISCUSSION

The tension between technological advancement and community aesthetics is nothing new. In an 1889 book that would become a classic in city planning literature, Vienna's Camillo Sitte lamented:

721 [T]here still remains the question as to whether it is really necessary to purchase these [technological] advantages at the tremendous price of abandoning all artistic beauty in the layout of cities. *721 The innate conflict between the picturesque and the practical cannot be eliminated merely by talking about it; it will always be present as something intrinsic to the very nature of things.

Camillo Sitte, *City Planning According to Artistic Principles* 110 (Rudolph Wittkower ed., Random House 1965) (1889).

The TCA attempts to reconcile this "innate conflict." On the one hand, the statute is intended to "encourage the rapid deployment of new telecommunications technologies." Pub.L. No. 104-104, 110 Stat. 56. On the other hand, it seeks "to preserve the authority of State and local governments over zoning and land use matters." T-Mobile USA, Inc. v. City of Anacortes, 572 F.3d 987, 992 (9th Cir.2009) (citation omitted). The TCA seeks a balance by placing certain limitations on localities' control over the construction and modification of WCFs. See 47 U.S.C. §§ 253(a), 332(c)(7)(B). This appeal involves a challenge to the district court's conclusion that the City exceeded those limitations.

A. Section 332(c)(7)(B)(iii)

One of the limitations that the TCA places upon local governments is that "[a]ny decision ... to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record." 47 U.S.C. § 332(c)(7)(B)(iii). As we have explained, "The upshot is simple: this Court may not overturn the [City's] decision on 'substantial evidence' grounds if that decision is authorized by applicable local regulations and supported by a reasonable amount of evidence." MetroPCS, Inc. v. City & County of S.F., 400 F.3d 715, 725 (9th Cir.2005).

^[1] Thus, we must determine (1) whether the City's decision was authorized by local law and, if it was, (2) whether it was supported by a reasonable amount of evidence. Both requirements are satisfied here.

1. The City's decision was authorized by local law.

722 "[W]e must take applicable state and local regulations as we find them and evaluate the City decision's evidentiary support (or lack thereof) relative to those regulations." MetroPCS, 400 F.3d at 724. As noted above, the Ordinance authorizes the denial of WCF permit applications on aesthetic grounds. Also relevant for our purposes is the California Public Utilities Code ("PUC"), which provides telecommunications companies with a right to construct WCFs "in such manner and at such points as not to incommode the public use of the road or highway," Cal. Pub. Util. Code § 7901, and states that "municipalities shall have the right to exercise reasonable control as to the time, place, and manner in which roads, highways, and waterways are accessed." *Id.* § 7901.1. The district court erred in concluding that the City's consideration of aesthetics was invalid under the PUC.^[2] The California Constitution *722 gives the City the authority to regulate local aesthetics, and neither PUC § 7901 nor PUC § 7901.1 divests it of that authority.

i. California's Constitution

The California Constitution authorizes local governments to "make and enforce within [their] limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." Cal. Const. art. XI, § 7. California's Supreme Court has explained that a "city's police power under this provision can be applied only within its own territory and is subject to displacement by general state law but otherwise is as broad as the police power exercisable by the Legislature itself." Fisher v. City of Berkeley, 37 Cal.3d 644, 209 Cal.Rptr. 682, 693 P.2d 261, 271 (1984) (quoting Birkenfeld v. City of Berkeley, 17 Cal.3d 129, 130 Cal.Rptr. 465, 550 P.2d 1001, 1009 (1976)); see also Conn. Indem. Co. v. Super. Ct. of San Joaquin County, 23 Cal.4th 807, 98 Cal.Rptr.2d 221, 3 P.3d 868, 872 (2000) (state constitution provides city with "general authority to exercise broad police powers"). There is no question that the City's authority to regulate aesthetics is contained within this broad constitutional grant of power. See Landgate, Inc. v. Cal. Coastal Comm'n, 17 Cal.4th 1006, 73 Cal.Rptr.2d 841, 953 P.2d 1188, 1198 (1998) (aesthetic preservation is "unquestionably [a] legitimate government purpose[]"); Ehrlich v. City of Culver City, 12 Cal.4th 854, 50 Cal.Rptr.2d 242, 911 P.2d 429, 450 (1996) ("[A]esthetic conditions have long been held to be valid exercises of the city's traditional police power.").

723 Thus, the threshold issue is not, as Sprint argues and the district court apparently believed, whether the PUC authorizes the City to consider aesthetics in deciding whether to grant a WCF permit application, but is instead whether the PUC divests the City of its constitutional power to do so.^[3] Therefore, the question *723 actually before us is whether the City's consideration of aesthetics is "in conflict with general laws." Cal. Const. art. XI, § 7. "A conflict exists if the local legislation duplicates, contradicts, or enters an area fully occupied by ... legislative implication." Action Apartment Ass'n, Inc. v. City of Santa Monica, 41 Cal.4th 1232, 63 Cal.Rptr.3d 398, 163 P.3d 89, 96 (2007) (citation and quotation omitted). "Local legislation is contradictory to general law when it is inimical thereto." *Id.* (citation and quotation omitted). Absent a specific legislative indication to the contrary, we presume that there is no conflict where the local government regulates an area over which it has traditionally exercised control. See *id.* Sprint has the burden of demonstrating that a conflict exists. See *id.* We conclude that neither PUC § 7901 nor PUC § 7901.1 conflicts with the City's default power to deny a WCF permit application for aesthetic reasons.

ii. PUC § 7901

The City's consideration of aesthetics in denying Sprint's WCF permit applications comports with PUC § 7901, which provides telecommunications companies with a right to construct WCFs "in such manner and at such points as not to incommode the public use of the road or highway." Cal. Pub. Util. Code § 7901. To "incommode" the public use is to "subject [it] to inconvenience or discomfort; to trouble, annoy, molest, embarrass, inconvenience" or "[t]o affect with inconvenience, to hinder, impede, obstruct (an action, etc.)." 7 The Oxford English Dictionary 806 (2d ed. 1989); see also Webster's New Collegiate Dictionary 610 (9th ed. 1983) ("To give inconvenience or distress to."). The experience of traveling along a picturesque street is different from the experience of traveling through the shadows of a WCF, and we see nothing

exceptional in the City's determination that the former is less discomforting, less troubling, less annoying, and less distressing than the latter. After all, travel is often as much about the journey as it is about the destination.

The absence of a conflict between the City's consideration of aesthetics and PUC § 7901 becomes even more apparent when one recognizes that the "public use" of the rights-of-way is not limited to travel. It is a widely accepted principle of urban planning that streets may be employed to serve important social, expressive, and aesthetic functions. See Ray Gindroz, *City Life and New Urbanism*, 29 Fordham Urb. L.J. 1419, 1428 (2002) ("A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use."); Kevin Lynch, *The Image of the City* 4 (1960) ("A vivid and integrated physical setting, capable of producing a sharp image, plays a social role as well. It can furnish the raw material for the symbols and collective memories of group communication."); Camillo Sitte, *City Planning According to Artistic Principles* 111-12 (Rudolph Wittkower ed., Random House 1965) (1889) ("One must keep in mind that city planning in particular must allow full and complete participation to art, because it is this type of artistic endeavor, above *724 all, that affects formatively every day and every hour of the great mass of the population...."). As Congress and the California Legislature have recognized, the "public use" of the roads might also encompass recreational functions. See, e.g., Cal. Pub. Util.Code § 320 (burying of power lines along scenic highways); 23 U.S.C. § 131(a) (regulation of billboards near highways necessary "to promote ... recreational value of public travel ... and to preserve natural beauty").

These urban planning principles are applied in the City, where the public rights-of-way are the visual fabric from which neighborhoods are made. For example, the City's staff report explains that Via Valmonte, which is adorned with an historic stone wall and borders a park, is "cherished for its rural character, and valued for its natural, unspoiled appearance, rich with native vegetation." Meanwhile, Via Azalea is described as "an attractive streetscape" that creates a residential ambiance. That the "public use" of these rights-of-way encompasses more than just transit is perhaps most apparent from residents' letters to the Director, which explained that they "moved to Palos Verdes for its [a]esthetics" and that they "count on this city to protect [its] unique beauty with the abundance of trees, the absence of sidewalks, even the lack of street lighting."

Thus, there is no conflict between the City's consideration of aesthetics in deciding to deny a WCF permit application and PUC § 7901's statement that telecommunications companies may construct WCFs that do not incommode the public use of the rights-of-way.

iii. PUC § 7901.1

Nor does the City's consideration of aesthetics conflict with PUC § 7901.1's statement that "municipalities shall have the right to exercise reasonable control as to the time, place, and manner in which roads, highways, and waterways are accessed." Cal. Pub. Util.Code § 7901.1. That provision was added to the PUC in 1995 to "bolster the cities' abilities with regard to construction management and to send a message to telephone corporations that cities have authority to manage their construction, without jeopardizing the telephone corporations' statewide franchise." S. Comm. on Energy, Utilities, and Commerce, Analysis of S.B. 621, Reg. Sess., at 5728 (Cal.1995); see also *id.* ("[I]ntent of this bill is to provide the cities with some control over their streets.").^[4] If the preexisting language of PUC § 7901 did not divest cities of the authority to consider aesthetics in denying WCF construction permits, then, a fortiori, neither does the language of PUC § 7901.1, which only "bolsters" cities' control.

Aesthetic regulations are "time, place, and manner" regulations,^[5] and the California *725 Legislature's use of the phrase "are accessed" in PUC § 7901.1 does not change that conclusion in this context. Sprint argues that the "time, place and manner" in which the rights-of-way "are accessed" can refer only to when, where, and how telecommunications service providers gain entry to the public rights-of-way. We do not disagree. However, a company can "access" a city's rights-of-way in both aesthetically benign and aesthetically offensive ways. It is certainly within a city's authority to permit the former and not the latter.^[6]

Our interpretation of California law is consistent with the outcome in *City of Anacortes*, in which we rejected a § 332(c)(7)(B) (iii) challenge to a city's denial of a WCF permit application that was based on many of the same aesthetic considerations at issue here. *City of Anacortes*, 572 F.3d at 994-95. There, the city determined that the proposed WCF would have "a commercial appearance and would detract from the residential character and appearance of the surrounding neighborhood"; that it "would not be compatible with the character and appearance of the existing development"; and that it

would "negatively impact the views" of residents. *Id.* at 989-90. We noted that the city ordinance governing permit applications required the city to consider such factors as the height of the tower and its proximity to residential structures, the nature of uses of nearby properties, the surrounding topography, and the surrounding tree coverage and foliage. *Id.* at 994. We stated that "[w]e, and other courts, have held that these are legitimate concerns for a locality." *Id.* (citing *T-Mobile Cent., LLC v. Unified Gov't of Wyandotte County, Kan. City*, 546 F.3d 1299, 1312 (10th Cir.2008); *Cellular Tel. Co. v. Town of Oyster Bay*, 166 F.3d 490, 494 (2d Cir.1999)). What was implicit in our decision in *City of Anacortes* we make explicit now: California law does not prohibit local governments from taking into account aesthetic considerations in deciding whether to permit the development of WCFs within their jurisdictions.

726 Sprint warns that this conclusion will allow municipalities to run roughshod over WCF permit applications simply by invoking aesthetic concerns. However, our decision in no way relieves municipalities of the constraints imposed upon them by the TCA. A city that invokes aesthetics as a basis for a WCF permit denial is required to produce substantial evidence to support its decision, and, even if it makes that showing, its decision is nevertheless invalid if it operates as a prohibition on the provision of wireless service in violation of 47 U.S.C. § 332(c)(7)(B)(i)(II). Nor does our *726 decision constitute a judgment on the merits of the City's decision in this case. Our function is not to determine whether the City's denial of Sprint's permit applications was a proper weighing of all the benefits (e.g., economic opportunities, improved service, public safety) and costs (e.g., the ability of residents to enjoy their community) of the proposal, but is instead to determine whether the City violated any provision of the TCA in so doing.

2. The City's decision was supported by such relevant evidence that a reasonable mind might accept as adequate.

"[W]hile the term 'substantial evidence' is not statutorily defined in the Act, the legislative history of the TCA explicitly states, and courts have accordingly held, that this language is meant to trigger 'the traditional standard used for judicial review of agency decisions.'" *MetroPCS*, 400 F.3d at 723 (quoting H.R. Conf. Rep. No. 104-458, at 208 (1996), U.S.Code Cong. & Admin.News 1996, p. 10). A municipality's decision that is valid under local law will be upheld under the TCA's "substantial evidence" requirement where it is supported by "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion." *Id.* at 725 (quoting *Town of Oyster Bay*, 166 F.3d at 494).

The City's finding that the proposed WCFs would adversely affect its aesthetic makeup easily satisfies this standard. The Council reviewed propagation maps and mock-ups of the proposed WCFs and a report that detailed the aesthetic values at stake. It had the benefit of public comments and an oral presentation from Sprint's personnel. From the entirety of the evidence, one could reasonably determine, as the City did, that the Via Azalea WCF would detract from the residential character of the neighborhood and that the Via Valmonte WCF would not be in keeping with the appearance of that main entrance to the City. Consequently, we find that the City's decision was supported by substantial evidence, and we reverse the district court.

B. Section 332(c)(7)(B)(i)(II)

The TCA provides that a locality's denial of a WCF permit application "shall not prohibit or have the effect of prohibiting the provision of personal wireless services." 47 U.S.C. § 332(c)(7)(B)(i)(II). "[A] locality can run afoul of the TCA's 'effective prohibition' clause if it prevents a wireless provider from closing a 'significant gap' in service coverage." *MetroPCS*, 400 F.3d at 731.^[7] The "effective prohibition" inquiry "involves a two-pronged analysis requiring (1) the showing of a 'significant gap' in service coverage and (2) some inquiry into the feasibility of alternative facilities or site locations."^[8] *Id.* at 731. Because we conclude that Sprint has not shown the existence of a significant gap as a matter of law, we do not reach the second element of the analysis.

727 The district court's legal conclusion that Sprint established the existence *727 of a "significant gap" rests on two purportedly undisputed facts: (1) "[w]ithout either facility, [Sprint's] network will contain significant gaps in coverage" and (2) existing wireless coverage in the City was "based on obsolete facilities needing replacement." These factual findings were insufficient to support summary judgment because they were disputed in the record below.

1. Significance of the Gap

"[S]ignificant gap' determinations are extremely fact-specific inquiries that defy any bright-line legal rule." *Id.* at 733. Yet Sprint and the district court take a bare-bones approach to this inquiry. The district court simply declared, as a matter of fact and fiat, that there was "a significant gap" in Sprint's coverage in the City. Sprint defends this factual finding on appeal, arguing that its presentation of radio frequency propagation maps was sufficient to establish a "significant gap" in coverage. We disagree.

Sprint's documentation stated that the proposed WCFs would provide "good coverage" for .2 to .4 miles in various directions. However, it remains far from clear whether these estimates were relative to the coverage available from existing WCFs or to the coverage that would be available if there were no WCFs at all (i.e., if the existing WCFs were removed). In any event, that there was a "gap" in coverage is certainly not sufficient to establish that there was a "significant gap" in coverage. See *id.* at 733 n. 10 ("[T]he relevant service gap must be truly 'significant....'"); *id.* at 733 ("The TCA does not guarantee wireless service providers coverage free of small 'dead spots....'").

The district court found that there was a "gap" in Sprint's coverage but failed to analyze its legal significance. District courts have considered a wide range of context-specific factors in assessing the significance of alleged gaps. See, e.g., Cellular Tel. Co. v. Zoning Bd. of Adjustment of the Borough of Ho-Ho-Kus, 197 F.3d 64, 70 n. 2 (3d Cir.1999) (whether gap affected significant commuter highway or railway); Powertel/Atlanta, Inc. v. City of Clarkston, No. 1:05-CV-3068, 2007 WL 2258720, at *6 (N.D.Ga. Aug.3, 2007) (assessing the "nature and character of that area or the number of potential users in that area who may be affected by the alleged lack of service"); Voice Stream PCS I, LLC v. City of Hillsboro, 301 F.Supp.2d 1251, 1261 (D.Or.2004) (whether facilities were needed to improve weak signals or to fill a complete void in coverage); Nextel Partners, Inc. v. Town of Amherst, 251 F.Supp.2d 1187, 1196 (W.D.N.Y.2003) (gap covers well traveled roads on which customers lack roaming capabilities); Am. Cellular Network Co., LLC v. Upper Dublin Twp., 203 F.Supp.2d 383, 390-91 (E.D.Pa.2002) (considering "drive tests"); Sprint Spectrum, L.P. v. Town of Ogunquit, 175 F.Supp.2d 77, 90 (D.Me.2001) (whether gap affects commercial district); APT Minneapolis, Inc. v. Stillwater Twp., No. 00-2500, 2001 WL 1640069, at *2-3 (D.Minn. June 22, 2001) (whether gap poses public safety risk). Here, the district court said nothing about the gap from which it could have determined its relative significance (i.e., whether preventing its closure was tantamount to a prohibition on telecommunications service), nor did Sprint's counsel offer any support for a conclusion that the gap was significant.¹⁹¹

728 *728 2. Obsolescence of Existing WCF Network

We need not decide whether the TCA's anti-prohibition language even covers situations, like that presented here, in which a telecommunications service provider seeks to replace existing WCFs, as contrasted with the more typical situation in which the provider seeks to construct new WCFs. It is sufficient to note that the record does not establish the obsolescence of the old facilities as a matter of uncontested fact. Sprint's representatives not only failed to explain why the existing facilities were no longer usable, but they actually undermined that position by pointing out that those facilities were currently serving some four thousand residents and acknowledging at the public hearing that Sprint service was generally available in the City. Residents' comments at the public hearing and the drive test results contained in the staff report submitted to the Council further illustrate that Sprint's existing network was, at the very least, functional. Consequently, we reverse the grant of summary judgment in Sprint's favor on its § 332(c)(7)(B)(i)(II) "effective prohibition" claim.

C. Section 253

The district court also concluded that the City's ordinance was "preempted by the Supremacy Clause, insofar as it conflicts with section 253(a) of the Telecom Act." However, due to intervening changes in the law, this Supremacy Clause claim is no longer viable. See Sprint Telephony PCS, L.P. v. County of San Diego, 543 F.3d 571, 578 (9th Cir.2008) (*en banc*) (overruling City of Auburn v. Qwest Corp., 260 F.3d 1160 (9th Cir.2001)), and holding that "a plaintiff suing a municipality under section 253(a) must show actual or effective prohibition, rather than the mere possibility of prohibition" (citation omitted)); see also City of Anacortes, 572 F.3d at 993. Moreover, we need not decide whether § 253 contemplates "as applied" challenges. Insofar as Sprint seeks to advance an "as applied" challenge under § 253, we conclude, for the reasons set forth above, that Sprint has not demonstrated a prohibition on the provision of wireless service as a matter of law. See Sprint Telephony, 543 F.3d at 579 ("We need not decide whether Sprint's suit falls under § 253 or § 332. As we now hold, the legal standard is the same under either.").

IV. CONCLUSION

Because the City's decision to deny Sprint's application for a permit to construct two new WCFs was supported by substantial evidence and because disputed issues of material fact preclude a finding that the decision constituted a prohibition on the provision of wireless service, we REVERSE and REMAND.

[1] The district court did not have the benefit of our decision in *MetroPCS* when it issued its order granting Sprint summary judgment on its claims under 47 U.S.C. §§ 253 and 332(c)(7)(B)(iii). Indeed, there has been considerable development in this area of the law since the district court resolved Sprint's motion. See, e.g., *Sprint Telephony PCS, L.P. v. County of San Diego*, 543 F.3d 571 (9th Cir. 2008); *City of Anacortes*, 572 F.3d at 987.

[2] During the pendency of this appeal, pursuant to Cal. R. Ct. 8.548(a), we requested that the California Supreme Court decide whether PUC §§ 7901 and 7901.1 permit public entities to regulate the placement of telephone equipment in public rights-of-way on aesthetic grounds. The California Supreme Court denied our request, concluding that a decision on that issue may not be determinative in these federal proceedings. Accordingly, the task now before us is to predict how the California Supreme Court would resolve the issue. See *Giles v. Gen. Motors Acceptance Corp.*, 494 F.3d 865, 872 (9th Cir. 2007). We may look to the state's intermediate appellate courts for guidance. *Id.* While the question of whether California's municipalities have the power to consider aesthetics in deciding whether to grant WCF permit applications has been addressed by us and the California Courts of Appeals, it has not been resolved in a published opinion on which we may rely. See *Sprint PCS Assets, L.L.C. v. City of La Cañada Flintridge*, 182 Fed.Appx. 688, 690-91 (9th Cir. 2006) (city may not consider aesthetics); *Sprint Telephony PCS v. County of San Diego*, 44 Cal.Rptr.3d 754, 764-66 (Cal.Ct. App. 2006) (city may consider aesthetics) superseded by 49 Cal.Rptr.3d 653, 143 P.3d 654 (Cal. 2006); see also 9th Cir. R. 36-3 (unpublished dispositions are not precedent); Cal. R. Ct. 8.1115 (no citation or reliance on unpublished opinions).

[3] Sprint urges us to approach the question differently, relying on language from *Western Union Tel. Co. v. Hopkins*, 160 Cal. 106, 116 P. 557 (1911), that

[i]t is universally recognized that the state in its sovereign capacity has the original right to control all public streets and highways, and that except in so far as that control is relinquished to municipalities by the state, either by provision of the state constitution or by legislative act not inconsistent with the Constitution, it remains with the state legislature.

Id. at 562. The defect in Sprint's argument is that it contemplates a relinquishment of state sovereignty through statute only, thus turning a blind eye to the constitutional grant of power contained in Cal. Const. art. XI, § 7. Our observation that the City possesses constitutionally based police powers over aesthetics is entirely consistent with the *Hopkins* court's recognition that the utility companies' right to construct telegraph facilities remained subject to "the lawful exercise by the city of such rights in regard to such use as it has under the police power." *Hopkins*, 116 P. at 563; see also *id.* at 562 (city retains power to do "such things in regard to the streets and the use thereof as were justified in the legitimate exercise of the police power"); see also *Pac. Tel. & Tel. Co. v. City & County of S.F.*, 51 Cal.2d 766, 336 P.2d 514, 519 (1959) (telephone franchise is a matter of state concern but city still controls the particular location and manner in which public utility facilities are constructed in the streets). The *Hopkins* court refrained from articulating the scope of the city's police powers because, unlike in this appeal, that was "a question in no way involved in [the] case." *Hopkins*, 116 P. at 562-63.

[4] We cite the legislative history only to put the statute in its historical context; we do not rely upon it to discern the statute's meaning.

[5] In the First Amendment context, California courts have recognized that governments' aesthetic-based regulations fall within the rubric of "time, place, and manner" regulations. See, e.g., *Showing Animals Respect & Kindness v. City of W. Hollywood*, 166 Cal. App.4th 815, 83 Cal.Rptr.3d 134, 141 (2008) (ordinance with declared purpose of improving city aesthetics was valid time, place, and manner regulation); *Union of Needletrades, AFL-CIO v. Super. Ct. of L.A. County*, 56 Cal. App.4th 996, 65 Cal.Rptr.2d 838, 850-51 (1997) (requirement that leaflets comport with mall's general aesthetics constituted valid time, place, and manner regulation). We see no principled basis on which to distinguish aesthetic "time, place, and manner" regulations in the First Amendment context from aesthetic "time, place, and manner" regulations in the context of PUC § 7901.1.

[6] Our conclusion that the language of PUC § 7901.1 does not conflict with the City's consideration of aesthetics in denying WCF permit applications is supported by the California Legislature's use of materially identical language in the California Coastal Act, which provides that:

The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to... [t]he need to provide for the management of access areas so as to protect... the aesthetic values of the area by providing for the collection of litter.

Cal. Pub. Res. Code § 30214(a)(4). If Sprint's narrow interpretation of PUC § 7901.1 were correct, it would follow that, in the California Coastal Act, the Legislature explicitly stated that the need to regulate the time, place, and manner of access depends on the need to protect aesthetic values, but that, in PUC § 7901.1, the Legislature meant to say that control over the time, place, and manner of access excluded control over aesthetics. We see no reason to ascribe this inconsistency to the California Legislature, however.

[7] We focus on the "effective prohibition" clause because the City has not adopted a "general ban" on wireless services. See *MetroPCS*, 400 F.3d at 731. To the contrary, the City's ordinance contemplates the construction of WCFs, and the City has repeatedly granted permits for WCF construction in the past.

[8] We have adopted the "multiple provider rule," which focuses the "significant gap" inquiry on the issue of whether a particular provider is prevented from filling a significant gap in its own service coverage; the availability of wireless service from other providers in the area is irrelevant for purposes of this analysis. MetroPCS, 400 F.3d at 733.

[9] During oral argument, Sprint's counsel was unable to explain satisfactorily on what basis the district court found that the gap was significant. He acknowledged that there was a dispute as to the significance of the gap in Sprint's coverage within the City, and he even conceded that he had seen nothing in the record that led him to believe that the matter was uncontested.

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Palos Verdes Estates' Aesthetics Topple Cell Phone Antennas

Nov 9, 2009
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A city may consider aesthetics in regulating the construction of telecommunications antennas, the Ninth U.S. Circuit Court of Appeals has ruled.

◆ The ruling is the latest in a series of court decisions upholding the authority of local government to decide where wireless antennas are located. And it is one of the most explicit: "California law does not prohibit local governments from taking into account aesthetic considerations in deciding whether to permit the development of WCFs [wireless communications facilities] within their jurisdiction," said the court.

◆ In 2002 and 2003, Sprint PCS applied to the City of Palos Verdes Estates for permits to construct 10 cell phone towers in public rights-of-way. The city approved eight. It rejected one proposed antenna because it would disrupt the residential ambiance and another because it would detract from the natural beauty of a city entrance. Sprint sued, arguing that the denials violated the federal Telecommunications Act of 1996. District Court Judge Alicemarie Stotler ruled in favor of Sprint, but a unanimous three-judge panel of the Ninth Circuit overturned the decision.

◆ As the Ninth Circuit explained, the Telecommunications Act attempts both to "encourage the rapid deployment of new telecommunications technologies," and "to preserve the authority of state and local governments over zoning and land use matters." Under the act, a local government may deny a request to construct a wireless antenna tower if authorized by local law and supported by a reasonable amount of evidence. Stotler had concluded that the city's consideration of aesthetics was not permitted under the state Public Utilities Code (PUC).

◆ The Ninth Circuit said that the statutes in question ◆ Public Utilities Code ◆◆ 7901 and 7901.1 ◆ do not eliminate local governments' constitutional authority to regulate local aesthetics. "Thus," Judge Kim McLane Wardlaw wrote for the appellate court, "the threshold issue is not, as Sprint argues and the District Court apparently believed, whether the PUC authorizes the city to consider aesthetics in deciding to grant a WCF permit application, but is instead whether the PUC divests the city of its constitutional power to do so. Therefore, the question actually before us is whether the city's consideration of aesthetics is ◆ in conflict with general laws."

◆ After framing the issue in a way favorable to the city, the court examined the statutes. Under ◆ 7901, a company may construct facilities "in such a manner and at such points as not to incommode the public use of the road or highway." The court cited dictionary definitions of "incommode" that include "trouble, annoy, molest, embarrass, inconvenience."

◆ "The experience of traveling along a picturesque street," Wardlaw wrote, "is different from the experience of traveling through the shadows of a WCF, and we see nothing exceptional in the city's determination that the former is less discomforting, less troubling, less annoying and less distressing than the latter."

◆ Wardlaw continued, "[T]he ◆ public use' of the rights-of-way is not limited to travel. It is a widely accepted principle of urban planning that streets may be employed to serve important social, expressive and aesthetic functions. ◆ These urban planning principles are applied in the city, where the public rights-of-way are the visual fabric from which

neighborhoods are made."

◆
As for Section 7901.1, the court noted that the statute permits municipalities to control the "time, place and manner" in which rights-of-way are accessed. Aesthetic regulations are time, place and manner regulations.

◆
So the question turned on whether the city had relevant evidence to support its decisions. The court said the city did, citing maps, mock-ups, a staff report on aesthetic values, public comments and a presentation from Sprint.

◆
Sprint pointed to provisions of the Telecommunications Act that prohibit regulation from creating a "significant gap" in wireless service. The District Court judge had found such a significant gap. But the Ninth Circuit noted that Sprint has 4,000 customers in Palos Verdes Estates and that a city "drive test" determined Sprint's network was functional.

◆
In rejecting the argument that the federal supremacy clause preempted the city's ordinance, the court alluded to the decision in *Sprint Telephony PCS, L.P. v. County of San Diego*, 543 F 3d 571 (9th Circuit 2008). In that case, the court held that a company must prove that local regulation actually prevents telecommunications services (see *CP&DR Legal Digest*, October 2008).

◆
The Case:
Sprint PCS Assets LLC v. City of Palos Verdes Estates, No. 05-56106, 2009 DJDAR 14841. Filed October 14, 2009.

The Lawyers:

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For the city: Scott Grossberg, Cihigoyenette, Grossberg & Clouse, (909) 483-1850.

[Back to top](#)

[Previous](#) | [Next](#)



Jenny Leinen <leinen@monterey.org>

Amicus Brief

1 message

susan nine

Fri, Dec 29, 2017 at 4:11 PM

To: Christine Davi <davi@monterey.org>

Cc: "leinen@monterey.org" <leinen@monterey.org>, "bennett@monterey.org" <bennett@monterey.org>,

"caraker@monterey.org" <caraker@monterey.org>, Planning <pccommembers@monterey.org>, City Council Group <citycouncilgroup@monterey.org>

Dear Ms. Davi,

Thank you for your response. I am certain this has been an education for us both.

As you may know the League of California Cities, of which Monterey is a member, filed an amicus brief in the California Appellate case currently before the Cal Supreme Court, T-Mobile West LLC v. City and County of San Francisco. In the League's brief, several Federal cases are listed as authority including the Palos Verdes Estates Case. I am including a link to the brief because it has a nice comprehensive list of Federal and California cases in support of the City's denial of permits on aesthetic and other grounds. Have a happy long weekend and New Year!
p.s. If the link doesn't get you there, let me know.

Susan Nine

https://www.google.com/url?sa=t&source=web&cd=3&ved=0ahUKEwjwoaD5sbDYAhUNzWMKHqIBqkQFggUMAI&url=http%3A%2F%2Fwww.counties.org%2Fsites%2Fmain%2Ffiles%2Ffile-attachments%2Ft_mobile_v_ccsf_amicus_curiae_brief.pdf&usq=AOvVaw3PHoHPqPeDsSDSTkAn7-hN
Sent from my iPhone

On Dec 29, 2017, at 12:57 PM, Christine Davi <davi@monterey.org> wrote:

Dear Ms. Nine:

Thank you for sharing your thoughts with us on the upcoming small cell wireless facilities applications. We appreciate your input. I would like to offer a few points of clarification:

(1) the Ninth Circuit's interpretation in the Palos Verdes Estates case is mandatory authority only in federal district court. In state court, the federal interpretation given to a state statute is merely persuasive.

(2) the focus of the Planning Commission (and the City Council should the decisions be appealed) will be on the required findings under the City Code. If challenged, the decisions will be reviewed under the substantial evidence standard, which requires that the decisions be authorized by local law and supported by reasonable evidence in the written record. While courts have found substantial evidence to uphold a denial based on aesthetics in the right of way, discretion must be exercised in a manner consistent with the required findings in the City Code.

(3) some of the authorities cited in your email illustrate that an otherwise valid denial under a local ordinance may nevertheless be overturned on state or federal preemption grounds. For example, the Ninth Circuit in the Anacortes case found that the city's denial was supported by substantial evidence because the project conflicted with local code requirement, but nevertheless overturned the denial because it would result in an effective prohibition. In the Palos Verdes Estates case, the court held that the city could consider aesthetics and found substantial evidence to support the denial, but remanded the case back to the district court for further proceedings on whether a significant gap existed in Sprint's service (the case was subsequently settled before those proceedings took place). Thus, while aesthetics may be substantial evidence to support a denial, that finding alone does not necessarily mean that the denial will ultimately be upheld on judicial review.

Thanks again for your input on these complex issues.

Sincerely,
Christine

Christine Davi
City Attorney
City of Monterey
(831) 646-3915
davi@monterey.org

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On Thu, Dec 28, 2017 at 12:02 PM, susan nine

To: Planning Commissioners, City Council Members,
and Mr. Mayor

Fr: Susan Catherine Nine

Re: Legal Precedent for Denial of 13 WCF Permits in a Residential District
With Historic Overlays and Open Space Districts within the
Neighborhood

Ms. Davi's understanding is that the T-Mobile West LLC v. City and County of San Francisco, Cal. Appellate case holding, cannot be taken as legal precedent because it was granted Certiorari by the Cal. Supreme Court, and no decision has yet been published. Instead, I refer you to Sprint PCS Assets, L.L.C. v. City of Palos Verdes Estates, decided by the Ninth Circuit (California's circuit). If you haven't already read it, please do. I am including a link. It settles the question of aesthetic regulation, as it applies to the federal Telecommunications Act, as well as Cal. Pub. Util. Code sections 7901 and 7901.1, by upholding aesthetics, as well as other local time, place and manner limitations, as permissible grounds for denial of WCF (wireless communications facility) permits. The fact pattern is very similar to the situation here. The Court states that the California Constitution gives cities the authority to regulate the placement telephone equipment in public rights-of-ways on aesthetic grounds and that neither PUC section 7901 nor PUC section 7901.1 divest it of that authority. "We conclude that neither PUC Section 7901 nor PUC 7901.1 conflicts with the City's default power to deny a WCF permit application for aesthetic reasons." The court went on to add, "Aesthetic regulations are 'time, place, and manner' regulations..." The California Constitution authorizes local governments to "make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." California's Supreme Court has explained that a " 'city's police power under this provision can be applied only within its own territory and is subject to displacement by general state law but otherwise is as broad as the police power exercisable by the Legislature itself.' " "There is no question the City's right to regulate aesthetics is contained within this broad constitutional grant of power." See Landgate, Inc. v. Cal. coastal Comm'n, 953 P.2d 1188, 1198 (Cal. 1998) (aesthetic preservation is 'unquestionably a legitimate government purpose."); Ehrlich v. City of Culver City, 911 P.2d 429, 450 (Cal. 1996) ("Aesthetic conditions have long been held to be valid exercises of the city's traditional police power.")

Please, also see City of Anacortes, 572 F.3d at 994-95 cited in the Palos Verdes Estates case. There, the city determined that the proposed WCF would have "a commercial appearance and would detract from the residential character and appearance of the surrounding neighborhood"; that it "would not be compatible with the character and appearance of the existing development"; and that it would "negatively impact the views " of residents. The Ninth Circuit noted that the City ordinance governing permit applications required the city to consider such factors as the height of the facility, the proximity to residential structures, the nature of uses of nearby properties, the surrounding typography, and the surrounding tree coverage and foliage. (Id. at 994.) The court stated that it and other courts, have held that these are legitimate concerns for a locality. Id. (Citing T-Mobile Cent., LLC v. United Gov't of Wyandotte County, Kan City, 546 F.3d 1299, 1312 (10th Cir. 2008); Tel Co. v. Town of Oyster Bay, 166 F.3d 490, 494 (2d Cir. 1999))

The Ninth Circuit, in the attached Sprint PCS Assets v Palos Verdes Estates decision added, "What was implicit in our decision in City of Anacortes we make explicit now: California law does not prohibit local governments from taking into account aesthetic considerations in deciding whether to permit the development of WCFs within their jurisdiction."

The Court then went on to rule on the applicability of the TCA requirement of proof of a "significant coverage gap" in circumstances quite similar to those here, where the area already had existing wireless facilities providing adequate and better coverage and found that Sprint's existing network, "was at very least functional." On that basis they determined that no "effective prohibition" of services existed, just as none exists here as confirmed by: Verizon customers (myself included) throughout the potentially affected area; resident conducted field testing at all 13 proposed sites posted on YouTube; Verizon's own published coverage maps, as well as; assurances to existing and potential customers by Verizon's local sales representatives that Verizon currently provides excellent calling and data streaming throughout this

neighborhood in particular, information upon which potential customers rely when contracting for Verizon service. The City of Monterey has very adequately avoided prohibition of wireless service by already having approved the existing facilities that are currently providing the excellent personal wireless services enjoyed by Verizon customers locally. Denying these applications would not constitute a prohibition of personal wireless service.

My reading of it is that this decision settles the question of a city's right to exercise and enforce its reasonable and traditional local zoning and other regulatory ordinances. This applies to Monterey's Wireless Facility Ordinance, so many requirements of which are in conflict with the 13 applications before you. Each of the ExteNet applications contain multiple violations of the City's ordinances as well as the City's General Plan. These will be enumerated in greater detail in future communications.

It is my opinion that the City's interests, as well as those of its residents, are best served when it enforces its adopted ordinances. If it does, there could be only one possible outcome. All 13 permit requests are for placement of facilities in a discouraged residential district with historic overlays and open space districts in immediate proximity, also disfavored for wireless facilities. Section F 3. Of Monterey's Personal Wireless Facilities Ordinance states, "All applicants should avoid proposing new facilities...in the following locations: a. Open space districts; b. Residential districts; and c. H-1, H-2, D-1, and overlay zones." Seven applications violate the required height limit for residential districts (25') in spite of section F. 4. b. "Wireless facilities **must** not exceed the applicable height limit for structured in the applicable zoning district." Concealment design requirements are not met; equipment placement requirements are not followed; collocation considerations required are ignored; the requirements for ground mounted equipment have not been followed; nor have those for pole mounted equipment; the requirement that equipment other than antenna and smart meter be underground not complied with in most cases; the antenna requirements for top mounting exceed the diameter of the poles which the Ordinance does not allow; the disfavored side arm-mounted design is used in several applications; the equipment violates the maximum set off for pole mounted equipment; applications contain inaccurate and missing information; some photographs are inaccurate and not accurately scaled; the applications claim a "significant coverage gap" where nothing close to a legal definition of that term exists. Also, ExteNet does not own the City's non-utility pole mounted street lights and has no proprietary claim over them for their use, but two of the applications require use of City's free-standing streetlights and require alterations be made to them.

These provide but a few examples of reasonable time, place and manner limitations in the City's Codes to which these applications run afoul. These applications are also inconsistent with applicable sections of the General Plan meant to guide decision making. The City has more than adequate grounds for denial and it should, if not must, exercise its regal right to enforce its laws and exercise its rights to the benefit of those it serves. The Public has overwhelmingly expressed its strong opposition to this project.

When the courts have reviewed denials of permits for WCFs, so long as the denials are based on enforcement of the City's reasonable time, place and manner, ordinances, which include, among others, aesthetic considerations, they have given due deference to local regulations. The Ninth Circuit explained that if the local ordinance is reasonable, it satisfies the substantial evidence requirement of the TCA.

The court applied the traditional standard used for judicial review of agency decisions; "A municipality's decision that is valid under local law will be upheld under the TCA's 'substantial evidence' requirement where it is supported by 'such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.'" The Court applied this standard and held, "From the entirety of the evidence, one could reasonably determine, as the City did, that the Via Azalea WCF would detract from the residential character of the neighborhood..."

The links below are provided for access to the case discussed as well as to an article summarizing the significance of the case in layman's language.

Sincerely,

Susan Nine, JD

Retired, Inactive Member, Cal. Bar Assoc.

City of Monterey

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Sent from my iPad

Case No. A144252

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FIVE**

**T-MOBILE WEST LLC, CROWN CASTLE NG WEST LLC, AND
EXTENET SYSTEMS (CALIFORNIA) LLC,**

Plaintiffs/Appellants/Cross-Appellees,

v.

**THE CITY AND COUNTY OF SAN FRANCISCO AND THE CITY
AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC
WORKS,**

Defendants/Appellees/Cross-Appellants.

Appeal From the Superior Court of the State of California
for the County of San Francisco, Final Judgment
Honorable James McBride, Judge Presiding
Case No. CGC-11-51 0703

**APPLICATION OF LEAGUE OF CALIFORNIA CITIES
CALIFORNIA STATE ASSOCIATION OF COUNTIES, AND SCAN
NATOA, INC. FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF IN
SUPPORT OF THE CITY AND COUNTY OF SAN FRANCISCO
AND THE CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS; PROPOSED *AMICUS
CURIAE* BRIEF**

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League of California Cities, California State Association of Counties, and
SCAN NATOA, Inc.

COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION FIVE	Court of Appeal Case Number: A144252
ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): Jeffrey T. Melching (SBN 180351) Ajit Thind (SBN 268018) RUTAN & TUCKER, LLP 611 Anton Boulevard, Suite 1400 Costa Mesa, CA 92626 TELEPHONE NO.: 714-641-5100 FAX NO. (Optional): 714-546-9035 E-MAIL ADDRESS (Optional): jmelching@rutan.com ATTORNEY FOR (Name): League of CA Cities, CSAC, and SCAN NATOA, Inc.	Superior Court Case Number: CGC-11-51 0703
APPELLANT/PETITIONER: T-Mobile West LLC, Crown Castle NG West LLC and Extenet Systems (California) LLC RESPONDENT/REAL PARTY IN INTEREST: The City and County of San Francisco and the City and County of San Francisco Department of Public Works	FOR COURT USE ONLY
CERTIFICATE OF INTERESTED ENTITIES OR PERSONS	
(Check one): <input checked="" type="checkbox"/> INITIAL CERTIFICATE <input type="checkbox"/> SUPPLEMENTAL CERTIFICATE	
Notice: Please read rules 8.208 and 8.488 before completing this form. You may use this form for the initial certificate in an appeal when you file your brief or a prebriefing motion, application, or opposition to such a motion or application in the Court of Appeal, and when you file a petition for an extraordinary writ. You may also use this form as a supplemental certificate when you learn of changed or additional information that must be disclosed.	

League of CA Cities, California State Assn of Counties

1. This form is being submitted on behalf of the following party (name): **& SCAN NATOA, Inc.**2. a. ☐ There are no interested entities or persons that must be listed in this certificate under rule 8.208.b. ☐ Interested entities or persons required to be listed under rule 8.208 are as follows:

Full name of interested entity or person	Nature of interest (Explain):
(1) League of California Cities	Amicus Curiae
(2) Cal. State Assn. of Counties	Amicus Curiae
(3) SCAN NATOA, Inc.	Amicus Curiae
(4) T-Mobile West LLC	Plaintiff and Appellant
(5) Crown Castle NG West LLC	Plaintiff and Appellant
(6) Extenet Systems (California) LLC	Plaintiff and Appellant
(7) The City and County of San Francisco	Defendant/Appellee/Cross-Appellant
(8) The City and County of San Francisco Dept. of Public Works	Defendant/Appellee/Cross-Appellant

☐ Continued on attachment 2.

The undersigned certifies that the above-listed persons or entities (corporations, partnerships, firms, or any other association, but not including government entities or their agencies) have either (1) an ownership interest of 10 percent or more in the party if it is an entity; or (2) a financial or other interest in the outcome of the proceeding that the justices should consider in determining whether to disqualify themselves, as defined in rule 8.208(e)(2).

Date: March 4, 2016

Jeffrey T. Melching

(TYPE OR PRINT NAME)



/s/

(SIGNATURE OF PARTY OR ATTORNEY)

TABLE OF CONTENTS

	<u>Page</u>
APPLICATION TO FILE <i>AMICUS CURIAE</i> BRIEF	7
I. INTRODUCTION	7
II. THE NATURE OF THE <i>AMICI</i> 'S INTEREST	7
III. CONCLUSION	10
AMICUS CURIAE BRIEF	11
I. IDENTITY OF <i>AMICI CURIAE</i> AND STATEMENT OF INTEREST	11
II. POINTS TO BE ARGUED BY <i>AMICI</i>	13
III. FACTUAL BACKGROUND	13
IV. THE CITY HAS THE ABILITY TO REGULATE THE TELECOMMUNICATIONS FACILITIES THROUGH A DISCRETIONARY PROCESS	13
A. Under The California Constitution, The City May Regulate Public Utility Infrastructure In Order To Protect The Public Health, Safety, And Welfare	17
B. Public Utilities Code Section 2902 Recognizes Local Agencies' Authority To Regulate Matters Affecting The Health, Convenience, And Safety Of The General Public	18
C. Public Utilities Code Section 7901 Does Not Prohibit Discretionary Permitting; Nor Does It Prohibit Consideration of Aesthetic Issues	20
D. Public Utilities Code Section 7901.1 Confirms, But Does Not Circumscribe, Local Agency Authority Over Telecommunications Permitting For Facilities in the Public Rights of Way	23
E. State and Federal Case Law Supports The City's Exercise of Regulatory Authority Over Telecommunication Facilities	24
V. CONCLUSION	31

TABLE OF AUTHORITIES

	<u>Page(s)</u>
 FEDERAL CASES	
<i>Berman v. Parker</i> (1954) 348 U.S. 26 [75 S.Ct. 98].....	17
<i>GTE Mobilenet of Calif. Ltd. Partnership v. San Francisco</i> (N.D. Cal. 2006) 440 F.Supp.2d 1097	28
<i>Sprint PCS Assets, L.L.C. v. City of La Canada Flintridge</i> (9th Cir. 2006) 182 F. App'x 688.....	30
<i>Sprint PCS Assets, L.L.C. v. City of Palos Verdes Estates</i> (9th Cir. 2009) 583 F.3d 716	21-22, 26-30
 STATE CASES	
<i>Adams v. Pacific Bell Directory</i> (2003) 111 Cal.App.4th 93	29
<i>Arcadia Unified School Dist. v. State Dept. of Education</i> (1992) 2 Cal.4th 251	16
<i>Calfarm Ins. Co. v. Deukmejian</i> (1989) 48 Cal.3d 805	16
<i>City of Huntington Beach v. Public Utilities Com.</i> (2013) 214 Cal.App.4th 566	19
<i>City of Petaluma v. Pacific Tel. & Tel. Co.</i> (1955) 44 Cal.2d 284	26
<i>County of Los Angeles v. Southern California Tel. Co.</i> (1948) 32 Cal.2d 378.....	20
<i>Ehrlich v. City of Culver City</i> (1996) 12 Cal.4th 854.....	18
<i>Findleton v. Bd. of Supervisors</i> (1993) 12 Cal.App.4th 709	15

STATE CASES (CONT.)

<i>Landgate, Inc. v. California Coastal Comm'n.</i> (1998) 17 Cal.4th 1006	17
<i>Mesler v. Braggs Mgmt. Co.</i> (1985) 39 Cal.3d 290	28
<i>Metromedia Inc. v. City of San Diego</i> (1980) 26 Cal.3d 848	17
<i>Pacific Tel. & Tel. Co. v. City & County of San Francisco</i> (1961) 197 Cal.App.2d 133	25-26
<i>Pacific Tel. & Tel. Co. v. City & County of San Francisco</i> (1959) 51 Cal.2d 766	29
<i>Pacific Tel. & Tel. Co. v. City of Los Angeles</i> (1955) 44 Cal.2d 272	20, 29-30
<i>Southern Cal. Gas Co. v. City of Vernon</i> (1995) 41 Cal.App.4th 209	19
<i>Western Union Tel. Co. v. Visalia</i> (1906) 149 Cal. 744	24

FEDERAL STATUTES

23 U.S.C. section 131(a)	22
-----------------------------------	----

STATE STATUTES

Government Code

section 65850.6	20
section 65850.6(a)	14
section 65921	15
section 65928	15
section 65964	15
section 65964.1	15
section 65964.1(e)	14

STATE STATUTES (CONT.)

Public Utilities Code

section 320	22
section 2902	18-19, 21, 24, 29
section 7901	14, 20-21, 23-24, 27, 29
section 7901.1	14, 23-24, 27, 29

RULES

California Rules of Court

rule 8.200(c)	7, 11
rule 8.200(c)(3)	9

CONSTITUTIONAL PROVISIONS

California Constitution

article XI, section 7	17-19, 29
article XI, section 9	18
article XII, section 8	18

NON-PERIODICAL PUBLICATIONS

7 The Oxford English Dictionary

806 (2d ed. 1989)	21
-------------------------	----

OTHER AUTHORITIES

S. Comm. on Energy, Utilities, and Commerce, Analysis of

S.B. 621, Reg. Sess., at 5728 (Cal. 1995)	23-24
---	-------

APPLICATION TO FILE *AMICUS CURIAE* BRIEF

I. INTRODUCTION.

Pursuant to California Rules of Court, Rule 8.200, subdivision (c), the League of California Cities (“League”), and the California State Association of Counties (“CSAC”), and SCAN NATOA, Inc., which is the States of California and Nevada Chapter of the National Association of Telecommunications Officers and Advisors (“SCAN NATOA”) (collectively, “*Amici*”) respectfully request leave to file the brief submitted herewith in support of Defendants and Appellees City and County of San Francisco and the City and County of San Francisco Department of Public Works (collectively, the “City”).

Appellants’ Opening Brief was filed on September 11, 2015, the City’s Answering Brief was filed on December 10, 2015, and the Reply Brief was filed on February 19, 2016. This Application is timely made within 14 days after the filing of the Reply Brief on the merits.

II. THE NATURE OF THE *AMICI*’S INTEREST.

The League is an association of 475 California cities dedicated to protecting and restoring local control to provide for the public health, safety and welfare of their residents, and to enhance the quality of life for all Californians. The League is advised by its Legal Advocacy Committee (“Committee”), comprised of 24 city attorneys from all regions of the State. The Committee monitors litigation of concern to municipalities, and

identifies those cases that have statewide or nationwide significance. The Committee has identified this case as having such significance.

CSAC is a non-profit corporation. The membership consists of 58 California counties. CSAC sponsors a Litigation Coordination Program, which is administered by the County Counsels' Association of California and is overseen by the Association's Litigation Overview Committee, comprised of county counsels throughout the state. The Litigation Overview Committee monitors litigation of concern to counties statewide and has determined that this is a matter affecting all counties.

SCAN NATOA has a history spanning over 20 years representing the interests of over 300 members consisting primarily of local government telecommunications officials and advisors located in California. SCAN NATOA has identified this case as a matter of significance to its members.

Amici and their member cities, counties, and other constituents have a substantial interest in the outcome of this appeal and the ability to engage in discretionary review, including but not limited to aesthetic review, of telecommunications facilities. Many cities and counties in California have ordinances or regulations requiring telephone companies to undergo discretionary review and obtain permits before placing their facilities in the public right-of-way, like the ordinance at issue in this case. Those ordinances are not used to prohibit the use of the public rights of way, or to abridge any state-conferred rights of telecommunications applicants. Rather, they seek

to harmonize the utilitarian objectives of telecommunications applicants with cities' and counties other legitimate objectives, which include maintaining the quality and experience of travelling along, and being within, the rights of way.

Amici and their counsel are familiar with the issues in this case, and have reviewed the challenged order of the Superior Court and the briefs on the merits filed with this Court. Counsel in this case for *Amici* has represented multiple public agencies in actions involving local authority to regulate telecommunications facilities. As statewide organizations with considerable experience in this field, *Amici* believe that they can provide important perspective on the issues before the Court.

If permission to file the accompanying brief is granted, *Amici* will address the issue of local authority to exercise discretion, including but not limited to discretion over aesthetic issues, when regulating the location and appearance of telecommunication facilities. *Amici* will also urge the Court to affirm the judgment of the Superior Court, and respectfully requests that the Court grant this application to file the accompanying brief *amicus curiae*.

Pursuant to Rule 8.200(c)(3), of the California Rules of Court, the only persons who played a role in authoring the accompanying brief, in whole or in part, are the attorneys listed in the caption of this application, Jeffrey T. Melching and Ajit S. Thind of Rutan & Tucker, LLP. No parties to this case (or entities who are not parties to this case other than the listed

attorneys) authored the brief in whole or in part. The undersigned prepared and authored the brief *pro bono*, and no persons or entities were paid for the preparation of the accompanying brief.

III. CONCLUSION.

For the foregoing reasons, *Amici* respectfully request permission to file the accompanying *amicus curiae* brief in support of the City in this action.

Dated: March 4, 2016

Respectfully submitted,

RUTAN & TUCKER, LLP
JEFFREY T. MELCHING
AJIT SINGH THIND

By: /s/

Jeffrey T. Melching
Attorneys for Amicus Curiae
League of California Cities,
California State Association
of Counties, and the States of
California and SCAN
NATO

AMICUS CURIAE BRIEF

Pursuant to California Rules of Court, Rule 8.200(c), the League of California Cities (the “League”), and the California State Association of Counties (“CSAC”) and SCAN NATOA, Inc., which is the States of California and Nevada Chapter of the National Association of Telecommunications Officers and Advisors (“SCAN NATO”) (collectively, “*Amici*”) submit this *amicus curiae* brief in support of Defendants and Appellees City and County of San Francisco and the City and County of San Francisco Department of Public Works (collectively, the “City”).

I. IDENTITY OF *AMICI CURIAE* AND STATEMENT OF INTEREST

The League is an association of 475 California cities dedicated to protecting and restoring local control to provide for the public health, safety and welfare of their residents, and to enhance the quality of life for all Californians. The League is advised by its Legal Advocacy Committee, comprised of 24 city attorneys from all regions of the State. The Committee monitors litigation of concern to municipalities, and identifies those cases that have statewide or nationwide significance. The Committee has identified this case as having such significance.

CSAC is a non-profit corporation. The membership consists of 58 California counties. CSAC sponsors a Litigation Coordination Program, which is administered by the County Counsels’ Association of California and

is overseen by the Association's Litigation Overview Committee, comprised of county counsels throughout the state. The Litigation Overview Committee monitors litigation of concern to counties statewide and has determined that this is a matter affecting all counties.

SCAN NATOA has a history spanning over 20 years representing the interests of over 300 members consisting primarily of local government telecommunications officials and advisors located in California. SCAN NATOA has identified this case as a matter of significance to its members.

Amici have an interest in preserving local governments' ability to engage in discretionary review, including but not limited to aesthetic review, of telecommunications facilities in the public rights of way. Cities and counties throughout California spend considerable time, money, and effort to plan and maintain rights of way that **both** achieve the utilitarian purposes (e.g., transmission of utility services and creation of public paths of travel) **and** serve as aesthetically pleasing public spaces (e.g., through the placement of pedestrian walkways, landscaped parkways, landscaped medians, imposition of utility undergrounding requirements, sign programs, street sweeping requirements, and other means).

Because rights of way are varied and diverse spaces – in terms of available space, surrounding land uses and character, level of congestion, and a variety of other factors – they do not lend themselves to “one size fits all” planning approaches. Rather, the exercise of local government discretion

allows for planning solutions that are calibrated to the unique physical characteristics of each proposed use of the rights of way. That discretion is not used to prohibit the use of the public rights of way, or to abridge any state-conferred rights of telecommunications applicants. It is used to harmonize the interest and rights of telecommunications applicants with cities' and counties' other legitimate objectives, which include maintaining the quality and experience of travelling along, and being within, the rights of way.

II. POINTS TO BE ARGUED BY *AMICI*

The Court should affirm that local governments have the authority to exercise discretion in the regulation of telecommunications facilities, and that such exercise of discretion is consistent with Public Utilities Code section 7901 and 7901.1. The Court should further affirm that in exercising such discretion, local governments may consider aesthetic matters.

III. FACTUAL BACKGROUND

Amici agree with and adopt the Factual Background in the Answering Brief filed by the City.

IV. THE CITY HAS THE ABILITY TO REGULATE THE TELECOMMUNICATIONS FACILITIES THROUGH A DISCRETIONARY PROCESS

Appellant contends that local governments cannot engage in a discretionary review process when evaluating applications for the placement of telecommunication facilities in the right of way. (Opening Brief, § III(A).)

The “discretion vs. no discretion” distinction urged by Appellants finds no support in the statutes.

Neither Public Utilities Code section 7901 (“Section 7901”) nor Public Utilities Code section 7901.1 (“Section 7901.1”) distinguish between “ministerial” and “discretionary” actions. In fact, when the Legislature intends to restrict a local government’s ability to use a discretionary process for wireless communications facilities, it does so explicitly. (*See* Gov. Code § 65850.6(a) [“A collocation facility shall be a permitted use ***not subject to a city or county discretionary permit*** if it satisfies the following requirements . . .”], emphasis added.) The Legislature made no parallel restriction in Section 7901 and Section 7901.1 because those statutes do not prohibit discretionary processes.

To the contrary, last year, the Legislature adopted Assembly Bill 57, which placed new limits on the time within which telecommunications applications must be processed *without* purporting to place any limits on local government discretion. (Gov. Code § 65964.1(e) [“Except as provided in subdivision (a) [relating to deemed approval for failure to timely act on an application], ***nothing in this section limits or affects the authority of a city or county over decisions regarding the placement, construction, and modification of a wireless telecommunications facility***”], emphasis added.)¹

¹ Rather than acknowledging this express preservation of local agency authority, Appellants claim that “municipal affairs” language in a different

Thus, when the Legislature had the opportunity to curb the exercise of discretion, it sought instead to preserve local authority to make decisions over the placement, construction, and modification of wireless facilities.

Reinforcing this conclusion, in 2006 the Legislature adopted Government Code section 65964 as part of the California Permit Streamlining Act. Section 65964 acknowledges, but partially limits, local government authority to place conditions of approval on wireless telecommunications facility applications. The Permit Streamlining Act applies to discretionary, not ministerial, applications. (Gov. Code §§ 65921 [Permit Streamlining Act applies to “development projects”], 65928 [ministerial projects exempted from definition of “development project”]; *Findleton v. Bd. of Supervisors* (1993) 12 Cal.App.4th 709, 713.) Moreover, conditions of approval are one of the hallmarks of discretionary permitting processes, and are *expressly permitted* by Government Code section 65964.

portion of Government Code section 65964.1 was intended to result in broad preemption of local agency regulatory authority. That interpretation is wrong. The “municipal affairs” language was added to clarify that Government Code section 65964.1 was intended to apply to charter cities (in addition to general law cities). (Sen. Rules Com., Off. of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 57 (2015-2016 Reg. Sess.) as amended Aug. 18, 2015, p. 9) [“AB 57 includes a legislative finding and declaration that a wireless telecommunications facility has a significant economic impact in California and is a matter of statewide concern. Accordingly, the bill’s provisions apply to all cities and counties in California, including charter cities and counties, although the bill does not explicitly state it.”].)

The “real world” need for the preservation of local government discretion is evident. The public rights of way are diverse and varied. *Amici* city and county members’ streets include dense urban thoroughfares, quiet country roads, bucolic neighborhoods, and countless other streetscapes. Some rights of way are amenable to undergrounding of equipment, while in other rights of way the area beneath the street is crowded with pre-existing infrastructure. Some rights of way have medians, parkways, and sidewalks, while others do not. The variation in neighborhood character, pre-existing infrastructure, and streetscape designs, coupled with the specific facets of each proposed installation, make “one-size-fits-all” (i.e., non-discretionary) approaches to permitting a recipe for poor outcomes and unintended consequences.²

The common sense means to avoid those outcomes and consequences – which is permitted under existing law – is to use discretionary processes that (1) recognize wireless applicants’ state-conferred rights while (2) preserving local discretion to ensure that access *is provided* in a manner that

² Instead of acknowledging this reality, Appellants fall prey to the assumption that local agencies will exercise discretion irresponsibly and/or without regard to wireless applicants’ state and federally conferred rights. But well established tenets of statutory construction require (i) that ordinances be construed in a manner consistent with other laws and (ii) the assumption that an ordinance will be applied illegally is improper in the facial challenge context. (*Arcadia Unified School Dist. v. State Dept. of Education* (1992) 2 Cal.4th 251, 267; *Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805, 814.)

avoids unnecessary degradation to the quality of the rights of way. As discussed below, this pragmatic view of the need to exercise discretion on a case-specific basis is supported by the plain language of the California Constitution, the Public Utilities Code, and the applicable case law.

A. Under The California Constitution, The City May Regulate Public Utility Infrastructure In Order To Protect The Public Health, Safety, And Welfare

The root of local authority is the Constitutional police power. Specifically, California Constitution, article XI, section 7, states “[a] county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.” Under that power, local agencies may protect the public health, safety, and welfare of its residents. Avoidance of aesthetic degradation is one facet of the police power:

An attempt to define [the police power’s] reach or trace its outer limits is fruitless, for each case must turn on its own facts. . . . The concept of public welfare is broad and inclusive The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well balanced as well as carefully patrolled.

(Berman v. Parker (1954) 348 U.S. 26, 32-33 [75 S.Ct. 98]; Metromedia Inc. v. City of San Diego (1980) 26 Cal.3d 848, 861; Landgate, Inc. v. California Coastal Comm’n. (1998) 17 Cal.4th 1006, 1023 [aesthetic preservation is

“unquestionably [a] legitimate government purpose”]; *Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854, 881-882 [aesthetic regulations fall within police power].)

Consistent with those authorities, California Constitution Article XI, Section 9 recognizes that a city may, under its organic law, regulate persons or corporations that furnish its inhabitants with “means of communication.” Thus, the California Constitution allows cities and counties to impose regulations, including discretionary and aesthetic regulations, on utilities, so long as those regulations are “not in conflict with general laws.” (Cal. Const., art. XI, § 7; see also Cal. Const., art XII, § 8 [“A city, county, or other public body may not regulate matters over which the Legislature grants regulatory power to the [California Public Utilities] Commission.”].)

As discussed below, to ensure that local regulations do not “conflict with general laws” the Legislature, state courts, and federal courts, have carefully *preserved* local regulatory authority over matters involving the location and manner of proposed fixtures in the rights of way.

B. Public Utilities Code Section 2902 Recognizes Local Agencies’ Authority To Regulate Matters Affecting The Health, Convenience, And Safety Of The General Public

The Legislature intended that a state-conferred franchise to use the rights of way coexist with local regulation. For example, Public Utilities Code section 2902 (“Section 2902”) provides:

[municipal corporations may] regulate the

relationship between a public utility and the general public in matters affecting the health, *convenience*, and safety of the general public, including matters such as the use and repair of public streets by any public utility, *the location of the poles, wires, mains, or conduits of any public utility, on, under, or above any public streets*, and the speed of common carriers operating within the limits of the municipal corporation.

(Pub. Util. Code, § 2902, emphasis added.) While Section 2902 “does not confer any powers upon” local agencies, it does enumerate the “[pre-] existing municipal powers [that] are retained by the municipality” – including the power to regulate telecommunications fixtures for the convenience of the general public. (*Southern Cal. Gas Co. v. City of Vernon* (1995) 41 Cal.App.4th 209, 217.) In *City of Huntington Beach v. Public Utilities Com.* (2013) 214 Cal.App.4th 566, 590, the Court of Appeal reviewed Section 2902 in the context of wireless facilities and specifically found that “municipal corporations may not ‘surrender to the [CPUC] its powers of control to supervise and regulate the relationship between a public utility and the general public in matters affecting the health, convenience, and safety of the general public’.” Those powers flow from California Constitution, Article XI, section 7, and Section 2902 confirms that the Public Utilities Code does not require the surrender of the City’s authority.

Appellants attempt to minimize the importance of Section 2902, claiming that “[n]othing in Section 2902 suggests that reasonable control

over the time, place, and manner of access to the public rights of way cannot be exercised through ministerial permits based on objective standards.” (Appellant’s Reply Brief, p. 31.) The converse is also true, and it is more important here: nothing in Section 2902 prohibits the exercise of discretion. Given that the Legislature has seen fit to expressly restrict the exercise of discretion when that is what it intended to do (Gov. Code § 65850.6), there is no basis to impose an implied preemption of local discretion here.

C. Public Utilities Code Section 7901 Does Not Prohibit Discretionary Permitting; Nor Does It Prohibit Consideration of Aesthetic Issues.

Section 2902’s right to regulate for the protection of the public convenience is echoed in Section 7901, which applies specifically to telecommunications facilities. Under Section 7901, telecommunications companies may only operate “in such manner and at such points as not to incommode the public use of the road or highway.” (*County of Los Angeles v. Southern California Tel. Co.* (1948) 32 Cal.2d 378, 384; *Pacific Tel. & Tel. Co. v. City of Los Angeles* (1955) 44 Cal.2d 272 [“the state franchise held by Pacific gave it the right to construct and maintain its lines and equipment in the streets”].) Plainly, the carrier’s right to operate conferred under Section 7901 is qualified. It may not be exercised in a “manner” and at “points” that “incommode” the “public use of the road.”³ Neither the plain

³ The term “incommode” means to “subject to inconvenience or discomfort; to trouble, annoy, molest, embarrass, inconvenience” or “[t]o

language nor the structure of Section 7901 indicate an intent to strip local governments of the pre-existing municipal powers to regulate public utilities that is provided by the California Constitution and acknowledged in Section 2902.

Appellants seek to limit the scope and meaning of Section 7901 by claiming that the words “incommode the public use of the road or highway” are limited to the obstruction of travel. This utilitarian view of the “use” of the rights of way is too narrow. Cities and counties throughout the state spend significant time, energy, and money designing, constructing, and maintaining streetscapes. They require medians, landscaping, sidewalks, and public art; restrict roads from truck use to lower noise; prohibit on-street parking, and take a variety of additional actions designed to improve the experience of using the rights of way.

These efforts demonstrate that the public’s use of the rights of way extends beyond mere travel. As the Ninth Circuit Court of Appeals has acknowledged, “it is a widely accepted principle of urban planning that streets may be employed to serve important social, expressive, and aesthetic functions.” (*Sprint PCS Assets, L.L.C. v. City of Palos Verdes Estates* (9th Cir. 2009) 583 F.3d 716, 723-724 (“*Palos Verdes Estates*”), citing, Ray Gindroz, *City Life and New Urbanism*, 29 *Fordham Urb. L.J.* 1419, 1428

affect with inconvenience, to hinder, impede, obstruct (an action, etc.)” (7 *The Oxford English Dictionary* 806 (2d ed. 1989).)

(2002) ["A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use."]; Kevin Lynch, *The Image of the City* 4 (1960) ["A vivid and integrated physical setting, capable of producing a sharp image, plays a social role as well. It can furnish the raw material for the symbols and collective memories of group communication."]; Camillo Sitte, *City Planning According to Artistic Principles* 111-12 (Rudolph Wittkower ed., Random House 1965) (1889) ["One must keep in mind that city planning in particular must allow full and complete participation to art, because it is this type of artistic endeavor, above all, that affects formatively every day and every hour of the great mass of the population"].) On this point, the Ninth Circuit continued "[a]s Congress and the California Legislature have recognized, the "public use" of the roads might also encompass recreational functions." (*Palos Verdes Estates*, 583 F.3d 716, 723-724, Cal. Pub. Util. Code § 320 [burying of power lines along scenic highways]; 23 U.S.C. § 131(a) [regulation of billboards near highways necessary "to promote . . . recreational value of public travel . . . and to preserve natural beauty"].)

The Ninth Circuit has it right. The rights of way are used by the public for more than mere travel, and therefore the public's use can be "incommoded" by more than mere obstruction of travel.

D. Public Utilities Code Section 7901.1 Confirms, But Does Not Circumscribe, Local Agency Authority Over Telecommunications Permitting For Facilities in the Public Rights of Way.

Section 7901.1 reinforces local governments' regulatory authority over telecommunications facilities. That provision was added to the Public Utilities Code in 1995 to "bolster the cities' abilities with regard to construction management and to send a message to telephone corporations that cities have authority to manage their construction, without jeopardizing the telephone corporations' statewide franchise." (S. Comm. on Energy, Utilities, and Commerce, Analysis of S.B. 621, Reg. Sess., at 5728 (Cal. 1995).) Through Section 7901.1, the Legislature stated its intent that "municipalities shall have the right to exercise reasonable control as to the time, place, and manner in which roads, highways, and waterways are accessed."

In its Reply Brief, Appellants attempt to construe/contort Section 7901.1 as a statute that limits the scope of authority conferred under Section 7901. There are multiple fundamental problems with that argument. First, by its plain words, Section 7901.1 states only that the "exercise of reasonable control over the time, place, and manner in which roads, highways, and waterways are accessed" is *consistent with* Section 7901. Nothing in Section 7901.1 says that it is intended to *place limits on* whatever *other* powers local governments may have under Section 7901. Second, the legislative history

plainly states that Section 7901.1 is intended to “bolster” section 7901. The parties can (and do) disagree about the meaning of the word “bolster” in this context, but under no circumstance could one credibly claim that “bolster” means “limit.” Third, Section 7901.1 focuses on construction management (S Comm. on Energy, Utilities, and Commerce, Analysis of S.B. 621, Reg. Sess., at 5728 (Cal. 1995)), while Section 7901 contains no parallel restriction on the scope of its application. Fourth, and finally, Section 7901.1 does not purport to limit, restrict, or redefine the regulatory authority, conferred by the California Constitution and acknowledged in Section 2902, to regulate “the location of the poles, wires, mains, or conduits of any public utility, on, under, or above any public streets” to protect the public convenience.

In summary, in the public utility context, the Legislature has specifically ***confirmed*** – through Public Utilities Code sections 7901, 7901.1, and 2902 – local agencies’ authority to regulate facilities installed by telephone corporations. As discussed below, the case law also confirms such authority.

E. State and Federal Case Law Supports The City’s Exercise of Regulatory Authority Over Telecommunication Facilities.

California and federal cases lend further support to the City’s exercise of regulatory authority. In *Western Union Tel. Co. v. Visalia* (1906) 149 Cal. 744, the California Supreme Court upheld a municipal requirement that all

telephone poles be a uniform height of 26 feet, and that the poles be made available to the city for purposes of hanging fire alarms and police wires. (*Id.* at 748.) Neither of those requirements directly impacted the ability to use the roads for travel and traffic. It is, after all, the base of the poles, and not their height or the equipment strung on them, that affects travel and traffic. The uniform height regulation was plainly aesthetic, and the alarm and police wire regulations were plainly for public safety purposes that had *nothing* to do with “obstruction” of traffic along the roads in Visalia. Yet both of those purposes were upheld by the California Supreme Court as a proper exercise of the city’s regulatory authority under Section 7901’s predecessor statute. (*Id.* at 751.)

In *Pacific Tel. & Tel. Co. v. City & County of San Francisco* (1961) 197 Cal.App.2d 133, 146, (“*San Francisco II*”), San Francisco attempted to outright prohibit the installation of telecommunications fixtures on the basis that they “incommode” the public use. In striking down the prohibition, the court acknowledged that “the city controls the particular location of and manner in which all public utility facilities, including telephone lines, are constructed in the streets and other places under the city’s jurisdiction” and that “the telephone company concedes the existence of the power in the city to extract these requirements.” (*Ibid.*, citing *Pacific Tel. & Tel. Co. v. City & County of San Francisco* (1959) 51 Cal.2d 766, 773-774 (“*San Francisco I*”).

In light of the City's abundant regulatory authority, the *San Francisco II* court found it "absurd to contend that the installation of telephone poles and lines, *under the control by the city of their location and manner of construction*, is such an 'incommodation' as to make [the predecessor to Section 7901] inapplicable." (*San Francisco II*, *supra*, 197 Cal.App.2d at 146, emphasis added; see also *id.* at 152 ["because of the state concern in communications, the state has retained to itself the broader police power of granting franchises, leaving to municipalities the narrower police power of controlling the location and manner of installation."]; *City of Petaluma v. Pacific Tel. & Tel. Co.* (1955) 44 Cal.2d 284, 287 [recognizing the power of a city to regulate the location and manner of installation of telephone lines and equipment].) Thus, *San Francisco II* confirms that local governments may properly regulate the location and manner of telecommunications facilities.

The most recent case to address local authority under California law over telecommunications facilities is *Palos Verdes Estates*, 583 F.3d 716, 726, a case that Appellants hope this Court will ignore. In that case, a wireless telecommunications provider claimed, *inter alia*, that local aesthetic regulations of wireless antennas violated the Federal Telecommunications Act, 47 U.S.C. section 151 *et seq.*, because such regulations are not permitted under "applicable local standards." (*Id.* at 722, citing 47 U.S.C. § 332, subd. (c)(7)(B)(iii).) Like the City's Ordinance, the ordinance in *Palos Verdes*

Estates provided that permit applications for wireless communication facilities may be denied for “adverse aesthetic impacts from the proposed time, place, and manner of use of the public property” – a discretionary evaluation. (*Id.* at 720.) To resolve whether aesthetic regulation was permissible, the Ninth Circuit Court of Appeals was required to determine whether the local regulations were consistent with state law, including Section 7901 and Section 7901.1. (*Id.* at 721-722.)

The Ninth Circuit initially requested guidance from the California Supreme Court on the question, but the California Supreme Court declined the request. (*Palos Verdes Estates, supra*, 583 F.3d at 721.) In the absence of guidance, the Ninth Circuit undertook the task of predicting “how the California Supreme Court would resolve the issue,” (*id.* at 722, n.2) and held “[T]he California Constitution gives the City the authority to regulate local aesthetics, and neither section 7901 nor section 7901.1 divests it of that authority.” (*Id.* at 721-722).

Elaborating on its analysis of Section 7901, the Ninth Circuit found that telecommunications fixtures can result in aesthetic degradation that “incommodes” the use of the rights of way, stating:

The experience of traveling along a picturesque street is different from the experience of traveling through the shadows of a Wireless Communications Facility, and we see nothing exceptional in the City’s determination that the former is less discomforting, less troubling, less annoying, and less distressing than the latter.

After all, travel is often as much about the journey as it is about the destination.

(*Palos Verdes Estates, supra*, 583 F.3d at 723.) Consistent with that reasoning, the court found that urban planning requires local decision making that reflects particular issues of local concern such as neighborhood personality. (*Id.* at 724.) The court thus held that under California law, local governments may regulate (and deny) telecommunications permit applications based on aesthetic considerations and reject “aesthetically offensive” attempts to utilize the right-of-way. (*Id.* at 724-725; see also *GTE Mobilenet of Calif. Ltd. Partnership v. San Francisco* (N.D. Cal. 2006) 440 F.Supp.2d 1097, 1107 [“[T]he City has the authority to regulate the placement and appearance of telecommunications equipment installed on its public rights of way”].) While affirming the ability to regulate on the basis of aesthetics, the Ninth Circuit also warned that local agencies cannot “run roughshod over WCF permit applications simply by invoking aesthetic concerns” and would have to demonstrate substantial evidence for the decision and comply with federal law. (*Palos Verdes Estates, supra*, 583 F.3d at 725.)

Amici are mindful that “decisions of the federal courts interpreting California law are persuasive but not binding.” (*Mesler v. Braggs Mgmt. Co.*, (1985) 39 Cal.3d 290, 299.) However, the Court should not ignore the Ninth Circuit’s persuasive, well-reasoned, and on-point analysis in *Palos*

Verdes Estates of Public Utilities Code sections 7901 and 7901.1. (See *Adams v. Pacific Bell Directory*, (2003) 111 Cal.App.4th 93,97 [“although not binding, we give great weight to federal appellate court decisions”].) Instead the Court should carefully consider the Ninth Circuit’s analysis of issues that are identical to this case.

Appellants seek to distinguish and minimize *Palos Verdes Estates* on various grounds. (Appellants’ Opening Brief, p. 29.) Initially, Appellants’ disagreement stems from their own historical reading of the case law and interpretation that “local governments in California have *not* traditionally exercised control over utilities in the public rights of way.” (Appellants’ Opening Brief, p. 30, emphasis original.) As illustrated above, that is a fundamentally wrong interpretation of local regulatory authority and the very text of Article XI, Section 7 of the California Constitution and Public Utilities Code sections 2902, 7901 and 7901.1 – all of which clearly give local governments regulatory authority.

Appellants’ citation to *San Francisco I*, *supra*, 51 Cal.2d 766 is also unavailing. In that case, the California Supreme Court rejected the notion that a local government could require a local franchise for a telephone company to operate. Here, the City does not impose a requirement to obtain a franchise, but rather require compliance with a permitting ordinance. More importantly, in *Pacific Tel.*, the public utility plaintiff *conceded* the city’s authority to enact a permit process and regulate “the particular location and

manner” in which public utilities are constructed. (*Id.* at 773-774.) Appellants have obviously misinterpreted *Pacific Tel.* and its application to the nature of the present dispute.

Finally, Appellants ask this Court to look favorably upon the Ninth Circuit’s language in *Sprint PCS Assets, L.L.C. v. City of La Canada Flintridge* (9th Cir. 2006) 182 F. App’x 688, 690-91 (Opening Brief, p. 26), but ignore that it is an unpublished opinion and is not citable. In fact, the *Palos Verdes Estates* court noted that the opinion in *Sprint PCS Assets* was not “a published opinion on which we may rely.” (*Id.* at 722, n. 2.) More importantly, *Palos Verdes Estates* was decided by the Ninth Circuit **three years later** in 2009 and remains good law.

As described above, for more than a hundred years, both California and federal courts have affirmed that local agencies in California have the power to regulate telecommunication facilities in a discretionary manner. Further, the courts have also confirmed that this authority exists even when regulating public utilities. Should this Court hold otherwise, it would create new precedent that will cause uncertainty and insecurity among local governments that regularly deal with regulating telecommunications facilities and the resulting impacts on residents in and visitors to each municipality.

V. CONCLUSION

For the foregoing reasons, *Amici* urge the Court to affirm the decision of the trial court.

Dated: March 4, 2016

RUTAN & TUCKER, LLP
JEFFREY T. MELCHING
AJIT SINGH THIND

By: /s/

Jeffrey T. Melching
Attorneys for Amicus Curiae
League of California Cities,
California State Association of
Counties, and SCAN NATOA,
Inc.

CERTIFICATE OF COMPLIANCE

Counsel of Record hereby certifies that pursuant to Rule 8.204(c)(1) or 8.360(b)(1) of the California Rules of Court, the enclosed brief is produced using 13-point Roman type including footnotes and contains approximately 4,669 words, which is less than the total words permitted by the rules of court. Counsel relies on the word count of the computer program used to prepare this brief.

Dated: March 4, 2016

RUTAN & TUCKER, LLP
JEFFREY T. MELCHING
AJIT SINGH THIND

By: /s/
Jeffrey T. Melching
Attorneys for Amicus Curiae
League of California Cities,
California State Association
of Counties, and SCAN
NATOA, Inc.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

I am employed by the law office of Rutan & Tucker, LLP in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 611 Anton Boulevard, Suite 1400, Costa Mesa, California 92626-1931.

On March 4, 2016, I served on the interested parties in said action the within:

APPLICATION OF LEAGUE OF CALIFORNIA CITIES,
CALIFORNIA STATE ASSOCIATION OF COUNTIES, AND SCAN
NATOA, INC. FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN
SUPPORT OF THE CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS; PROPOSED AMICUS CURIAE
BRIEF

as stated below:

- ☒ (BY FEDEX) by depositing in a box or other facility regularly maintained by FedEx, an express service carrier, or delivering to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as shown on the attached mailing list, with fees for overnight delivery provided for or paid.

Executed on March 4, 2016, at Costa Mesa, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Valerie Bloom
(Type or print name)

/s/

(Signature)

SERVICE LIST

Martin L. Fineman
T. Scott Thompson
Daniel P. Reing
Davis Wright Tremaine LLP
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San Francisco, CA 94111-6533

Clerk of the Court
San Francisco Superior Court
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Erin Bernstein, Esq.
Deputy City Attorney
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Fox Plaza
1390 Market St., 7th Floor
San Francisco, CA 94102

CC HANS, COUNCIL, APPROPRIATE STAFF



SKYLINE FOREST NEIGHBORHOOD ASSOCIATION

City of Monterey

JAN 03 2018

City Manager's Office

To: Mike McCarthy, Clyde Roberson, City Councilmembers

Date: December 20, 2017

Re: Opposition to the installation of cellular antennas within Skyline Forest

Our board strenuously opposes the installation of cellular antennas requested by Extenet for Verizon, or any other cellular provider, within the boundaries of Skyline Forest or any other R1 neighborhood. We agree with the reasons for this opposition given in the Monterey Vista Neighborhood Association's letter of November 12, 2017(attached). We are especially concerned about the unknown radiation density around the antennas, the antennas are unsightly in an otherwise beautiful neighborhood, and that we have not been given the opportunity to decide if we actually want what they are offering.

We join with the Monterey Vista Neighborhood Association in looking forward to a complete dialog with the city before any decisions are made.

Sincerely,

Skyline Forest Neighborhood Association

A handwritten signature in dark ink, appearing to read "Arthur Pasquinelli". The signature is fluid and cursive.

Arthur Pasquinelli, Board President



To: Mike McCarthy, Christine Davi, Clyde Roberson, City Councilmembers, Planning Commission and Planning Staff

Re: Overwhelming opposition to installation of cellular antennas within MVNA and other R1 neighborhoods

Date: November 12th, 2017

From the many emails, discussions on our nextdoor.com website, and the large crowd at the October 5th Zoning Administrator meeting, the Board of the MVNA voted unanimously to oppose the current request by Extenet to install cellular antennas for Verizon within our Monterey Vista neighborhood. We believe that within a residential R1 neighborhood, residents should be able to decide if this type of service is desired or not. Although we believe that a robust wireless network for cellular phone calls is desirable (which exists), we strongly oppose the visual impacts, the added stress to our aging utility poles, and unknown and/or perceived health consequences of high-frequency wireless 4 and 5G data streaming.

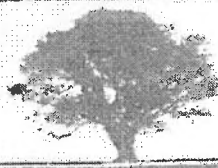
From the limited research, we have been able to conduct so far due to the short notice given to residents on this topic, we find:

A: Monterey Vista residents value their views! We have been pushing hard to underground utilities, and do not want more antennas and equipment installed on either existing or new utility poles. R1 neighborhoods are not a place for *utility pole blight*!!

B: The current Extenet/Verizon plan to install unsightly antennas and equipment is likely only the first of many similar projects that competing cellular carriers will undoubtedly submit. Thus we feel it is important to stop this now, before our residential neighborhoods are further impacted by what we feel is an unwanted invasion of our neighborhood.

C: While no studies or plans for monitoring the impact of the cellular radiation on health were shared at the October 5th Zoning Administrator's meeting, there is a definite *perceived* risk to health that has a direct impact on many residents. These impacts include radiation-sensitive residents, close proximity to our three schools within MVNA, and our hilly terrain that aims antennas directly into resident's living and bedrooms. Such information should be provided to residents. Existing information appears to be based on much older cellular technologies, with much lower frequencies and power emissions.

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.



Monterey Vista Neighborhood Association

c/o 5 El Caminito del Sur, Monterey, CA 93940

Web: montereyvistaneighborhood.org Email: mvneighborhood@gmail.com

D: Many residents are worried about their home values being decreased by nearby cellular antennas -- by both view and perceived radiation impacts. Sellers are required to disclose potential nearby hazards, and would need to include this information in any sale.

E: We live in an older neighborhood with well-perforated utility poles due to our healthy woodpecker population. The extra weight on these poles increases the risk of overloading and exacerbating fire danger such as with the 2007 Malibu fires. Our area is well endowed with oaks and pines that are stressed due to the drought, and any added fire risk to our neighborhood is unacceptable.

F: Last year in 2016, the City Council amended their Wireless Ordinance to comply with national standards which weakened the ability for residents to defend themselves. We will continue to work with the city to strengthen their codes to defend itself against powerful corporations wanting to intrude into local neighborhoods without the resident's consent.

We thus look forward to an open dialogue with the City BEFORE any decisions are made with regard the current plan by Extenet to install antennas for Verizon, AND to find a more solid path forward to involve residents in the planning process of similar projects within neighborhoods.

Regards,

Hans Jannasch

MVNA Board President

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.



Jenny Leinen <leinen@monterey.org>

Jenny: Please Enter into the Record, and forward to the Planning Commissioners and all City Council Members. Thank You.

1 message

JOHN ADAMO

Reply-To: JOHN ADAMO

To: leinen@monterey.org

Thu, Jan 4, 2018 at 3:19 PM

RECEIVED

JAN 04 2018

City of Monterey
PEEC DIVISION

Jenny: Please ENTER INTO THE RECORD and Distribute to the Planning Commission and CC the City Mayor, City Councilmen, City Attorney, Zoning Administrator and City Manager

Please stop 13 cell facilities planned in High Fire Forest Community

Underground Fiber Optics installation mandatory for our future safety and Fire Prevention!

TO: The Planning Commission, the Mayor, the City Councilmen, the City Attorney, the Zoning Administrator, and City Manager.

Dear Monterey City Official:

Firstly, I am a Verizon Customer, and I do not have any problems whatsoever with dropped calls, within my home or neighborhood of Monte Vista, nor anywhere in Monterey. Oddly, I do not know anyone in Monterey that is having trouble with their Verizon service as well.

We understand that once these cell facilities are installed then other telecom carriers will also want to add onto them, creating more weight and danger to us in our high fire forest neighborhood. Our beautiful natural landscapes and historical charm that tourists come worldwide to see will continue to degrade, while lowering the property values, and not to mention the worry about increased forest fire risks and negative health concerns.

The opposition is growing to these cell facilities and the fire risk is the most frightening for most of the Monte Vista Forest residents. Current statistical studies show that most of the California wildfires are being caused from these Power Lines and Utility Poles, especially with added on equipment. Also the facts showing all the neglect and carelessness these Utilities Companies and Telecom carriers are making which endangers the citizens. The most devastating Wine County fire is being suspected to Power Lines. In addition the odds increase for a forest fire hazard as we just came out of a 5 year drought, with dry weakened trees. Our forest is an illogical and dangerous choice to be scattering electromagnetic equipment. Electrical fires cannot be extinguished with water which increases the danger. I chose to live in the Monte Vista forest area of Monterey because of its lush beautiful trees and scenic beauty. It's frightening for many of us to think that only one mistake in these Utility Poles and with drought and winds in our forest, that our community could be devastated. Hundreds of residents here are requesting that these cell facilities absolutely must be installed underground in our High Fire Forest area for our future safety or not installed at all.

In previous storms here pine trees have fallen down or broke apart, and it's not unusual with many trees being dry and unstable. With global warming we also had higher winds here without rain causing broken branches, fallen trees, and flying debris. With all of these conditions the cell facilities pose a dangerous environmental hazard to our community and should not be placed in forest areas with our uncountable trees, unless they go underground.

Without the worry of this dangerous risk, our community we will be able to sleep at night, and have some peace of mind. We ask the Planning Commission to vote No and to deny these Verizon Cell Facility permits in the City of Monterey unless the plan can be reworked to have them installed completely underground for safety and protection of our forest neighborhood as many other cities have requested. Technology may be moving forward, but should never be at the risk of endangering the residents!

We ask you to seriously think about not approving the cell tower permits because it will degrade the value of our uniquely beautiful environment and also you will take on the responsibility of a resulting forest fire in our community.

Sincerely,

Dr. John Adamo

801 Dry Creek Road, Monterey, CA 93940

RECEIVED

JAN 04 2018

City of Monterey
PEEC DIVISION

January 1, 2018

City Planning Department
City of Monterey
Pacific and Madison Streets
Monterey, CA 93940

RECEIVED
JAN 08 2018
City of Monterey
PEEC DIVISION

RE: Concerns Regarding Small Cell Facilities

With all the recent fires in California , it is apparent that the number of dying trees are tinder for fires and that falling power poles have been perhaps the cause or contributed to the fire's widespread destruction. The proposal for small cell facilities to be installed on existing poles brings about questions we have on legal responsibility.

Who is legally responsible for maintaining the power poles and does that policy address how that might change if a pole is shared by multiple utilities, such as being proposed by Verizon/Extranet? Does the city of Monterey have a legal, binding contract regarding maintenance of the poles and does the city monitor inspection compliance? Does the contract you are considering with Verizon/Extranet spell out these responsibilities for maintenance of the pole itself? Can that be made public, along with your monitoring records of existing poles, some of which are in very bad shape?

As many citizens hope to see underground utilities in the future to further protect from fire danger (as well as blight), has the city considered such a plan, and how adding additional utilities to existing poles would impact that? Does the agreement address how costs would be shared if utilities are upgraded or put underground in the future?

These are important responsibilities that should be in policy and made part of any agreements before you give your decision on the proposal of any installations.

Sincerely,



Gari Soulé



Nancy Soulé

504 Harkin St
Monterey Ca 93940



Jenny Leinen <leinen@monterey.org>

Jenny: Please ENTER INTO THE RECORD and Distribute to the Planning Commission and CC the City Councilmen.

1 message

To: leinen@monterey.org

Mon, Jan 8, 2018 at 9:05 PM

January 8, 2018

RECEIVED

JAN 08 2018

City of Monterey
PEEC DIVISION

Subject:

Jenny: Please ENTER INTO THE RECORD and Distribute to the Planning Commission and CC the City Mayor, City Councilmen, City Attorney, Zoning Administrator and City Manager

TO: The Planning Commission, the Mayor, the City Councilmen, the City Attorney, the Zoning Administrator, and City Manager.

Dear Monterey City Official,

Please enter into the record that I am opposing the 13 cell towers planned for the Monte Vista Community. I do not have Verizon service and I am against the 13 cell tower plan because it will not provide me with a utility benefit. Also, talking with other neighbors and residents here, I have not known anyone that has trouble with their Verizon service.

I find it offensive that I do not even have Verizon service, and this "demand" they have to install these cell tower applications that will only be an eyesore here in our beautiful natural setting of Monterey. Especially, I am understanding that added on equipment will follow with other carriers. They are just going to ruin the atmosphere and landscape of this beautiful place and depreciate the value of it.

In addition, most of the neighbors and friends here seem to be worried about the fire hazard that these cell towers will add to a neighborhood in a forest. There is talk of a drought, and visually just looking out our windows, we all many see dry or dead branches through the trees everywhere. We think that Verizon is thinking only of profit and the advancement of technology, but has not considered our safety for us here living in a forest. We believe that the advancement of technology should never put the residents in a higher risk of danger. Many residents here are talking that this equipment should go completely underground for our safety, or not at all. I agree.

I also am requesting the denial of these cell tower permits. If Verizon wants to move forward with technology in Monterey, then they should invest to install these cell facilities and equipment underground for our safety, especially in a forest! We know that there are other

cities that have requested underground installation also. Please do not approve these cell towers so we can have peace of mind and wellbeing while living here.

Sincerely,
Catherine Adamo

801 Dry Creek Road
Monterey, CA 93940

RECEIVED

JAN 08 2018

City of Monterey
PEEC DIVISION

8 January 2018

Planning Commission
of the City of Monterey
Colton Hall
570 Pacific Street
Monterey, CA 93940

RECEIVED
JAN 12 2018
City of Monterey
PEEC DIVISION
RECEIVED
JAN 12 2018
City of Monterey
PEEC DIVISION

Re: Cell Towers

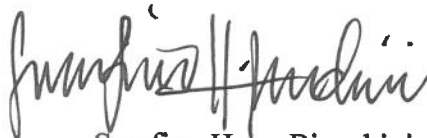
Dear Commissioners,

We have been citizens of Monterey for over 50 years. Our children went through the local schools. We have practiced our professions here from the beginning. We have always found the commissions and city council of Monterey very considerate of the concerns and wishes of its citizens.

We are writing to ask you to unyieldingly resist the efforts of the Verizon Corporation to install their new **high energy** cell phone broadcasters anywhere in Monterey and particularly throughout our Monte Vista residential neighborhood. The present **low energy** broadcasters mounted high in our city's commercial areas apparently are sufficient, i.e. everyone is getting adequate cell phone service. It appears that Verizon intends to take over all forms of telephone communication including cell phone, and also all television programming, and all future forms of audio-visual communications directly to our homes. And they are shooting for the most powerful means of delivery. It does not seem to bother their greedy plans that there are serious concerns around the world that the high energy cell broadcasters they propose have caused and may continue to cause serious threats to people's brains, especially children's brains. Greed knows no bounds, and our Federal government has substantially reduced oversight in all these matters, as they currently favor corporations over people.

Please be informed that we and all our neighbors are fervently opposed to this selfish and dangerous Verizon invasion and we will oppose it to the extreme.

Sincerely,



Serafino Hugo Bianchini



Maureen A. Bianchini

309 Mar Vista Drive, Monterey



RECEIVED

JAN 13 2018

Jenny Leinen <leinen@monterey.org>

City of Monterey
PEEC DIVISION

Cell towers

1 message

Peter Lesnik

Sat, Jan 13, 2018 at 7:49 PM

To: "leinen@monterey.org" <leinen@monterey.org>

Cc:

Linda Lee

Dear Jenny,

Please pass along my very strong objection to placing any cell towers in my neighborhood. I live on Via Arcerolo Dr. and get excellent reception on my Verizon service. Adding these towers opens the flood gates for all carriers to place even more cell towers, lowering property values, endangering wild life and, quite possibly, exposing our citizens, including many children, to dangerous microwave radiation. These towers must not be allowed to be placed in our neighborhood.

Respectfully,

Peter Lesnik



RECEIVED

JAN 14 2018

Jenny Leinen <leinen@monterey.org>

Cell Towers

City of Monterey
PEEC DIVISION

Murielle Antoku

Sun, Jan 14, 2018 at 1:06 PM

Reply-To: Murielle Antoku

To: leinen@monterey.org

Please decline Verizon's request to convert utility poles to cell towers. They could be a potential fire hazard, property values decline, and high-speed fiber optic cable is safer and more secure.

Please forward my letter to all Planning Commissioners and Council Members and enter it in the record.

Regards,

Murielle Antoku

Sent from myMail for iOS



Jenny Leinen <leinen@monterey.org>

No more cell towers in residential areas

1 message

JE Bruce

To: "leinen@monterey.org" <leinen@monterey.org>

Sun, Jan 14, 2018 at 2:55 PM

RECEIVED

JAN 14 2018

City of Monterey
PEEC DIVISION

To whom it may concern,

I wanted to add my name to the concerns of others about building more cell towers in residential areas of Monterey. I am a long-time Verizon customer (for almost 2 decades), and I have never had an issue with a coverage gap no matter where I travel on the Monterey peninsula (and elsewhere). The only times I found issues in Monterey county was while I was working as a home health care RN and was visiting clients in the very south of the county which was, at least to me, in the middle of nowhere. The risks of these towers do not outweigh the claimed benefits (which are iffy at best—Verizon's claims about coverage gaps are highly questionable and have not been proven by the legal standard), and has the potential for this opening the door to more cell towers sprouting up. This proposed installation solves a problem that does not exist and if carried out creates a host new problems. This is not a NIMBY response on my part—as in I don't want cell towers next to *my* house but I'm fine with Verizon sticking them all over Prundale or Seaside, or gasp, Pebble Beach! There just is simply **no need** and I ask that you deny Verizon this venture.

Please forward my email to all Planning Commissioners and Council Members and enter it into the official record.

Thank you,

J. E. Bruce

23 Linda Vista Place

Monterey, California

You are

What you do

When it counts

- The Masao



RECEIVED

JAN 15 2018

City of Monterey
DEED DIVISION

Jenny Leinen <leinen@monterey.org>

Cell Towers Monterey

1 message

Bruns Family

To: leinen@monterey.org

Mon, Jan 15, 2018 at 4:29 PM

Dear Sir/Madam,

We are Monterey residents against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Glenn & Janet Bruns

RECEIVED

JAN 15 2018

City of Monterey
PEEC DIVISION

Jenny Leinen <leinen@monterey.org>



Fwd: Verizon Cell Towers Installation in Monterey

1 message

Mahin Golpanah

To: leinen@monterey.org

Mon, Jan 15, 2018 at 6:55 PM

Please forward this email to all members of the city council and planning commissioners
Thanks.

Sent from my iPhone

Begin forwarded message:

- > Hello
- > I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.
- >
- > Dear Jenny please forward my email to the Mayor and all Planning Commissioners and Council members and enter it in the record.
- >
- > I appreciate your attention to this matter.
- >
- > Best regards,
- >
- > Mahin Golpanah



RECEIVED

Jenny Leinen <leinen@monterey.org>

JAN 17 2018

absolutely opposed to cell towers

1 message

City of Monterey
PEEC DIVISION

Charles Martin

Wed, Jan 17, 2018 at 12:25 PM

To: leinen@monterey.org

Please forward this email to all Planning Commissioners and Council Members and enter it into the record.

This neighborhood must not be permitted to be infiltrated by these devises. They are costly and detrimental in many ways to us residents with essentially zero or no redeeming qualities.

We, myself and those I have spoken with will expect you to strongly oppose these devises.

Very sincerely,

Charles Martin

RECEIVED

JAN 18 2018

City of Monterey
PEEC DIVISION

Attn: City of Monterey
Planning Commission
Council Members
Zoning Dept. - Tony Bennett
and all city departments

Please enter in record that the
undersigned is highly and totally

OPPOSED to
EteNets application!
Please, NO CELL TOWERS!

"Enter in record PERMANENTLY."

Marie Compagno →



Marie Compagno
90 Via Paraiso
Monterey, CA 93940-2540

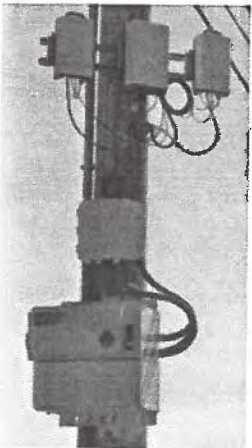
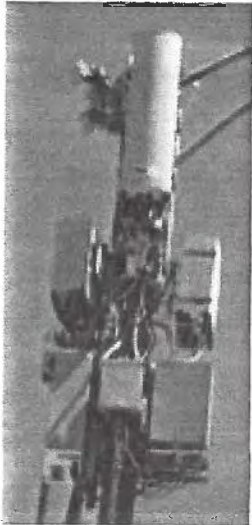
January 2018

Why?

Verizon wants to install 13 dangerous cell towers near your home!

ExteNet, Verizon's contractor, wants the City of Monterey to convert 13 utility poles into high-power 4G cell towers around our residential neighborhood of Monte Vista — next to homes, schools, and parks. This dense project is the first step; Verizon told CA legislators that 5-10 times more 5G cell towers will be added within two years.

Residents have formed *Neighbors United to Stop Verizon's Dangerous Cell Towers* to stop this project.



Reasons to Oppose These 13 Cell Towers:

- If Verizon's applications are approved, federal rules require the City to also allow other telecom companies the use of utility poles for their equipment throughout Monterey.
- Verizon customers have demonstrated excellent existing 4G calling and data coverage at the 13 proposed sites. ** Verizon advertises complete coverage in this neighborhood, and they have failed to demonstrate a "significant" coverage gap — the legal standard.
- These towers will emit high levels of microwave radiation. The National Toxicology Program recently found that microwave radiation causes heart and brain tumors, and pre-cancerous lesions, at levels below FCC thermal limits. Children suffer the worst effects. Five cell towers would be near schools.
- This is a high-fire-risk area plagued by drought. High winds and overloaded utility poles pose a serious fire hazard — e.g. the 2017 Santa Rosa and 2007 Malibu fires.
- The towers will be located within only a few feet of residents' properties. The City's Wireless Facility Ordinance disfavors residential placement. Equipment will hang over sidewalks and block views. This visual blight will be out-of-character with our historic neighborhood, ruining our idyllic aesthetics.
- Research shows property values decline up to 20 percent when cell towers are nearby. Residents won't be compensated for property devaluation and must disclose cell tower proximity when they sell.
- We live in an urban forest. Wildlife, such as squirrels, birds, and bees cannot read the danger signs on each pole, warning about very high radiation levels.
- High-speed fiber optic cable is proven, safer, and more secure for internet service compared to this dangerous technology.



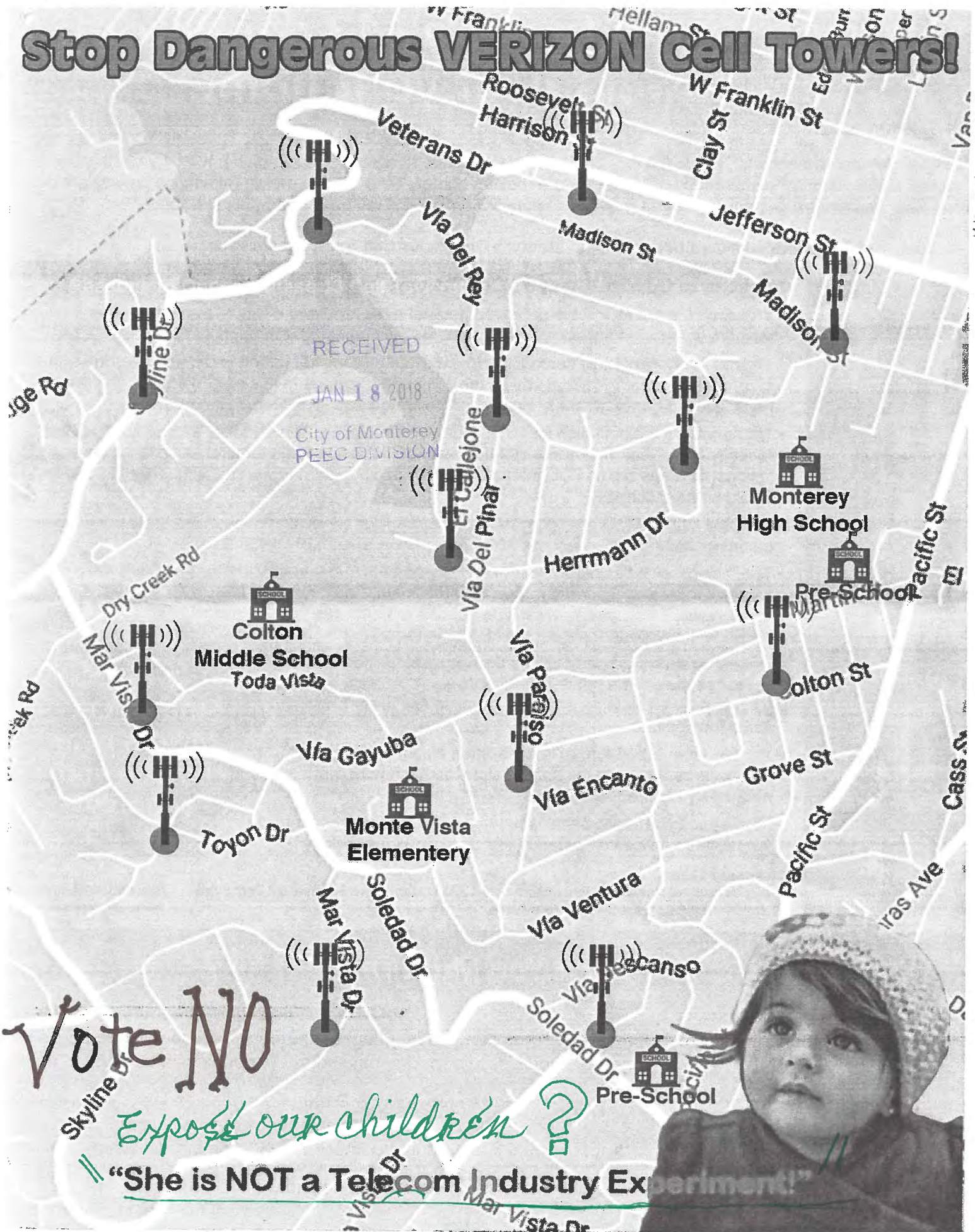
Reference Links:

*www.calchannel.com/video-on-demand/6-28-17/Assembly-Local-Government-Committee

** www.youtube.com/watch?v=h5YIBHTJ844

www.whatis5G.info
www.saferemr.com

Stop Dangerous VERIZON Cell Towers!



Vote NO

Expose our children?

"She is NOT a Telecom Industry Experiment!"

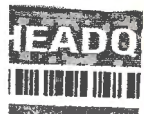


Independent research shows cancers and tumors, cardiac problems, brain damage, genetic damage, changes in the blood, neurological damage, fertility impacts including sperm damage, electromagnetic sensitivity, seizures, oxidative stress, and what European experts call "burnout". There are also impacts to trees, wildlife, and bees. People experience nausea and vomiting, dizziness, migraines, vision problems, insomnia, difficulty concentrating and remembering, lowered immunity, pain, tinnitus, hair loss, skin reactions, and weakness. With electromagnetic sensitivity (EMS), people become increasingly sick and intolerant to microwave and electromagnetic radiation, even from household appliances. EMS is caused by exposure and worsened by exposure. The U.S. Access Board recognized EMS in 2002, and the California legislature recognized it this year.

"Small cells" will eventually carry 5G frequencies, used by military and police "active denial" systems, which cause excruciating burning pain. Sweat ducts have high absorption of 5G frequencies. Experts warn of neurological and cardiac impacts due to skin nerve receptors.

The Monterey Zoning Administrator is Todd Bennett who will conduct the hearing Oct. 5. ZA hearings are not taped or recorded by the city, and only informal minutes are kept. Project documents are not be available on the city's website unlike other city meetings; request them from the ZA. Bring your own recording device if you want a record.

This tower is dangerous and completely out of character with our neighborhood. Please oppose it. To contact the city of Monterey and Zoning Administrator Bennett, see below:



Ms. Marie Compagno
90 Via Paraiso
Monterey, CA 93940



City of Monterey

Zoning Administrator Todd Bennett
Monterey City Hall
580 Pacific St.

646-3885 / bennett@monterey.org

www.whatis5g.info

<http://www.saferemr.com/2017/09/5G-moratorium12.html>

International 5G appeal by scientists and physicians, September 2017

<http://www.saferemr.com/2016/05/national-toxicology-program-finds-cell.html>

"National Toxicology Program Finds Cell Phone Radiation Causes Cancer", Dr. Joel Moskowitz, UC Berkeley

<https://olis.leg.state.or.us/liz/201311/Downloads/CommitteeMeetingDocument/42624>

"Biological and Health Effects of Microwave Radio Frequency Transmissions: A Review of the Research Literature", Paul Dart, MD (lead author), June 3, 2013

<http://www.iaff.org/hs/resi/celltowerfinal.htm>

International Association of Firefighters Resolution, 2004

<http://scientists4wiredtech.com/2017/04/palo-alto-4g-small-cells/>

Palo Alto "small cell" tower radiation measured, April 27, 2017

<https://www.diagnose-funk.org/download.php?field=filename&id=103&class=DownloadItem>

"Increasing incidence of burnout due to magnetic and electromagnetic fields of cell phone networks and other wireless communication technologies" Ulrich Warnke, Peter Hensinger

<https://www.diagnose-funk.org/download.php?field=filename&id=389&class=DownloadItem>

Wireless communication technologies: New study findings confirm risks of nonionizing radiation Peter Hensinger, Isabel Wilke

<http://kompetenzinitiative.net/KIT/KIT/english-brochures/>

Birds, Bees and Mankind: Destroying Nature by Electrosmog, Ulrich Warnke

http://www.ntia.doc.gov/files/ntia/us_doi_comments.pdf

Department of the Interior, Letter on FirstNet, February 7, 2014

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Telephone: 831-373-3306 Email:

Carol Kuzdenyi
741 Lighthouse Avenue, Pacific Grove CA 93950
kuzdenyi.com

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January 19, 2018

Dear Mr. Millich,

Please read the enclosed article on the dangers of 5G microwave technology before the January 23rd planning commission's meeting concerning the installation of 13 cellular antennas throughout the Monte Vista neighborhood.

There has been **NO TESTING** done on these very accelerated 5G microwave signals.

Many independent studies by qualified scientists all over the world indicate that the wi-fi already in use is causing changes in human and animal DNA, even in people who aren't as yet manifesting any symptoms, as is shown by their blood work. Even the American Cancer Society, who has been denying the relationship between cell phone use and cancer, has finally acknowledged the evidence.

For more specifics on the health dangers of cell phone towers, please visit these two pages I have put together for my colleague Tony Keppelman's EMF (ElectroMagnetic Fields) website:

<http://www.emfconsultant.com/Cell-Phone-Towers.html>

... and ...

<http://www.emfconsultant.com/Show-Me-the-Science-.html>

Please make Monterey and California a leader for other cities and states by rejecting the telecommunications industry's all-out assault on our health and our freedom.

Thank you very much.

Sincerely,

Carol

831-373-3306

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From: Carol Kuzdenyi
Subject: "5G Radiation Dangers — 11 Reasons to Be Concerned"
Date: January 19, 2018 at 12:59 AM
To:

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This is part of an article entitled "5G Radiation Dangers — 11 Reasons to Be Concerned." It is written by Lloyd Burrell, coach and author of "*Beating Electrical Sensitivity – The Path to Tread*". To read the entire article, go to Lloyd Burrell's website: <https://www.electricsense.com/12399/5g-radiation-dangers/>

Wireless Cell Antennas Galore

Millimeter waves (MMWs) do not travel well through buildings and they tend to be absorbed by rain and plants. This interferes with the signal. Added to this, high frequency waves like MMWs also have much shorter wavelengths that can't travel far.

To counter this problem 5G will utilize smaller cell stations (and the technology of beamforming) that'll scramble/unscramble and redirect packets of data on a no-interference path back to us. **This could mean wireless antennas on every lamp post, utility pole, home and business throughout entire neighborhoods, towns and cities.**

MIMO Miniature Cell Towers

Current 4G cell towers have about a dozen or so antenna ports to support all communication, the new, smaller 5G cell towers (or bases) will be MIMO (Multiple Input Multiple Output) and carry about a hundred ports. These towers will probably be about 4 feet tall as opposed to the usual 90 feet towers currently erected around us. Cells will be available within a 100 meter range and these smart antennas will be able to differentiate between various mixed-up signals – like radio waves and WiFi signals – in the air and beam them back in an orderly fashion so to speak.

Low Latency – High Efficiency

5G will break down data and send it in smaller sizes to offer significantly reduced transmission times. Data will be sent with only a 1 millisecond delay instead of a 50 millisecond delay commonly found with 4G. With communication this fast, it'll allow machines to talk to each other with practically no room for error. As Marcus Weldon the CTO of Alcatel Lucent comments, "*up until now, we've designed the networks for people and their needs, and now we're designing it for things.*"

The Dangers Of 5G – 11 Reasons To Be Concerned

The USA is currently leading the way on 5G. At the June 2016 press conference where the Federal Communications Commission's (FCC) head Tom Wheeler announced the opening up of

low, mid and high spectrum's. There was no mention of health effects whatsoever. But the dangers are real.

Thousands of studies link low-level wireless radio frequency radiation exposures to a long list of adverse biological effects, including:

- DNA single and double strand breaks
- oxidative damage
- disruption of cell metabolism
- increased [blood brain barrier permeability](#)
- melatonin reduction
- disruption to brain glucose metabolism
- generation of stress proteins

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Let's not also forget that in 2011 the [World Health Organization](#) (WHO) classified radio frequency radiation as a possible 2B carcinogen.

More recently the \$25 million National Toxicology Program concluded that radio frequency radiation of the type currently used by cell phones can cause [cancer](#).

But where does 5G fit into all this? Given that 5G is set to utilize frequencies above and below existing frequency bands 5G sits in the middle of all this. But the tendency (it varies from country to country) is for 5G to utilize the higher frequency bands. Which brings it's own particular concerns. **Here is my review of the studies done to date – 11 reasons to be concerned.**

#1 – A Denser Soup of Electromog

We're going to be bombarded by really high frequencies at low, short-range intensities creating a yet more complicated denser soup of electromog – as this diagram shows.

Coverage Layer:

600 MHz, 700 MHz, 800 MHz, 900 MHz, 1.5 GHz, 2.1 GHz, 2.3 GHz and 2.6 GHz

Capacity Layer:

Europe: 3400 – 3800 MHz (awarding trial licenses)

China: 3300 – 3600 MHz (ongoing trial), 4400 – 4500 MHz, 4800 – 4990 MHz

USA: 3100 – 3550 MHz (and 3700 – 4200 MHz)

Japan: 3600 – 4200 MHz and 4400 – 4900 MHz

High Throughput Layer: (mast-mast and also very locally in dense user locations)

Europe: 24.25 – 27.5 GHz for commercial deployments from 2020

China: Focusing on 24.25 – 27.5 GHz and 37 – 43.5 GHz studies
USA: 27.5 – 28.35 GHz and 37 – 40 GHz pre-commercial
deployments in 2018
Japan: 27.5 – 28.28 GHz trials planned from 20

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Source: Latest on 5G Spectrum – EMFields Ltd.

To work with the higher range MMW in 5G, the antennas required are smaller. Some experts are talking about as small as 3mm by 3mm. The low intensity is for efficiency and to deal with signal disruption from natural and man-made obstacles.

#2 – Effects on the Skin

The biggest concern is how these new wavelengths will affect the skin. The human body has between two million to four million sweat ducts. Dr. Ben-Ishai of Hebrew University, Israel explains that our sweat ducts act like *“an array of helical antennas when exposed to these wavelengths,”* meaning that we become more conductive. A recent New York study which experimented with 60GHz waves stated that *“the analyses of penetration depth show that more than 90% of the transmitted power is absorbed in the epidermis and dermis layer.”*

The effects of MMWs as studied by [Dr. Yael Stein](#) of Hebrew University is said to also cause humans physical pain as our nociceptors flare up in recognition of the wave as a damaging stimuli. So we're looking at possibilities of many skin diseases and cancer as well as physical pain to our skin.

#3 – Effects on the Eyes

A 1994 study found that low level millimeter microwave radiation produced lens opacity in rats, which is linked to the production of cataracts.

An experiment conducted by the Medical Research Institute of Kanazawa Medical University found that 60GHz *“millimeter-wave antennas can cause thermal injuries of varying types of levels. The thermal effects induced by millimeterwaves can apparently penetrate below the surface of the eye.”*

A 2003 Chinese study has also found damage to the lens epithelial cells of rabbits after 8 hours of exposure to microwave radiation and a 2009 study conducted by the College of Physicians and Surgeons in Pakistan conclude that EMFs emitted by a mobile phone cause derangement of chicken embryo retinal differentiation.

#4 – Effects On The Heart

A 1992 Russian study found that frequencies in the range 53-78GHz (that which 5G proposes to use) impacted the heart rate variability (an indicator of stress) in rats. Another Russian study on

frogs who's skin was exposed to MMWs found heart rate changes (arrhythmias).

#5 – Immune System Effects

A 2002 Russian study examined the effects of 42HGz microwave radiation exposure on the blood of healthy mice. It was concluded that *“the whole-body exposure of healthy mice to low-intensity EHF EMR has a profound effect on the indices of nonspecific immunity”*.

#6 – Effects on Cell Growth Rates

A 2016 Armenian study observed MMWs at low intensity, mirroring the future environment brought about by 5G. Their study conducted on E-coli and other bacteria stated that the waves had depressed their growth as well as *“changing properties and activity”* of the cells. The concern is that it would do the same to human cells.

#7 – Effects on Bacteria Resistance

The very same Armenian study also suggested that MMWs effects are mainly on water, cell plasma membrane and genome too. They had found that MMW's interaction with bacteria altered their sensitivity to *“different biologically active chemicals, including antibiotics.”* More specifically, the combination of MMW and antibiotics showed that it may be leading to antibiotic resistance in bacteria.

This groundbreaking finding could have a magnum effect on the health of human beings as the bandwidth is rolled out nationwide. The concern is that we develop a lower resistance to bacteria as our cells become more vulnerable – and we become more vulnerable.

#8 – Effects on Plant Health

One of the features of 5G is that the MMW is particularly susceptible to being absorbed by plants and rain. Humans and animals alike consume plants as a food source. The effects MMW has on plants could leave us with food that's not safe to consume.

Think GMOs on steroids. The water that falls from the sky onto these plants will also be irradiated. A 2010 study on aspen seedlings showed that the exposure to radiofrequencies led to the leaves showing necrosis symptoms.



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Source:

<https://www.hindawi.com/journals/ijfr/2010/836278/>

Another [Armenian study](#) found that MMWs of low intensity “*invoke(s) peroxidase isoenzyme spectrum changes of wheat shoots.*” Peroxidase is a stress protein existing in plants. Indications are that 5G will be particularly harmful to plants – perhaps more so than to humans.

#9 – Effects on the Atmosphere and Depletion of Fossil Fuels

Implementation of the 5G global wireless network requires the launching of rockets to deploy satellites for 5G. These satellites have a short lifespan which would require a lot more deployment than what we’re currently seeing. A new type of hydrocarbon rocket engine expected to power a fleet of suborbital rockets would emit black carbon which “*could cause potentially significant changes in the global atmospheric circulation and distributions of ozone and temperature*” according to a 2010 [Californian study](#). Solid state rocket exhaust contains chlorine which also destroys the ozone.

The effects on the ozone are thought to be worse than current day CFC exposure.

Google’s Project Loon is said to bring Internet to rural and hard-to-access areas by using helium balloons. But these balloons only have a 10-month lifespan. We’re looking at a lot of helium being used here, more than what we can possibly have on Earth?

#10 – Disruption of the Natural Ecosystem

Since the year 2000, there have been reports of birds abandoning their nests as well as health issues like “*plumage deterioration, locomotion problems, reduced survivorship and death*,” says researcher Alfonso Balmori. Bird species that are affected by these low levels, non-ionizing microwave radiation are the House Sparrows, Rock Doves, White Storks, Collared Doves and Magpies, among others.

But it's not just the birds. The declining bee population is also said to be linked to this non-ionizing EMF radiation. It reduces the egg-laying abilities of the queen leading to a decline in colony strength.

A study conducted by Chennai's Loyola College in 2012 concluded that out of 919 research studies carried out on birds, plants, bees and other animals and humans, 593 of them showed impacts from RF-EMF radiations. 5G will be adding to the effects of this electrosmog.

#11 – Most 5G Studies Mis-Leading

5G will use pulsed millimeter waves to carry information. But as Dr. Joel Moskowitz points out, **most 5G studies are misleading because they do not pulse the waves.** This is important because research on microwaves already tells us how pulsed waves have more profound biological effects on our body compared to non-pulsed waves. Previous studies, for instance, show how pulse rates of the frequencies led to gene toxicity and DNA strand breaks.

Live Testing Already Begun

AT&T have announced the availability of their 5G Evolution in Austin, Texas. 5G Evolution allows Samsung S8 and S8 + users access to faster speeds. This is part of AT&T's plan to lay the 5G foundation while the standards are being finalized. This is expected to happen in late 2018. AT&T has eyes on 19 other metropolitan areas such as Chicago, Los Angeles, Boston, Atlanta, San Francisco and so on. Indianapolis is up next on their 5G trail due to arrive in the summer.

Qualcomm has already demonstrated a 5G antenna system with about 27 decibel gain. According to ABI Research, is “*about 10 to 12 more db than a typical cellular base station antenna*.” Not a good sign.

Many more private sector companies such as HTC, Oracle, Sprint, T-Mobile are playing a role in the developing of testing platforms by contributing time, knowledge or money.

Call to Action

Research and pre-testing is rampant by companies who are interested to tap into the lucrative waters of 5G. But few are willing to research its effects on health. The International Commission

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on Non-Ionizing Radiation Protection (ICNIRP) guidelines remain essentially unchanged since 1998, not allowing for the recognition of radio frequency microwave radiation and MMWs as harmful unless there is a heating effect. But a few experts are speaking out.

[DariuszLeszczynski](#) from the University of Helsinki and also former member of the International Agency Research on Cancer is one of them. He has brought to attention to ICNIRP intention to classify skin as limbs. Limbs are paid lesser attention to when classifying exposure levels. Research indicates that MMWs affect the skin and the eyes the most. If skin is classified as a limb, this will pave the way for industry giants to introduce even higher exposures and put more people at risk.

The Global Union Against Radiation Deployment from Space (GUARD) addressed a [letter](#) to the FCC in September of 2016, bringing to their attention the harm 5G will inflict. GUARD warned the FCC that 5G violates Article 3 of The UN Declaration of Human Rights which states that “everyone has the right to life, liberty and security of person.” The document is laden with research, information and global support.

What Experts are Saying

Here's what experts are saying about 5G:

“Along with the 5G there is another thing coming – Internet of Things. If you look at it combined the radiation level is going to increase tremendously and yet the industry is very excited about it.... they project 5G/IoT business to be a \$7 trillion business.”

-Prof. Girish Kumar, Professor at Electrical Engineering Department at IIT Bombay

“The new 5G wireless technology involves millimeter waves (extremely high frequencies) producing photons of much greater energy than even 4G and WiFi. Allowing this technology to be used without proving its safety is reckless in the extreme, as the millimeter waves are known to have a profound effect on all parts of the human body.”

-Prof. Trevor Marshall, Director Autoimmunity Research Foundation, California

“The plans to beam highly penetrative 5G milliwave radiation at us from space must surely be one of the greatest follies ever conceived of by mankind. There will be nowhere safe to live.”

-Olga Sheean former WHO employee and author of ‘No Safe Place’

“It would irradiate everyone, including the most vulnerable to harm from radiofrequency radiation: pregnant women, unborn children, young children, teenagers, men of reproductive age, the elderly, the disabled, and the chronically ill.”

—Ronald Powell, PhD, Letter to FCC on 5G expansion

Sources include:

A 5G Wireless Future – Dr. Cindy Russell

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The following are some interesting comments entered by readers on the website:

Steve said,

- What happened to Li-Fi?
It sounded like it would be less harmful

• **Helen** said,

According to Popular Science, LiFi will be available in about 4 years. One of the lead researchers, Dr. Harald Haas, said LiFi has much more capacity, can't be hacked, and is up to 100 times faster than WiFi. AND, it doesn't affect living cells at all.

This big push for 5G is the wireless industry's last gasp for as much profit as possible before they're obsolete. In the meantime, they don't care how many people are harmed.

See Dr. Haas's TED talk for more info on LiFi. Then shield yourself as much as possible, and wait for the LiFi lightbulbs, which will be able to screw into any socket and provide connection to the Internet.

- [Dr. Leendert Vriens](#) said,
- In the 1998 ICNIRP Guidelines one can find upper limits for allowable radiation intensities of 10 W/m² and field strengths of 61 V/m, in the frequency ranges from 10 to 300 and 2 to 300 GHz, respectively. In the guidelines for smartphones it can be found that these must be kept at distances of 5, 10 or 15 mm from our body in order not to exceed these upper limits. In https://www.youtube.com/watch?v=Wm69ik_Qdb8 it is said (illustrated by measurements) that the upper limits are indeed violated when the smartphone is close to our body. At the higher 5G frequencies, say 30 GHz, the penetration depth of the radiation in our body is much less than the penetration depth at the 2G-4G GHz frequencies, so the heating in the near skin part of our body will become much higher and it will be more dangerous to keep a 5G higher-frequency smartphone close to our body, provided the same radiation intensities will be used at these higher frequencies. With respect to that I have a question: can anything be said about the required radiation intensities for 5G in comparison with those for 4G (in order to get good transmission)?
- As Peter mentioned above, I highly recommend spending time exploring this website about 5G and The Internet of Things. It is a vast source of information: <http://whatis5g.info/>

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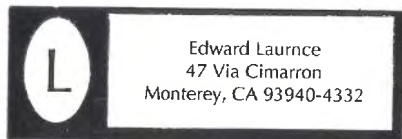
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Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:



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Name: *Janet Taylor*
MONTEREY RESIDENT IN AFFECTED
AREA
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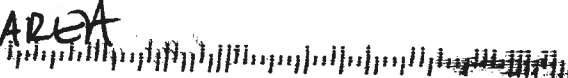


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570 Pacific St.
Monterey, CA 93940**

Name:

DAVE WHITE

MONTEREY RESIDENT IN AFFECTED
AREA

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Name:

MARIA Nunez

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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.



Name: Casey Meusel
1-13-2018

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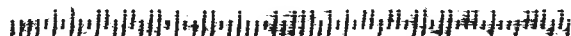


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Name: *JANINET. RAZDHA*

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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Overloaded poles were cause of Sta Rosa and 2007 Malibu fires. Ours are already heavy with wires and in heavy forest. which they

Name: *want to "trim". No!!!*

Jennifer + Jeff Paduan

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Name: *Spadaro Family*

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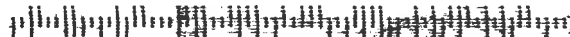
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Anne Crawford
88 Via. Esperanza
Monterey, CA 93940

Name:

Anne S. Crawford

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Monterey, CA 93940**



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Name:

Murielle Antoku

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Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *Cydney Crampton*
Cydney Crampton

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applications violate the City
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coverage gap here. Deny
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SANDRA S. FREEMAN

Name:

Sandra S. Freeman

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Name:

Mary Bull

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placement in residential
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Code and the General Plan.
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coverage gap here. Deny
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project.

Name:

Charles Martin
Dolores Martin

please enter into Record

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
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project.**

Name:

Richard M. Lundy
Jane R. Lundy
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Name: *Dr. & Mrs.
George Penn*

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coverage gap here. Deny
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project.**

Name:

*Pat. Jim
Hammes*

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William + Sandra

Name: *Solitario*

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Name:

Lyn Bennett

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neighborhoods. ExteNet's
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Ruth Ashbach
529 Monroe St
Monterey, CA 93940

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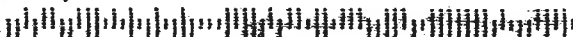
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Code and the General Plan.
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coverage gap here. Deny
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project.

Name:

*Edmund Cross
17 Dorsey Way
ENB*

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. WHY RISK THIS

COURT EXPENSE? FIND
ANOTHER WAY TO MAKE
\$\$\$... SHAME. DO NOT
APPROVE

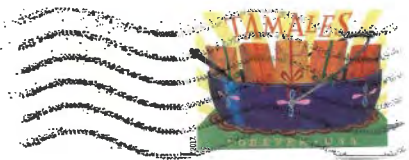
Name: BEN LANGFORD

202 Via del Rey

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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project.

Lifan Du
Name: *Reggie zhang*
Zan zhang

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Jean and Lisa de Marignac
471 Dry Creek Road, Monterey, CA 93940

Name:

Lisa de Marignac

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Name:

Susan + Ron Glaze
18 Via Penaiso

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ALAN HOLMSTROM

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neighborhoods. ExteNet's
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Name:

Judy Moody

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Abstract

36 JAN 20 1991

Please!!
Please!!

Name: Jeannette Gross

Janet B. Zane
170

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FLORENCE W. ALLEN
Name: 39 Via de L Rey
MONTEREY, CA. 93940

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Name:

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. *STOP IT!!*

*I am a Verizon
customer: NO
problems with
coverage!*

Name: *Susanne Piccari*



Mrs Susanne Piccari
845 Jefferson St
Monterey, CA 93940

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Name: CARY LARSON
JAMES MOLINARO
305 MAR VISTA DR

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583 005F C34 950

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Name:


EUGENE C. SANCHEZ

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Name:

Aileen Mickel
19 Yerba Buena Ct.
Monterey, CA 93940

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MONTEREY CA 93940

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Code and the General Plan.
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Name: *B.V. Sovereign*
M.G. Sovereign

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We are

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neighborhoods. ExteNet's
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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*SUPPORT OUR
NEIGHBORHOODS!*

LONG-TIME HOME OWNERS

Name: *ANDREW GONZALEZ*
ANN PREGO

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.

There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. USED VERIZON
FOR 30+ YEARS
WITH NO PROBLEMS.

Name: STEVE WILSON
7 TODA VISTA

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There is no 4g Verizon
coverage gap here. Deny
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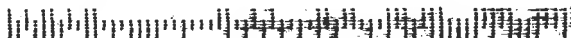
Name: Moshe Kress
350 Forest Ridge
Monterey CA
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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

*This is not necessary -
I have no problem
with Verizon coverage!*

Name: SHARON BORG

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Name:

Don & Linda Davis

461 San Bernabe Dr.

Monterey

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Name: Audrey Thorne
Richard Thorne

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Name: *Kert + Lillie Huttgren*

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coverage gap here. Deny
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Anne Madden

Name: *Anne Madden*

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Code and the General Plan.
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this unnecessary, invasive
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Diana Burke
832 Jefferson St
Monterey, CA 93940

Name: *dianaburke*

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neighborhoods. ExteNet's
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Name: JOHN REYNOLDS

John Reynolds

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Name:

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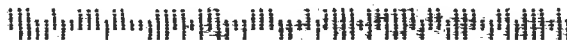
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neighborhoods. ExteNet's
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coverage gap here. Deny
this unnecessary, invasive
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Name:

The Lojkorics

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*Regular
Stamp*



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Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Michelle Balco

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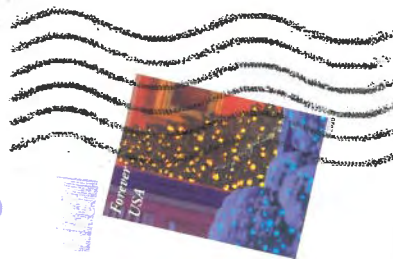
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Vince Ferrante

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Name:

Debbie Leonard

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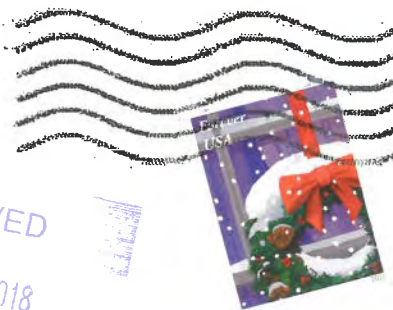
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Name:

Wesley & Mitsuko Rogers

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neighborhoods. ExteNet's
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Code and the General Plan.
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this unnecessary, invasive
project.

Name: *Gaspare Aliotti*

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

*I have Verizon + live
in the Monte Vista Area.
There is no coverage gap
Name: MARIE C Aliotti*

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Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *Rosine Inante*

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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

With No statement of user
or community benefit; and
well-documented concerns regarding
health and well-being, this
project MUST be denied.

**Name: Seth Goldsmith
1024 Alameda St.
Monterey, CA 93940**

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**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

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570 Pacific St.
Monterey, CA 93940

Name:

Rachel Schmidt
491 Dry Creek Rd
Monterey CA 93940

49 cent postage req.



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

49 cent postage req.

50410052 CA 9300

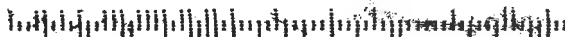
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- Arthur Pasquini

Name: Elizabeth
PASQUINELLI

- Skyline Forest

49 cent postage req. neighborhood
ASSOCIATION

Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

I am very opposed to this project. Please consider the opinions of those of us who live in
Name: the neighborhood.

Thank You.

49 cent postage req.

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Ms. Cynthia A. Laurance
47 Via Cimarron
Monterey, CA 93940

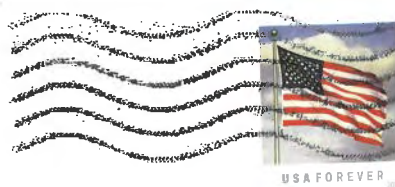
Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name: June Pedranti
912 Monterey Cr.
June Pedranti
49 cent postage req.

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REGISTRATION

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *Denise Takakjian*
81 Via Encina

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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

There are apparently no valid arguments in support of this proposed equipment.

Name:

Richard A Beaumont
RICHARD A BEAUMONT
LTC USA RET
61 LOGAN LN
MONTEREY, CA 93940



Ann Beaumont
Ms. R. Ann Beaumont
61 Logan Ln
Monterey, CA 93940

SAN JOSE CA 95131

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Name:



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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

We have excellent reception now. No need for towers.

Name: Edward and Gloria Hatton

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Ruth A. Hartmann

*780 Lagoon Rd,
49 cent postage req.*

Mail by Jan 18 or hand deliver

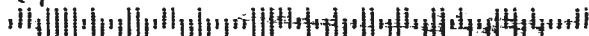


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Monterey, CA 93940**

Project: **57**
Mo

< personal note >
Absolutely no
"cell-towers" built
in the house/homes
Name: & schools, please!
It should be people first
49 cent postage req. before bus

49 cent postage req.

Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

**Glenn & Janet Bruns
920 Alameda Avenue
Monterey CA 93940
USA**

49 cent postage req.

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Name: Gus Aielb, Sr.
Gus Aielb, Jr.

49 cent postage req.



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Monterey, CA 93940



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Wayne + Linda Cruzan
75 Via Chualar

Name:

49 cent postage req.

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Name:

James Mickelth

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Name:

Betty Grothe

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Mr. and Mrs. D. W. Gotshall
Skyline Forest
4 Sommerset Rise
Monterey, CA 93940-4112

Name:

Ann Gotshall

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.

There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*This tower will
be 40 feet from my
front door!! I don't
want it near me!
(1021 Johnson St.)*

Name:

49 cent postage req.

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Forever USA



Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Mitsuko Gammon

49 cent postage req.



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Forever USA

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*Alison Lake
685 Terry St.
Monterey, CA 93940*

Name:

Alison Lake

49 cent postage req.



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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

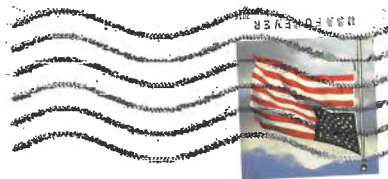
Name:

*Andrea Rios
Robert E. Rios*

49 cent postage req.

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

*Michael & Sandra
Hendrick*

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Thomas Callaham
Mary Callaham
227 San Bernabe Dr
Monterey CA 93940-4355

Name:

Thomas Callaham *Mary M. Callaham*

49 cent postage req.

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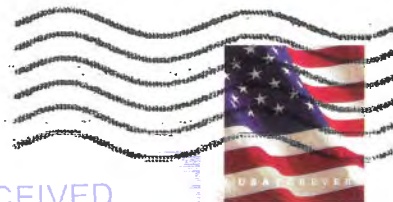


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Name:

ALICE LEE

49 cent postage req.



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Name:

Rosita de Gualans

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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570 Pacific St.
Monterey, CA 93940

Name: Katherine Amelio
26 Pinehill Way
Monterey, Ca. 93940

49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Please review this
& do not put a tower
on our property*

Name: *Ron & Cheryl Beck*
1 DOLLY WAY Monterey

49 cent postage req.

OAKLAND, CA 946

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Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: *Patricia Torrey*
Patricia

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: *Isabella Shake*
421 Martin St.
Monterey, CA 93940
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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

*JEANETTE KEVIN
KERN*

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*I am totally against having
cell towers in the neighborhood
or on my property. Health
and property value will go
down with no benefit to me or
Name: neighbors. BENEFIT*

*Vivian Barone
537 MAR Vista Dr. Monterey CA*
49 cent postage req.



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Name: **GISELA HARTMAN**
400 MAR VISTA DRIVE #28
MONTEREY, CA 93940

49 cent postage req.

OAKLAND, CA

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Sim H. Lou

49 cent postage req.

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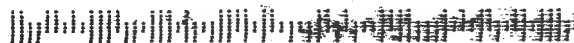


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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

TIM & KYLE
ZABYDA
7 SHADY LN

49 cent postage req.

MONTEREY, CA 93940

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coverage gap here. Deny
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project.

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570 Pacific St.
Monterey, CA 93940

Name:

Tom Gaskill
250 Forest Ridge Rd, #50
Monterey, CA 93940

49 cent postage req.



Enter comment into record.

OAKLAND, CA 946



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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570 Pacific St.
Monterey, CA 93940

Patricia Nash

Dry Creek Rd.
Name:

49 cent postage req.



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

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Name: Tony & Debora
Flores 2 Dorey way
Monterey

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Joel & Jessica
Sarazin
49 cent postage req.

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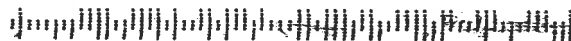
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project.**

OAKLAND CA 946

13 JAN 2018 PM 6 L

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JAN 16 2018

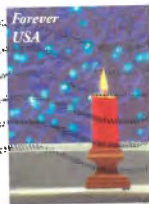
City of Monterey
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Monterey, CA 93940**

Name:

NICK HAZDOVAC

49 cent postage req.



Enter comment into record.

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

PLEASE NO
CELL TOWERS!!
THX,

Name: John + Julie Taylor
+ Victoria Vale
mty 93940

49 cent postage req.

OAKLAND CA 94612

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Monterey, CA 93940



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Name: *Soung G. Huang*
#8 Sommerset Vale,
Monterey, CA 93940
49 cent postage req.

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(To):

Planning Commission
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Monterey, CA 93940



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Maryline Valtaggio

49 cent postage req.

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Name: *William & Pamela
Pinkerton*

49 cent postage req.

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OAKLAND, CA 94615

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Colton Hall
570 Pacific St.
Monterey, CA 93940**

I am a Monterey resident
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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. Also, deeply
concerned about property
values. Many residents
say it's a big problem/concern.

Name: Gary + Beverly Principal
764 Toyon Drive
Monterey
49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: LES M. MORO
MARTIN ST
MONTEREY, CA 93940

49 cent postage req.

OAKLAND CA 94612
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City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

*TED & CAROLYN
BLOCKER*

49 cent postage req.

631 TUYON DR



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City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Thank You!

Name: Joseph M. Aliotti Sr.
468 Van Buren St #4
Monterey, Calif 93940
49 cent postage req.



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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name: Giuseppe V. Spadaro
50 Via Encina St
Monterey, CA 93940
49 cent postage req.



Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Name:

Elizabeth Taylor
John E. Taylor

49 cent postage req.



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OAKLAND CA 945

13 JAN 2018 PM 4 L



I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

I have a verizon
phone - works fine
this expensive addition
is not needed and is unsightly.

Name: THOMAS MORK
71 Wellings Rd.

Monterey, CA

49 cent postage req.

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Planning Commission
Colton Hall
570 Pacific St.
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93940

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Maureen A. Russo

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Enter comment into record.

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Monterey, CA 93940**

Name:

Ibrahim Alhadi
She/He

49 cent postage req.



Enter comment into record.

OAKLAND CA 945



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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MONTEREY, CA 93940

Name: **NORIKO BELMONT**

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570 Pacific St.
Monterey, CA 93940**

project. *ALSO:*

*Please make plans to
have all utilities
currently on dangerous
poles buried. Fire
danger!*

Name:

Glenn & Raija Daleo

49 cent postage req.



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I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name:

Willie & Lisa Diaz

49 cent postage req.

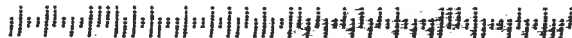
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Jack + Janet Russo
Name:

49 cent postage req.



Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

MARILYN HAZDOVAG

49 cent postage req.

ENCLAVE 00 000

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OAKLAND CA 946

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Colton Hall
570 Pacific St.
Monterey, CA 93940**

Name: *CAROLYN D. FRIES*
400 MAR VISTA DR #18
MONTEREY CA 93940
49 cent postage req.



Enter comment into record.

Lloyd P. Nattkemper, D.D.S.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*This is an invasion of
peaceful neighborhood.*

Woj Nattkemper DDS

Name:

Lloyd P. Nattkemper

49 cent postage req.

572 Hermann Drive Mail by Jan 18 or hand deliver
Monterey, California 93940

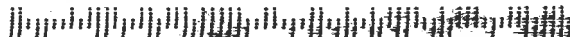


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Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*The voters of Monterey
will take note*

Name:

*Jeanne Alcala
Roy Rodriguez*

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Linda J. Hanger

Name:

**Linda J. Hanger
98 Via Ventura
Monterey, CA 93940**

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SAN JOSE CA 950

12 JAN 2018 PM 4 L



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Name: *Linda Shelby*

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**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project. PLEASE!

①
Name: ANNELI ROSENTHAL
ARsenthal
22 DOREY WAY MONTEREY
CA 93940

② A. LARSEN 10 DOREY WY Astoria

Mail by Jan 18 or hand deliver

Jan. 16, 2018.
(Hand Delivered)

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Monterey, CA 93940

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *ROBERT JAQUES*
83 VIA ENCANTO

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Rec'd 16 JAN 18 AM 11:15 CityCik
RECEIVED

JAN 17 2018

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Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

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Shermaine Jones
560 Madison St
Monterey, CA 93940

Name: *Shermaine Jones*

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Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name: Jim Baker + Karen Baker
44 Via Chualar
Monterey, CA 93940
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Colton Hall
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① ANNE V. CESARIO
Anne Cesario

Name: MARK E. CESARIO

② *Mark Cesario*

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Enter comment into record.

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Name:

Kevin R Uhlinger

43 Via Del Rey Monterey
49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

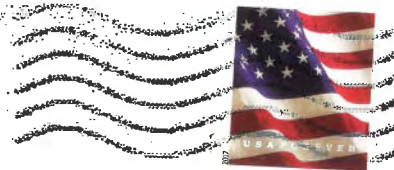
Name: *Pauline Jacobsen*

was Charles Jacobsen

49 cent postage req.

SAN JOSE CA 950

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Name:

Anne M. Davis
Via Paraiso
Mtn.

49 cent postage req.

SAN JOSE, CA 95131

26 JAN 2018 11:21

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Name:

G. N. Kadiw

49 cent postage req.



Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

780 Madison St.
Monterey, Ca. 93940

Name:

Richard Singh

Rina Singh

49 cent postage req.

Shivan Singh

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Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Natalie Whitney

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*The towers
enclose three schools.
Do you care about
them? Money should
not be your primary
goal.*

Name:

*Judith Barton
Mar Vista Dr
49 cent postage req.*

16 JAN 2018 PM 2 L

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Enter comment into record.

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Mr. Donald R. Napoli

30 Via Del Pinar
Monterey, CA 93940

Name:

Donald R. Napoli

49 cent postage req.

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Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Christopher Whitney

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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.

There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Permanently record
my "Opposition to your
Cell Tower fiasco -
a serious fire hazard
in a forested area."

Name:

Bennett Compagno

49 cent postage req.

SAN JOSE CA 950

16 JAN 2008 PM 2

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Why?
I do not recommend
your passing this
fiasco down our
throats. **VOTE NO**

Planning Commissio
Colton Hall
570 Pacific St.
Monterey, CA 93940



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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Cell towers are
a serious fire hazard in
a highly forested area.
Highly recommend you
do not ram this down
our throats!*

Marie Compagno
90 Via. Paraiso
Monterey, CA 93940-2540

49 cent postage req.

SAN JOSE CA 950

16 JAN 2018 PM 4

*Absolutely
Vote NO.*

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Planning Commissio
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570 Pacific St.
Monterey, CA 93940



*To be entered
in record. VOTE NO.*

M. Compagno

Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Kathleen Klemsmith

Name:

Kathleen Klemsmith

49 cent postage req.

SAN JOSE CA 950

15 JAN 2018

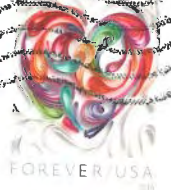
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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

I HAVE VERIZON
CELL SERVICE + HAVE
EXCELLENT RECEPTION.
NO TO CELL TOWERS
Name: PETER LESNIK

49 cent postage req.

OAKLAND CA 945

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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Mr. & Mrs. Anthony J. Russo
341 Dry Creek Rd.
Monterey, Calif. 93940

49 cent postage req.

OAKLAND CA 945

15 JAN 2018 11:41

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

LINDA J. LEE

49 cent postage req.

OAKLAND CA 946

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Karen Wiskoff

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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

I HAVE VERIZON SERVICE &
IT WORK PERFECTLY WELL
ON TOYON DR.

Name: HUGH WILSON

Hugh Wilson

49 cent postage req.

OAKLAND CA 94615

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against wireless facility
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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Suzanne Sims
80 Via Encanto

49 cent postage req.

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PEEC DIVISION

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Colton Hall
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Monterey, CA 93940



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GARLAND, CA 943

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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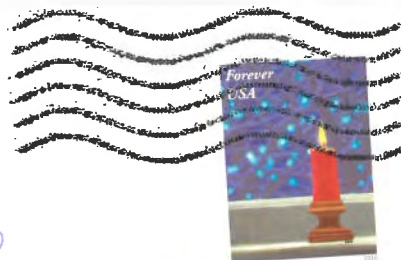
City of Monterey
PEEC DIVISION

Planning Commission
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570 Pacific St.
Monterey, CA 93940

Name:

Jelle Balco
J Balco

49 cent postage req.

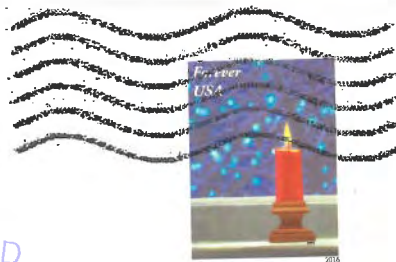


Enter comment into record.

OAKLAND CA 945

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**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Name:

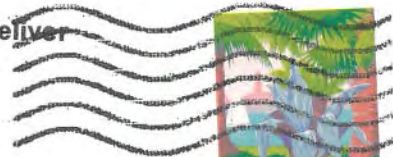
Joe Balco

49 cent postage req.



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OAKLAND CA 945



15 JAN 2018 PM 4 L

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Monterey, CA 93940**

Name:

*Robert Melinda Scardina
350 Via Paraiso*

*Current Verizon customer w/great
49 cent postage req. Service!*



Enter comment into record.

Mail by Jan 18 or hand deliver



15 JAN 2018 PM 4 L

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*PLEASE STAY OUT OF
RESIDENTIAL AREAS*

Name:

*DOUGLAS TILLY
51 VIA PARAISO
MONTEREY CA 93940*

49 cent postage req.

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Enter comment into record.

OAKLAND CA 943

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

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Name: *DANNY CLARK*
Danny Clark

49 cent postage req.



Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name:

Anna Ardizzone

49 cent postage req.



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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Fritz Naef

Name: FRITZ NAEF
84 VIA DEL PINAR
MONTEREY CA 93940
49 cent postage req.



or hand deliver



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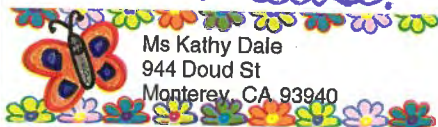
JAN 18 2018

City of Monterey
PEEC DIVISION



Enter comment into record.

→ 20 year
I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. Please!



Ms Kathy Dale
944 Doud St
Monterey, CA 93940

Name: K.M. Dale

49 cent postage req.

509 305E CA 950

16 JAN 2018 PM 2:1



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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

ROBERT CHAIN
751 WOODCREST LANE

49 cent postage req.

MONTEREY, 93940

SAN JOSE CA 950

16 JAN 2018 PM 2:11

VERY CONSCIENTIOUS
VATEIR RE: LOCAL
& STATE ISSUES.

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

And Alexander Michael
Name: Renée Sara
Martin St

49 cent postage req.



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*This is a solution
in search of a problem
that does not exist*

Name:

*JE Bruce
23 Linda Vista Pl.*

49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*This project will open a
big can of worms!*

Sincerely

Name:

Coral Meeker

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

E. Martini

49 cent postage req.

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Enter comment into record.

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Ms. Mary Coelho
17 Cramden Dr.
Monterey, CA 93940

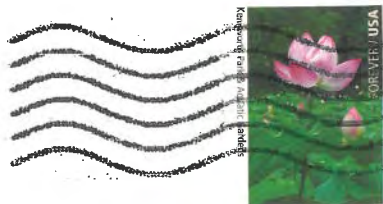
Name:

SJSU

Mr. Samuel P. Koehn
17 Cramden Dr
Monterey, CA 93940-4145

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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570 Pacific St.
Monterey, CA 93940

Name:

Jan & Neil Tucker
9 Hickleberry Ct.
Monterey, CA 93940

49 cent postage req.



Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.



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Monterey, CA 93940

*I have excellent
reception on my
Verizon cellphone in
my area at this time.*
Name:

Joann Parent

49 cent postage req.

*Don't need or want
these cell towers*

Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

49 cent postage req.

SAN JOSE CA 950

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11 JAN 2018 PM 3:1

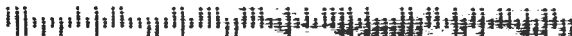


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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.



Keith McDaniel

Name: Leslie McDaniel

3 El Caminito Del Norte
Monterey, CA

49 cent postage req. 93940

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31 JAN 2018 14:11

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Michael R McNamara

Name: Michael R McNamara
23 Sierra Vista Dr
Monterey CA 93940
49 cent postage req.

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12 JAN 2018 PM 4:11



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Monterey, CA 93940



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against wireless facility
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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

SAN JOSE CA 950

12 JAN 2018 PM 4 L

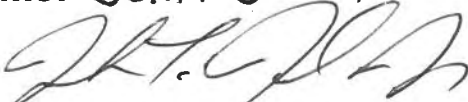


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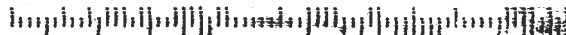
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Monterey, CA 93940**

Name: **JOHN JORDAN**


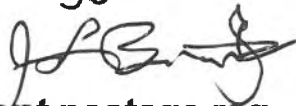
49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Joe L. Brown, Jr.



49 cent postage req.

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

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Monterey, CA 93940**

Name:

Linda Gabrielson

Paul H. H. H. H.

Crandall Rd, Monterey

49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Monterey, CA 93940**

Name: Deborah Watson-Graff

Deborah Watson-Graff

49 cent postage req.



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*The job of our city govt.
is to protect its citizens
Plz do so by stopping this
travesty.*

Name: _____

Thomas A. Brail

49 cent postage req. _____

10400 Drive

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. My husband is
a Verizon customer and
has never had ANY
problems with service any-
where in this neighborhood.

Name:

Krishin Dotterer

49 cent postage req. 339 via
Paraiso

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: **MARGARET
BURKETT**

49 cent postage req.

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I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name: Debra Klotz

28 Rk Caminito Del Sur
Mty, CA 93940
49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. I AND ALL

MY NEIGHBORS
STRONGLY OPPOSE
THE INSTALLATION
OF THESE TOWERS
AND/OR EQUIPMENT!

Name:

DEMETRIUS KASTROS
25 CRAMDEN DR.

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*You were elected by
the people - please
REPRESENT US!!! not
Verizon! Camen*

Name: *Suzi Camen*
61 Via Ventura
Monterey, CA 93940

49 cent postage req.

NEOPOST

01/12/2018

US POSTAGE \$000.46⁰



ZIP 93901
041M11278583

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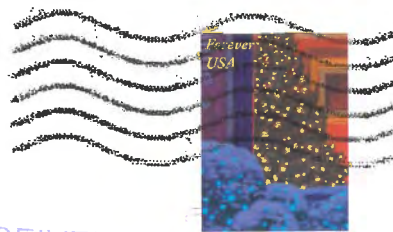
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Monterey, CA 93940



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**I am a Monterey resident
against wireless facility
placement in residential
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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

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Monterey, CA 93940**

Name:

WIDOM & KAROL
ORR

49 cent postage req.



Enter comment into record.

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Name: *Ruben Fuentes*

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Jane McOrist
541 Dry Creek RD.
49 cent postage req.

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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: CHARLES BILLER

2 HUCKLEBERRY CT.

49 cent postage req.

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10/11/18

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**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.** *I am a Verizon
wireless customer and do
not experience lack of
coverage in my Monte Vista
neighborhood. Please reject
these unsightly facilities.*

Name:

Daniel Dotterer

49 cent postage req.



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Name:

JON J'SHEEY
DE LEUW

49 cent postage req.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**



Dr. & Mrs. Richard Tezak
840 Dry Creek Rd.
Monterey CA 93940-4211

Name:

Richard Tezak

49 cent postage req.

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WPA POSTERS
FOREVER/USA



Enter comment into record.

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

JOHN BRANSON

49 cent postage req.

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Enter comment into record.

OAKLAND-CA 945



I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

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Name:

Lottie Sacks

49 cent postage req.



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

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City of Monterey
PEEC Division

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570 Pacific St.
Monterey, CA 93940**

*Address for the past 30 years:
7 Huckleberry Ct.*

Name:

*Diane Belanger.
+ William J. Belanger, Jr.*

49 cent postage req.

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

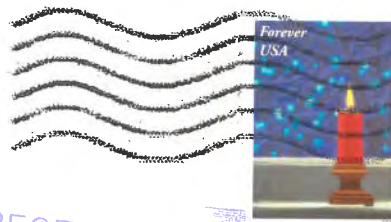
Name:

Danielle Hadley

49 cent postage req.

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10 JAN 2018 PM 1 L



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City of Monterey
PEEC DIVISION

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Lydia Kucharski

Name: LYDIA KUCHARSKI
724 TOYON DR.
MONTEREY, CA 93940

49 cent postage req.

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PEEC DIVISION



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**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: Peter ARINO

49 cent postage req.

SAN JOSE CA 950

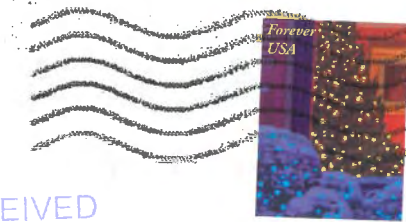
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**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

*Chuck Wash
791 Dry Creek*

49 cent postage req.

SAN JOSE CA 950

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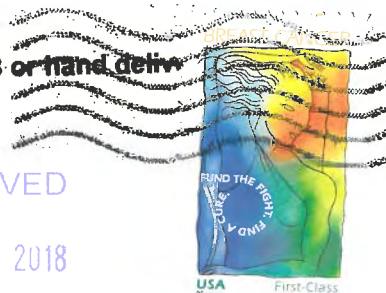
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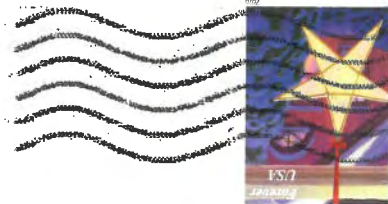
City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

SAN JOSE CA 950



I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Not in my neighborhood

Name: *Angie Bruno*

49 cent postage req.



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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
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project.

*I don't have a coverage
gap & have Verizon*

Name: *Mary Anne Aliotti*

49 cent postage req.

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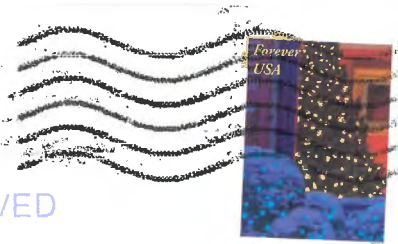
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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

Name: Dr. & Mrs. Kent
Crawford

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we are
I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*WE VALUE THE QUALITY
OF LIFE & AESTHETICS OF
OUR NEIGHBORHOODS OVER THE
LATEST HI-TECH WIZARDRY
BEING FORCED UPON US.*

Name:

JAMES M. CULLEN
ELLENOR A. CULLEN

49 cent postage req.
5 GREENWOOD RISE

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project.**

CITY OF MONTEREY
PEEC DIVISION

JAN 12 2018

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Monterey, CA 93940**

Name: STEVE & KATHLEEN
MILLION - 22 PINEHILL
MONTEREY

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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this unnecessary, invasive
project.

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Monterey, CA 93940

Name: RUSSELL E. MCBURNEY +
ESTHER A. MCBURNEY
35 VIA ENCANTO
MONTEREY, CALIFORNIA

49 cent postage req.

93940



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

PLEASE!

Name:

Tia Hennessey
Roger Peterson
Mar Vist Dr. Mty

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *James Mitchell*

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*No one wants this -
No one needs it.
I certainly don't
want it outside my
own home.*

Name:

*SANDRA COLLINGWOOD
999 JOHNSON STREET
Monterey.*

49 cent postage req.

*One is assigned to
1000 Johnson Street*

Enter comment into record.

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Name: Emily Brownfield
756 Payon Drive
Monterey, CA 93940
49 cent postage req.

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17 JAN 2018 PM 4 L

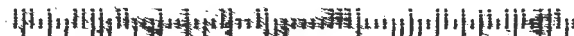


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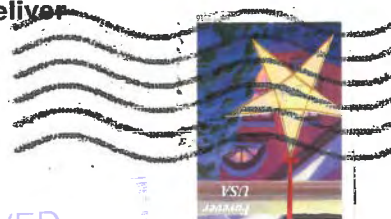
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Name: *THOMAS ENEA*
CAIL ENEA

49 cent postage req.



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project!!!

Name:

Christopher Dorey
25 via Chualar
Monterey, Ca. 93940

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Tobi LUNT

Name: *JOAN KENNY*

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: 1A BOWLER
10 Via Encina
Monterey, ca.
93940

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Enter comment into record.

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Name: ROBERT WECKER
701 MADISON ST.
MONTEREY, CA

49 cent postage req.

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Enter comment into record.

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Name:

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *NANCY GARCIA*
200 Via del Pinar -

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Name: *Kathy Little*

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Branko and Linda Marinovich
944 Fountain Ave.
Monterey, CA 93940-4426

Name: *Linda A Marinovich*

Branko Marinovich

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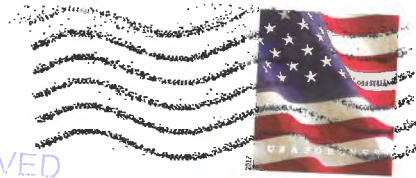
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Lance Larsen
898 Jefferson St
Monterey CA 93940-2236

Name:

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

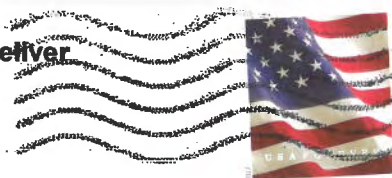
*Cell Towers not
in our neighborhood
4400 Mar Vista Dr.
Monterey*

Name:

Anthony Stanley

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Stand up to
the selfish cell
companies!*

Name:

Duane Fulk

49 cent postage req.

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17 JAN 2018 PM 1 L

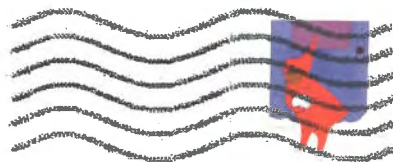
Postnet

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Forever USA



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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*So, If ExteNet's
Applications violate the
Cities' Codes & the General
Plans, why are we even
considering this
project? No Brainer....*

Name: *Pat Ostrom*



and
Raymond Chudy
205 Soledad Pl.
Monterey, CA 93940



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*"Quit
Wasting Time & Energy"*

ANON

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Exceeds exposure
from handheld
device to ear which
is already harmful.

Name:

Laurel Moody

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon

coverage gap here. Deny
this unnecessary, invasive
project.

*THIS PROJECT IS MEANT
TO DEGRADE DEMOCRACY- CITIZENS
ARE SUBJECTED TO USELESS & HIDEOUS
PRIVACY INVASION BY SOCIALISTIC GOVT
PAID BY CORPORATE INTERESTS WITHOUT
CITIZEN VOTE - PROTECT DEMOCRACY-*

Name: *PUT IT ON THE 2017 BALLOT*

John Lawrence

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placement in residential
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Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name: JAMES SMITH
David Duong

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Name: *Brian Pedell and
Martine Danon
741 Dry Creek Road*
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applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

Name: **ROBERT & CAROL
HATTON**

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Name:

*David & Terri
Marzetta*

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
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project.

Name:

Marta Kraftack

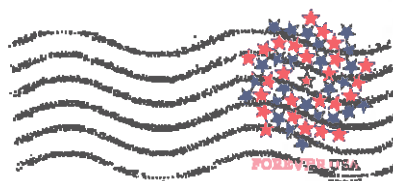
Steve Pondick

29 Herrmann Dr.

49 cent postage req. *Monterey*

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Name: *SUSAN RUSSO*
Susan A Russo

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

Name: Kevin + Alison Kakalaw
3 Pinetree Way
Monterey, CA 93940
49 cent postage req.

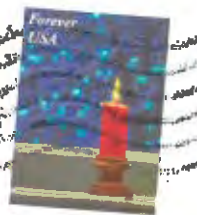
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Name:

RITA REILLY
RON K BRENGMAN

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Please deny Verizon
the right to violate our
neighborhood with towers.

Name:

Pam Krone

49 cent postage req.

MONTEREY CA 950

24 JAN 2018 10:13 C

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We are

~~I am a~~ Monterey residents
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*The City of Monterey needs
to objectively research and
analyze potential health and
safety hazards raised by the
Name: neighborhood. The burden*

*of this
John + Linda Byrne*

49 cent postage req.

should not be on the residents or relegated to Verizon.

23 JAN 2018 PM 3:1



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coverage gap here. Deny
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project.

Name:

Etaine MacDonald
17 Loma Vista Pl
Monterey, CA
93940

49 cent postage req.

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US POSTAGE

\$000.47⁰



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041M11290055

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Name: **BRAD FLEMING**

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Steven Wade

Name:

Steven Wade
511 Dry Creek Rd.
Monterey, CA 93940

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Mail by Jan 18 or had



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Name:

Mark S & Laurie
Ceer

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Enter comment into record.

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Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

ERIC YOKOTA

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Name: *Heather and Casey McSwain*

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Kenneth DAVIDSON
790 TOYON DR, MRY
49 cent postage req.

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City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. Your job is to decide
against this project.
The local citizens voted for
you + put their trust in
you to make decisions

Name:

McCullough / Tankin Ave
Monterey

49 cent postage req.

SAN JOSE CA 95131

19 JAN 2018

according to the safety
quality of life and
property values of the
citizens.

Please don't let us
down!

Planning Commissior
Colton Hall
570 Pacific St.
Monterey, CA 93940



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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Please Don't Abandon
the idea of Monterey -
we moved here for a
reason - do your job!
Name:

SAVAGE FAMILY

49 cent postage req.

48 Sierra Vista Drive

SAN JOSE CA 950

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City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
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Monterey, CA 93940



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**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: Gordon
Foxworthy

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**Planning Commission
Colton Hall
570 Pacific St.
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I am a Monterey resident *strongly*
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Please listen to the
citizens you represent.*

Name:

Phaea Mauer

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Monterey, CA 93940

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Name: Magdi Kamel

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*No coverage gap in
Monterey Vista.*

Name: *Marie Bruno*

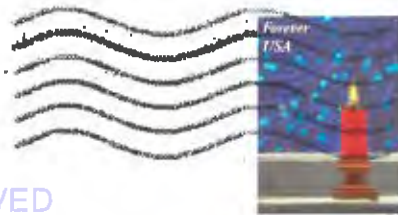
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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*No coverage gap in
Old Town*

Name:

Angela Hernandez

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Name: Sung Hyun Lee

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

LORETTA COOK

Name:

Loretta Cook

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Name:

Angela Gladstone

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coverage gap here. Deny
this unnecessary, invasive
project.**

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Name:

Amara Lieberman

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Maria Kroupfeffer

Name: MARIA KROUPFEFFER

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There is no 4g Verizon
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project.

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Name: Debra + Vincent
SILVA

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*No coverage gap in
old town*

Name: *Anthony Hernandez*

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Cardyn Frost Williams
12 Shady Lane

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placement in residential
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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Deny utility pole blight
within neighborhoods.

Name: { HANS JANNASCH
ELIZABETH JANNASCH
Nico JANNASCH
Ben JANNASCH
Schuyler Horn

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532 Herrmann Dr, MRY

Recd 24 JAN '18 AM 8:52 CityCik

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Colton Hall
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Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

• I'VE LIVED HERE FOR 7 YEARS
• I HAD VERIZON THE ENTIRE
TIME W/ NO PROBLEMS! NOT
EVEN ONCE!

Name:



Ms. Patricia McHugh
294 Mar Vista Dr.
Monterey, CA 93940-4356

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RECEIVED
JAN 22 2011
City of Monterey
ELECTRIC DIVISION
WE DO NOT NEED THESE
TOWERS!

• WE DO NOT WANT THEM!!!
• DO NOT ALLOW ANY WEALTHY,
RUSHY COMPANY TO DICTATE HOW
OUR CITY IS RUN!

Planning Commission
Colton Hall

570 Pacific St.

Monterey, CA 93940

* DON'T LET US DOWN!

PLEASE DO NOT BE
INTIMIDATED! WE ARE
COUNTING ON YOU TO STAND
UP FOR US, FOR OUR COMMUNITY.

Enter comment into record.

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Colton Hall
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Name: **RICHARD E**

REBECCA BUTTERWORTH

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
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this unnecessary, invasive
project.**

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Name:

Kateri P. Livingston

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Barbara Jacobson

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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Boris Jacobowsky
BORIS JACOBOWSKY

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49 FOREVER

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against wireless facility
placement in residential
neighborhoods. ExteNet's
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Be attentive
to adding them to
any and all areas
in Monterey and
surroundings. Thank
you for protecting Monterey.
Name: Nancy Mellon*



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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: ANNA KRUSEE

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placement in residential
neighborhoods. ExteNet's
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

*Gary Washburn
69 El Camino
Monterey, CA
93940*

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Annee Jacobs
Annee Jacobs

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Enter comment into record.

OAKLAND CA 946



I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

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AN 22 2018

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Name:

Kristina Magill

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PLEASE

Enter comment into record.

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**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*BOTH MY WIFE AND
I A EXTREMELY CONCERNED.
SEE MY LETTER OF OCT. 9, 2017
ADDRESSED TO PLANNING DEPT.
C/C TO THE MAYOR, CITY COUNCIL
MEMBERS, PLANNING COMM. MEMBERS.
ONE OF THESE ANTENNAS IS TO BE
AT THE BOTTOM OF OUR LOT.*

Name:

*VINCE + BARBARA HAKE
#7 CUESTA VISTA DR. MONTEREY,
CA 93940*

49 cent postage req.

1-17-2018

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: Joan Jeffers
McCleary

Joan Jeffers-McCleary

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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

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Name:

*Rochyn Fayer
10 Sierra Vista Dr.
Monterey CA 93940*

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I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Thank You,
B. K. Espinoza
Name: C. Bluebonnet-McFarland
Mr. Henry

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SALES BY JUNE 15, 2018

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There is no 4g Verizon
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project.

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Name:

Tom & Lisa
Horvik

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: Rick and Annette Alcocer
900 ALAMEDA AVE
MONTEREY, CA - 93940

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placement in residential
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

STEVE Schleusewer

Reck Lawlor

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

GASPAR ALIOTTI

Name: *Gaspare Aliotti*

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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

No!
No!
No!
No!

Name:

49 cent postage req.

SAN JOSE CA 950

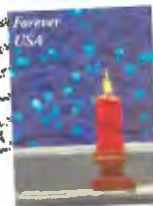
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

WAYNE FINE

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coverage gap here. Deny
this unnecessary, invasive
project.

Name: VIRGINIA
CAULDWELL

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*I'm very disappointed
that the city is con-
sidering this.*

Name:

Nancy Howe

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PEEC DIVISION

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against wireless facility
placement in residential
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Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *Michelle Belco*

M. Belco

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coverage gap here. Deny
this unnecessary, invasive
project.**

Name: TRISH & TOM
MCCANN

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OAKLAND, CA 946

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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*Not these ugly
things in our
town please!*

Name: *Catherine Adams*

Catherine Adams

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OAKLAND CA 945

20 JAN 2018 PM 8 L

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PEEC DIVISION

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Colton Hall
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Name: *Maryann Funcher*
Coleen Sullivan
Cold Town Neighborhood

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against wireless facility
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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

New Verizon antennas
generate unwelcome
buzz in Santa Rosa

Name: Giovanni Adamo

Giovanni Adamo

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Name: MORRIS &
JENNY DRIELS

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OAKLAND CA 945

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OAKLAND CA 945

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this unnecessary, invasive
project.**

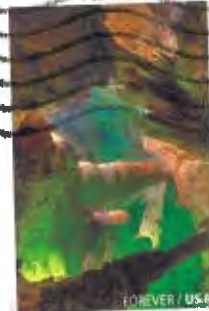
**Mail by Jan 18 or hand de
20 JAN 2018 PM 5 L**

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JAN 22 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Name:

49 cent postage req.



Enter comment into record.

OAKLAND CA 945



I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

20 JAN 2018 11:18 AM Jan 18 or hand deliver

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**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

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Enter comment into record.

OAKLAND CA 945



Mail by Jan 18 or hand deliver

20 JAN 2018 PM 3:1

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

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City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Judith A Mitchell

Name:

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Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Municipal Fiber Optic
Network is the way to
go. Don't be stupid!

Name:

Vladimir Marchenko

49 cent postage req.

OAKLAND CA 94612

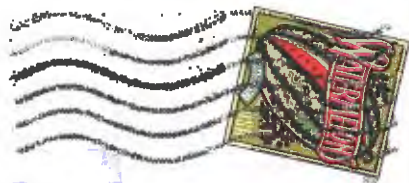
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Planning Commission
Colton Hall
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Monterey, CA 93940



Received during public
comment at 11/28/17
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below)



Compare those to photos of actual small cell installations. They are nothing like the photos shown in wireless industry propaganda.



The reason for this is twofold: **First**, the industry likes to show pretty photos of DAS nodes because they are actual possibilities, even though the wireless carriers and tower companies are increasingly abandoning them. Wireless carriers are instead building small cells which usually have more equipment on the pole than DAS's central hub. **Second**, in many cases, the applicant omit to mention a part of the equipment that's to be mounted near or on the pole either because they're rushed or because they don't want to answer objections. The municipality is left holding the bag – inspecting each constructed small cell in order to confirm whether the applicant exceeded what



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they were authorized to install. Don't believe this actually happens? Look below to see what the industry submitted as a photo simulation versus what was eventually installed.



#4. Once a site is erected, they can go back and increase its size ad nauseam provided that the changes do not exceed federal standards.

Once a small cell or DAS node is attached to a pole, the wireless carriers have the right under Section 6409(a) of the Middle-Class Tax Relief and Job Creation Act to expand their equipment. In other words, once a site is built, municipalities have little power to restrict further expansions of the pole's small cell antenna equipment if the applicants stay within the limits of 6409(a). Moreover, wireless companies can request to expand an unlimited number of times. So even if a small cell starts off looking small and svelte — it could be expanded in size immediately without the municipality being able to stop the expansion. And this can happen over and over again.



More information on 4G/5G and utility pole cell towers (also called "small cells")

<http://whatis5g.info/>

<http://scientists4wiredtech.com>

<http://www.saferemr.com/>

<https://mdsafetech.org/>

www.ehtrust.org





SELLER PROPERTY QUESTIONNAIRE

(C.A.R. Form SPQ, Revised 12/16)

This form is not a substitute for the Real Estate Transfer Disclosure Statement (TDS). It is used by the Seller to provide additional information when a TDS is completed. If Seller is exempt from completing a TDS, Seller should complete an Exempt Seller Disclosure (C.A.R. Form ESD) or may use this form instead.

I. Seller makes the following disclosures with regard to the real property or manufactured home described as Mar Vista Neighborhood, Assessor's Parcel No. _____,

situated in _____, County of _____, California ("Property").

II. The following are representations made by the Seller and are not the representations of the Agent(s), if any. This disclosure statement is not a warranty of any kind by the Seller or any agents(s) and is not a substitute for any inspections or warranties the principal(s) may wish to obtain. This disclosure is not intended to be part of the contract between Buyer and Seller. Unless otherwise specified in writing, Broker and any real estate licensee or other person working with or through Broker has not verified information provided by Seller. A real estate broker is qualified to advise on real estate transactions. If Seller or Buyer desires legal advice, they should consult an attorney.

III. Note to Seller: PURPOSE: To tell the Buyer about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.

- Answer based on actual knowledge and recollection at this time.
- Something that you do not consider material or significant may be perceived differently by a Buyer.
- Think about what you would want to know if you were buying the Property today.
- Read the questions carefully and take your time.
- If you do not understand how to answer a question, or what to disclose or how to make a disclosure in response to a question, whether on this form or a TDS, you should consult a real estate attorney in California of your choosing. A broker cannot answer the questions for you or advise you on the legal sufficiency of any answers or disclosures you provide.

IV. Note to Buyer: PURPOSE: To give you more information about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property.

- Something that may be material or significant to you may not be perceived the same way by the Seller.
- If something is important to you, be sure to put your concerns and questions in writing (C.A.R. form BMI).
- Sellers can only disclose what they actually know. Seller may not know about all material or significant items.
- Seller's disclosures are not a substitute for your own investigations, personal judgments or common sense.

V. SELLER AWARENESS: For each statement below, answer the question "Are you (Seller) aware of..." by checking either "Yes" or "No." Explain any "Yes" answers in the space provided or attach additional comments and check section VI.

A. STATUTORILY OR CONTRACTUALLY REQUIRED OR RELATED: ARE YOU (SELLER) AWARE OF...

1. Within the last 3 years, the death of an occupant of the Property upon the Property [] Yes [] No
2. An Order from a government health official identifying the Property as being contaminated by methamphetamine. (If yes, attach a copy of the Order.) [] Yes [] No
3. The release of an illegal controlled substance on or beneath the Property [] Yes [] No
4. Whether the Property is located in or adjacent to an "industrial use" zone [] Yes [] No
(In general, a zone or district allowing manufacturing, commercial or airport uses.)
5. Whether the Property is affected by a nuisance created by an "industrial use" zone. [] Yes [] No
6. Whether the Property is located within 1 mile of a former federal or state ordnance location. [] Yes [] No
(In general, an area once used for military training purposes that may contain potentially explosive munitions.)
7. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision. [] Yes [] No
8. Insurance claims affecting the Property within the past 5 years [] Yes [] No
9. Matters affecting title of the Property [] Yes [] No
10. Material facts or defects affecting the Property not otherwise disclosed to Buyer [] Yes [] No
11. Plumbing fixtures on the Property that are non-compliant plumbing fixtures as defined by Civil Code Section 1101.3 [] Yes [] No

Explanation, or [] (If checked) see attached; _____

Buyer's Initials () ()

Seller's Initials () ()



Property Address: **Mar Vista Neighborhood,**

Date:

B. REPAIRS AND ALTERATIONS:

ARE YOU (SELLER) AWARE OF...

1. Any alterations, modifications, replacements, improvements, remodeling or material repairs on the Property (including those resulting from Home Warranty claims) [] Yes [] No
2. Any alterations, modifications, replacements, improvements, remodeling, or material repairs to the Property done for the purpose of energy or water efficiency improvement or renewable energy? [] Yes [] No
3. Ongoing or recurring maintenance on the Property (for example, drain or sewer clean-out, tree or pest control service) [] Yes [] No
4. Any part of the Property being painted within the past 12 months. [] Yes [] No
5. If this is a pre-1978 Property, were any renovations (i.e., sanding, cutting, demolition) of lead-based paint surfaces completed in compliance with the Environmental Protection Agency Lead-Based Paint Renovation Rule. [] Yes [] No

Explanation: _____

C. STRUCTURAL, SYSTEMS AND APPLIANCES:

ARE YOU (SELLER) AWARE OF...

1. Defects in any of the following, (including past defects that have been repaired): heating, air conditioning, electrical, plumbing (including the presence of polybutylene pipes), water, sewer, waste disposal or septic system, sump pumps, well, roof, gutters, chimney, fireplace, foundation, crawl space, attic, soil, grading, drainage, retaining walls, interior or exterior doors, windows, walls, ceilings, floors or appliances [] Yes [] No
2. The leasing of any of the following on or serving the Property: solar system, water softener system, water purifier system, alarm system, or propane tank (s) [] Yes [] No
3. An alternative septic system on or serving the Property. [] Yes [] No

Explanation: _____

D. DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT:

ARE YOU (SELLER) AWARE OF...

1. Financial relief or assistance, insurance or settlement, sought or received, from any federal, state, local or private agency, insurer or private party, by past or present owners of the Property, due to any actual or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or defect, whether or not any money received was actually used to make repairs [] Yes [] No

Explanation: _____

E. WATER-RELATED AND MOLD ISSUES:

ARE YOU (SELLER) AWARE OF...

1. Water intrusion into any part of any physical structure on the Property; leaks from or in any appliance, pipe, slab or roof; standing water, drainage, flooding, underground water, moisture, water-related soil settling or slippage, on or affecting the Property [] Yes [] No
2. Any problem with or infestation of mold, mildew, fungus or spores, past or present, on or affecting the Property [] Yes [] No
3. Rivers, streams, flood channels, underground springs, high water table, floods, or tides, on or affecting the Property or neighborhood [] Yes [] No

Explanation: _____

F. PETS, ANIMALS AND PESTS:

ARE YOU (SELLER) AWARE OF...

1. Pets on or in the Property [] Yes [] No
2. Problems with livestock, wildlife, insects or pests on or in the Property [] Yes [] No
3. Past or present odors, urine, feces, discoloration, stains, spots or damage in the Property, due to any of the above [] Yes [] No
4. Past or present treatment or eradication of pests or odors, or repair of damage due to any of the above. [] Yes [] No
If so, when and by whom _____

Explanation: _____

Buyer's Initials () ()

Seller's Initials () ()

SPQ REVISED 12/16 (PAGE 2 OF 4)

SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 2 OF 4)

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48028 www.zipLogix.com

Monte Vista



Property Address: Mar Vista Neighborhood,

Date: _____

G. BOUNDARIES, ACCESS AND PROPERTY USE BY OTHERS:

ARE YOU (SELLER) AWARE OF...

1. Surveys, easements, encroachments or boundary disputes [] Yes [] No
2. Use or access to the Property, or any part of it, by anyone other than you, with or without permission, for any purpose, including but not limited to, using or maintaining roads, driveways or other forms of ingress or egress or other travel or drainage [] Yes [] No
3. Use of any neighboring property by you [] Yes [] No

Explanation: _____

H. LANDSCAPING, POOL AND SPA:

ARE YOU (SELLER) AWARE OF...

1. Diseases or infestations affecting trees, plants or vegetation on or near the Property [] Yes [] No
2. Operational sprinklers on the Property [] Yes [] No
 - (a) If yes, are they [] automatic or [] manually operated.
 - (b) If yes, are there any areas with trees, plants or vegetation not covered by the sprinkler system [] Yes [] No
3. A pool heater on the Property [] Yes [] No
 - If yes, is it operational? [] Yes [] No
4. A spa heater on the Property [] Yes [] No
 - If yes, is it operational? [] Yes [] No
5. Past or present defects, leaks, cracks, repairs or other problems with the sprinklers, pool, spa, waterfall, pond, stream, drainage or other water-related decor including any ancillary equipment, including pumps, filters, heaters and cleaning systems, even if repaired [] Yes [] No

Explanation: _____

I. CONDOMINIUMS, COMMON INTEREST DEVELOPMENTS AND OTHER SUBDIVISIONS:

ARE YOU (SELLER) AWARE OF...

1. Any pending or proposed dues increases, special assessments, rules changes, insurance availability issues, or litigation by or against or fines or violations issued by a Homeowner Association or Architectural Committee affecting the Property. [] Yes [] No
2. Any declaration of restrictions or Architectural Committee that has authority over improvements made on or to the Property [] Yes [] No
3. Any improvements made on or to the Property without the required approval of an Architectural Committee or inconsistent with any declaration of restrictions or Architectural Committee requirement. [] Yes [] No

Explanation: _____

J. TITLE, OWNERSHIP LIENS, AND LEGAL CLAIMS:

ARE YOU (SELLER) AWARE OF...

1. Any other person or entity on title other than Seller(s) signing this form [] Yes [] No
2. Leases, options or claims affecting or relating to title or use of the Property [] Yes [] No
3. Past, present, pending or threatened lawsuits, settlements, mediations, arbitrations, tax liens, mechanics' liens, notice of default, bankruptcy or other court filings, or government hearings affecting or relating to the Property, Homeowner Association or neighborhood [] Yes [] No
4. Any private transfer fees, triggered by a sale of the Property, in favor of private parties, charitable organizations, interest based groups or any other person or entity [] Yes [] No
5. Any PACE lien (such as HERO or SCEIP) or other lien on your Property securing a loan to pay for an alteration, modification, replacement, improvement, remodel or material repair of the Property? .. [] Yes [] No
6. The cost of any alteration, modification, replacement, improvement, remodel or material repair of the Property being paid by an assessment on the Property tax bill? [] Yes [] No

Explanation: _____

K. NEIGHBORHOOD:

ARE YOU (SELLER) AWARE OF...

1. Neighborhood noise, nuisance or other problems from sources such as, but not limited to, the following: neighbors, traffic, parking congestion, airplanes, trains, light rail, subway, trucks,

Buyer's Initials () ()

Seller's Initials () ()

SPQ REVISED 12/16 (PAGE 3 OF 4)

SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 3 OF 4)

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Maria Vista



Property Address: **Mar Vista Neighborhood**

Date: _____

freeways, buses, schools, parks, refuse storage or landfill processing, agricultural operations, business, odor, recreational facilities, restaurants, entertainment complexes or facilities, parades, sporting events, fairs, neighborhood parties, litter, construction, air conditioning equipment, air compressors, generators, pool equipment or appliances, underground gas pipelines, cell phone towers, high voltage transmission lines, or wildlife [] Yes [] No

Explanation: _____

L. GOVERNMENTAL:

ARE YOU (SELLER) AWARE OF...

1. Ongoing or contemplated eminent domain, condemnation, annexation or change in zoning or general plan that applies to or could affect the Property [] Yes [] No
2. Existence or pendency of any rent control, occupancy restrictions, improvement restrictions or retrofit requirements that apply to or could affect the Property [] Yes [] No
3. Existing or contemplated building or use moratoria that apply to or could affect the Property [] Yes [] No
4. Current or proposed bonds, assessments, or fees that do not appear on the Property tax bill that apply to or could affect the Property [] Yes [] No
5. Proposed construction, reconfiguration, or closure of nearby Government facilities or amenities such as schools, parks, roadways and traffic signals [] Yes [] No
6. Existing or proposed Government requirements affecting the Property (I) that tall grass, brush or other vegetation be cleared; (II) that restrict tree (or other landscaping) planting, removal or cutting or (III) that flammable materials be removed [] Yes [] No
7. Any protected habitat for plants, trees, animals or insects that apply to or could affect the Property [] Yes [] No
8. Whether the Property is historically designated or falls within an existing or proposed Historic District [] Yes [] No
9. Any water surcharges or penalties being imposed by a public or private water supplier, agency or utility; or restrictions or prohibitions on wells or other ground water supplies [] Yes [] No

Explanation: _____

M. OTHER:

ARE YOU (SELLER) AWARE OF...

1. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (I) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (II) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller. [] Yes [] No
(If yes, provide any such documents in your possession to Buyer.)
2. Any occupant of the Property smoking on or in the Property. [] Yes [] No
3. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer [] Yes [] No

Explanation: _____

VI. [] (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation.

Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (I) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (II) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.

Seller _____ Date _____
Seller _____ Date _____

By signing below, Buyer acknowledges that Buyer has read, understands and has received a copy of this Seller Property Questionnaire form.

Buyer _____ Date _____
Buyer _____ Date _____

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Reviewed by _____ Date _____

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SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 4 OF 4)

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Monte Vista





Jenny Leinen <leinen@monterey.org>

Stop the 13 cell towers near homes and schools

1 message

Heather McSwiggin

To: leinen@monterey.org

Sun, Jan 21, 2018 at 8:19 AM

Hi Jenny,

We own on Jefferson Street in Old Monterey and we oppose these 13 cell towers. We have two small children who will attend Monte Vista Elementary School. We feel these towers have no place near schools or homes due to the high levels of microwave radiation, high fire risk, decline on property value, danger to the wildlife.

Please protect our neighborhood and neighbors.

PLEASE FORWARD MY LETTER TO ALL PLANNING COMMISSIONERS AND COUNCIL MEMBERS AND ENTER IN THE RECORD.

Thank you very much,
Heather McSwiggin

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JAN 21 2018

City of Monterey
PEEC DIVISION

FW: Answers to Cell Questions

1 message

Gordon Schacher

Thu, Jan 25, 2018 at 11:36 AM

To: Jenny Leinen <leinen@monterey.org>

Cc: Stop Dangerous Cell Towers <stopdangerouscelltowers@gmail.com>

Jenny:

Please note that I have received and included here an answer to my e-mail concerning cell tower information. It pleases me that the opponents have in-hand technical information. Please include this correspondence in what you send to the planner.

I have read through the provided information. The radiation pattern included in one reference is apparently for the wrong device, which is noted in the below e-mail from Ray Myers. This is not important to me because I don't have the energy to do quantitative calculations, which should have been done by others.

Because the opponents prominently show school locations in their flyer someone (probably them, or the proponents) should make a calculation of power levels at the nearest school. I suspect it is going to be extremely low. The same should be done for the closest house or apartment, which should produce a higher level. In both cases, the correct radiation pattern should be used rather than the omnidirectional pattern.

I have no conclusion nor recommendation to make in this matter with regard to safety. My only recommendation is, assuming safety is the major issue, that both sides have an obligation to provide valid, scientific information. Biased opinion, in either direction, even if politically tugging, shouldn't be a determining factor.

As an aside, it is interesting that the opponents aver that the towers are not needed because current coverage is sufficient. If that is true, it is worth considering. I suspect the proponent will be prepared to demonstrate otherwise.

Gordon Schacher

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JAN 25 2018

City of Monterey
PEEC DIVISION**From:** Stop Dangerous Cell Towers [mailto:stopdangerouscelltowers@gmail.com]**Sent:** Wednesday, January 24, 2018 11:50 AM**To:****Subject:** Answers to Cell Questions

Gordon-

Hello, my name is Ray Meyers and I am one of your neighbors in Monterey who is volunteering with the Stopdangerouscelltowers group that opposes the proposed 13 cell sites in our neighborhood. I have been asked to address your questions and will do my best with the information I have been able to get from the City of Monterey through the applicant's (ExteNet, as agent for Verizon) and my own research.

In general we chose the word "dangerous" to describe the cell sites due to the fact that the antennas will have a posted sign two feet under the center rod position stating "Caution! Radio frequency fields beyond this point may exceed FCC general public limit." ExteNet states that in their application, nobody should come within 12 feet of the antenna without proper training. There is no controversy that close proximity to this antenna is dangerous and the stated toxic levels at close range will have dangerous if not deadly effects on birds, insects, bats and vegetation adjacent to antennas. A recent double blind, peer reviewed study by National Toxicology Program using lab animals showed a connection between exposure and increased production of malignant tumors. Here is a link to the study: https://ntp.niehs.nih.gov/ntp/research/areas/cellphone/slides_bioem_wyde.pdf

Independent government funded research has been systematically defunded so much of the quality research regarding effects are from Europe. https://www.google.com/url?sa=t&source=web&cd=2&ved=0ahUKEwigm_q_8u7YAhVKzmMKHTTrHDr0QFggQMAE&url=http%3A%2F%2Fwww.saferemr.com%2F2014%2F03%2Fdept-of-interior-attacks-fcc-regarding.html&usq=AOvVaw20j1UcGvyv3OzNdUzQ3w8o

In addition to the potential health effects, many other residents are also concerned about fire risks associated with overloading existing utility poles and the effect of additional electronic equipment along narrow residential streets may hamper effective firefighting efforts among many other issues already listed on the flyer.

To address your questions, I am attaching PDF files from the applicants and some data from JMA wireless (antenna) and two Ericsson (radios) transmitting 1950 MHz (personal cell phone communication) and 2100 MHz (data and video). I will give you a short comment on each and let you research the rest on your own from the attached material.

1) The radiation level at the cell tower source.

The FCC adopted a standard for maximum human exposure of 1 mW/cm². The applicant has hired an engineering firm Hammet and Edison to calculate the exposure at ground level and at the second story of buildings. The application states that proprietary software is used to analyze each site, and reports that each cell site has different results. The results of one site from the PDF attached shows 0.29 mW/cm² at the second story. Please note that this firm has been used by the telecom industry often over the years to make calculations and I encourage you to do the homework on their track record, as numerous independent radio engineers have questioned their methodology and results. Our group has pointed out these concerns and asked that the City hire an independent review of the calculations.

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JAN 25 2018

2) The cell tower radiation pattern.

City of Monterey
PEEC DIVISION

The applicant has stated that (2) Ericsson RRU32 radios (total 1840 watts) will be located at each site, (4) diplexers and a splice box that take fiber optic cable from the radios to (1) JMA wireless DAS antenna. Please note that in many locations an omni directional antenna is deployed on top of the utility poles and others, the antenna is directional (westerly) and bracketed at various heights. In the application attached a directional antenna is used. Please see the JMA information attached and note that the applicant has used the wrong model number CX06OMI236-1C, which is an omni-directional antenna instead of a directional antenna. I believe it should be model CX18TRI265-1T

3) The expected radiation level at a likely nearest structure.

See results on the application and answer above.

4) The radiation level at a 4g (or other) cell phone. The threshold radiation level the National Toxicology Program found to be dangerous.

The NIH sponsored study by the National Toxicology Program used levels under that which was considered safe by the the FCC over a period of 9 hours per day for two years. It is important to note that the FCC has not adopted the same standard for individual cell phones as with cell towers due to many reasons, least of which is the proximity to the body and the inverse square law. A typical cell phone transmits 3 watts, but is frequently used next to your head. These cell sites are said to use two radios with 1840 watt output, through an antenna with a 9-15 dBI average gain. There are websites around that you can do a rough estimate for yourself of the m/Wcm² power at various distances. Here is one example:

<https://www.allaboutcircuits.com/tools/power-density-calculator/>

The radios output 1840 watts, the antenna gain is between 9 and 15 and the distance to some houses at second story level (some antennas are only 19 feet high) is only 10-15 feet.

In my opinion, I am concerned about these cell sites safety due the fact that this exposure to pulsed microwaves, although non-ionizing, is continual, and few studies have been done to date with these frequencies, power and duration. These sites are proposed to use 4G LTE, which already is working well in the area. Most believe that a DAS (distributed antenna system) is not needed for this application, but is most definitely required for the new 5G system, which is easily converted from the 4G configuration. No City permits will be needed for this conversion. 5G uses mm size waves between 6 and 100 GHz in an effort to provide high speed Internet services to compete with fiber optic cable, if and when we get it to homes in Monterey. I believe fiber optic cable is a viable alternative and preferable to be underground to homes.

I hope this information helps you. I would be glad to answer any more of your questions you may have after you review the material. Please share any insights you may find on the subject with us.

Kind regards,

Ray Meyers

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JAN 25 2018

City of Monterey
PEEC DIVISION

On Wed, Jan 24, 2018 at 9:43 AM, Gordon Schacher <

Jenny:

I got your name and e-mail address from an anti-cell tower flyer that appeared on my porch. It urged sending an e-mail to the city through you (although probably not this type of e-mail).

Please note the below e-mail I sent to the "StopDangerous..." organization. I have received no answer. No answer is not surprising because they undoubtedly have no quantitative information. I object to people who, either knowingly or out of ignorance, use scare tactics rather than facts to achieve some agenda. Their lack of response indicates that this is the case. There is no excuse for making strong statements when you have no facts to behind them.

I have no opinion about the cell towers. I do have the opinion that it is difficult to trust the motives of people who try to scare others into submission rather than openly state their true motives. It would please me if the organization has scientific facts they can state, restore some faith in human nature.

This situation reminds me of the ludicrous campaign against smart meters by people who would use a cell phone held up to their ear.

Gordon Schacher

PS I'm copying the organization on this e-mail following my long-held belief in informing others when expressing opinions that deal with them.

From: Gordon Schacher
Sent: Saturday, January 20, 2018 3:56 PM
To: stopdangerouscelltowers@gmail.com
Subject: Cell Towers

I read the flyer you left on my porch that uses the word "dangerous" with regard to cell towers. Dangerous is of concern and prompts me to want more information, which you can probably provide. Please send me information on:

The radiation level at the cell tower source.

The cell tower radiation pattern.

The expected radiation level at a likely nearest structure.

The radiation level at a 4g (or other) cell phone.

The threshold radiation level the National Toxicology Program found to be dangerous.

Thanks much for your concern, and help providing the information.


Gordon Schacher


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JAN 25 2018

City of Monterey
PEEC DIVISION

4 attachments

 **CX06OMI236-1C_2C_DataSheet.pdf**
549K

 **CX24TRI265-3T_4T_DataSheet.pdf**
455K

 **JMA_Wireless_antenna_model_nomenclature.pdf**

443K

 Splanningco17102015200 1006 Johnson.pdf
4311K

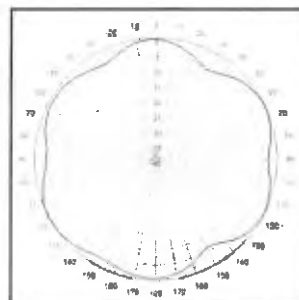
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CX06OMI236-1C and -2C

NWAV™ X-Pol OMNI Antenna | Hex-Port | 2 ft | 360°


**Hex-Port 2 ft 360° Antenna with MET/RET-controlled HB
(2) 698-960 MHz & (4) 1695-2700 MHz**

- X-Pol, small cell, Hex-Port antenna
- Suitable for pole or building mount
- 2x2 MIMO low-band and 4x4 MIMO high-band
- Internal beam combining
- Dependent MET/RET control for HB ports
- Suitable for LTE/UMTS/CDMA/GSM technologies
- Cost-effective solution for neutral host locations



Omni Clover


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Electrical specification (minimum/maximum)	Ports 1, 2			Ports 3, 4, 5, 6				
Frequency bands, MHz	698-798	824-894	880-960	1695-1880	1850-1990	1920-2180	2300-2500	2500-2690
Polarization	$\pm 45^\circ$			$\pm 45^\circ$				
Average gain over all tilts, dBi	5.7	5.7	5.1	9.4	9.7	9.9	10.1	10.2
Horizontal beamwidth (HBW), degrees	360°			360°				
Vertical beamwidth, (VBW), degrees ¹	40°	35°	32°	15.7°	14.6°	13.7°	12.6°	11.7°
Electrical downtilt (EDT) range, degrees	2° (FET)			2-8° (MET/RET)				
Cross polar isolation, port-to-port, dB ¹	25	25	25	25	25	25	25	25
Maximum VSWR/return loss, dB	1.5:1/-14.0			1.5:1/-14.0				
Maximum passive intermodulation (PIM), 2x 20 W carrier, dBc	-153			-153				
Maximum input power per any port, watts	250			150				

¹ Typical value over frequency and tilt

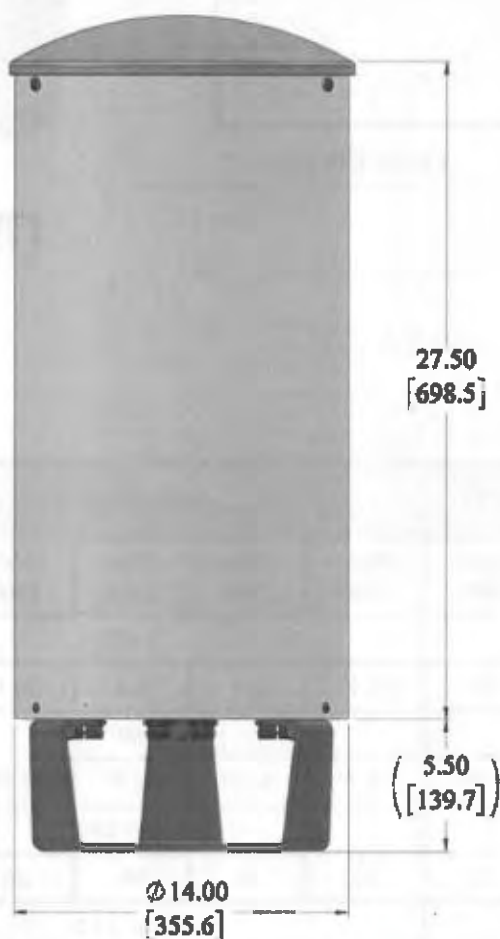
CX06OMI236-1C and -2C

NWAV™ X-Pol OMNI Antenna | Hex-Port | 2 ft | 360°

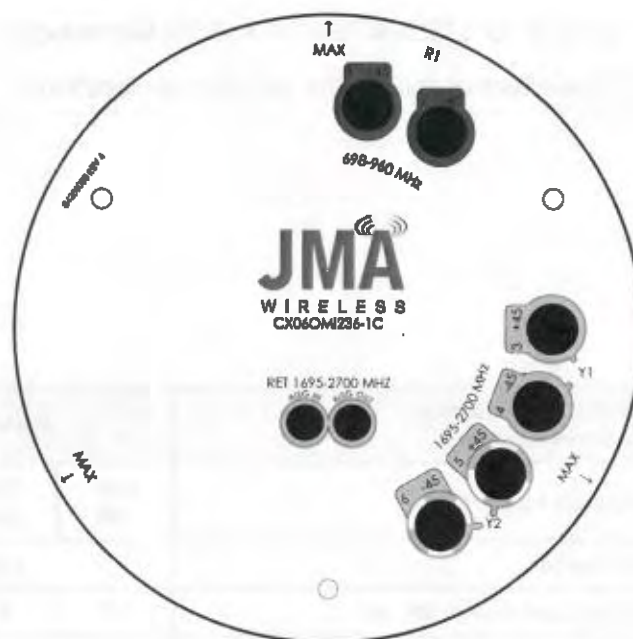


Mechanical specifications	
Dimensions height/diameter, inches (mm)	27.5/14 (698.5/355)
No. of RF Input ports, connector type and location	6 x 4.3-10 female, bottom
RF connector torque	96 lbf·in (10.85 N m or 8 lbf·ft)
Net antenna weight, lbs. (kg)	38.6 (17.5)
Rated wind survival speed, mph (km/h)	150 (241)
Frontal wind loading @ 160 km/h, lbf (N)	47.6 (211.5)
Equivalent flat plate @100 mph and Cd=2, sq. ft	0.96

Front view



End view



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Ordering Information	
Antenna model	Description
CX06OMI236-1C	2F X-Pol HEX OMNI 360° LB 2° FET, HB 2-8° RET, 4.3-10
CX06OMI236-2C	2F X-Pol HEX OMNI 360° LB 2° FET, HB 2-8° MET, 4.3-10

CX06OMI236-1C and -2C

NWAV™ X-Pol OMNI Antenna | Hex-Port | 2 ft | 360°

Remote Electrical TIK (RET 1000) information

RET location	Integrated into antenna
RET interface connector type	8-pin AISG connector per IEC 60130-9
RET interface connector quantity	2 pairs of AISG male/female connectors
RET interface connector location	Bottom of the antenna
Total No. of internal RETs high bands	1
RET input operating voltage, vdc	10-30
RET max power consumption, idle state, W	≤ 2.0
RET max power consumption, normal operating conditions, W	≤ 13.0
RET communication protocol	AISG 2.0/ 3GPP

RET topology

A single RET device controls all 3 sectors via the designated external AISG connector as shown below

RET device	Band	RF port
1	1695–2700	3-6



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Array topology

3 sets of radiating arrays

R1: 698–960 MHz
Y1: 1695–2700 MHz
Y2: 1695–2700 MHz

Band	RF Port
1695–2700	3-4
698–960	1-2
1695–2700	5-6



CX24TRI265-3T and -4T

NWAV™ X-Pol Tri-sector Antenna | 24-Port | 2 ft | 65°



24-port 2 ft 65° Tri-sectored Octo Antenna with RET/MET-controlled HB (12) 698-960 MHz & (12) 1695-2700 MHz

- X-pol, small cell Octo-Port antenna
- Suitable for pole or building mount
- 4x4 MIMO low-band and 4x4 MIMO high-band
- 3-sectored configuration
- Dependent RET/MET control for HB ports
- Suitable for LTE/UMTS/CDMA/GSM technologies
- Cost-effective solution for neutral host locations.



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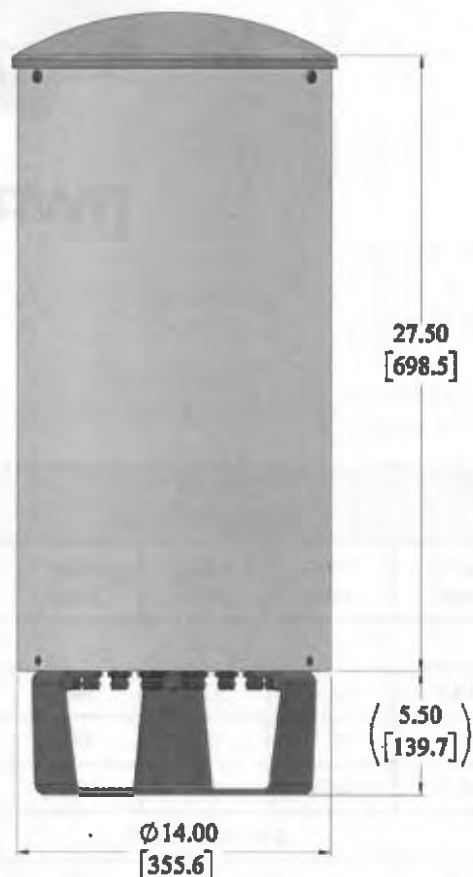
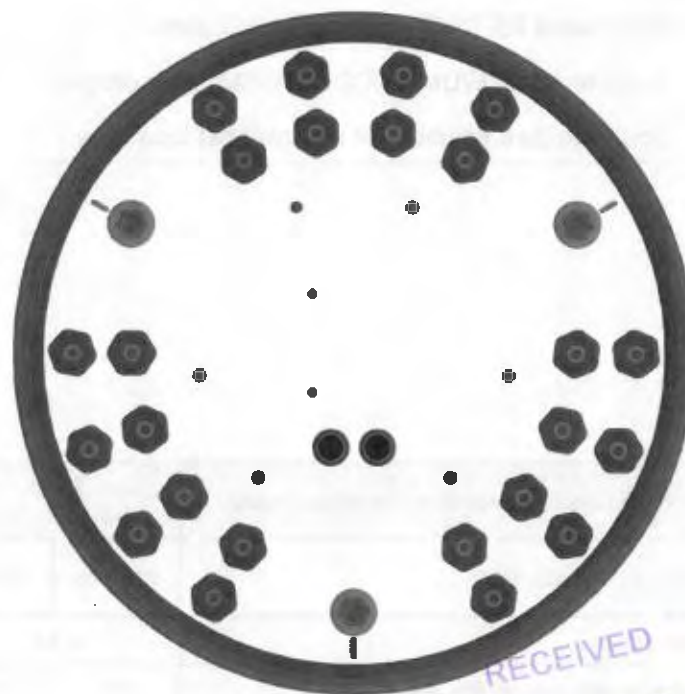
Electrical specification (minimum/maximum)	Ports 1-4, 9-12, 17-20		Ports 5-8, 13-16, 21-24				
	698-798	824-960	1695-1880	1850-1990	1920-2180	2300-2500	2500-2700
Frequency bands, MHz							
Polarization	± 45°		± 45°				
Average gain over all tilts, dBi	6.1	6.0	13.7	14.4	13.9	14.3	15.2
Horizontal beamwidth (HBW), degrees	92°	94°	61°	53°	80°	76°	65°
Vertical beamwidth, (VBW), degrees	81°	68°	15.0°	14.9°	13.2°	11.5°	10.5°
Electrical downtilt (EDT) range, degrees	0° (FET)		2-8° (RET/MET)				
Minimum cross-polar isolation, port-to-port, dB	25	25	25	25	25	25	25
Maximum VSWR/return loss, dB	1.5:1/ -14.0		1.5:1/ -14.0				
Maximum passive intermodulation (PIM), 2 x 20 W carrier, dBc	-153		-153				
Maximum input power per any port, watts	250		150				

CX24TRI265-3T and -4T

NWAV™ X-Pol Tri-sector Antenna | 24-Port | 2 ft | 65°

Mechanical specifications

Dimensions height/diameter, Inches (mm)	27.5/14 (698.5/355.6)
No. of RF Input ports, connector type & location	24 x 4.3-10 female, bottom
RF connector torque	96 in-lb (10.85 N-M or 8 ft-lbs)
Net antenna weight, lb (kg)	38.6 (17.5)
Rated wind survival speed, mph (km/h)	150 (241)
Frontal wind loading @ 160 km/h, lbf (N)	47.6 (211.5)
Equivalent flat plate @100 mph and Cd=2, sq. ft	0.96

Front view**End view**

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Ordering Information

Antenna model	Description
CX24TRI265-3T	2F X-Pol OCTO TRI 65° LB 0° FET, HB 2-8° RET, 4.3-10
CX24TRI265-4T	2F X-Pol OCTO TRI 65° LB 0° FET, HB 2-8° MET, 4.3-10

CX24TRI265-3T and -4T

NWATM X-Pol Tri-sector Antenna | 24-Port | 2 ft | 65°

Remote Electrical Tilt (RET 1000) Information

RET location	Integrated into antenna
RET interface connector type	8-pin AISG connector per IEC 60130-9
RET interface connector quantity	1 pair of AISG male/female connectors per sector
RET interface connector location	Bottom of the antenna
Total no. of internal RETs high bands	3
RET input operating voltage, vdc	10-30
RET max power consumption, idle state, W	≤ 2.0
RET max power consumption, normal operating conditions, W	≤ 13.0
RET communication protocol	AISG 2.0/ 3GPP

RET topology

A single RET device controls each sector via the designated external AISG connector as shown below

RET Device	Band	RF Port
1, 2, 3	1695-2700	5-8, 13-16, 22-24



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Array topology

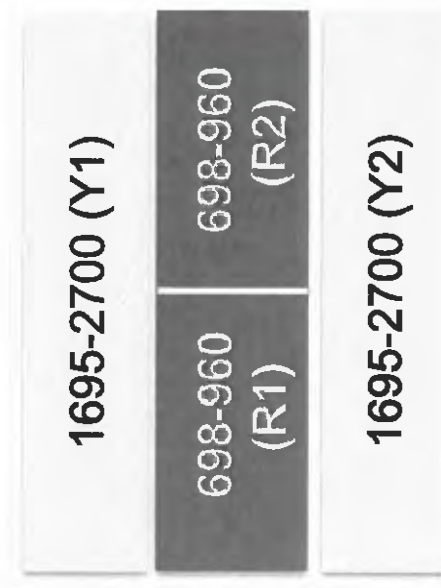
3 sets of radiating arrays

R1/R2 – 698-960 MHz

Y1 – 1695-2700 MHz

Y2 – 1695-2700 MHz

Band	RF Port
1695-2700	5-8, 13-14, 21-22
698-960	1-2, 9-10, 17-18
698-960	3-4, 11-12, 19-20
1695-2700	7-8, 15-16, 23-24



Antenna Model Nomenclature

Reference Guide

Antenna model nomenclature

All NWATM antennas contain 13 characters:

MX08FRO660-02

(example model number)

M	Product series
X	Polarization
08	No. of antenna ports
FRO	Product feature
6	Package
60	Horizontal beamwidth
02	Variant

NWAV antenna nomenclature: label categories

Product Series

M = macro

C = cylinder

S = stadium

D = DAS

Polarization

V = vertical

X = X-Pol

C = circular

No. of antenna ports

2, 4, 6, 8, 10, 12

Product feature

FRO = Fast Roll Off

FIT = Form Is Tighter

OMI = Omni

TRI = Trisector

Package

1, 2, 4, 6, 8

Horizontal beamwidth

xx – represents horizontal beamwidth in degrees

Variant

xx – specific variant details can be found in product datasheets

e.g., 02 = RET with Smart Bias Tee and external AISG ports



nwav
technology

Antenna Model Nomenclature

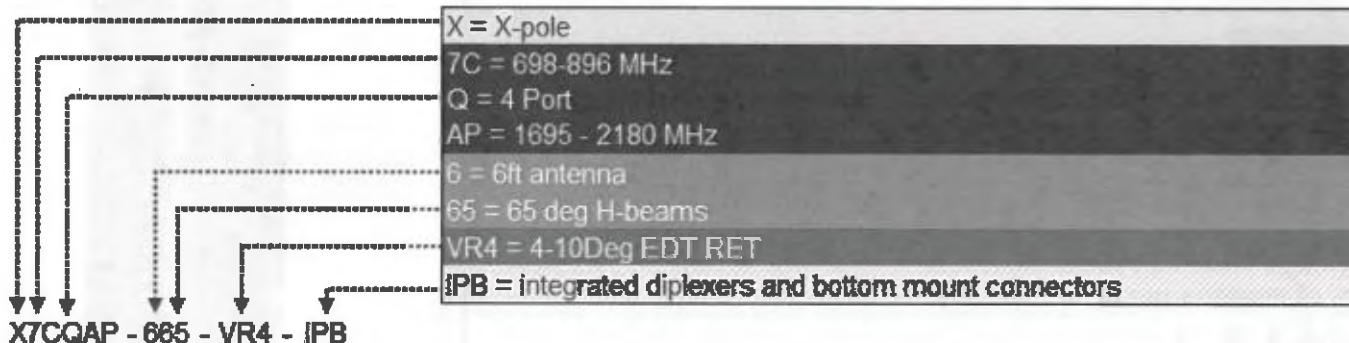
Reference Guide

Antenna model nomenclature

All legacy antennas contain 15 characters:

X7CQAP-665-VR4-IPB
(actual model label)

X7C	Antenna type
7C	Band
Q	No. of antenna ports
AP	Band
6	Antenna length (ft.)
65	Horizontal beamwidth (°)
VR4	Electrical downtilt
IPB	Options



example:

X7CAP-665-VR4-IPB

Description: X-pol antenna, 698-896 & 1710 - 2170 MHz, 6ft, 65 deg. H-beam, with 2 degree EDT on low-band (698-896) and 4 degree EDT on high band (1710-2170) with integrated diplexer and bottom DIN connectors

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Antenna Model Nomenclature

Reference Guide

Antenna nomenclature: label categories

Antenna type

X = cross X-Pol

C = circular pole

V = vertical pole

MB = Multi-Beam (X-Pol x 2)

TB = Tri-Beam (X-Pol x 3)

HB = Hex-Beam (X-Pol x 6)

FRO = Fast Roll Off antenna

CYL = cylinder antenna

FLG = flagpole antenna

No. of antenna ports

Q = four-port (MIMO)

Band

7 = antenna operates in 698 - 800 MHz (700)

E = antenna operates in 698 - 945 MHz

G = antenna operates in 698 - 960 MHz

C = antenna operates in 824 - 896 MHz (Cellular)

A = antenna operates in 1710 - 2170 MHz (AWS). Some models confirmed for AWS-3 (1695-2180 MHz)

P = antenna operates in 1850 - 1990 MHz (PCS)

W = antenna operates in 1710 - 2360 MHz

U = antenna operates in 1695 - 2700 MHz

Antenna length (ft.)

Horizontal beamwidth (degrees)

Electrical downtilt (in degrees, where "x" is low-band and "y" is high-band)

Options

IP = the antenna contains an integrated or pass-through diplexer

I = integrated diplexer, no pass through

N = N type connector(s) (NOTE: if no "N" 7/16 DIN connectors are standard)

M = Mini-DIN female connector(s) (currently for Tru-Omni & Omni-MIMO only. Without "M" = N connectors)

BOT = bottom mounted 7/16 DIN connector(s)

IPB = integrated diplexer and bottom mounted 7/16 DIN connector(s)

I7C = integrated diplexer for 698 - 800 // 824 - 896 (700MHz // cellular)

VRX = variable EDT with Remote Electrical Tilt (RET) motor

VF = variable EDT with flexible tilt range for low-band and high-band. Refer to model specification.

VM = variable EDT with manual adjust wheel

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against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

NO WAY -
totally opposed to
this!

Name:

Kimm Fay +
Larry Fay

Smart meters are already
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need for more health risk?



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coverage gap here. Deny
this unnecessary, invasive
project.

*One of these is
planned for
1000 Johnson Street!
I live at 999 Johnson
Street, Good Heavens-*

Name: *Need I say more?*

SANDRA COLLINGWOOD

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26 JAN 2018 PM 4 L

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*Dear Friends -
You have the power to
stop this unwanted event.
Would you want one outside
your door?*



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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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M. Slanina
116 Cheeta Vista Dr.

Name:



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Code and the General Plan.
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coverage gap here. Deny
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project.

Name: *Kathy Whilder*
98 VIA CAMPANA
Monterey CA 93940

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26 JAN 2012 PM 5:1

Mail by Jan 18 or later.



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PLEASE PROTECT OUR
NEIGHBORHOOD.
THANK YOU.

Name:

PAULA WHITE

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JAN 8 9 2018

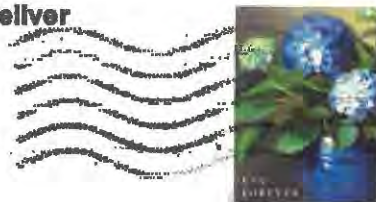
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Name: Ed + Brenda
Shehadley

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placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. Verizon needs to
focus on poor coverage
AREAS: Ryan Ranch,
Marina, parts of
Seaside. Not here!

Name: Teresa Hillery
400 Mar Vista Dr.

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FOREVER USA

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project.

*I have no reception
problem using my
Verizon service at 71 Via
Encina.*

Name:

Ed Prohaska

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27 JAN 2013 PM 2

*PLEASE STOP THIS
HAPPENING!*



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neighborhoods. ~~ExteNet's~~
~~applications violate the City~~
~~Code and the General Plan.~~

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coverage gap here. Deny
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project.

*Verizon wants
to lease these utility
poles. Coverage is
secondary.*

Name: *Gary G. Love*
8 La Selva Ct
Monterey CA 93940-2524

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Use Regular Stamp
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Monterey, CA 93940**

Name: NATALYA LIVINGSTON
835 Johnson St
Monterey CA

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applications violate the City
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Name:

Jean Rasch
Bill Clancy

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Name: CAROLE ROSE

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neighborhoods. ExteNet's
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Name:

Maureen M. Shanks

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placement in residential
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Code and the General Plan.
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coverage gap here. Deny
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project.

Name: *MARTIN & ANNA MARIE*
HASKELL
20 VIA EUCINE

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29 JAN 2008 PM 3 L



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29 JAN 2018 PM 1 1



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Monterey, CA 93940**

Name: PAUL & LIZ JOHNSON

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neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
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coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

CAROL J. JONES

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31 JAN 2018 PM 1.1



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I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

SAN JOSE CA 950

31 JAN 2018 PM 11



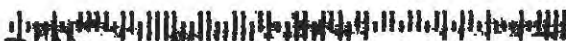
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Monterey, CA 93940

Name: Margaret E. Stewart
Margaret E. Stewart
116 Soledad Dr.
49 cent postage req.
Monterey, CA 93940



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Name:

*Sandra Goveas
400 Near Vista Dr. Unit 3
Monterey, CA, 93940*

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Long Beach

I am a ~~Monterey~~ resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.

There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. I used to live in

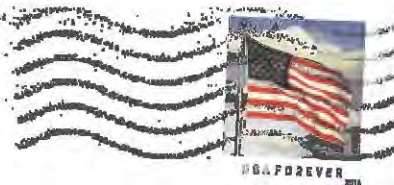
*Monterey and have been considering
moving back with my family. If
these wireless cell facilities are
approved, our decision would be
easily and very sadly made for us.
To think of these ugly things going
into beautiful neighborhoods breaks
my heart. Say NO!*

Name: *Julia Brown, L.Ac.*
(and family)

49 cent postage req.

SAN JOSE CA 950

01 FEB 2018 PM 2:1

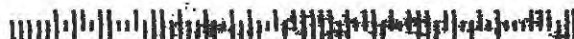


RECEIVED

FEB 05 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

^{Oakland}
I am a ~~Monterey~~ resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. I have family in this
neighborhood and I will no
longer be able to visit them
with my two young children
should these towers go in.
Please stop them!

Name:

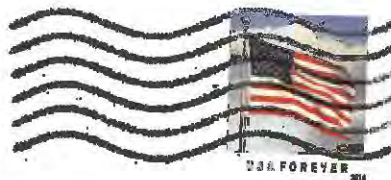
Melody Eversole

396 49th St. Oakland CA

49 cent postage req.

SAN JOSE CA 950

02 FEB 2018 PM 4:1

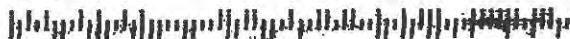


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FEB 05 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

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this unnecessary, invasive
project.**

Name:

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SAN JOSE, CA 950

01 FEB 2018 PM 1 L



**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

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FEB 05 2018

City of Monterey
PEEC DIVISION



Enter comment into record.

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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

OAKLAND, CA 946

03 FEB 2018 PM 5:1



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FEB 05 2018

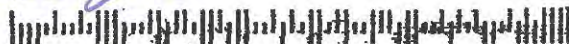
City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Name:

*Judith M. Sheeler
Francis & Sheeler, Inc.*

49 cent postage req.





Jenny Leinen <leinen@monterey.org>

RECEIVED

JAN 28 2018

City of Monterey
PEEC DIVISION

RE: FW: Cell Towers

1 message

Gordon Schacher

To: Jenny Leinen <leinen@monterey.org>

Sun, Jan 28, 2018 at 10:55 PM

Jenny:

This is probably my last e-mail about the cell tower question. I decided to pay more attention to what the arguments are. It appears to me there are two major technical questions (I don't consider things like "they will be ugly or they will ruin our atmosphere). I like to look at the two questions and answers in terms of the community and what they are willing to personally do to insure no additional relays.

The crucial questions:

1. Are they needed?

2. Are they safe?

Answers to get from the community:

For #1. Because the need for additional towers is based on the need for additional data throughput, are you (the community and individuals) willing to have reduced throughput (have your data restricted) in order to have no additional relays?

For # 2. Using the highest expected human-exposure radiation level from the new relays, are you willing to reduce your personal cell phone radiation level to that amount, and if unable to do so forego using your cell phone?

Again, you can forward to whomever.....Gordon Schacher

From: Jenny Leinen [mailto:leinen@monterey.org]

Sent: Wednesday, January 24, 2018 4:35 PM

To: Gordon Schacher

Cc: Todd Bennett <Bennett@monterey.org>; Elizabeth Caraker <Caraker@monterey.org>

Subject: Re: FW: Cell Towers

Mr. Schacher,

Thank you for your email. It will be included in the project file for the 13 proposed PWS facilities. I have also copied the Planner assigned to the project, Todd Bennett, on this response.

Sincerely,

Jenny E. Leinen

Administrative Assistant II

City of Monterey Planning Office

(831) 646-3888

www.monterey.org

RECEIVED

JAN 24 2013

City of Monterey
PEEC DIVISION

Dear council members, Please read! This affects all of us -
Know what you will be voting for. Thank you, Lorna Moffat

Amy Neal

From: Annie Griffin
Sent: Wednesday, January 2, 2018 2:50 PM
To: Amy Neal
Subject: Fwd: 5G - From Blankets to Bullets

Rec'd 25 JAN '18 PM 2:39 CityClk

----- Forwarded message -----

From: Arthur Firstenberg
Date: Mon, Jan 22, 2018 at 2:49 PM
Subject: 5G - From Blankets to Bullets
To: hearstar@fastmail.fm

RECEIVED

JAN 23 2018

City of Monterey
PEEL DIVISION

Dear Friends,

Below is an important new article on 5G. Please read, forward and circulate widely. This article is also posted on the Cellular Phone Task Force website, here: http://www.cellphonetaskforce.org/?page_id=1603.

5G -- FROM BLANKETS TO BULLETS

by Arthur Firstenberg

The single most important fact about 5G that nobody is talking about is called "phased array." It will totally change the way cell towers and cell phones are constructed and will transform the blanket of radiation which has enveloped our world for two decades into a million powerful beams whizzing by us at all times. Blake Levitt, author of *Electromagnetic Fields: A Consumer's Guide to the Issues and How to Protect Ourselves* (Harcourt Brace, 1995), brought this to my attention. A mutual friend, with whom I was speaking during the campaign to defeat S.B. 649 in California, passed on a message from Blake: "5G antennas will be phased arrays; Arthur will know what that means." And I did.

Phased arrays were one of the first things I learned about in the very beginning of my long, involuntary journey from medical student to campaigner against wireless technology. After I was injured by X-rays in 1980, I began to read everything I could get my hands on that had to do with electromagnetic radiation and its effects on life. And one of the first books I read was Paul Brodeur's *The Zapping of America* (W.W. Norton, 1977).

Early warnings

Brodeur was a staff writer for the *New Yorker* who had purchased property on Cape Cod, Massachusetts, only to discover that 30 miles inland, across the bay from his future home, the Air Force was planning to construct the world's most powerful radar station. It was going to scan the Atlantic Ocean as a key early warning element protecting us against the threat of sea-launched ballistic missiles from the Soviet Union. Although it emitted an average power of only 145,000 watts, similar to some FM radio stations, it did not broadcast that energy from only a single antenna and it did not spread that energy out uniformly in all directions. Instead, it had 3,600 antennas arranged in two "phased arrays" of 1,800 antennas each. The antennas in each array worked together as a unit to focus all their energy into a narrow, steerable beam. Each beam had an effective power of four billion watts, and the peak radiation level exceeded 0.3 milliwatt per square centimeter—the FCC's safety limit today—at a distance of ten miles in front of the radar station. The facility was called PAVE PAWS (Precision Acquisition of Vehicle Entry Phased Array Warning System).

The Defense Department acknowledged in a 1975 report, quoted by Brodeur, that such systems "energize thousands of operational elements, are electronically steered at high search rates, and operate at a frequency range having a maximum whole body energy transfer to man and for which little bioeffects data exists."

Shortly after I read this, I discovered firsthand what some of the bioeffects were. Attempting to finish my M.D. almost cost me my life. I collapsed one day with all the symptoms of a heart attack, whereupon I resigned from school and moved up to Mendocino to recover. There I was in the path of the other PAVE PAWS, the one that scanned the Pacific Ocean. This PAVE PAWS was due east of Mendocino, in California's Central Valley at Beale Air Force Base. And for nine months, every evening at precisely 7:00 p.m., no matter where I was or what I was doing, my chest would tighten and I would be unable to catch my breath for the next two hours. At precisely 9:00 p.m., my body would relax and I could breathe. I lived in Mendocino from 1982 through 1984, and although I eventually recovered my health, I was always aware of an uncomfortable pressure in my chest whenever I was on the coast. I also lived in Mendocino from 1999 to 2004, and felt that same discomfort whenever I was there, and always felt it suddenly vanish when I drove out of range of PAVE PAWS, and suddenly return at the same point on my journey home.

Directed beams

5G is going to be at a much higher frequency range, which means the antennas are going to be much smaller—small enough to fit inside a smartphone—but like in PAVE PAWS they are going to work together in a phased array, and like in PAVE PAWS they are going to concentrate their energy in narrow, steerable high power beams. The arrays are going to track each other, so that wherever you are, a beam from your smartphone is going to be aimed directly at the base station (cell tower), and a beam from the base station is going to be aimed directly at you. If you walk between someone's phone and the base station, both beams will go right through your body. The beam from the tower will hit you even if you are standing near someone who is on a smartphone. And if you are in a crowd, multiple beams will overlap and be unavoidable.

At present, smartphones emit a maximum of about two watts, and usually operate at a power of less than a watt. That will still be true of 5G phones, however inside a 5G phone there may be 8 tiny arrays of 8 tiny antennas each, all working together to track the nearest cell tower and aim a narrowly focused beam at it. The FCC has recently adopted rules allowing the effective power of those beams to be as much as 20 watts. Now if a handheld smartphone sent a 20-watt beam through your body, it would far exceed the exposure limit set by the FCC. What the FCC is counting on is that there is going to be a metal shield between the display side of a 5G phone and the side with all the circuitry and antennas. That shield will be there to protect the circuitry from electronic interference that would otherwise be caused by the display and make the phone useless. But it will also function to keep most of the radiation from travelling directly into your head or body, and therefore the FCC is allowing 5G phones to come to market that will have an effective radiated power that is ten times as high as for 4G phones. What this will do to the user's hands, the FCC does not say. And who is going to make sure that when you stick a phone in your pocket, the correct side is facing your body? And who is going to protect all the bystanders from radiation that is coming in *their* direction that is ten times as strong as it used to be?

And what about all the other 5G equipment that is going to be installed in all your computers, appliances, and automobiles? The FCC calls handheld phones "mobile stations." Transmitters in cars are also "mobile stations." But the FCC has also issued rules for what it calls "transportable stations," which it defines as transmitting equipment that is used in stationary locations and not in motion, such as local hubs for wireless broadband in your home or business. The FCC's new rules allow an effective radiated power of 300 watts for such equipment.

Enormous power

The situation with cell towers is, if anything, worse. So far the FCC has approved bands of frequencies around 24 GHz, 28 GHz, 38 GHz, 39 GHz, and 48 GHz for use in 5G stations, and is proposing to add 32 GHz, 42 GHz, 50 GHz, 71-76 GHz, 81-86 GHz, and above 95 GHz to the soup. These have tiny wavelengths and require tiny antennas. At 48 GHz, an array of 1,024 antennas will measure only 4 inches square. And the maximum radiated power from a base station will probably not be that large—tens or hundreds of watts. But just as with PAVE PAWS, arrays containing such large numbers of antennas will be able to channel the energy

into highly focused beams, and the *effective* radiated power will be enormous. The rules adopted by the FCC allow a 5G base station operating in the millimeter range to emit an effective radiated power of up to 30,000 watts per 100 MHz of spectrum. And when you consider that some of the frequency bands the FCC has made available will allow telecom companies to buy up to 3 GHz of contiguous spectrum at auction, they will legally be allowed to emit an effective radiated power of up to 900,000 watts if they own that much spectrum. The base stations emitting power like that will be located on the sidewalk. They will be small rectangular structures mounted on top of utility poles.

The reason the companies want so much power is because millimeter waves are easily blocked by objects and walls and require tremendous power to penetrate inside buildings and communicate with all the devices that we own that are going to part of the Internet of Things. The reason such tiny wavelengths are required is because of the need for an enormous amount of bandwidth—a hundred times as much bandwidth as we formerly used—in order to have smart homes, smart businesses, smart cars, and smart cities, i.e. in order to connect so many of our possessions, big and small, to the Internet, and make them do everything we want them to do as fast as we want them to do it. The higher the frequency, the greater the bandwidth—but the smaller the waves. Base stations have to be very close together—100 meters apart in cities—and they have to blast out their signals in order to get them inside homes and buildings. And the only way to do this economically is with phased arrays and focused beams that are aimed directly at their targets. What happens to birds that fly through the beams, the FCC does not say. And what happens to utility workers who climb utility poles and work next to these structures everyday? A 30,000-watt beam will cook an egg, or an eye, at a distance of a few feet.

The power from a base station will be distributed among as many devices as are connected at the same time. When a lot of people are using their phones simultaneously, everyone's phone will slow down but the amount of radiation in each beam will be less. When you are the only person using your phone—for example, late at night—your data speed will be blisteringly fast but most of the radiation from the cell tower will be aimed at you.

Deep penetration into the body

Another important fact about radiation from phased array antennas is this: it penetrates much deeper into the human body and the assumptions that the FCC's exposure limits are based on do not apply. This was brought to everyone's attention by Dr. Richard Albanese of Brooks Air Force Base in connection with PAVE PAWS and was reported on in *Microwave News* in 2002. When an ordinary electromagnetic field enters the body, it causes charges to move and currents to flow. But when extremely short electromagnetic pulses enter the body, something else happens: the moving charges themselves become little antennas that re-radiate the electromagnetic field and send it deeper into the body. These re-radiated waves are called Brillouin precursors. They become significant when either the power or the phase of the waves changes rapidly enough. 5G will probably satisfy both requirements. This means that the reassurance we are being given—that these millimeter waves are too short to penetrate far into the body—is not true.

In the United States, AT&T, Verizon, Sprint, and T-Mobile are all competing to have 5G towers, phones, and other devices commercially available as early as the end of 2018. AT&T already has experimental licenses and has been testing 5G-type base stations and user equipment at millimeter wave frequencies in Middletown, New Jersey; Waco, Austin, Dallas, Plano, and Grapevine, Texas; Kalamazoo, Michigan; and South Bend, Indiana. Verizon has experimental licenses and has been conducting trials in Houston, Euless, and Cypress, Texas; South Plainfield and Bernardsville, New Jersey; Arlington, Chantilly, Falls Church, and Bailey's Crossroads, Virginia; Washington, DC; Ann Arbor, Michigan; Brockton and Natick, Massachusetts; Atlanta; and Sacramento. Sprint has experimental licenses in Bridgewater, New Brunswick, and South Plainfield, New Jersey; and San Diego. T-Mobile has experimental licenses in Bellevue and Bothell, Washington; and San Francisco.

— January 22, 2018

JAN 24 2018

CITY OF CHANDLER
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

RECEIVED

Cell Towers

FEB 07 2018

1 message

City of Monterey
PEEC DIVISION

Wed, Feb 7, 2018 at 11:20 AM

To: leinen@monterey.org

Jenny and all City Employees involved with the "Cell Tower" decision,

My name is Tony Tollner and I've lived on the peninsula for almost 35 years and in Downtown Monterey for almost 6 years. I'm not sure what took me so long to discover the wonders of living in the City of Monterey but it's the best of several awesome places I've lived in Monterey County.

I live on a little street called La Selva Ct, right near Monterey High. We walk in our neighborhood at least 5 days a week and love and appreciate the low-key, "down-home" flavor of our neighborhoods and the wonderful "wild places" like Veteran's Park, Via Paraiso Park and Quarry Park. We talk to many of our neighbors, walk the trails and streets and converse about how lovely and "natural" these neighborhoods look. It's obvious that the folks that live here have pride in their homes and in their neighborhood.

I understand that Verizon, through a subcontractor names ExteNet, is proposing to put their version of "mini-cell-towers" in 13 locations in our neighborhood. First of all, this is a "neighbor-hood". It's a lovely area comprised of stunning natural beauty filled with homes, schools, parks and trails, all of which contribute to a high quality of life for residents and their families. It is not a commercial zone or high-density area that focuses on business and industry.

Your jobs as our paid representatives, are to advocate for our health, safety and well-being. When an outsider comes to our gates looking to profit from our neighborhood, (with entirely self-serving interests) your jobs are to protect us. You are working for and paid by, a city of citizens and by definition, your priorities must be the aforementioned "health, safety and well-being" of those citizens. Many of us are more than willing to participate and show our opposition (in this case) or support for the decisions you all are faced with. Please pay attention to what we really want.

In short, I vehemently oppose Verizon's attempt to install any form of "cell tower", transmitter or relay device in our neighborhood. The health effects are unknown and the impact on property values would almost certainly be negative. (which is almost a "taking by imminent domain") Ours is a neighborhood of homes, schools, park and people. We are parents, children, grandparents and most importantly, neighbors.

Our neighborhood is not yours for the taking. Your jobs are to support and enhance our quality of life, not diminish it with unsafe and unsightly technical equipment that would only benefit a large, multi-national corporation that has no interest in our neighborhood other than profit. Please do the right thing and say "NO!" to this project. It is a bad thing for our neighborhood and bad for Monterey.

Sincerely,

Tony Tollner

RECEIVED

FEB 07 2018

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Re: {Planning Agenda & Minutes} 18_0109 PC Canceled Agenda

1 message

M Lucas

To: Jenny Leinen <leinen@monterey.org>

Thu, Feb 15, 2018 at 10:58 AM

Jenny,

(Please use this one. I made some clarifying changes.)

If I cannot attend the hearing, here is what I would say:

I believe that the applicants/providers are going to be out of compliance with FCC rules regarding secondary and tertiary extremely low frequency RF emissions once the small cell facilities become active. The cellular phone companies are currently out of compliance with the FCC rules with regard to cellular phones that pulse at intervals in power density and frequency levels that are not in compliance with FCC rules. While ANSI has certain thresholds that were adopted by the FCC, ANSI does not include extremely low frequency. The FCC does.

There is no way around the extremely low frequency radiation issue for the provider/applicant because their systems produce electromagnetic beams of energy that scatter, reflect, diffract and refract off of objects (especially metal) altering the frequency and the power density and diffusing.

Once the small cell facilities are active, a child riding a tricycle down a street in Monterey Vista will be struck with all kinds of hazardous extremely low frequency radiation. By approving the applications the City will be opening itself up to gross negligence claims by its very informed citizens.

<http://www.plaintiffmagazine.com/item/pleading-and-proving-gross-negligence-in-light-of-city-of-santa-barbara>

The provider/applicant's strongest argument is that they are generating non-ionizing radiation and the inference is that it is therefore not harmful. That is simply not true. They will be generating electro-ionizing radiation and all of the chronic multiple conditions listed in this NCBI report will be the result. There is no way for the applicant to be in compliance and therefore their hands are tied by the very law that they are claiming protection under. Electro-ionizing radiation is not non-ionizing radiation.

<https://www.ncbi.nlm.nih.gov/books/NBK202000/>

- **Section 332(c)(7) of the Communications Act:**

“The statute also preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, assuming that the provider is in compliance with the Commission's RF rules.”

According to Section 332 above, The City of Monterey does not have to approve the application if the provider is not in compliance with the Commission's RF rules. The City's hands are not tied. Someone is going to pay for the co-pays of the childhood leukemia cluster that will be the likely result of approval and it will not be the citizens of Monterey. The very first day that those small cell facilities go live I will be in Monterey Vista metering the radiation levels. If the facilities are pulsing outside of RF rules, the citizens of Monterey Vista will know. Once the physical molecular damage to cells starts there is no recovery. That is why prevention is so important. The City plays a vital role in protecting the citizens of Monterey. I trust that the Commission will make the right decision and not approve the applications.

If the provider is out of compliance then Section 332 allows the City of Monterey to consider environmental effects. The City is protected by Section 332(7) but is being given the impression by the provider/applicant that they have no choice.

Kind regards,
Steven Lucas, M.Ed
Former Training Manager Monterey Bay Aquarium
Former Navy Physical Security Officer and Assistant Special Security Officer, Pearl Harbor Naval Base

On Thu, Feb 15, 2018 at 10:13 AM, Jenny Leinen <leinen@monterey.org> wrote:
Good Morning Steven,

I received your email and I will also include it in the Planning Commission agenda report once it is published. I've copied Todd Bennett, the project planner, on this response as well.

Thank You,
Jenny

On Tue, Feb 13, 2018 at 12:12 PM, M Lucas
Jenny,

If I cannot attend the hearing, here is what I would say.

I believe that the applicants/providers are going to be out of compliance with FCC rules regarding secondary and tertiary extremely low frequency RF emissions once the small cell facilities become active. The cellular phone companies are currently out of compliance with the FCC rules with regard to cellular phones that pulse at intervals in power density and frequency levels that are not in compliance with FCC rules. While ANSI has certain thresholds that were adopted by the FCC, ANSI does not include extremely low frequency. The FCC does.

There is no way around the low frequency radiation issue for the provider/applicant because their systems produce electromagnetic beams of energy that scatter, reflect, and refract off of objects (especially metal) altering the frequency and the power density.

Once the small cell facilities are active, a child riding a tricycle down a street in Monterey Vista will be struck with all kinds of hazardous extremely low frequency radiation. By approving the applications the City will be opening itself up to gross negligence claims by its very informed citizens.

Links
<http://www.plaintiffmagazine.com/item/pleading-and-proving-gross-negligence-in-light-of-city-of-santa-barbara>
<https://www.ncbi.nlm.nih.gov/books/NBK202000/>

- **Section 332(c)(7) of the Communications Act:**

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According to Section 332 above, The City of Monterey does not have to approve the application if the provider is not in compliance with the Commission's RF rules. The City's hands are not tied. Someone is going to pay for the co-pays of the childhood leukemia cluster that will be the likely result of approval and it will not be the citizens of Monterey. The very first day that those small cell facilities go live I will be in Mar Vista metering the radiation levels. If they are pulsing outside of RF rules, the citizens of Monterey Vista will know. Once the physical molecular damage to cells starts there is no recovery. That is why prevention is so important. The City plays a vital role in protecting the citizens of Monterey. I trust that the Commission will make the right decision and not approve the applications.

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FEB 15 2018
City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

Fwd: Questions re Cell Tower Meetings

1 message

Todd Bennett <bennett@monterey.org>
To: Jenny Nelson <leinen@monterey.org>

Wed, Feb 14, 2018 at 4:05 PM

Here's another one.

TB

----- Forwarded message -----

From: LJ Hansen
Date: Wed, Feb 14, 2018 at 10:39 AM
Subject: Questions re Cell Tower Meetings
To: "bennett@monterey.org" <bennett@monterey.org>

RECEIVED

FEB 14 2018

City of Monterey
PEBC Division

Hi Todd;

As to the order of the March and June meetings in which the towers will be voted on, up until the City's Feb 7th update in Next Door, Via Encina was always given first place in the line-up. Now the top listing is the tower "Adjacent to 1006 Madison" (originally listed as 1006 Johnson). It is important to allow the residents who will be impacted by this tower issue to know the order of the reviews on a timely basis so that we, like the applicants, can be organized in the strongest way. Will the order be numerical (as to application number) or *what* order will be the order?

Also, in the past, the applicants have been given all the time they want to talk about their side of things. Will residents still be limited to 3 minutes each? We will live by the rules but that uneven allowance on time does not make for a level playing field. It isn't the time allotment *as much as* being allowed to finish one's thoughts. On October 5th you were quite generous about this matter and allowed, actually, everyone to finish their thoughts, (whether they were exactly on topic or not). None of the people I know are any more interested than you in allowing wild, off-point diatribes to drag these meetings into the wee hours of the morning. That serves no one. But the complexity of the matter demands a complete discussion for which the 3 minute time limit per person per tower seems artificial and prejudiced in favor of the applicants open ended time allowance. There actually ARE residents who can speak smartly to this matter, given enough time to complete their thoughts. We saw this -- with many -- on October 5th. But a 3 minute limit is an artificial limit that precludes a full discussion on this matter. So, the question remains, will the residents still be limited to 3 minute statements while the applicants and their experts are allowed unlimited time? Or will there be enough leeway to allow individuals to complete their comment?

Finally, I am curious about the change from giving addresses for the tower locations to identifying them as "adjacent to" certain addresses, some of them different than as given in prior listings. What is the reason for this change?

Thanks again for your consideration of my concerns and questions.

Regards,

Lois (Hansen)



Jenny Leinen <leinen@monterey.org>

Re: {Planning Agenda & Minutes} 18_0109 PC Canceled Agenda

1 message

M Lucas

Tue, Feb 13, 2018 at 9:10 AM

To: Jenny Leinen <leinen@monterey.org>

Jenny,

Would you please share this California Department of Public Health safety guide with the city planners.

<https://www.cdph.ca.gov/Programs/CCDCPHP/DEODC/EHIB/CDPH%20Document%20Library/Cell-Phone-Guidance.pdf>

Kind regards,
Steven Lucas

RECEIVED

FEB 13 2018

City of Monterey
PEEC DIVISION

On Tue, Feb 13, 2018 at 8:44 AM, M Lucas
Hi Jenny,

Awesome. Thank you.

Steven

On Tue, Feb 13, 2018 at 8:39 AM, Jenny Leinen <leinen@monterey.org> wrote:
Hi Steven,

There will be an afternoon session of the Planning Commission today at 4:00 pm, but the only items on the agenda are approval of minutes and a tentative map and use permit for 300 Cannery Row. The PWS cell facilities are tentatively scheduled for March 27th and June 12th. You can see which of the 13 applications are scheduled for which date at this link: <https://monterey.org/City-Hall/Featured-Projects/Small-Cell-Facility-News>

Sincerely,

Jenny E. Leinen
Administrative Assistant II
City of Monterey Planning Office
(831) 646-3888
www.monterey.org

On Tue, Feb 13, 2018 at 8:32 AM, M Lucas
Hi Jenny,

Is the planning meeting today about small cell towers? Can you let me know if it is cancelled? Thank you.

Kind regards,
Steven Lucas

On Fri, Jan 5, 2018 at 10:03 PM, M Lucas
Jenny,

Thanks you.

Kind regards,
Steven Lucas

On Fri, Jan 5, 2018 at 4:51 PM, Jenny Leinen <leinen@monterey.org> wrote:
Hi there,



How to Reduce Exposure to Radiofrequency Energy from Cell Phones

RECEIVED

FEB 28 2018

City of Monterey
PEEC DIVISION



The use of cell phones has increased dramatically in recent years, including among children and young adults. These phones put out radio frequency (RF) energy.

Some scientists and public health officials believe RF energy may affect human

health. This guidance document describes RF energy, lists some of the potential health concerns, and provides guidance on how people can reduce their exposure.

Why are people concerned about exposure to RF energy from cell phones?

Although the science is still evolving, some laboratory experiments and human health studies have suggested the possibility that long-term, high use of cell phones may be linked to certain types of cancer and other health effects, including:

- brain cancer and tumors of the acoustic nerve (needed for hearing and maintaining balance) and salivary glands
- lowers sperm counts and inactive or less mobile sperm
- headaches and effects on learning and memory, hearing, behavior, and sleep

These studies do not establish the link definitely, however, and scientists disagree about whether cell phones cause these health problems and how great the risks might be. This document is intended to provide guidance for those people who want to reduce their own and their families' exposures to RF energy from cell phones, despite this uncertainty.

What is RF energy?

Cell phones work by sending and receiving signals to and from cell phone towers. These signals are a form of electromagnetic radiation called radiofrequency (RF) energy. Other sources of RF energy include cell phone towers, TV and radio transmitters, smart meters, and microwave ovens. When a phone sends signals to a tower, the RF energy goes from the phone's antenna out in all directions, including into the head and body of the person using the phone. Cell phones also emit RF energy when using Wi-Fi and/or Bluetooth, but at lower levels.

RF energy is not as powerful or as damaging to cells or DNA as some other kinds of electromagnetic radiation, such as X-rays or UV rays from the sun. Some scientific studies have, however, suggested that there may be increased health risks from exposure to RF energy.

RECEIVED

FEB 13 2018

How can you reduce your exposure?

Keep your phone away from your body. Keeping your phone just a few feet away from you can make a big difference.

- **When you talk on your cell phone, avoid holding it to your head—use the speakerphone or a headset instead.** Wireless (Bluetooth) and wired headsets emit much less RF energy than cell phones.
- **Send text messages instead of talking on the phone.**
- **If you are streaming or if you are downloading or sending large files, try to keep the phone away from your head and body.**
- **Carry your cell phone in a backpack, briefcase, or purse; NOT in a pocket, bra or belt holster.** Because your phone's antenna tries to stay connected with a cell tower whenever it's on, it emits some RF energy even when you are not using it. It does not emit RF energy when it's in airplane mode. (Airplane mode turns off cellular, Wi-Fi, and Bluetooth.)

Reduce or avoid using your cell phone when it is sending out high levels of RF energy. This happens mainly when:

- **You see only one or two bars displayed.** Cell phones put out more RF energy to connect with cell towers when the signal is weak. If you must use your phone when the signal is weak, try to follow the other guidance on this page.
- **You are in a fast-moving car, bus, or train.** Your phone puts out more RF energy to maintain connections to avoid dropping calls as it switches connections from one cell tower to the next unless it is in airplane mode.
- **You are streaming audio or video, or downloading or sending large files.** To watch movies or listen to playlists on your phone, download them first, then switch to airplane mode while you watch or listen.

Don't sleep with your phone in your bed or near your head. Unless the phone is off or in airplane mode, keep it at least a few feet away from your bed.

Take off the headset when you're not on a call. Headsets release small amounts of RF energy even when you are not using your phone.



What about children?

Children may be more at risk for harm from exposure to RF energy because:

- RF energy can reach a larger area of a child's brain than an adult's brain.
- A child's brain and body grow and develop through the teen years. During this time, the body may be more easily affected by RF energy and the effect may be more harmful and longer lasting.
- A child who uses a cell phone will have many more years of exposure to RF energy in his or her lifetime than someone who started using a cell phone as an adult.

There is not a lot of research about the effects of cell phone RF energy on children or teenagers, but a few studies have shown that there may be hearing loss or ringing in the ears, headaches, and decreased general well-being.

Don't rely on a "radiation shield" or other products claiming to block RF energy, electromagnetic fields, or radiation from cell phones. According to the U.S. Federal Trade Commission, products that interfere with the phone's signal may force it to work harder and emit more RF energy in order to stay connected, possibly increasing your exposure.

For more information, please visit these websites:

U.S. Centers for Disease Control and Prevention:

- **FAQs about Cell Phones and Your Health**
(https://www.cdc.gov/nceh/radiation/cell_phones_faq.html)
- **Frequently Asked Questions about Cell Phones and Your Health**
(https://www.cdc.gov/nceh/radiation/factsheets/224613_faq_cell-phones-and-your-health.pdf)

U.S. Federal Communications Commission (FCC):

- **RF Safety FAQ**
(www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/radio-frequency-safety/faq/rf-safety)
(The FCC is responsible for regulating RF emissions from cell phones; the regulations were last updated in 1996.)

U.S. Federal Trade Commission (FTC):

- **Cell Phone Radiation Scams**
(www.consumer.ftc.gov/articles/0109-cell-phone-radiation-scams)

World Health Organization:

- **Electromagnetic fields and public health: mobile phones**
(www.who.int/mediacentre/factsheets/fs193/en/)

American Academy of Pediatrics

- **Cell Phone Radiation & Children's Health: What Parents Need to Know**
(<https://www.healthychildren.org/English/safety-prevention/all-around/Pages/Cell-Phone-Radiation-Childrens-Health.aspx>)

Consumer Reports:

- **Does Cell-Phone Radiation Cause Cancer?**
(<https://www.consumerreports.org/cro/smartphones/cell-phone-radiation>)

RECEIVED

FEB 1 2018

City of Berkeley
PELC 1/1/2018

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*I spoke against the
application at the hearing
conducted by Mr. Bennett. No 1-
needed and should only be in
commercial areas - if at all.*

Name: *Barbara Moore*

8.3 Via Descanso

Monterey

49 cent postage req.

MONTEREY CA 950

20 FEB 2018 PM 3 L

RECEIVED

FEB 23 2018

CITY OF MONTEREY
PEEL OFF HERE



Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

SAN JOSE CA 950

16 FEB 2018 PM 4 L

RECEIVED

FEB 2 2018

Monterey
CA 93940



**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Name:

Mauleyn Gorman
308 Mar Vista Dr.

49 cent postage req.



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

SAN JOSE CA 950

13 FEB 2018 PM 2:1



RECEIVED

FEB 15 2018

City of Monterey
PEEC Division

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Name:

Inge Sims

Kimberly Sims

145 Soledad Dr.

49 cent postage req.

93940

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Disagree!

TONY TOLLNER
Name: 6 LK CBWA CT.
MONTEREY

49 cent postage req.

SAN JOSE CA 950

05 FEB 2018 PM 11 L



RECEIVED

FEB 07 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*Please, I am
a Spec Ed. Teacher -
Have seen the huge*

Name:

*Clare Herring
200 Soledad Drive*

49 cent postage req.

SAN JOSE CA 950

05 FEB 2018 PM 4:11

*rise in Autism - Am
Concerned radiation &
cell phones related to
this disability! Also
other many health issues
may occur!*

To:

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

RECEIVED

FEB 07 2018

City of Monterey
PEEC DIVISION



*Monterey Ca
93940*

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExtēNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: *Renee Franka*

49 cent postage req.

SAN JOSE CA 950

05 FEB 2018 PM 4 1



RECEIVED

FEB 07 2018

City of Monterey
PEEC DIVE

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

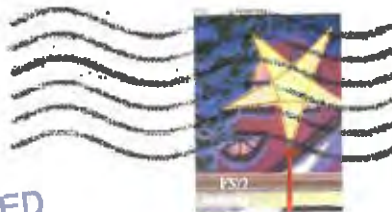
I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*This is not a good
thing! NO!*

Name: *Pansy Belleci*

SAN JOSE CA 950

05 FEB 2018 PM 4 1



RECEIVED

FEB 07 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

49 cent postage req.



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*This area is a venerable fire
as Santa Rosa. PGE caused
the Santa Rosa Fire. PGE will
not discuss the safety of their equipment
by phone. Stupid!*

Name:

Harold R Olsen

49 cent postage req.

RECEIVED

FEB 08 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

SAN JOSE CA 950

08 FEB 2018 PM 3 L



RECEIVED

FEB 12 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

*I object to
13 cell towers so
strongly that my
teeth chatter. Do
not in my neighborhood.*

Name:

Paula Conello

49 cent postage req.



Enter comment into record. Mail by Jan 18 or hand deliver

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Why should we cater to
Verizon, instead of the
wishes of the residential
property owners? We want

Name: a nice neighborhood,
not unsightly technol-

ogy. Cathryn
Wilkinson
49 cent postage req.

OAKLAND CA 945

10 FEB 2018 PM 6 L



RECEIVED

FEB 13 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

Enter comment into record.

MY PARENTS ARE MONTEREY
RESIDENTS, AND THEY (AND I) ARE

~~I am a Monterey resident~~

against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

SAN JOSE CA 950

09 FEB 2018 PM 4 L



RECEIVED

FEB 3 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

Name: LAUREN JACOBOWSKY

49 cent postage req.



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: **DENISE & MARCELO
COSENTINO**

49 cent postage req.

SAN JOSE CA 950

Mail by Jan 18 or hand deliver

09 FEB 2018 PM 4 L



RECEIVED

FEB 13 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Wendi Everett

49 cent postage req.

SAN JOSE CA 950

Mall by Jan 18 by hand deliver

09 FEB 2018 PM 4 L

RECEIVED

FEB 23 2018

City of Monterey
PEEC Division

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

I live at #7 CUESTA VISTA
THE ANTENNA IS IN MY
DIRECT VIEWSHED AT THE
BOTTOM OF MY LOT. (MAR VISTA)
ADDITIONALLY WE WILL BE EX-
POSED 24/7 TO THE RADIATION
Name:

VINZENZ HAKE, #7 CUESTA
VISTA
MONTEREY, CA 93940

49 cent postage req.

SAN JOSE CA 950

22 FEB 2018 PM 3:1

FEB 22

FEB 22 2018

CITY OF MONTEREY
PELIC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident against wireless facility placement in residential neighborhoods. ExteNet's applications violate the City Code and the General Plan. There is no 4g Verizon coverage gap here. Deny this unnecessary, invasive project.

An Antenna is planned at my Lot. 100 ft. from my living space. It will be in my viewshed. Please reconsider the location

Name: *Barbara Hale*

#7 calls to Dist. Monterey, Ca. 93940

49 cent postage req.

OAKLAND CA 945

24 FEB 2018 PM 7 L

RECEIVED

FEB 27 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

PLEASE, WE WILL
GO OUT OR HOME AND
HAVE TO MOVE!

Name: MARK FARINA

Mark Farina

49 cent postage req.

MONTEREY CA 93940

FEB 26 2018 PM 1:11



RECEIVED

FEB 26 2018

CITY OF MONTEREY
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

49 cent Verizon coverage gap here. Deny this unnecessary, invasive project. PLEASE, WE WILL GO OUT OR HOME AND HAVE TO MOVE!

Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. I am a 10-year Verizon

customer with seamless
calling and data service
living in the Peter's Gate
Neighborhood. Protect residents
and homeowners and school
children. Not Verizon's com-
Name: mercual interests.

Susan Nunez

Susan Nunez

49 cent postage req.



RECEIVED

FEB 23 2018

CITY OF MONTEREY
PLCC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record

and forward to the City Council please
Mail by Jan 18 or hand deliver
SAN JOSE CA 950

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. Note:

Due to the close proximity of the cell tower to our 2nd
story bedroom it would present a health and financial
problem to us because of the effect that Hal would
have on his nervous system from back injuries that he
sustained in the Fire Department. After 33 years of
living in Monterey we would probably have to move.

Name:

*Hal & Eileen McKay
5 Toda Vista
Monterey, CA 93940*

49 cent postage req.

27 FEB 2018 PM 4:1

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

These "cell facilities"
do NOT belong in
our beautiful residential
neighborhood !!

Name: JONINA MEYERS
POB 1972, Monterey
93942

49 cent postage req.

P.O. Box
1972
Monterey, CA
93942



Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

cell phone towers

1 message

Leslie Rosenfeld

Mon, Feb 26, 2018 at 1:14 PM.

Reply-To: Leslie Rosenfeld

To: Jenny Leinen <leinen@monterey.org>

I want to be sure that the letter I submitted previously gets included in the record for the March 15th meeting on the Verizon/ExteNet cell towers. Please confirm with me by email that my letter will be included.

Also, please convey to the Planning Commission my extreme frustration and anger with the changing schedule for this issue. I have lost count of the number of times the meetings regarding this issue have been rescheduled. Now unfortunately I will not be able to attend the meeting on March 15, already having changed my schedule to be available for the previously announced times.

The total disregard with which the city administration has treated its citizens is disgraceful.

Leslie Rosenfeld

RECEIVED

FEB 26 2018

**City of Monterey
PEEC DIVISION**

February 27, 2018

Mayor Clyde Roberson
Council Members, Monterey City Council
Members, Monterey City Planning Commission
Colton Hall, 570 Pacific Street
Monterey, CA 93940

RECEIVED
FEB 27 2018
CITY OF MONTEREY
PEEC DIVISION

Re: Opposition to Verizon Cellphone Tower Installation for the Monterey Vista neighborhood

Dear Mayor, City Council Members and Planning Commission Members:

I am writing to urge you to reject the cell tower installation proposed for the Monterey Vista neighborhood.

The protection of the natural environment, the beauty of the peninsula, forest, bay and wildlife are a priority for the residence of Monterey. Great lengths have been taken to protect this natural beauty and to protect the important and significant history of the area. It is why my wife and I chose to buy a home and settle here. The preservation of these qualities is paramount to the people who call this community home.

- **Site Locations:** The imposing *Bruguere Gates* built circa 1905 remain today on Colton and are a piece of historic pride and beauty that are cherished by residents and visitors. The cell tower proposed for Monterey Circle and Colton is less than 50 feet from the historic Bruguere Gates. This is evidence that the concerns of the City of Monterey and its residents have not been taken into account in the selection of the cell tower sites.
- **Residential Blight:** We can see from the cell tower installation in Santa Rosa, CA that the brutal industrial look of this cell equipment will be a blight in our sensitive wooded residential neighborhood significantly impacting our quality of life and the value of our property.
- **Premature Adoption:** This is new technology and Monterey has been targeted for early adoption and testing. We know that in the future these towers will be smaller and more efficient and hopefully they will be designed with residential neighborhoods in mind. It is a given that high technology evolves with time and becomes significantly smaller.
- **Coverage Bait and Switch:** Verizon's own promotional coverage map shows this area completely covered. Their measurements might show low signal on test equipment in some areas, but if you drive these areas with a Verizon phone, there are no dropouts. Monterey Vista is not the worst covered community in California and should not be tagged for this aggressive corporate intrusion.
- **Safety Concerns:** The long term exposure to these high-powered towers located just several feet from our homes, bedrooms and schools gives us great concern. Even Verizon

executives would think twice before having their children sleep 30 or 40 feet from one of their own cell towers.

- **Sets Unwanted Precedence:** Once Verizon is given access to install cell tower equipment in our neighborhoods, Sprint and other cell companies are sure to follow.
- **Corporate Intrusion:** Residents who's homes are adjacent to these proposed sites are under attack by this corporate intrusion. These people who have built their lives here, who walk these streets everyday, who care for their homes and neighbors, who raise children and send them to the local schools should not have to fight to protect the qualities of life that make this area home.

We are depending on you. I urge you to consider these points of objection. Please help us preserve the natural beauty and quality of life of this neighborhood for those of us who call it home and for future generations.

Sincerely,

Robert and Donna Feist
911 Monterey Circle

RECEIVED

FEB 27 2018

CITY OF
PUEBLO DIVISION



Bruguere Gates build sometime in the first decade of the twentieth century.



RECEIVED

FEB 27 2018

CITY OF
PEEC DIVISION

Verizon cell tower installation Santa Rosa California. Photo from the Press Democrat article titled, "Verizon's 4G rollout paused in Santa Rosa amid public concerns".



Jenny Leinen <leinen@monterey.org>

Fwd: Request

1 message

susan nine

Tue, Feb 27, 2018 at 10:55 AM

To: "leinen@monterey.org" <leinen@monterey.org>

Hi Jenny,

I already sent this, but I would like to have it entered into the record. Can you do that for me? It regards the 13 wireless facilities.

Susan Nine

Sent from my iPad

Begin forwarded message:

From:

Date: February 26, 2018 at 10:38:35 AM PST

To: uslar@monterey.org

Cc: bennett@monterey.org, caraker@monterey.org, cole@monterey.org, davi@monterey.org, roberson@monterey.org, albert@monterey.org, barrett@monterey.org, haffa@monterey.org, smith@monterey.org, patvenza

Subject: Request

RECEIVED
FEB 27 2018
City of Monterey
PEEC DIVISION

Good morning Hans,

We are hoping to be provided with the following information before or at the Wednesday meeting. As you know, we feel disadvantaged by moving the date giving us twelve fewer days to prepare responses to 13 instead of the five applications, and this information will assist us in planning.

1. We need to know exactly what order the applications will be decided.
2. We need to know whether the decisions will be rendered one at a time before moving on to the next.
3. We need to know that the public will be given the right to a three minute comment per person per application, up to thirteen comments altogether, since Extenet chose to apply for thirteen separate permits and the City decided they all be heard at once.

This is creating an extremely complex, even burdensome process, trying to do 13 permits at once when the shot clock only requires 5. If an explanation can be given for this last minute change, I will pass it on to our disgruntled neighborhood and interested parties. We believe the number heard at once should not be based on what ExteNet would prefer. Because ExteNet chose to apply for 13 permits rather than one, the assumption cannot be made that this is an all or nothing scenario. Is the staff and Planning Commission really ready to pull an all-nighter and doesn't this create an unreasonable burden on the public's due process rights to do so many permits that individuals will be required to stay unreasonably late in order to exercise their rights to a fair hearing and to give public comment concerning whichever permit they want to give input, possibly all of them. Some will have this right denied altogether because they can't stay that late for health or other reasons. This is a worrisome scenario and a good case could be made that it is unreasonable to schedule 13 permit applications into one hearing on a hotly contested and complex issue and still consider it a fair hearing, with public due process rights respected.

In addition how does the City plan to provide a comprehensive appeal to the City Council on up to 13 applications before the expiration of the shot clock on five of the thirteen applications? If you can be prepared to explain that to the neighborhood reps. attending this Wednesday, this is something about which we need assurance and information. We were told the shot clock expires for five applications at the end of March. That only leaves two weeks to apply for appeals on up to 13 decisions, have the appeals heard and decided by the City Council before the shot clock ends two or less weeks after the 15th. The City needs to assure us of our due process right to an effective appeal, since the City has control over the timelines for

holding hearings.

Sincerely,
Susan Catherine Nine

Sent from my iPad

RECEIVED
FEB 27 2018
City of Monterey
PEEC DIVISION



Jenny Leinen <leinen@monterey.org>

March 15th Planning Commission Meeting

1 message

LJ Hansen

Tue, Feb 27, 2018 at 10:13 AM

To: "bennett@monterey.org" <bennett@monterey.org>, "caraker@monterey.org" <caraker@monterey.org>, "cole@monterey.org" <cole@monterey.org>, City of Monterey <leinen@monterey.org>, "uslar@monterey.org" <uslar@monterey.org>

Cc: "patvenza"

RECEIVED

FEB 27 2018

City of Monterey
PEEC DIVISION

Good Morning;

First of all please have this email entered into the record on the 13 Cell Facilities that the Planning Commission will soon be voting on.

I know I said I was concerned about the shot clock but we don't need to do all 13 in one night to honor the shot clock.

I would like to see only the applications that will expire soonest reviewed and voted on March 15th so that all the people in town who will be impacted by all 13 facilities in their neighborhood have a real opportunity to a full hearing and opportunity to speak on each of the facility locations. It is not realistic to think that parents with toddlers, people who work, or 80 year old people are going to stay through the night for 13 individual votes. Time-wise, 13 facilities with ExteNet's 45 minute up-front talking time before we even get to the individual facility comments and votes is going to put us at about a 15 hour night if everyone does stay. That is not good for staff or the commissioners and there is nothing fair about this in terms of the people having to pull an all nighter to be able to be heard on each facility. Thirteen votes in one night is simply a way to thin the crowd after 8 p.m. and breeze through the remaining votes with the few people who are able to stay and neighborhood representatives who feel they must stay (regardless of how ill it makes them) for the entire night of voting.

I realize that people can write in their comments but we have certainly done that but part of this process is a full public hearing. Not a paper chase with comments "taken under advisement" for a behind closed doors voting. This process needs to have a reasonable public airing and vote in order to be accountable to the people.

I would like to see at least two meetings and maybe more to divide up the public hearings/vote (to honor the shot clock and appeal process) so that every resident who wishes to speak may do so during hours that are considered "normal" for meeting times. I realize some city meetings run quite late but planning a hearing that could take 15 hours through the night if residents who wish to do speak is, frankly, ridiculous. This is too important to pull an overnigher. Everyone needs to be at their best and ALLOWED to be at their best for a legitimate hearing and credible vote.

I realize the City is probably about to send out notices for the March 15th meeting as if it is the only meeting we will now have for the vote, but God knows the City has made several date changes before on this matter. I doubt anyone would or could complain if the change were to be to a series of hearings and votes that people could actually fully attend, participate in, and then allow for adequate appeals process time.

Thank you for your immediate attention and effective response to this matter.

Lois (Hansen)



Jenny Leinen <leinen@monterey.org>

Letter for distribution to Planning Commissioners, Mayor and City Councilmen and enter into record

1 message

susan nine

Thu, Mar 1, 2018 at 12:12 AM

To: "leinen@monterey.org" <leinen@monterey.org>

Please enter into record:

TO: Planning Commissioners, Mayor and City Council Members
FROM: Susan Nine, MVNA, Monterey Homeowner
RE: Decrease in Property Values for Properties near Cellular Antennas and Towers

Dear Gentlemen,

This memo documents points about decreases in property values in the vicinity of cellular antennas. It is increasingly recognized and documented that putting cell antennas and towers near residential properties is just bad business. For residential owners, it means decreased property values. For local property businesses (realtors and brokers) representing and listing these properties, it creates decreased income. For city governments, it results in decreased revenue (property taxes). Residents and property owners are justifiably concerned about the proposed cluster of 13 cellular antennas reducing the value of their homes. Who would want to live or work right next to one, or under one – let alone 13? And there is the disappointment to people who purchase their dream home or start their dream business, only to later have an unwanted cell antenna/tower installed just outside their window. This negative effect can also contribute to a deterioration of neighborhoods and school districts when residents want to move out or pull their children out because they don't want to live or have their children attend schools nearby a cluster of cellular antennas. Studies find that people don't want to live next to them not just because of health concerns, but also due to aesthetics and public safety reasons, i.e., cell towers/antennas become eyesores, obstructing or tarnishing cherished or historic views, and also in some areas can attract crime, are potential noise nuisances, and create fire and fall hazards. While the Telecommunications Act of 1996 states that health concerns will not impact decisions regarding location of cellular antennas, Congress is unable to dictate the marketplace that responds to such installations. It can be argued that installing these antennas constitutes a taking of property without due process. Here is a selection of studies and articles documenting the above:

1. The National Institute for Science, Law and Public Policy's survey "Neighborhood Cell Towers and Antennas—Do They Impact a Property's Desirability?" completed by 1,000 respondents as of June 28, 2014, found the following: • 94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it. • 94% said a cell tower or group of antennas on top of, or attached to, an apartment building would negatively impact interest in the apartment building or the price they would be willing to pay for it. • 95% said they would opt to buy or rent a property that had zero antennas on the building over a comparable property that had several antennas on the building. • 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas. • 88% said that under no circumstances would they ever purchase or rent a property with a cell tower or group of antennas on top of, or attached to, the apartment building.
2. "Cell Towers Are Sprouting in Unlikely Places," The New York Times, January 9, 2000 (fears that property values could drop between 5 and 40 percent because of neighboring cell towers).
3. A New York Times news story, "A Pushback Against Cell Towers," published in the paper's Real Estate section, on August 27, 2010, found that property values will decrease 4 to 10%, depending on the nearness and size of a cellular installation. "Homeowners have given voice to concerns that proximity to a monopole or antenna may not be just aesthetically displeasing but also harmful to property values. Many also perceive health risks in proximity to radio frequency radiation emissions, . . ." Tina Canaris, an associate broker and a co-owner of RE/MAX Hearthstone in Merrick, N.Y., said, "You can see a buyer's dismay over the sight of a cell tower near a home just by their expression, even if they don't say anything." http://www.nytimes.com/2010/08/29/realestate/29Lizo.html?_r=1&ref=realestate.
4. The Appraisal Institute, the largest global professional membership organization for appraisers with 91 chapters throughout the world, has spotlighted the issue of cell towers/antennas and the fair market value of a home and educated its members that such an installation should, in fact, cause a decrease in home value. It concluded that "media attention to the potential health hazards of [cellular phone towers and antennas] has spread concerns among the public, resulting in increased resistance" to sites near those towers. The percentage of decrease moves toward the higher range the closer the property is to the cellular antenna."
5. A market transaction-based regression study in Christchurch, N.Z. included 4283 property sales in four suburbs that occurred between 1986 and 2002 (approximately 1000 sales per suburb). The sales data that occurred before a CPBS was built were compared to sales data after a CPBS (Cell Phone Base Station, i.e., antenna) was built to determine any variance in price, "If purchasing or renting a property near a CPBS, over a third (38%) of the control group respondents

would reduce price of their property by more than 20%." Bond, S.G., Beamish, K. (2005). "Cellular Phone Towers: Perceived Impact on Residents and Property Values", Pacific Rim Property Research Journal, vol. 11, no. 2, pp. 158-177. Also: Sandy Bond and Karen Beamish, "Residents' Perceptions Towards Living Near Cell Phone Towers" presented to the Twentieth American Real Estate Society Conference, April 20-24, 2004, Captiva Island, Florida.

6. Case studies were performed in four suburbs of Christchurch, New Zealand where a cellular base station had been established. Survey data was collected on people's perceptions about the impact of the base station on their property value and, most importantly, that data was combined with actual housing price changes over time. In the two suburbs studied where towers were built in 2000, the effect of a tower on home prices was a decrease of between 20.7% and 21%. Bond, S.G. and Wang, K. (2005). "The Impact of Cell Phone Towers on House Prices in Residential Neighborhoods", The Appraisal Journal (Summer 2005) Volume LXXIII, No.3, pp.256-277; http://goliath.ecnext.com/coms2/gi_0199-5011857/The-impact-of-cell-phone.html

7. This 2004 study in Christchurch, N.Z., involved analysis of the residential transaction data for a total of ten suburbs: five suburbs with CPBSs located in them and five control suburbs without CPBSs. "The effect of proximity to a CPBS reduces price by 15%, on average. This effect reduces with distance from the CPBS and is negligible after 1000 feet." Bond, S.G. and Xue, J., "Cell Phone Tower Proximity Impacts on House Prices: A New Zealand Case Study", European Real Estate Society and International Real Estate Society Conference, June 15-18, 2005, Dublin, Ireland.

8. 27 Burbank, CA real estate professionals in December 2009, signed a petition/statement offering their professional opinion that a proposed T-Mobile cell tower at Brace Canyon Park would negatively impact the surrounding homes, stating: "It is our professional opinion that cell towers decrease the value of homes in the area tremendously. Peer reviewed research also concurs that cell sites do indeed cause a decrease in home value." . . . Higher property values mean more tax revenue for the city, which helps improve our city." "I've done research on the subject and as well as spoken to many real estate professionals in the area, and they all agree that there's no doubt that cell towers negatively affect real estate values." Steve Hovakimian, Burbank, California real estate broker, and the publisher of "Home by Design" monthly real estate magazine, stated that he has seen properties near cell towers lose up to 10% of their value due to proximity of the cell tower. . . . So even if they try to disguise them as tacky fake metal pine trees, as a real estate professional you're required by the California Association of Realtors that sellers and licensees must disclose material facts that affect the value or desirability of a property including conditions that are known outside and surrounding areas." (Submitted to City Council, Planning Board, City Manager, City Clerk and other city officials via e-mail on June 18, 2010. To see a copy of this, scroll down to bottom of page and click "Subpages" or: <http://sites.google.com/site/nocelltowerinourneighborhood/home/decreased-real-estate-value/burbank-real-estate-professionals-statement>)

9. Windsor Hills/View Park, CA, 2009: Residents opposing a T-Mobile antenna in their neighborhood received several letters from local real estate companies, appraisers, homeowner associations, and resident organizations in their community confirming that real estate values would decrease with a cell phone antenna in their neighborhood, which must be disclosed to buyers according to the California Association of Realtors as a "known condition" that "affects the value or desirability of the property." To see copies of these letters, see "Report from Los Angeles County Regional Planning Commission regarding CUP Case No. 200700020-(2)," from L.A. County Board of Supervisors September 16, 2009, Meeting documents, Los Angeles County website at: <http://file.lacounty.gov/bos/supdocs/48444.pdf>

10. A Houston jury awarded \$1.2 million to a couple in 1999 because a 100-foot-tall cell tower was determined to have lessened the value of their property and caused them mental anguish: Nissimov, R., "GTE Wireless Loses Lawsuit over Cell-Phone Tower," Houston Chronicle, February 23, 1999, Section A, page

11. (Property values depreciated by about 10 percent because of the tower.) 11. In 2001 the assessed values of sixteen residential properties located in Colwood, British Columbia were reduced by BC Assessment by an average of 7.2% (approx. \$9,500 each) due to the aesthetic impacts of a broadcasting antenna tower installation. Facsimile from Dave Hitchcock, area assessor, BC Assessment (February 23, 2001) Re: Radio Transmissions and Towers, Triangle Mountain, Colwood, 2001 Assessment Reductions Due to Proximity to Transmission Towers; provided by the Colwood Transmission Towers Citizens Committee at a meeting held on 21 August 2003 in Colwood, BC.

12. Glendale, CA: During the January 7, 2009 Glendale City Council public hearing about a proposed T-mobile cell tower in a residential neighborhood, local real estate professional Addora Beall described how a Spanish home in the Verdugo Woodlands, listed for 1 million dollars, sold for \$25,000 less because of a power pole across the street. "Perception is everything," said Ms. Beall stated. "If the public perceives it to be a problem, then it is a problem. It really does affect property values." See Glendale City Council meeting, January 7, 2009, video of Addora Beall comments @ 2:35:24: http://glendale.granicus.com/MediaPlayer.php?view_id=12&clip_id=1227

13. "Tower Opponents Ring Up a Victory," by Phil Brozynski, in the Barrington [Illinois] Courier-Review, February 15, 1999, 5, reporting how the Cuba Township assessor reduced the value of 12 homes following the construction of a cell tower in Lake County, IL. <http://spot.colorado.edu/~maziara/appeal&attachments/Newton-43-LoweredPropertyValuation/>

14. Santa Cruz, CA: This is a story about how a preschool closed because of a cell tower installed on its grounds; "Santa Cruz Preschool Closes Citing Cell Tower Radiation," Santa Cruz Sentinel, May 17, 2006; Source, EMFacts website: <http://www.emfacts.com/weblog/?p=466>.

15. This British article reports that a new cell-phone antenna/tower/mast "will knock between 15 and 25 per cent off the value of a house, depending on how close it is and the size of the structure." Melfyn Williams, chairman of the National Association of Estate Agents, said in some cases a mast could see a home reduce in value by between 5 and 10 per cent. . . . "Campaigners are considering legal action to seek compensation for the loss in value of their properties or to get the masts removed. Last week, seven householders in Swindon won sums of between £10,000 and £20,000 each from their local council after it mistakenly allowed a mast to be erected in the middle of their residential street, causing their properties to crash in value." The Observer (U.K.), "Phone masts blight house sales: Health fears are alarming

buyers as masts spread across Britain to meet rising demand for mobiles," Sunday May 25, 2003 or:
<http://www.guardian.co.uk/money/2003/may/25/houseprices.uknews>

Almost any prospective property buyer would take the existence of a nearby cellular antenna cluster into account. Monterey government should do what it can to protect its citizens' investments in their homes, and land — which includes having rules against unwanted intrusions by cell phone towers and antennas.

Susan Catherine Nine
Sent from my iPad

RECEIVED
MAR 01 2018
CITY OF MONTEREY
PEEC DIVISION

Kristin Dotterer
339 Via Paraiso
Monterey, CA 93940

March 1, 2018

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

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MAR 01 2018

City of Monterey
PEEC DIVISION

Re: Petition Signatures Against ExteNet's 13 Proposed Cell Towers in Monterey Vista

Planning Commissioners:

Please enter this letter and the attached 31 pages of petition signatures into the record and provide a copy to each of the Commissioners in preparation for the March 15, 2018 Planning Commission hearing on ExteNet's 13 proposed cell towers.

The following petition was written by a grassroots neighborhood group, Neighbors United to Stop Verizon's Dangerous Cell Towers, that formed shortly after the initial Zoning Administrator meeting on October 5, 2017. As a group, we encouraged neighbors to write personal letters to the city opposing ExteNet's applications instead of opting to use this petition. However, as an individual I kept a petition in my baby's stroller when going for walks around the neighborhood. Over a few weeks, I ran into dozens of neighbors who were also out walking, informed them of ExteNet's proposed cell towers (because many were not yet informed back in November), and asked them to sign the petition. Every single individual I happened across chose to sign. And not a single person described less than good service under Verizon.

The other half of these petition signatures was gathered by Ann Packer, a resident of Skyline, through her homeowners' association. She forwarded them to me to deliver to the Planning Commission.

If this is a sampling of the Monterey Vista neighborhood, I believe we can say with confidence that ninety-plus percent of residents in this neighborhood do not want the installation of small cell facilities outside of our homes, parks, and schools. Furthermore, they oppose it to such a degree as to take political action by signing their names to a public petition. The testimony of residents who are Verizon customers, including the YouTube video that was published under the title "Verizon Proposed 13 Cell Sites Monterey," should also be used as evidence that ExteNet has failed to prove a "significant coverage gap."

To quote the city's code on wireless facilities (Ord. 3443), Section (F)(6)(a), "The City shall not approve any facilities, in the rights-of-ways, that unreasonably subject the public use to inconvenience, discomfort, trouble, annoyance, hindrance, impediment, or

obstruction." While the design of these facilities violates the city's code on physical levels (i.e. proximity to homes, narrow streets and sidewalks) and on aesthetic levels (i.e. interfering with our breathtaking natural setting and views), the social aspect, our quality of life, will be violated on a much more destructive scale than terms like "discomfort," "trouble," or "annoyance" could represent. For many of my neighbors, myself included, whether or not these cell towers will be allowed in a residential neighborhood will drive our decisions to live in Monterey or to move elsewhere for a better quality of life. Please do the right thing for the people of Monterey, who do not want or need this technology outside our homes, and deny every one of ExteNet's 13 applications.

Sincerely,



Kristin Dotterer
Neighbors United to Stop Verizon's Dangerous Cell Towers

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City of Monterey
PEEC DIVISION

Attachments: 31 pages of petition signatures

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City of Monterey
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Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017. —

Full Name (Please print clearly)	Street Address	Email	Join Email List?
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ROBERT YOHAN	342 Euclid Ave		✓
Alfred Arrivee	40 Via Encant		
Rick & Annette Alcocer	900 Alameda Ave		com ✓
KURT SCHWEICKHARDT	47 Via Cimarron		✓
JOEY MOODY	83 Via Cimarron		✓
Paul Pick	1 Dorey Way Monterey		✓
SUSAN SEWALD	40 Via Cimarron		✓
Melinda Scardina	350 Via Paraiso Monterey 93940		✓
Robert M. Young	340 Via Paraiso Monterey		✓
Lyndee Young	340 Via Paraiso		✓
Banicia Chalkara	340 Via Paraiso, Monterey		✓
parent Nora Thompson	57 Via Del Rey		✓

Petition written by Neighbors United to Stop Verizon's Dangerous Cell Towers

StopDangerousCellTowers@gmail.com

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MAR 01 2018
City of Monterey
REC DIVISION

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

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Full Name (Please print clearly)	Street Address	Email	Join Email List?
Christine Bekin	89 Via del Pinar		yes
Valerie Leasingham	270 Mar Vista Dr.		yes
Kenneth Hill	270 Mar Vista Dr.		yes
Stacy Stauffer	98 Via Encanto		yes
SEBASTIANO H. BIANCHINI	309 MAR VISTA DR		yes
MAUREEN A. Bianchini	309 Mar Vista Dr.		yes
GARY PRINCIPAL	764 TOYON DR		yes
Beverly Principal	764 Toyon Dr		yes
PAULA WHITE	26 CUESTA VISTA		yes
Michele Altman	84 Cuesta Vista Dr		.com YES
BARBARA JACOBOWSKY	277 MAR VISTA DR		
BORIS JACOBOWSKY	" " " "		

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StopDangerousCellTowers@gmail.com

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MAR 11 2018
City of Monterey
PEEC DIVISION

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Full Name (Please print clearly)	Street Address	Email	Join Email List?
parent DANIEL DOTERRER	339 VIA PARAISO MONTEREY		YES
Mike Pekin	89 Via del Pinar, Monterey		yes
SUNDAY Howe	511 Hannon ave		y✓
Ethan Howe	511 Hannon ave		✓
Jeffrey Paduan	265 Mar Vista Dr., Monterey		✓
JEFF GALFIN	4 EL CAMINITO DEL NORTE		YES
RONALD BECK	1 DOREY WAY MONTEREY		YES
WILLIAM CLANCY	58 VIA CASTANADA, MONTEREY		YES
MARQUIS WATSON	262 EDINBURGH, MONTEREY		YES
KATALIN MARKUS	" "		
ROGER BONTING	316 VIA PARAISO		com YES
Arlene Attivee	40 Via Encanto, Mt. y.		net

Petition written by Neighbors United to Stop Verizon's Dangerous Cell Towers

StopDangerousCellTowers@gmail.com

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

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City of Monterey
PEEC DIVISION

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Full Name (Please print clearly)	Street Address	Email	Join Email List?
Shauna Rowe	40 Laguna Grande Court		yes
parent Rob Thompson	57 Via Del Rey		✓
parents Cathryn Wilkerson	280 Via Paradise Mont		✓
Brian Thompson	280 Via Paraiso Mont		
parent Mehdi Douieb	272 von Buren		yes
parents Michelle Bolco	598 Madison St Mtry		yes
Sirana Gulls	70 Forest Ridge Rd #23		yes
Michael Boer	560 Madison St		

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Full Name (Please print clearly)	Street Address	Email	Join Email List?
Christopher Dorey	25 Via Chualar		yes
Amy Dorey	25 Via Chualar		yes
Andrew Lord	530 Hannon Ave		yes
Daniel Lord	530 Hannon Ave		yes

StopDangerousCellTowers@gmail.com

Please scan and return your signed petition to:

From: Ann Packer

Subject:

Date: October 31, 2017 at 12:06 PM

To: Ann Packer

To: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)

Street Address

Email

Join Email List?

ANN PACKER 5 Huckleberry Ct. Monterey, CA 93940

Steve Packer 5 Huckleberry Ct. Monterey, CA 93940

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MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (6)

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_____: Anna Packer
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Full Name (Please print clearly)	Street Address	Email	Join Email List?
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TONY LAGANA	12 HUCKLEBERRY COURT		
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YES

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. ⑦

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Full Name (Please print clearly)	Street Address	Email	Join Email List?
RAYONA LARSON	21 CRAMDEN DR.	MONTEREY, CA 93940	att.net

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MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (8)

From:
Subject: Cell tower petition
Date: November 6, 2017 at 6:22 PM
To:

Thanks, Ann

Created with [Scanner Pro](#)

case scan and return your signed petition to: ~~XXXXXXXXXX~~

From: Ann Packer ~~XXXXXXXXXX~~
Subject: ~~XXXXXXXXXX~~
Date: October 31, 2017 at 12:06 PM
To: Ann Packer aspacker@pacbell.net

Ann Packer
5 Huckabeeberry Court
Monterey, CA 93940

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Full Name (Please print clearly)	Street Address	City	State	Zip
William Huckabeeberry G.	8 Huckabeeberry Ct.			
<i>Ann Packer</i>				

William Huckabeeberry G.

Ann Packer

Pamela Rinkerston 8 Huckabeeberry Ct.

Pamela Rinkerston

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MAR 01 2018

City of Monterey
PEEC DIVISION

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Sent from my iPhone

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Full Name (Please print clearly)	Street Address	Email
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Leslie Wilson	12 CRANBERRY DR Monterey CA	
Barry Wilson	"	

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Magdi N Kamel 30 Camden Dr

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MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (m)

Please scan and return your signature

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
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DIANE BELANGER - 7 Huckleberry Ct.	MONTEREY, CA 93940		
------------------------------------	--------------------	--	--

William J. Belanger, Jr. 7 Huckleberry Ct
Monterey, Ca 93940

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (12)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

To: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
ANTHONY J. RUSSO	341 DRY CREEK - MONTEREY		
Anthony J. Russo	" " "		
CARMEL F. RUSSO			
Carmel F. Russo			

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (13)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

2: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
CHARLES BILLER Charles Biller	2 HUCKLEBERRY CT		NO
Deborah J.M. Biller Dmiller	2 Huckleberry Ct Monterey		NO

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (14)



Please scan and return your signed petition to

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:08 PM
To: Ann Packer

Ann Packer
Huckleberry
Monterey, CA

Petition to City of Monterey's Planning Commission: Stop Verizon Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit power in an area that already has good cellular coverage. Neighbors have united to prevent diminished property values, corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhood. We urge the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

RECEIVED
MAR 01 2018
City of Monterey
PEEC DIVISION

Neil Jay Ticker 9 Huckleberry Ct
Monterey, CA 93940
Neil H. Ticker 9 Huckleberry Ct
Monterey, CA 93940
Jan H. Ticker
Jan H. Ticker

Planning Commission meeting is Nov. 14 (Tue)
Council Chamber, 580 Pacific St. Public
and express their concerns. Commissioners will

From: Ann Packer
Subject: Fwd: Message
Date: November 6,
To: Ann Packer

Begin forwarded message:

From:
Subj:
Date:
To:

Petition-Thanks for all your effort.

Neil and Jan Ticker

----- Forwarded message -----

From:
Date:
Subj:
To:

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near Monte Vista Neighborhood in Monterey, CA. Our proposed tower is at the corner of Skyline and Huckleberry Drive. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interest, ecological damage to birds, bees, and other wildlife, loss of peace of mind, and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Full Name (please print clearly)	Street Address	Email	Join email list?
----------------------------------	----------------	-------	------------------

Pir W. Shah - *Pir W. Shah* 1 Huckleberry Ct. Monterey

Farah S. Shah - *Farah Shah* 1 Huckleberry Ct. Monterey

N. Hina Shah - *N. Hina Shah* 1 Huckleberry Ct. Monterey

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Subject: Petition
Date: November 7, 2017 at 3:33 PM
To:

From:
Subject:
Date:
To:

Verizon has proposed 13 dangerous and unnecessary cell-tower sites in Monterey, CA. These sites, all placed within dozens of feet of homes, schools, preschools, and public, will use powerful microwave radiation 24/7 an area that already has good cellular coverage. Neighbors have united to prevent this outrageous, purely profit-driven, health-threatening, ecological disaster to birth, breast, and other fertility, loss of peace of mind and quiet enjoyment of our residential properties, and degradation of the unique character and aesthetics of our beautiful, historic Nipponwood neighborhood.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Pull Name	Name
(Print name)	(Street Address)

RECEIVED

**City of Monterey
PEEC DIVISION**

Please scan and return your signed petition to:

From: Ann Packer

Subject:

Date: October 31, 2017 at 12:06 PM

To: Ann Packer

Ann Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)

Street Address

Email

Join Email

Rita Dubinsky
4 Huckleberry Ct
Monterey CA
93940

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (18)

Please scan and return your signed petition to:


From: Ann Packer

Subject:

Date: October 31, 2017 at 12:06 PM

To: Ann Packer

2: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before  11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
Leonid Dubinsky	4 Huckleberry Ct Monterey CA 93940		<input checked="" type="checkbox"/>

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (19)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
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MARY COELHO	17 CRAMDEN DR.	MONTEREY	
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Mary Coelho	"	"	"
-------------	---	---	---

PETE KOEHN	"	"	"
------------	---	---	---

	"	"	"
---	---	---	---

BRETT KOEHN	"	"	"
-------------	---	---	---

Brett Koehn	"	"	"
-------------	---	---	---

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (20)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

2: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
----------------------------------	----------------	-------	------------------

GASPARALIOTTI 9 CRANDEN DR.
MARYANNE ALIOTTI 9 CRANDEN DR.

RECEIVED

MAR 01 2018

City of Monterey
FEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (2)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

2: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
Josephine Lomant	16 Cramoan Dr.		
Ronald Lomant	" "	" "	

Josephine Lomant
Ronald Lomant

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (22)

Please scan and return your signed petition to:

From: Ann Packer

Subject:

Date: October 31, 2017 at 12:06 PM

To: Ann Packer

to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)

Street Address

Email

Join Email List?

ANDONINA ALIOTTI
Antonine Aliotti

10 HUCKLEBERRY CT
Monterey CAL. 93940

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (23)

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
----------------------------------	----------------	-------	------------------

JILLIE EXWELL	331 DRY CREEK RD.		
Jillie Exwell	MONTEREY, CA 93940		
CURTIS E. SPILLER JR	331 DRY CREEK RD		
Curtis E. Spiller Jr	MONTEREY, CA 93940		

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (24)

Please scan and return your signed petition to:

From: Ann Packer

Subject:

Date: October 31, 2017 at 12:06 PM

To: Ann Packer

2: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
NIRIKOS, BEYBONT	10710225		
	440 DRY CREEK RD		
	MONTEREY, CA, 93940		

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (25)

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA.

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We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Full Name (Please print clearly)	Street Address	Email	Join Email List?
Nancy Show	32 Crandall Dr.		No

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

or mail to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner Skyline at Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
MOODY MALEK <i>Moody Malek</i>	391 DRY CREEK RD. MONTEREY, CA 93940		
MARLENE MALEK <i>Marlene Malek</i>	SAME		

RECEIVED
MAR 01 2018
City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition

Hi Ann
Please see attached the signed petition.
Thank you,
Moody & Marlene Malek

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

RECEIVED

MAY 11 2018

City of Monterey
PEEC DIVISION

Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
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Rachel Irvine Schmidt	491 Dry Creek Road, Monterey, CA 93940		
-----------------------	--	--	--

Hans C. Schmidt	491 Dry Creek Road, Monterey, CA 93940		
-----------------	--	--	--

Madeleine Schmidt	491 Dry Creek Road, Monterey, CA 93940		
-------------------	--	--	--

Sarah Schmidt	491 Dry Creek Road, Monterey, CA 93940		
---------------	--	--	--

Nicholai Schmidt	491 Dry Creek Road, Monterey, CA 93940		
------------------	--	--	--

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (28)

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Please scan and return your signed petition to:

From: Ann Packer
Subject: [REDACTED]
Date: October 31, 2017
To: Ann Packer

Mail to: Anna Packer
Ckleberry Court
Monterey, CA 93940

before 11/7

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, loss of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Full Name (Please print clearly)

Street Address

Email

Join Email List?

Schwirzke 460 Dry Creek Rd

Our pr
tower
the co
Skylit
Hock
Drive

From: Me
Subject: [REDACTED]
Date: November 14, 2017 at 4:13 PM
To: [REDACTED]

meeting is Nov. 14 (tentatively at 4pm)

Sent from my iPhone

Please scan and return your signed petition to:

From: Ann Packer
Subject:
Date: October 31, 2017 at 12:06 PM
To: Ann Packer

to: Anna Packer
5 Huckleberry Court
Monterey, CA 93940

before 11/14

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA. These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Our proposed tower is at the corner of Skyline and Huckleberry Drive

Full Name (Please print clearly)	Street Address	Email	Join Email List?
----------------------------------	----------------	-------	------------------

Beverly Ann Oviedo	6 Huckleberry Ct Monterey, CA		
--------------------	----------------------------------	--	--

RECEIVED

MAR 01 2018

City of Monterey
PEEC DIVISION

Planning Commission meeting is Nov. 14 (tentatively at 4pm) at Council Chamber, 580 Pacific St. Public is welcome to attend and express their concerns. Commissioners will receive this petition. (30)

Petition to City of Monterey's Planning Commission: Stop Verizon's Dangerous Cell Towers in Monterey Neighborhoods

Verizon has proposed 13 dangerous and unnecessary cellular towers in and near the Monte Vista Neighborhood in Monterey, CA.

These towers, all placed within dozens of feet of homes, schools, preschools, and parks, will emit powerful microwave radiation 24/7 in an area that already has good cellular coverage. Neighbors have united to prevent diminished property value, forfeit of local control to corporate interests, ecological damage to birds, bees, and other wildlife, loss of peace of mind and quiet enjoyment of our residential areas, and degradation of the unique character and aesthetics of our beautiful, historic neighborhood.

We, the undersigned, Monterey residents, strongly oppose the addition of cell towers in our residential neighborhoods and demand that the Planning Commission deny Verizon's request at its meeting on November 14, 2017.

Full Name (Please print clearly)	Street Address	Email	Join Email List?
Kristin Dotterrer	339 Via Paraiso		yes
Ray Meyers	77 Via Buena Vista		yes
Jonina Meyers	77 Via Buena Vista		yes

RECEIVED
MAR 01 2018
City of Monterey
PEEC DIVISION

Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project. I have perfect
coverage in this
neighborhood (calling and
downloads) on my Verizon phone.**

Deny all locations!

Name: Sirona Sulis
70 Forest Ridge Rd #23

SAN JOSE CA 950

12 MAR 2018 PM 1 L



RECEIVED

MAR 14 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

49 cent postage req.



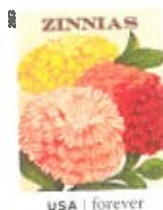
Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

KATHY PETTY

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**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

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MAR 14 2018

**City of Monterey
PEEC DIVISION**



Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Elizabeth Weber

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SANTEE CA 93940

12 MAR 2018 PM 2:1



**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

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Enter comment into record.

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Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name:

Sherman

Crustalita

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Colton Hall
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**Planning Commission
City of Monterey, CA
Re: 13 Small Cell Facility Applications**

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I, the undersigned, W. Lincoln Wagenhals, 7 Abinante Way, Monterey, CA 93940, submit the following for consideration at the public hearing on the above on March 15, 2018:

I support the applications and have the following comments:

- (i) communications are the cornerstone of our lives and democracy, and these towers will facilitate and improve our abilities to improve our communications;
- (ii) I have little to no reservations on the eye aesthetic aspects of these towers: I put up with many eye aesthetic negatives every day, and some additional like these will not get in my way; too, after all, I have to look on numerous occasions every day in newspapers, television, and elsewhere, in my view, at the most negative visage of President Trump, and I manage to live with that;
- (iii) some have raised safety issues, and I think there should be little to no doubt in the minds of the Planning Commission members those are not of real concern before the applications are approved.

Submitted this 14th day of March, 2018:


W. Lincoln Wagenhals

Small Cell Facility at Mar Vista

1 message

M Lucas

Wed, Mar 14, 2018 at 11:31 PM

To: Jenny Leinen <leinen@monterey.org>

Jenny,

The FCC RF standards are for exposure, should not be confused with the emission source. I think the applicant believes that the standard begins at the source. That is how their report reads.

The applicant is responsible for the entire beam and if the beam strikes a two story house the FCC exposure limit begins from the moment that it strikes a person.

The applicant well exceeds the six minute and the twelve minute exposure rule, especially if the person is wearing metal or has a metal implant. The applicant is responsible for the initial, secondary, and tertiary radiation and the near, intermediate, and far-field exposure levels.

There is no way for the small cell facility at Mar Vista to comply because the applicant is using microwave (I believe). Since the Facility will likely not be complying with the FCC standard then the City is allowed to deny the application and even allowed to use environmental arguments to do so. I believe that the City of Monterey has a responsibility to deny the application because approving the application would place the City in the awkward position of approving of a non-compliant system and knowing about it beforehand.

The power density is of little consequence when in a diffused far-field RF radiation situation. It is counterintuitive but a low power density extremely low frequency can devastate biological cells.

Since the bark of a tree is positively charged the electrons that the small cell facility generates in near field can kill the tree. This is because a positive charge repels a positive charge. The negative part of the water molecules inside of the tree will flip inside of the tree and head toward the bark and stay there instead of up the tree. The falling tree itself could present a hazard.

See my experiment results...attached. These results were verified by the University of Washington Physics Department as significant.

Apart from all of this information, the fake tree that the applicant installed at Pebble Beach lost its branches due to high wind. Even if the applicant replaced this facility with one that looks like a tree it would still be a hazard to cyclists, cars, and people who walk in the area.

The best case scenario for the applicant is to also withdraw this Mar Vista application before the hearing tomorrow evening. Once they go on record, in a public hearing, they have to be acting in good faith. If they are not then they are legally responsible once the facility goes live. If it is broadcasting a microwave beam that does not meet FCC exposure standards for extremely low frequencies or the higher frequencies Mar Vista residents will know.

Kind regards,
Steven Lucas

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3 attachments

Tree Experiment by Steven Lucas.jpg
208K



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Fake Tree Branch Failure.JPG
978K



Fake Tree Branch Failure Inside.JPG
891K



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P.E.E.C. DIVISION



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MAR 14 2018

City of Monterey
PEEC DIVISION

From:

Date: Thu, Mar 15, 2018 at 7:06 AM

Subject: FORWARD TO PLANNING COMMISSION: NO COVERAGE GAP. VOTE NO ON Extenet cell tower proposals

To: bonner@monterey.org

Please forward to members of the Planning Commission:

Stephen Millich (Chair)

Michael Dawson (Vice Chair)

Michael Brassfield

Sam Ezekiel

Daniel Fletcher

Terry Latasa

Hansen Reed

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TO THE PLANNING COMMISSION: I am a resident of Monterey. I ask you to vote NO on all current cell tower proposals submitted by Extent, and NO on any future alternate locations you may be considering. I do not experience any type of coverage gap in my current service. I use cell service in the Monte Vista neighborhood with no problem, 24-7. The study you are relying on has NOT CONCLUDED that there is a coverage gap. The city staff have presumed a coverage gap which is incorrect. The CTC test that The Telecom Law Firm ordered for the city does not come close to a "significant coverage gap," the legal standard. A CAPACITY GAP does not signify A COVERAGE GAP. The Planning Commission must NOT confirm the staff's incorrect finding of a coverage gap in any resolution. The Planning Commission must NOT allow contractors to preempt the city's wireless code. The Planning Commission should not use a 'less invasive alternative analysis'. We do not need and will not accept ANY small cell facilities in our residential neighborhood.

NO COVERAGE GAP. VOTE NO ON Extenet cell tower proposals

Mark
May 13, 2018.

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City of Monterey
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To: Presiding Commissioner Steven Millich and Distinguished Commissioners.

Fr: Residents Susan Nine and Mike Pekin.

Re: Staff Report recommendation to Planning Commission that Applicants be given a ***"limited exception to required findings"*** from Monterey City Code compliance for their proposed project.

Limited Exception to Required Findings – Section 38-112.4.H.3.

a. Zoning Ordinance Section 38-112.4.H.3.a – ***"A gap in the applicant's service coverage exists."***

Background

Toward the end of each staff report for the ten proposed locations recommended for denial, the staff made a determination that, "A gap in the applicant's service coverage exists." Staff therefore recommended a "limited exception to required findings" be granted for applicant from strict code-compliance. The basis for denial was that less invasive alternative sites are available. Because the recommendation is also for a finding of a "coverage gap", **those alternative sites will ultimately go into this Neighborhood.**

The same faulty assumption carried into the three applications for recommended approval. (Sites 4, 5 & 12) The three applications recommended for approval, all non-code-compliant, are based on the foundation of the central finding of a "service coverage gap".

The TCA requires applicant, not the City, to prove the non-existence of less invasive alternatives. This may include additional collocation with existing macro sites or new macro sites in one of the City's preferred locations. Near but not embedded in residential districts. Macro site antennas are lower frequency (700 MHZ) which travel long distances, do not dissipate quickly, and provide strong and efficient coverage (amplified signal strength). The longer wavelengths pass easily through buildings and obstructions and are the appropriate solution for "coverage gaps." High frequency (PCS and AWS) Antennas are for added capacity, not coverage. Their signals dissipate quickly, are effective only within a very small area, are easily blocked and absorbed by buildings and vegetation. They are therefore extremely infrastructure intensive for residential neighborhoods. They must be installed extremely near homes, in large numbers and are therefore are not the least invasive alternative for "coverage gaps" even in areas that do have coverage gaps, which ours does not.

Argument

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The staff report erred in recommending that the Planning Commission adopt an incorrect finding that a “service coverage gap” exists throughout the intended service area. Therefore, the grant of a “limited exception” from code compliance under Section 38-116-H.3 of the Monterey Personal Wireless Facilities Ordinance, is unfounded and unnecessary and should not be given. The applicant provider has not met its burden of proving a “significant coverage gap” required by the Federal Telecommunications Act of 1996 (TCA) and therefore no exception from local code enforcement is required by the TCA. This also means that a least invasive alternative analysis is not required by the City. The Applicant's’ proposed 13 wireless facilities in a Residential District are not Monterey code compliant and therefore all should be denied permits. To not do so would create a dangerous precedent, allowing the proliferation of DAS systems throughout Monterey’s lovely historic neighborhoods. Not just by Verizon, but all of Verizon’s competitors. The claim of a significant coverage gap has been controverted by substantial evidence and the Planning Commission therefore ought not stipulate to such a finding or grant a limited exception. The term capacity gap is not mentioned in the TCA and has no known test or Court defined meaning. It has no bearing on a determination of whether a significant coverage gap exists. The basis relied on for the staff’s recommendation of a “limited exception” is incorrect and inapplicable to significant coverage gap analysis as required under several published Ninth Circuit decisions ruling on what does and does not constitute a “significant coverage gap” under the TCA.

The staff recommendation that the Planning Commission find a “service coverage gap” throughout the intended service area is based solely on a report by Columbia Telecommunications Corporation (CTC). The neighborhood wants the Commission to know that the CTC Report never claims there to be a “coverage gap”; let alone a “significant coverage gap” that the TCA requires for any preemption of strict compliance with local code requirements. The CTC test that is specific to existing coverage levels, is the test data found in Appendix B of the CTC report titled, “Data Collected from Drive Test of Existing Verizon Coverage” The results show that their equipment made an LTE connection at 100% of the 1300 or more geographic points tested throughout the intended service area. There was not one dead spot or failed connection. This test is specific for coverage and proves the very opposite of a coverage gap, let alone a significant one. See attachment 1.

The staff report instead relied solely on CTC’s claim of a “capacity gap” which has no use or definition within the TCA or other other laws. No court-accepted definition of what that means exists and the use of that term in Published circuit cases is unknown in the “significant coverage gap” analysis. Test cases making a decisions about what does and does not rise to that accepted TCA standard, do not refer to a “capacity gap”. CTC is not allowed to step into the shoes of lawmakers and judges to carve out an exception that does not exist in any legal precedent. At any rate if there are claimed issues regarding wireless broadband capacity, customers are not

experiencing any evidence of that. Resident field testing at each proposed location at peak usage periods show no issues with calling or video streaming, and Verizon sales representatives in local stores have repeatedly assured existing and prospective customers that there is seamless coverage and reliable calling and quick download and upload speeds within the intended service area. This is also confirmed by Verizon's advertised coverage maps of the area.

The "capacity gap" argument is contrary to controlling law, and perpetuates an injustice to our Neighborhood. It is extremely unusual for a city to be arguing for preemption of local control by recommending this "limited exception" of code compliance which will tie the City's hands for future future permit applications. Cities argue against the existence of a "significant coverage gap" which is easy to do because virtually none exist anywhere in the United States. Verizon claims 98% complete coverage anywhere in the U.S. The City has already heard from many Verizon customers denying any coverage problems at all during public comment at two meetings. This has been supported by over 700 pages of emails and letters sent to the City denying the claim that a coverage gap exists in these neighborhoods. The City has in their hands now more than substantial evidence to deny the claim of a significant coverage gap, the Circuit Court's gold standard for preemption of local code enforcement under the TCA. Cities generally fight to retain control over siting decisions and stand up for the principle that they be allowed to fulfill their duty of local code enforcement. The denial of a coverage gap is a City's best defense if they need to take decisions to appeals in judicial settings.

We ask the Planning Commission to not concede this point. To not do so will open the floodgates to countless Monterey neighborhood DAS installations, because accepting the false premise that a "capacity gap" claim constitutes a "coverage gap" adopts a standard no neighborhood will meet. This is because all Monterey neighborhoods are being provided their service from macro sites using the 700 MHZ antennas appropriate for that coverage. There is an absence of the 1900 MHZ and 2100 MHZ bands because our neighborhoods do not have or want high-frequency, high wattage antennas embedded within them. This is a kind of catch 22 cyclic argument. You must have antennas every 6000 feet in every neighborhood because you don't have these bandwidths because you don't have these DAS systems. None of this has anything to do with a determination of what constitutes a significant gap in coverage. Existing coverage is great as shown from CTC drive by tests and substantial evidence. Capacity problems described in the report such as dropped calls, failed connections, and inability to download and upload on Verizon smartphones also are denied by Verizon customers and even by Verizon sales reps. They do not get complaints about such issues, they say.

Improving (rather than providing) existing coverage and providing capacity relief are NOT provided for in the TCA or the Monterey Codes. Exaggerated and hypothetical presumptions of increasing demand does not mean a gap exists currently, anywhere in Monterey Vista neighborhoods. Circuit courts, including our own Ninth Circuit Court of Appeals have consistently held that a claimed prospect of future demand cannot be the basis of a determination of whether a current

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"Significant gap in coverage" exists. The City must not accept the proposition that applicant has met its very heavy burden of proof that such a coverage gap exists. The non-legally sanctioned substitution of a "capacity gap" which is not defined or mentioned in the Monterey's Wireless Ordinance or in the TCA fails as a substitute. The "capacity gap" argument provides insufficient basis to require the City to ultimately permit these densified systems of wireless microwave radiating transmitters, which the Monterey Code does not permit in Residential Districts that have existing coverage and reliable service. Beside this overarching basis for denial, each application contains many design elements that violate specific code requirements and findings.

- There have been over eight hundred pages of public comment sent to the Planning Commissioners and staff against these applications. Over three hundred postcards and many letters denied there are any Verizon significant gaps in coverage.**
- Customers consistently have given testimony at two public meetings confirming seamless coverage and quick seamless downloading and data streaming on their Verizon smartphones. This testimony was not controverted by a single speaker.**
- This neighborhood is considered "built out". There are no plans for increased development or population growth. The demographics are a largely senior population. Homes are expensive and there are few families with children. Most residents use their smartphones only when they are away from home. They have bigger screened devices in their homes connected to the internet with wired or cabled connections. The vast majority maintain land lines. They avoid using cell phones to Skype, stream movies, download emails. No resident has asked for increased Verizon data coverage. The residents of this neighborhood blanketed by this densified network do not want the "service capacity" Verizon wants to install.**
- There is already adequate existing wireless service here. Verizon customers live throughout all areas of the neighborhood and are paying substantial monthly bills to obtain the existing reliable service for which they are willing to pay.**
- Excellent coverage has been repeatedly verified by local Verizon sales representatives and by Verizon's advertised coverage maps.**
- The YouTube posted video Proposed 13 Verizon Cell Towers documents reliable calls and quick video downloads at each and every ExteNet proposed location on first attempt.**

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**City of Monterey
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"...a capacity gap in reliable Verizon wireless broadband services."

This Verizon charade is likely the involuntary selection of the City of Monterey as one of Verizon's nation-wide 5G laboratories and/or getting the necessary infrastructure in place to begin rolling out their new product line. Verizon won't admit it to this distinguished Planning Commission, but Verizon is not focused on spending millions of dollars on cell phone coverage in the one square mile R-1 Monterey Vista Neighborhood at all. This infrastructure is intended to provide wireless home Internet and TV service, which is much more profitable than cell phone service, but requires much greater capacity throughout the Neighborhood. Verizon abandoned their fiber optic FIOS home internet and telephone service, because once they get these small cell antennas embedded near our homes, Verizon can beam these powerful radiation signals wirelessly into our homes 24/7; all the while avoiding the expense of laying fiber optic cable to homes.

That's exactly what Verizon CEO Lowell McAdam told Fortune Magazine that Verizon was doing in December, 2016.

Quoting Verizon CEO McAdam:

***"Verizon's Wireless TV And Internet Service Coming To Small Towns Soon
By Aaron Pressman December 6, 2016.***

Verizon is getting close to its first large scale trials of a high-speed wireless video service to compete with cable television.

The company will roll out the service, which is based on the upcoming 5G wireless standard, in several small towns by the end of March, CEO Lowell McAdam said on Tuesday. The goal is to provide high-speed connectivity for TV and Internet service to homes and businesses without needing to run fiber optic lines to every customer. "We won't be charging for the service, but we will be learning from it and figuring out the distance between the transmitter and the receiver in a 5G environment," McAdam said at a UBS investor conference in New York.

Verizon has long touted the upcoming 5G standard, which can be up to 100 times faster than current 4G wireless service, as the basis for a new Cable and Internet service. The 5G technology is needed for Verizon's six year, \$300 million plan to offer TV and Internet in Boston, for example. But McAdam had not previously given the early 2017 timeline and additional details about Verizon's efforts.

The carrier is looking for ways to save money and crack new markets as growth in its two main lines of business, wired and wireless phone service, have slowed. In addition to 5G video service, McAdam has also targeted service for smart, connected devices.

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the Internet of things and online advertising, via the acquisition of AOL and pending purchase of Yahoo.

Verizon's Fios unit, which offers TV and Internet service, largely ceased expanding years ago because of the expense of building fiber optic lines to customers....

But the 5G wireless plan could dramatically reduce those costs. A customer would only need a typical router placed by a window to receive signals for Internet and TV service from a neighborhood-based cell tower. Verizon has even discussed deploying more numerous microcells, with new technology that can put a 5G transmitter inside a street light, for example.

"This will allow you to stop anywhere from 200 feet to 1,000 feet, somewhere in that range, we think, from the home and then make it a wireless last leg into the home," McAdam explained. "And I think that is going to be the predominant architecture for wireless service going forward."

<http://fortune.com/2016/12/06/verizon-5g-test-small-towns/> Page 3 of 3"
(end quote from Fortune Magazine)

Conclusion.

If a representative from Verizon is present at the Planning Commission Hearing on this matter, is that Verizon representative seriously going to contend that the expense and effort being expended to put this densified network of 13 towers into a single square mile of R-1 single family homes, where there is no coverage gap, is for the purpose of improving cell phone coverage only? This is not credible. We are not being told the truth; and this assertion of a "service capacity gap" is part of that Verizon deception.

Respectfully submitted on March 13, 2018.


SUSAN NINE, Resident.


MIKE PEKIN, Resident.

Authorities

Federal Circuit Cases:

1. *MetroPCS, Inc, v. City and County of San Francisco*, (9th Cir. 2005)
2. *Sprint PCS Assets, L.L.C. v. City of Palos Verdes Esatates* (9th Cir. 2009)
3. *Town of Amherst v. omnipoint Commc'ns Enters. Inc.*, (1st Cir. 1999)

Federal Statutes:

47 U.S.C. Section 332(c)(7) (Telecommunications Act of 1996)

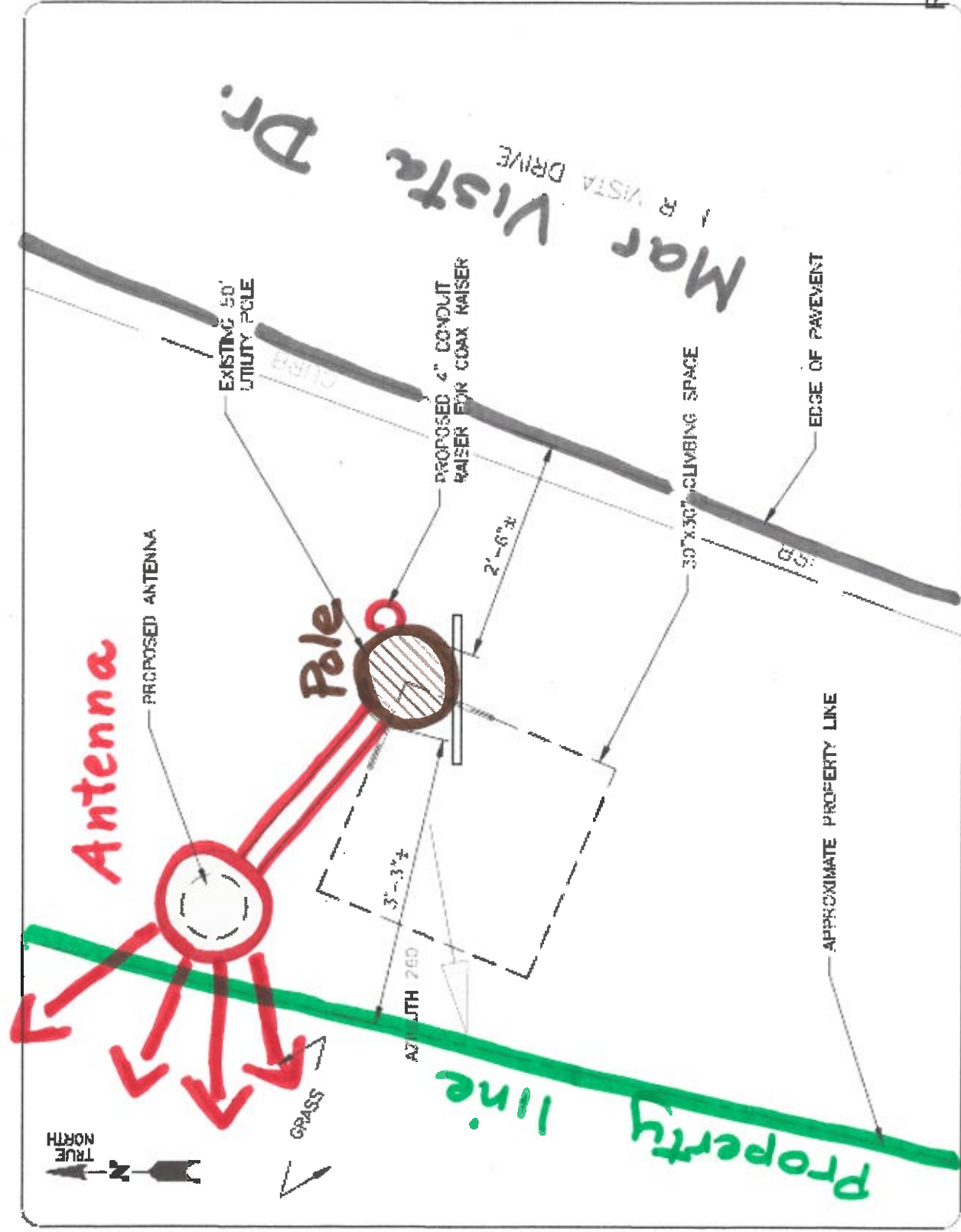
Local Monterey Ordinance:

38-112.4 Personal Wireless Service Facilities Ordinance (Ord. 3443; 03/2010)

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ANTENNA SPACE PLAN VIEW
C-2 SCALE NTS

Cincinnati Seeks Developers to Create Smart City Platform With Free Wi-Fi

Building on its rewritten small-cell wireless ordinance and 15 informational dashboards released in December, Cincinnati is looking for a few good developers to wire the city.

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BY THEO DOUGLAS / MARCH 27, 2017

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Cincinnati, which last year updated its small-cell wireless facilities ordinance and released its **CincyInsights** portal to 15 different informational dashboards, is embarking on the creation of a smart city platform that will feature free or tiered-rate Wi-Fi for all residents.

On Tuesday, March 21, City Manager Harry Black and other officials announced the **Smart Cities Phase 1 Request for Qualifications** (RFQ), which is aimed at identifying a team of developers to deploy Wi-Fi or "wireline" broadband throughout the city beginning along the **Cincinnati Bell Connector** streetcar route. As the document points out, it has a plethora of "ducts, conduits and access to more than 370 poles" in 3.6 miles that run through the city center from the Banks to Findlay Market.

"We want your help to lay the groundwork for a smart-city grid in Cincinnati that is useful, cost effective, and opens doors to future innovations to benefit our citizens," officials wrote in the RFQ.

The city is giving interested developers 45 days — until 12 p.m. Eastern Daylight Time on May 5 — to submit their qualifications and describe their visions for what Black told Government Technology will be a "digital broadband superhighway that will have a series of on-ramps and exit ramps."

After a city-appointed selection committee reviews submissions, Black said Cincinnati will issue its RFP, likely with a 30-day deadline — and with the goal of getting a network operational this summer.

An attorney who is assisting the city with the process told Government Technology that the tight timeline may not be doable — something applicants will likely clarify — but it is intended to convey the city's dedication and its intent to move the process forward quickly.

The city manager said these next steps are essential, predicated on the idea that Cincinnati, like Louisville, Ky.; Columbus, Ohio; and other Midwestern municipalities exploring smart city concepts, is essentially competing for residents.

"With the dashboards, we're letting them touch and see their government and the work that we do," Black said, referring to CincyInsights. "This is another way of reaching out to our various constituent groups and trying to provide value to them... The key is we have to make the Cincinnati experience a very valuable one. That people seek out."

At the March 21 press conference, broadcast through Facebook Live, City Council member P.G. Sittenfeld noted the first-ever **smart cities working group** he convened recognized that peer cities are beginning to outpace Cincinnati.

"While Cincinnati can absolutely excel against any competition, we can't do it if we're standing still," he said. "A smart future is about everything from closing that digital divide once and for all to achieving a more data-driven government."

The councilmember highlighted public trash cans that alert the city when they're full and traffic lights that manage vehicles in real time as examples of modern civic technology that could follow an update like citywide wireless access.

"This is not some science fiction. All of that is within our grasp and indeed some of it has already come our way," said Sittenfeld, emphasizing that Cincinnati must update its mindset along with infrastructure.

Cincinnati's initiative, Black said, is the best, most effective path by which to pursue "a smart cities vision," establishing the primary infrastructure needed to connect government with its customers, the city's residents and visitors, via digital broadband.

It's envisioned as a public-private partnership between the city and a team of developers — companies, Black said, like Cisco, IBM and GTE — that will connect educational, arts and business communities, and provide a return on investments to all.

The RFQ asks developers to detail a build-out schedule; specify the city's role, project costs and when the network would turn a profit; and "discuss how and when the profits generated from their proposed network would be shared with the city."

The network they would create is intended to stimulate commercial, noncommercial and public benefits.

Broadband engineer Dr. Jonathan Kramer, an attorney at Los Angeles-based Telecom Law Firm, P.C. which is advising Cincinnati, said the project has the potential to bridge the digital divide.

Cincinnati, Kramer said, can "do a very, very good job" of making public information available — but will look to its partners to bring access to "other things like navigational aids, educational aids, financial tools."

"We've spent a lot of time refining the RFQ to not just do a normal type of public solicitation but to solicit, really, innovation," Kramer said. "What we're looking at is the next level of that service, which is the high-speed, frequent service, high utilization. Using the rail analogy, we want to bring the high-speed trains into Cincinnati. **This is a great place to try out interesting ideas.**"

Theo Douglas Staff Writer

Theo Douglas is a staff writer for Government Technology. His reporting experience includes covering municipal, county and state governments, business and breaking news. He has a Bachelor's degree in Newspaper Journalism and a Master's in History, both from California State University, Long Beach.

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Cell Towers

1 message

Alan Herren

Tue, Mar 13, 2018 at 1:58 PM

To: Leinen@monterey.org

Ms. Leinen;

I am writing to you on behalf of my wife and I to express our vehement opposition to the proposed cell tower installations in the Monte Vista neighborhood. We don't see the need for them. There is no coverage gap in cell phone reception that we have experienced. In addition, whether you believe that there is a medical risk associated with these towers or not, we think that many people do believe so and therefore don't want to live next to them. That in itself will have a negative impact on property values in our neighborhood. The towers are also aesthetically displeasing. They're ugly in fact. They possess an industrial look that is inappropriate for a residential neighborhood. That fact will also have a negative impact on property values. I grew up in the Via Paraiso neighborhood, my family has owned our house for more than sixty years, I plan to retire to this property. We do not want to see the quality of life in our neighborhood decline! Please vote against this unwelcome and unnecessary intrusion into our beautiful neighborhood.

Please see the link below and forward my email to all Planning Commissioners and Council Members.

<https://www.emfanalysis.com/property-values-declining-cell-towers/>

Sincerely

Alan and Joanne Herren

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Jenny Leinen <leinen@monterey.org>

Please Enter into the Record for March 15 Hearing on Cell Towers

1 message

Kristin Dotterrer

Tue, Mar 13, 2018 at 11:56 AM

To: leinen@monterey.org

Cc: susan nine <

>, Mike Pekin

Pat Venza

Hi Jenny,

Please enter the attached letter into the record for the March 15, 2018 Planning Commission hearing on ExteNet's 13 cell towers in Monterey Vista. Please also distribute copies of this attached letter to all of the Planning Commissioners and City Council members.

We encourage everyone at the city to watch "Monterey Residents Oppose Residential Cell Towers" recently uploaded to YouTube.

Thank you,

Kristin & Daniel Dotterrer
339 Via Paraiso

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Second Resident Call Test Video.pdf

45K

Kristin & Daniel Dotterrer
339 Via Paraiso
Monterey, CA 93940

March 13, 2018

Planning Commission
Colton Hall
570 Pacific Street
Monterey, CA 93940

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Re: Evidence That There Exists NO Significant Coverage Gap

Dear Planning Commissioners:

Please enter this letter into the record and distribute copies of it to all Planning Commissioners in preparation for the March 15, 2018 hearing on ExteNet's applications for 13 cell towers in the Monterey Vista neighborhood.

This letter is to request that you all view the recently uploaded second call and download test conducted by Monterey Vista residents. Please find the video here: <https://youtu.be/V6ivlb728-c>. The full citation for the video is as follows, and can also be found on [YouTube.com](https://www.youtube.com) by searching for its title:

Stop Dangerous Cell Towers. "Monterey Residents Oppose Residential Cell Towers." Online video clip. [YouTube.com](https://www.youtube.com). March 12, 2008.

Phone calls were made flawlessly with four bars at each of the 13 proposed cell tower sites. Videos were downloaded and streamed quickly at each of the 13 proposed cell tower sites. For the test, we used our Apple iPhone 5S, which is several years old and would have the effect of slowing down speeds if anything. As the video disclaims in the beginning, these tests were conducted at what Verizon claims are peak call times and areas,¹ on Thursday and Friday afternoons around schools and just before, at the time, and just after schools let out.²

There is clearly no significant coverage gap. That the CTC drive test connected at every single one of the hundreds of locations tested should also provide evidence that no significant coverage gap exists. That higher frequencies were not as often detected

¹ As reported by KSBW Action News 8. "Big Changes for Monterey Cell Tower Plans." Online video clip. [YouTube.com](https://www.youtube.com). March 8, 2018. "Verizon says that these small cell devices, the goal of them is to improve streaming video and also downloading and uploading to social media, a type of service that goes way down in the Monte Vista neighborhood when school gets out at the high school and middle school."

² In our YouTube video, dates and times are visible on the phone while the test are conducted.

does not amount to a significant coverage gap. The city must correct their staff report that presumes a gap. ExteNet has failed to meet this legal standard and the city should not do their work for them.

Furthermore, the argument that Verizon needs 13 small cell facilities, at least three of which are proposed directly adjacent to the homes of individuals who are electromagnetically sensitive, so that high schoolers can stand on the street and download from social media is unconscionable, ludicrous, and hereby disproven to be necessary with this video.

Best Regards,

Kristin & Daniel Dotterrer

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City of Monterey
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Re: March 12, 2018 Planning Commission Field Trip Agenda

1 message

M Lucas <~~XXXXXXXXXXXX~~>
To: Jenny Leinen <leinen@monterey.org>

Mon, Mar 12, 2018 at 3:03 PM

Jenny,

Here is a link to an extensive military study on the biological effects of microwave radiation. I'm assuming that the small cell facilities are microwave facilities.

<http://www.dtic.mil/dtic/tr/fulltext/u2/273787.pdf>

Kind regards,
Steven Lucas

On Thu, Mar 8, 2018 at 3:27 PM, Jenny Leinen <leinen@monterey.org> wrote:



You received this email because you subscribed to City of Monterey Planning Commission Agendas. Please use the links at the bottom of this email to change your preferences or unsubscribe if you no longer wish to receive these emails. Thank you.

Planning Commission Field Trip Agenda





Jenny Lelnen <leinen@monterey.org>

Fwd: Use permit UP-17-0337- Skyline Terrace Apartments

1 message

Todd Bennett <bennett@monterey.org>

Tue, Mar 13, 2018 at 9:21 AM

To: Jenny Nelson <leinen@monterey.org>, Elizabeth Caraker <caraker@monterey.org>

Jenny,

Please add this email to the record, and provide copies to the Commissioners at/before the hearing.

Thanks,

Todd

----- Forwarded message -----

From: **Ryan Crowley**

Date: Mon, Mar 12, 2018 at 3:45 PM

Subject: Use permit UP-17-0337- Skyline Terrace Apartments

To: bennett@monterey.org

RECEIVED

MAR 13 2018

City of Monterey
PEEC DIVISION

Hi Todd,

Thanks for the call. I am writing in support of the project located at Skyline Drive/Huckleberry Drive. We have been looking at upgrading our fire alarm system at our apartment complex and one of the issues we are facing is inadequate wireless coverage. Until there is a stronger signal in the area, we will not be able to upgrade/modernize our fire alarm system. We would like to see improved wireless coverage in the area.

Thanks,

Ryan Crowley

Tilden Properties

1660 Olympic Blvd., Suite 215

Walnut Creek, CA 94596

(925) 935-3036

(415) 341-5301 Mobile

(925) 935-3930 Fax



--

Todd Bennett
ext 3758



Monterey Vista Neighborhood Association

PO Box 2096 Monterey, CA 93942

Web: montereyvistaneighborhood.org Email: [REDACTED]

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.

March 12, 2018

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MAR 13 2018

Monterey City Planning Commissioners

City of Monterey
PEEC DIVISION

Dear Commissioners:

I am addressing you as the representative of the Monterey Vista Neighborhood Association.

Never has the association seen or heard from so many residents over an issue in our neighborhood. Even though 10 of these permits are directly in the Monterey Vista Neighborhood, all 13 will affect our residents and eventually all the residents in Monterey. That is because approval of just one of these permits will open the ability of all communication companies to come into Monterey to install these types of cell antennas. The courts will only stand with the City of Monterey IF none are approved.

You are going to hear from a lot of residents at the Planning Commission meeting on March 15th as to why NONE of these permits should be approved. Attached is a list of "Reasons for Denial of the 13 Cell Antennas in the Monterey Vista Neighborhood."

There are three reasons on the list that stand out. The rest are "icing-on-the-cake". Those 3 are:


There is NO "significant coverage gaps in voice service" which is the standard that must be met by the communication firms to force these cell antennas on us.

The City Personal Wireless Service Facilities Ordinance says that Residential Districts should be avoided.

The same ordinance says that unless "a gap in the applicant's service COVERAGE exists" all of the ordinance must be heard to. Our residents and the Verizon store say there is no gap.

I know that as appointed Planning Commissioners you are serving the residents of Monterey. I know that you will vote to protect our neighborhood and the City of Monterey from the intrusion of these unwanted and unneeded cell antennas.

Sincerely,



Patricia R. Venza
Vice President, MVNA

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MAR 12 2018

City of Monterey
PEEC DIVISION

**REASONS FOR DENIAL OF 13 CELL ANTENNAS IN THE
MONTEREY VISTA NEIGHBORHOOD**

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MAR 12 2018
City of Monterey
PEEC DIVISION

The City of Monterey is our home. As residents we cherish its beauty and importance placed on the neighborhoods. These 13 cell antenna permits threaten our neighborhood and eventually the total City of Monterey if approved.

The Federal Telecommunication Act makes two points clear:

1. Only if there are "significant coverage gaps in voice service" is there a requirement to add antennas. There are no gaps in Verizon service in this area. The CTC report refers to "capacity gaps" which are not recognized by the courts as sufficient need for added antennas.
2. If access to our neighborhood is provided to one service provider, then access must be provided to all. Not ONE pole can be approved (or any alternates) or the door is opened to destruction of our neighborhood.

The following City documents provide all the guidance needed for denial of these cell antennas.

The General Plan:

Throughout the General Plan the goals and policies are to "preserve and enhance" what we currently have in our beautiful City. That includes vistas and character of our neighborhoods and our trees. These cell antennas do not align with any of these goals and policies.

38-122.4 Personal Wireless Service Facilities:

A.1. Purpose: The standards listed to "protect and promote public safety, community welfare, and the unique visual quality of the City..." can only be obtained with denial of these permits.

F.1. Preferred Designs: There will be no collocation of facilities with these 13 permits or any application that may follow due to the nature and location of the equipment.

3.b. Discouraged Locations: AVOID Residential districts.

4.a. Concealment: The majority of these cell antennas will not be camouflaged or stealth. There is no visual blending into the surrounding area.

4.b. Height: Some of these 13 poles, with the added equipment, will go far beyond the height limit.

- 4.c. **Setbacks:** Some of these 13 poles are already encroaching into setbacks. Residents property is being hung over by the added equipment.
- 4.i. **Landscaping:** For many of these 13 poles there is no visual screen of the facility and because of the need for the waves to be unobstructed more trees will be cut back or removed.
- 5.d. **Ground-Mounted Equipment:** Two of these poles will have large Smart meter pedestals (4'4" H x 16" W x 17" D) on the ground near the pole, in plain view. Ordinance says to avoid.
- 6.a. **Public Rights-off-Way Facilities. Impact on Public Use:** This is the strongest wording in the ordinance for denial. "The City SHALL NOT APPROVE.....public use to inconvenience, discomfort, trouble, annoyance, hindrance, impediment or obstruction." Goes on to say this includes: "social, expressive, and aesthetic functions". These 13 cell antennas do all of this, to different degrees, to the residents of the Monterey Vista neighborhood.
- 6.b. **Concealment:** MUST BE concealed. None of these 13 permits made any attempt to conceal.
- 6.c. **Undergrounded Equipment:** Not all are underground, but we don't care, as we do not want even if underground. The large cell antenna alone is visual blight.
- 6d. **Ground-Mounted Equipment:** The cabinet used for in one case is 4'4"x 16 1/4"x17 1/4". It is extremely large sitting at the edge of Veterans Park. There is no concealment showing in the drawings.
- 6e. **Pole-Mounted Equipment:** "All pole-mounted equipment MUST be installed as close to the pole as technically and legally feasible....." Three of these cell antennas are side mounted and are sticking out 3'2" from the side of the pole. In addition, no attempt has been made to conceal the "conduits, conduit attachments, cables, wires and other connectors..." This is not acceptable.

H. Notices—Findings—Decisions

- 2.a. **Use Permit Findings:** Deny if: "...detrimental to the public health, safety and welfare." FCC doesn't allow health issues to be a factor even though there are many studies that show it can be. After Santa Rosa we are concerned with the fire danger of overloading these old poles. Many of these poles are old, thin, riddled with holes from woodpeckers. They are

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MAR 12 2018

City of Monterey
PEEC DIVISION

not safe.

- 2.d. For some of these poles the cell equipment starts are 7 feet above ground. They are on sidewalks where children walk. This is inviting danger in addition to the visual blight and being attractive nuisances.
- 2.e. All of these cell antennas will "impair or diminish views..."
- 2.f. These facilities are NOT necessary or desirable for, or compatible with, the neighborhood or community. This paragraph sums up all the reasons for denial of these cell antennas.
- 3.a. The only way any of the above provisions are not to be complied with is if "(i) a gap in the applicant's service coverage exists." The residents say there is no "coverage gap", the Verizon store says there is no "coverage gap". The CTC report only refers to a "capacity gap". "Capacity gap" is not the same as "coverage gap" and not a reason to hold all of the provision of the City ordinance in place.

J. Standard Conditions of Approval.

- 1.f. Adverse Impacts on Adjacent Properties. RF is shown to be harmful to humans with certain health conditions. What would the City do if the health condition of a resident, who lived close to one of the cell antennas, became worse and could show it to be related to the installation of the equipment?

Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name:

Donna & Robert Feist

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09 MAR 2018 PM 3:1

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MAR 12 2018

City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

OAKLAND CA 945

I am a Monterey resident
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placement in residential
neighborhoods. ExteNet's
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this unnecessary, invasive
project.

10 MAR 2018 PM 3 L



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City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

Name: Debra Achen

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Enter comment into record.

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coverage gap here. Deny
this unnecessary, invasive
project.

Thomas Lee
11 Cuesta Vista
Monterey CA

Name:

93940

Thomas Lee

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28 FEB 2018 PM 2:1

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MAR 05 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record.

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coverage gap here. Deny
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project.**

Name: Gail McIntyre

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MAR 05 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Wanda Spataro
Name:
~~*Wanda Spataro*~~

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12 MAR 2018 PM 2:1



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MAR 06 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



Enter comment into record.

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There is no 4g Verizon
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this unnecessary, invasive
project.**

*Protect your
residents. Find
more intelligent placement
in town.*

Name:

Michael [Signature]

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MAR 07 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

no cell towers
in old town !

Name: Heather Bair

49 cent postage req. ^(or walk) to Colton

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MAR 07 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

Enter comment into record.

**I am a Monterey resident
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placement in residential
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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: Mary Norman
7 Via Ventura

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MAR 07 2018

**City of Monterey
PEEC DIVISION**

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**



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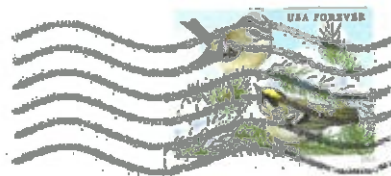
**I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.**

Name: *Jeanne Turner*

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06 MAR 2018 PM 3 L



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City of Monterey
PEEC DIVISION

**Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940**

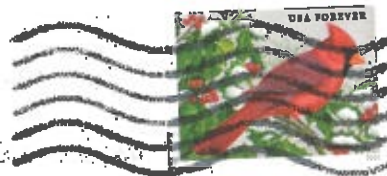
Enter comment into record.

I am a Monterey resident
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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

Name: *DAN TURNER*
1490 VIA ISOLA
MONTEREY
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SAN JOSE CA 950

06 MAR 2018 PM 3 L



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MAR 08 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

Enter comment into record.

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against wireless facility
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applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

*I have reviewed the B cell
site applications and
they are not in
compliance with the
city zoning and violate
the ordinance for cellular
Name: facilities placement.*

*Ray Meyers, Via
77 Buena Vista, Monterey*
49 cent postage req.



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MAR 08 2018

City of Monterey
PEEC DIVISION

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Enter comment into record. Mail by ~~Jan 18~~ or hand deliver

I am a Monterey resident
against wireless facility
placement in residential
neighborhoods. ExteNet's
applications violate the City
Code and the General Plan.
There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

340 VIA PARAISO

Cynthia Young
Name:

CYNTHIA YOUNG
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MAR 09 2018

City of Monterey
PEEC DIVISION

Recd MAR 18 AM 10:00 CityClk

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940

Enter comment into record. Mail by ~~Jan 18~~ or hand deliver

I am a Monterey resident
against wireless facility
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There is no 4g Verizon
coverage gap here. Deny
this unnecessary, invasive
project.

340 VIA PARAISO

Name:

ROBERT YOUNG

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MAR 09 2018

City of Monterey
PEEC DIVISION Recd 9 MAR '18 AM 10:00 CityCik

Planning Commission
Colton Hall
570 Pacific St.
Monterey, CA 93940



Monterey Vista Neighborhood Association

Web: montereyvistaneighborhood.org

Email: [REDACTED]

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.

Monterey City Manager
City Hall
Monterey, CA 93940

City of Monterey

FEB 15 2018

City Manager's Office

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MAR 02 2018
City of Monterey
PEEC DIVISION

Dear Mr. Usler:

I am writing as the representative of the Monterey Vista Neighborhood Association. You know how many residents in our neighborhood have great concerns over the 13 ExteNet cell antenna permits. As concerned citizens, and an association representing these citizen, we are doing all we can to know the issue as best we can.

We were told that we would have access to the CTC report when it became available. We see what we are told is a revised report. Since CTC is an outside company we are trying to understand who revised the original report, what the differences are between the original and what was finally posted, and how a report from an outside company is being denied under FOI as a "draft". The company should have submitted a report that was ready for release. This report was paid for with tax payer dollars. There is nothing in this project that should be "classified" or would "outweigh" the public interest in disclosure. If they were only minor changes the release of the original document will show us that and we will be satisfied. As it is, the perception of non-disclosure seems like something is being hidden from us. We hope that you will overturn Ms. Davi's decision and release what we, as taxpayers, paid for.

Another concern that we feel needs explaining is the timing of the planning commission meeting and the shot clock for the 5 permits scheduled for 27 March. If the shot clock is up on 30 March how is there time for an appeal by the residents if these permits are approved on 27 March?

A third concern is the wording in the City ordinance covering cell antennas. It states that cell antennas "should not" be placed in residential, historical or city property. "Should not" seems pretty definite, but from the feelings we are getting from the City staff it is not strong enough. If the wording in the ordinance needs to be changed to "shall not" then please put that on the first possible City Council agenda for that change to be considered.

Other cities are beating the intrusion of communication firms into their neighborhoods and Monterey needs to be another example that the resident control what goes into where they live.

We hope for a quick response either by email or a face-to-face meeting.

Thanks you for helping us with this difficult issue that will eventually affect all the residents of Monterey.

A handwritten signature in black ink that reads "Patricia R. Venza". The signature is written in a cursive style with a large, stylized "P" and "V".

Patricia R. Venza

Vice President, Monterey Vista Neighborhood Association

e-mail:

phone: 831-375-8416



Jenny Leinen <leinen@monterey.org>

March 15 Agenda Report Response

1 message

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M Lucas

To: Jenny Leinen <leinen@monterey.org>

MAR 03 2018

Sat, Mar 3, 2018 at 11:02 PM

Jenny,

City of Monterey
PEEC DIVISION

I just read the agenda report for March 15th. The report makes the case for approval of some PWS and Small Cell Facilities in Monterey. The report relies heavily on comparing PWS to existing power lines and telecommunications systems.

The comparison is not appropriate because these systems are not the same at all as those other systems. These PWS systems, I believe, broadcast in microwave range which cannot possibly comply with FCC Rules because the microwaves scatter, reflect, refract, amplify diffuse, and diffract when the beam strikes various objects. Since the FCC rules for RF are stricter than ANSI the applicant has to be out of compliance with the FCC Rules.

There is no way for the applicant to be in compliance. Einstein's principle of stimulated emission, Maxwell's Displacement Current, Friedrich Hund's Electron Tunneling Effect, and Einstein's Photo-electric effect combine to say that no compliance is possible. These are scientific principles and they are just as valid now as they were when the discoveries were made.

John Sealy Townsend stated, "The entire mass of an electron is electromagnetic."

The applicant is responsible for the entire radiation (initial, secondary, and tertiary).

The PWS system also pulses alternating frequency and power and every few seconds will pulse out of compliance. Therefore, when the applicant's engineer tells us that he metered the radiation and found it to be in compliance with FCC rules he may have read it for a brief moment but not waited for the entire cycle. He can stand and read it for a second and show people, "Look it is in compliance!" But, he cannot stand for more than a few seconds before the meter indicates pulses that are out of compliance. These out of compliance pulses are dangerous to humans and animals.

The attached photo is of a sign posted near the base of one of the Cell Towers on Pebble Beach. If RF is harmless than why does the sign even exist?

The applicant has the City focused on the wrong issues. The issue is non-compliance with extremely low frequency FCC Rules.

Once inside the radiation lobe of these PWS/SCFs the citizens will begin to experience all kinds of irreversible health issues due to the non-compliance.

I recently spoke with a Monterey local and she was explaining that she was having chronic fatigue and could not sleep. I said, "You may be suffering from microwave sickness." She asked me to come to her house and meter the rate of energy in her home. Her Smartmeter was out of compliance with FCC rules and was even being amplified by her wired bra. This was sending ions into her chest from the wire in the wired bra. In effect she was being ionized by what the applicant's engineer calls non-ionizing radiation.

The City of Monterey must deny all of these applications on the grounds that they are going to be out of compliance. To not do so will overexposed the citizens to toxic amounts of altered microwave energy. Prevention is the key. The answer must be 100% no in Monterey. I realize that the City wants to compromise by denying some and approving others but this is not the time for compromise. This is the time for complete denial. If brought to the 9th District Circuit the City of Monterey could easily show the lack of compliance (which is gross) and win. If the City wins then a precedence has been set for other cities to also deny these harmful devices.

For this reason it is also in the best interests of the applicant to withdraw the application because they will not want such a precedent set.

Kind regards,
Steven Lucas



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March 15 Agenda Report Response

1 message

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MAR 03 2018

City of Monterey
PEEC DIVISION



DSCN7191.JPG
958K

City of Monterey
PEEC DIVISION

MAR 03 2018

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MAR 08 2018

City of Monterey
PEEC DIVISION

NOTICE



Stay back!

Radio-frequency energy

May exceed exposure limits

If questions, contact facility owner

M Lucas
to me, Todd

9:26 AM (23 hours ago)

Good morning Jenny,

Thank you for forwarding the information. I want to make another point. The applicant stated at the last meeting that they have a patent on how they generate the energy for their system so they cannot discuss how it works. They also stated that many millennial generation people expect the technology. I've heard other people saying, "We want broadband. We need to be brought into the 21st Century."

This technology is a 20th Century technology that dates back to the late 1940s. The U.S. government regulators said "No!" for a long time. They knew about the negative impacts. It is only in the past few decades that the knowledge about the dangers of collocation of these systems has been forgotten about. When I was in the Navy we did our best to not collocate. Collocation was a bad word. Regulators have forgotten about the negative impacts on biology and so waivers are being granted that should not be granted. The regulator makes it sound like collocation is a good thing.

Kind regards,
Steven

 Popular Science, The Microwaves Are Coming, Mar...

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MAR 06 2018

City of Monterey
PEEC DIVISION

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MAR 06 2018

City of Monterey
PEEC DIVISION

The Microwaves Are

**Invisible network will handle phone calls, telegrams, television,
FM and AM broadcasts, complete newspapers—even carry your mail.**

By Martin Mann

PSM photos by Robert F. Smith

COMMUNICATIONS are being revolutionized faster than you think. The humming wires beside the highways already are rivaled by new systems, capable of transmitting more spoken or written words and more still or moving pictures from coast to coast. The difference between these new systems and those of the past is as great as that between oxcarts and stratoliners. Radio relay systems, coaxial cables, and other improvements in communications systems soon will bring you not only better, faster services such as you already know, but also completely new kinds of service.

Your radio program now comes to you in waves a fifth of a mile long. Your son's television program, and his telegrams and long-distance phone calls—even his mail—will come to him in waves only two or three inches long. Telegrams are now flying between New York and Philadelphia in these microwaves; phone calls will be made in microwaves next year between New York and Boston; and television shows are being sent this way now from New York to Schenectady and Philadelphia.

These microwave relays use invisible beams in the air instead of wires. No poles support them. The poles and wires are replaced by steel or concrete towers every 30 miles or so. On these towers are antennas that catch the microwaves, shunt them down to repeater equipment to be amplified, then send them on to the next station.

These relay stations are as automatic as

electric refrigerators—designed to operate with only occasional human supervision. If a tube fails, its duplicate is standing by, ready to switch into operation immediately without interrupting service—and at the same time to flash a trouble signal to the nearest testboard. A furnace heats each tower building in winter and in the summer it is cooled by air-conditioning devices for the machinery's benefit. Banks of batteries and current from the local utility companies supply the power. In some stations, a gas-line generator automatically starts itself and takes over the job of charging the batteries if the utility lines fail.

You will not notice any difference when your phone calls begin to go through these radio relays. On a call from New York to Boston, for example, your voice will travel as usual from the handset through the switchboard into a trunk line for Boston. That trunk line now is a thick copper, rubber, and lead cable buried in a ditch along the Atlantic coastline. When radio relay is used, however, the cable carrying your voice will end on the roof of the telephone building in lower Manhattan. There it will feed into a microwave transmitter, aimed at the first relay station atop Jackie Jones Mountain, N. Y., 35 miles away.

At Jackie Jones, a strange antenna that looks like a big square metal funnel will receive the beam. This antenna is a set of cross-crossing metal plates that focus microwaves into a narrow beam. From this point the beam will travel down into the tower to amplifiers, to be strengthened after its 35-mile trip. It will then go back up to a



Seven automatic towers will relay microwave beams from New York to Boston in a

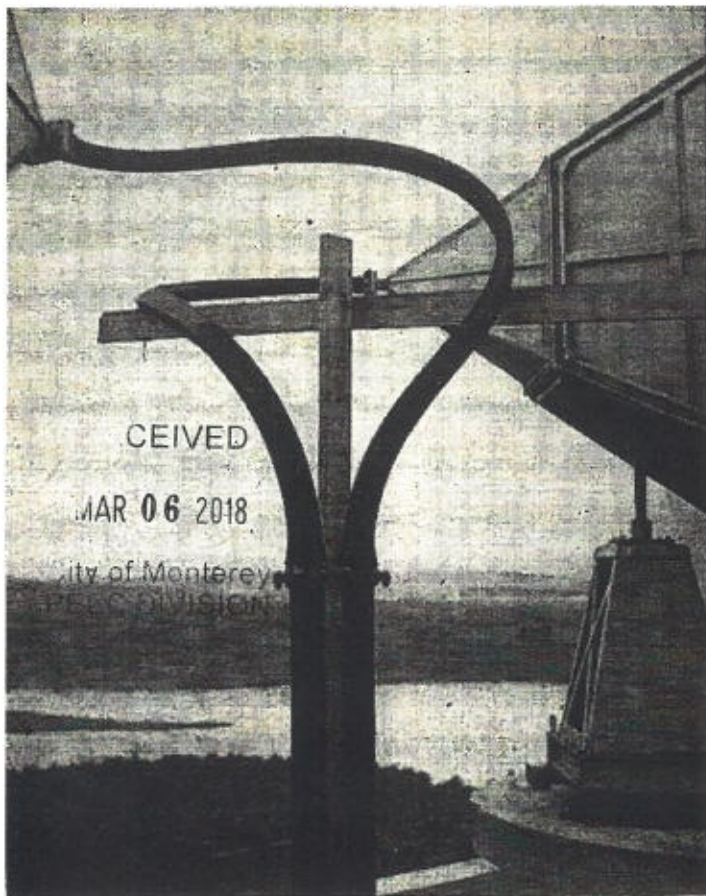
Coming!

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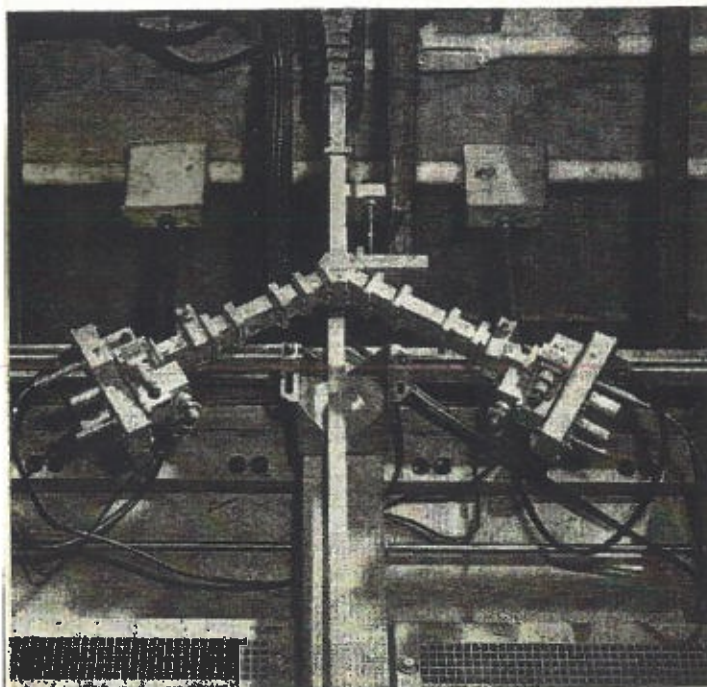
MAR 06 2018

City of Monterey
PEEC DIVISION

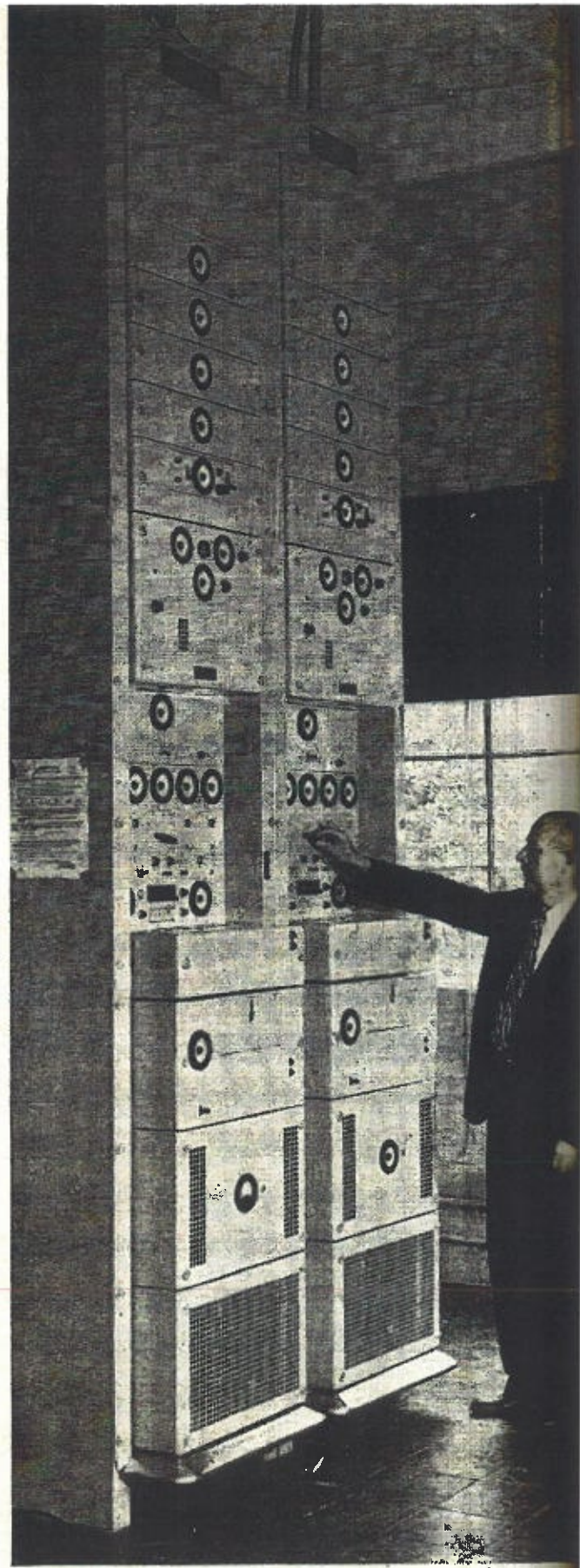




Hornlike metal lenses serve as antennas, one receiving, the other transmitting, microwaves. They focus the waves into narrow beams the way light is focused by glass lenses. The focused beams travel to and from the amplifiers below in the gracefully curving wave guides, which are hollow square copper pipes.



After passing through the roof, the wave guides come down behind the amplifiers and divide into Ys that split the beam into two channels. The Y shown is the receiving end; transmitting Y is near bottom of amplifier.



An engineer adjusts amplifying equipment on one of the two microwave channels from this relay tower to the terminal station. A similar pair of amplifying panels (out of picture to left) controls channels going the other way.

second lens, which will aim it at the next relay station on Birch Hill in Connecticut. This process will be repeated in each of seven relay stations until your voice reaches the receiving lens on the Boston telephone building and goes into wires again.

The Bell System already has the equipment installed for this New York-to-Boston chain of relay stations and is working on chains from New York to Philadelphia and Chicago. These relays will be capable of handling television shows as well as phone calls. Western Union now is using a radio relay system developed by the Radio Corporation of America between New York and Philadelphia, will soon send telegrams from Pittsburgh to Washington the same way, and expects every main telegraph route in the country to be a radio relay system within a few years. The General Electric Co. is now transmitting television shows from New York to Schenectady, and the Philco Corporation has a similar link between New York and Philadelphia television stations.

The beams transmitted and received by the relay stations are so narrow that it would be difficult to tap them. This is one of several reasons for using extremely high frequencies (around 4,000 megacycles, several thousand times as high as those of ordinary broadcasting stations). At such fre-

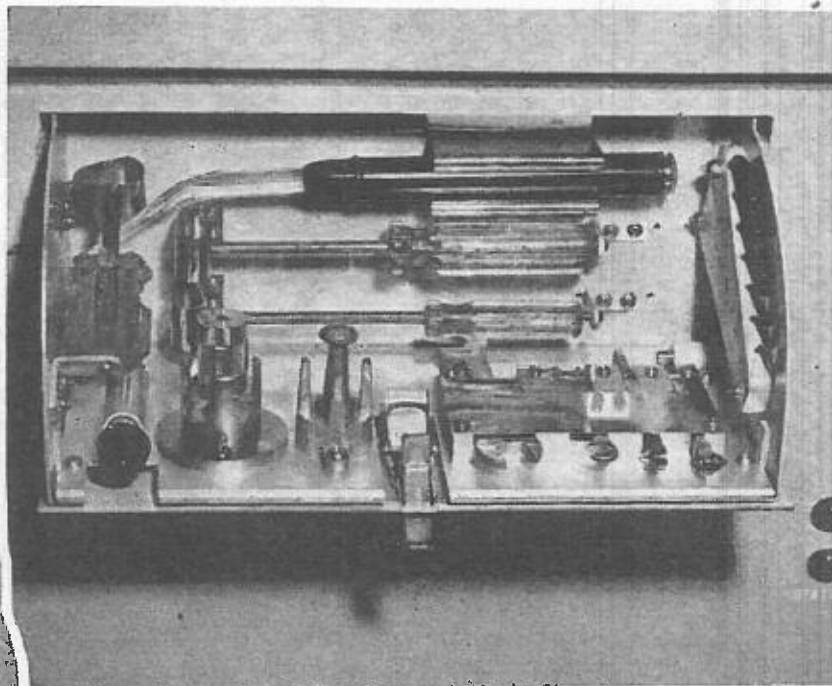
quencies, the energy can be focused into beams so narrow that 100,000,000 times as much of it reaches the receiver as would otherwise. Most microwave transmitters produce only one watt of power, as compared to the 1,000 to 500,000 watts scattered by lower frequency radio stations.

Microwave beams, moreover, are not bothered by sunspots, thunderstorms, man-made electrical interference, hail, sleet, or snow. Since the towers are always on hills, even floods will seldom cause trouble. But the big reason for high-frequency beams is their tremendous carrying capacity. Several hundred people will be able to talk at the same time over Bell System's New York-Boston beams.

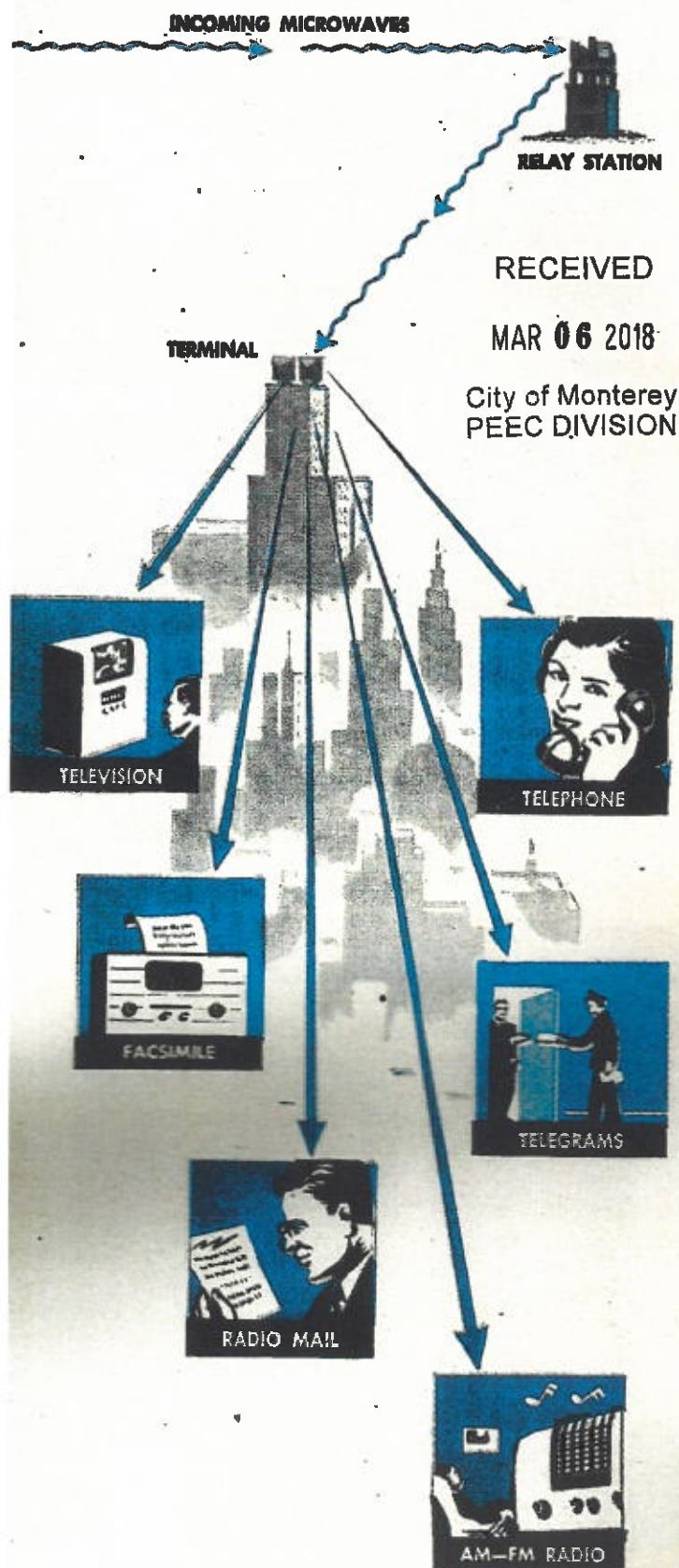
Radio relays, however, are not the only means of increasing the capacity of a communications system. Much further developed than radio relays for telephone service is the coaxial cable, which is basically a copper tube with a wire running down the center. "Coax" already is being used both for telephone and television service. The cable must be buried in a deep ditch, and many amplifiers are needed, but the Bell System's experience with coaxial cable has been so gratifying that more of it is being laid rapidly. By 1950, 12,000 miles of such cable will have been laid to link practically



Repairmen can never complain that they forgot a tool—everything needed for maintenance of relay equipment is included in a rack built in each panel (left). In addition to ordinary tools such as screwdrivers and lucite-lensed flash-



light (see close-up at right), there are special gadgets like prong-straighteners for the tubes (left of center). Refinements like this help make the relay stations so self-sufficient that little supervision is required.



The microwave relays will serve as a trunk-line highway for all kinds of communications, as illustrated in the above drawing. Radio is used only to carry traffic to the city terminal; it is distributed from there to users on wires.



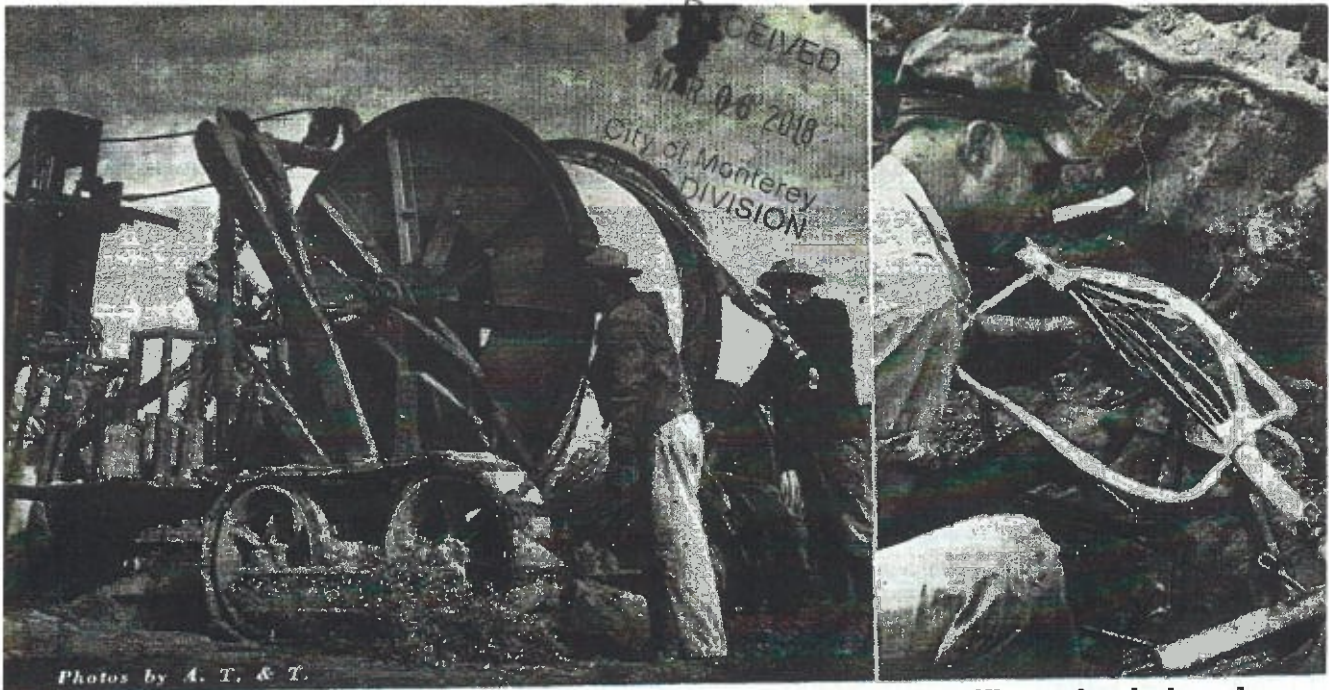
Coin-in-the-slot facsimile machines are already being developed to flash your wires across the country in a fraction of a second. This model (not coin-operated) is now in use to feed messages from hotels and business offices to the big central exchanges of Western Union.

every major city in the United States.

The ability of radio relays and coaxial cables to carry more traffic will solve the major problem of the communications companies: how to handle more business. The wire networks have been called upon to carry an ever-increasing load of phone calls and telegrams. On top of that, there are new kinds of business that will not fit well on the wires—television, FM, and high-speed facsimile. Existing wires will continue to be used for comparatively short-distance phone calls and telegrams, but the burden imposed by the addition of new services will be handled largely by the new systems.

Television is the greediest customer. A television show can be sent over ordinary wires, but many amplifiers are needed and a coast-to-coast hookup by such wires is impractical. Even microwave equipment at present will carry only one television program per channel, because that is all the amplifiers can take. Better amplifiers, like the traveling-wave tube (PSM, Nov. '46, p. 111), are being developed, however, and may increase the capacities of microwave systems.

Already, too, scientists are working on another kind of wire that possesses almost limitless carrying capacity—wave guides, which are just what the name suggests: copper pipes that guide waves. In a wave guide, the radio wave travels in the empty space inside, not in the copper itself. The



Photos by A. T. & T.

Coaxial cable can also provide communications networks geared to present-day needs, capable of transmitting television programs, facsimile, FM radio, and many phone calls and telegrams. This machine (left above) lays coaxial cable almost automatically. It digs the ditch, puts

cable down, and then fills in the ditch—and even guides itself around obstacles. When one reel of cable is used up, however, handwork becomes necessary: The beginning of the new reel must be spliced to the end of the old one, a painstaking, delicate job (right above).

copper serves only to hold the wave in place. Engineers call the waveguides “plumbing” because they look and work like the water pipes in your home.

Waveguides already are being used in radio relay stations (and radar sets, too). They carry the microwaves the few feet from the receiving antennas to the amplifiers and back to the transmitting antennas. Waveguides promise to be the ideal means of communicating intelligence when present difficulties are ironed out. A single pipe could carry all of the communications between the Atlantic and Pacific coasts. It could take every phone call and telegram now handled by hundreds of wires and still have plenty of room left for television, FM, and facsimile. As a long-distance path for communications, however, waveguides are still in their infancy.

Networks of some kind, capable of delivering television and FM service to every home in the country the way wire networks now carry standard broadcasts, will be available in the very near future. They will also make possible such spectacular services as radio mail, a system of high-speed facsimile which may replace telegrams and air mail by speeding your letters across the continent at the rate of a million words a minute.

Radio mail equipment is being perfected now by RCA and Eastman Kodak under the name of Ultrafax. This equipment will com-

bine photography and television to flash any kind of written material over a great distance almost instantaneously. Letters, books, newspapers or what have you will be first photographed on motion picture film. The film then will pass before the lens of a special television camera that will convert it to a radio wave and send it over a microwave relay or a coaxial cable to a distant receiver. There an electron beam will “write out” the material on unexposed film. After fast processing, this film will reproduce the original.

David Sarnoff, RCA president, says Ultrafax will be capable of sending 40 tons of air mail from coast to coast in a single day. Besides letters, Ultrafax will be able to send newspapers over the air, perhaps even in the middle of regular television broadcasts. E. K. Jett, of the Federal Communications Commission, suggests that Ultrafax might be used to transmit a whole issue of the *New York Times* from New York to San Francisco during the few seconds between programs. The screen on a home television receiver would darken while the announcer said, “This is WNBT, New York,” and in that instant the picture frequencies would be used to send the whole newspaper. With the help of modern, high-speed methods of reproduction at the receiving end, San Franciscans could get their copies of the *Times* as soon as New Yorkers! **END**

Marcelo & Denise Cosentino
102 Shady Lane
Monterey, CA 93940

March 06, 2018

City of Monterey
City Council Members and Planning Commission Members
Planning Department
570 Pacific Street
Monterey, CA 93940

RECEIVED
MAR 07 2018
City of Monterey
PEEC DIVISION

Dear Council Members and Planning Department Staff,

We are writing to formally state our opposition to the proposed installation of the Verizon/ExteNet equipment in our neighborhood for the following reasons:

1. The antenna and supporting devices decrease property values, creating a negative financial impact to the renters with families and future property sale values. The project is located in an area with million-dollar, pristine views of the Monterey Bay and valley hills. Verizon/ExteNet's presentation only shows photos of poles looking towards the street and therefore do not show how the proposed equipment severely impacts the views from our home (see example in Attachment 1). Attachments 2 and 3 show the visual impacts at the same location as we would see it from our home.
2. The addition of Verizon/ExteNet equipment throughout the neighborhood may pose a significant health concern due to potential harmful long-term health effects of RF radiation in residential neighborhoods, particularly with regards to pregnant women and children. Additionally, the proposed equipment is near the forest, where there is significant wildlife including deer and many kinds of birds that are sensitive to RF radiation. Also, light reflected from the proposed equipment can disturb the wildlife habitat.
3. The proposed project poses safety concerns to the travelling public. Being that most of Verizon/ExteNet's equipment will be mounted on existing street light poles, the proposed equipment will significantly decrease safety by obstructing lighting along the streets and sidewalks.

In 2013 we attended a workshop hosted by the City with Peter Kageyama titled "For the Love of Monterey" whose purpose was to facilitate collaboration between City leaders and residents and find ways to improve our City to inspire a sense of place. It is this kind of

positive collaboration between the City and its residents that makes Monterey such a special place to live. The approval of Extenet's proposal would work against this purpose.

We moved to Monterey for the peace and serenity of this naturally beautiful area. We have made Monterey our "lifetime" home and we will campaign against any council member or mayor who votes in favor of this proposal. In doing so, we will be joining our community in a class action lawsuit against the City, individual Council Member, or Planning Commission member for the lost value of our property.

Sincerely,

Marcelo & Denise Cosentino
102 Shady Lane, Monterey, CA 95118

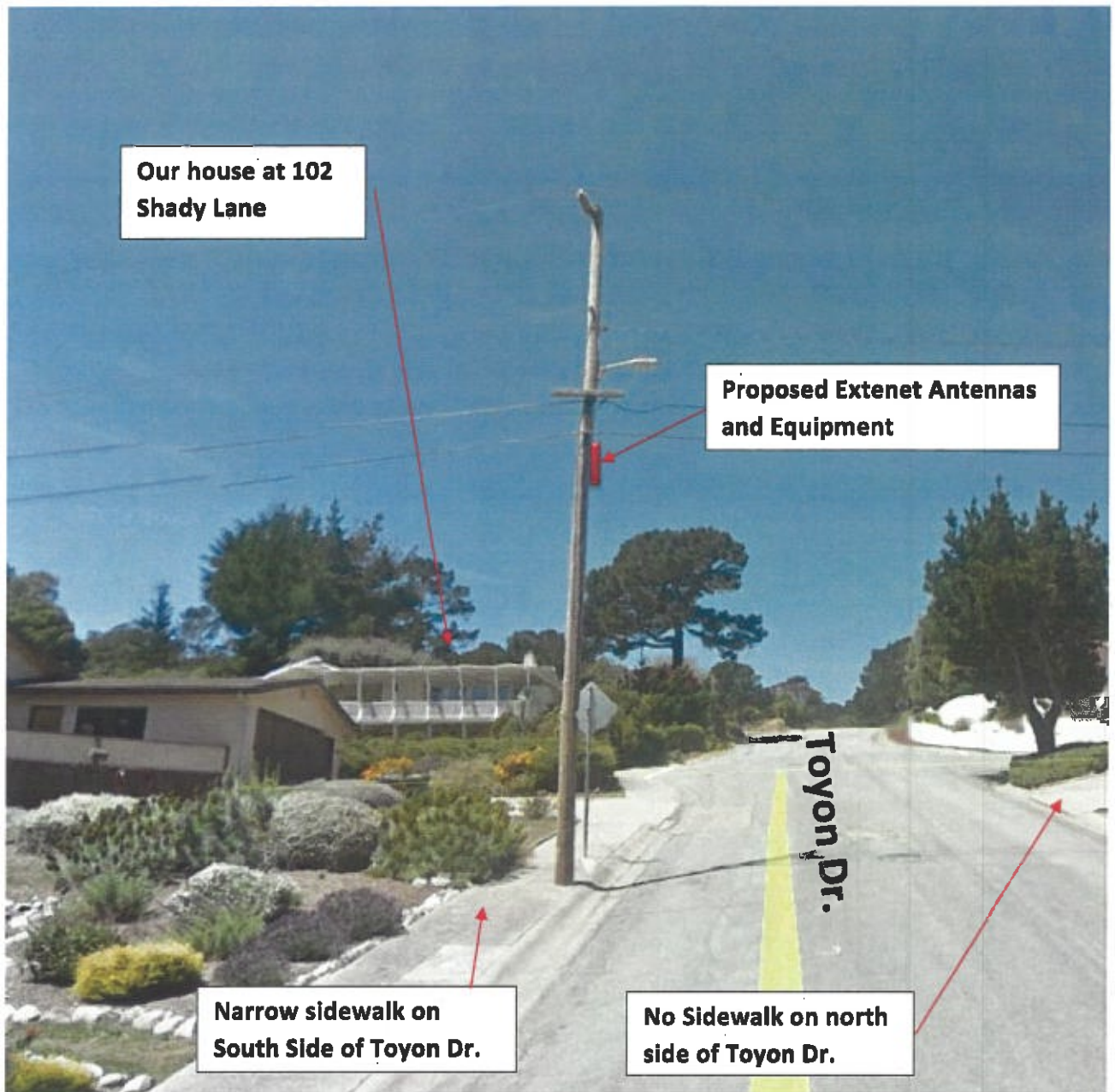
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PEEC DIVISION

Attachments:

1. Photo Looking Towards the Street (Similar to the One Shown in the Extenet presentation)
2. View from 102 Shady Lane (Day Time)
3. View from 102 Shady Lane (Night Time)

ATTACHMENT 1

Photo Looking Towards the Street (Similar to the One Shown in the Extenet presentation)

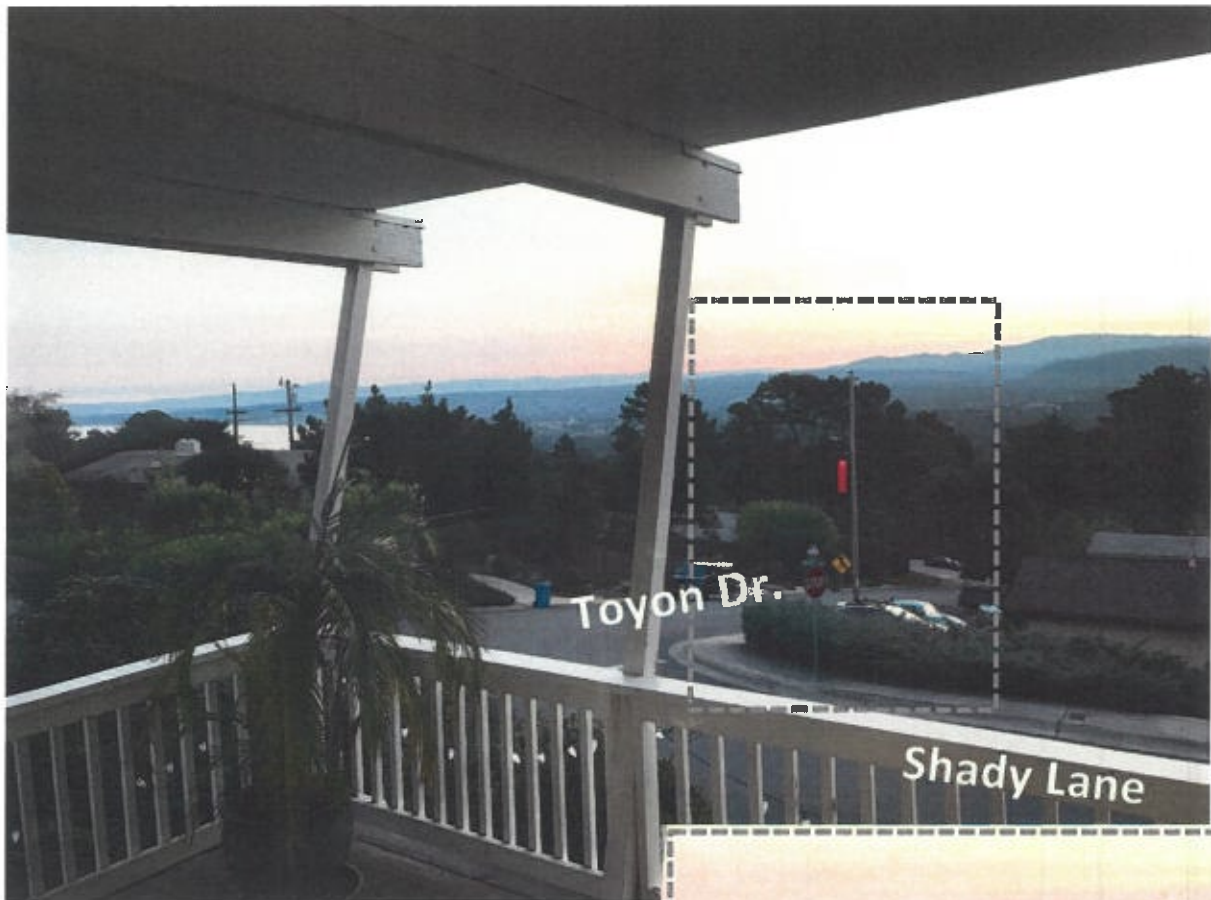


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MAR 07 2018

**City of Monterey
PEEC DIVISION**

ATTACHMENT 2
View from 102 Shady Lane (Day-time)

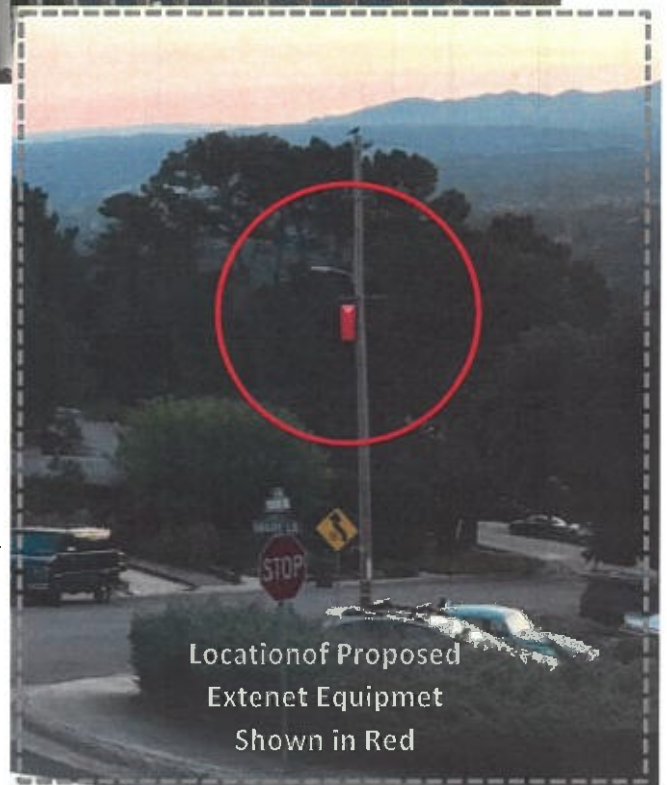


The Antenna mounted on the pole
would add yet another obstruction to
the pristine and natural views of the bay
and mountains.

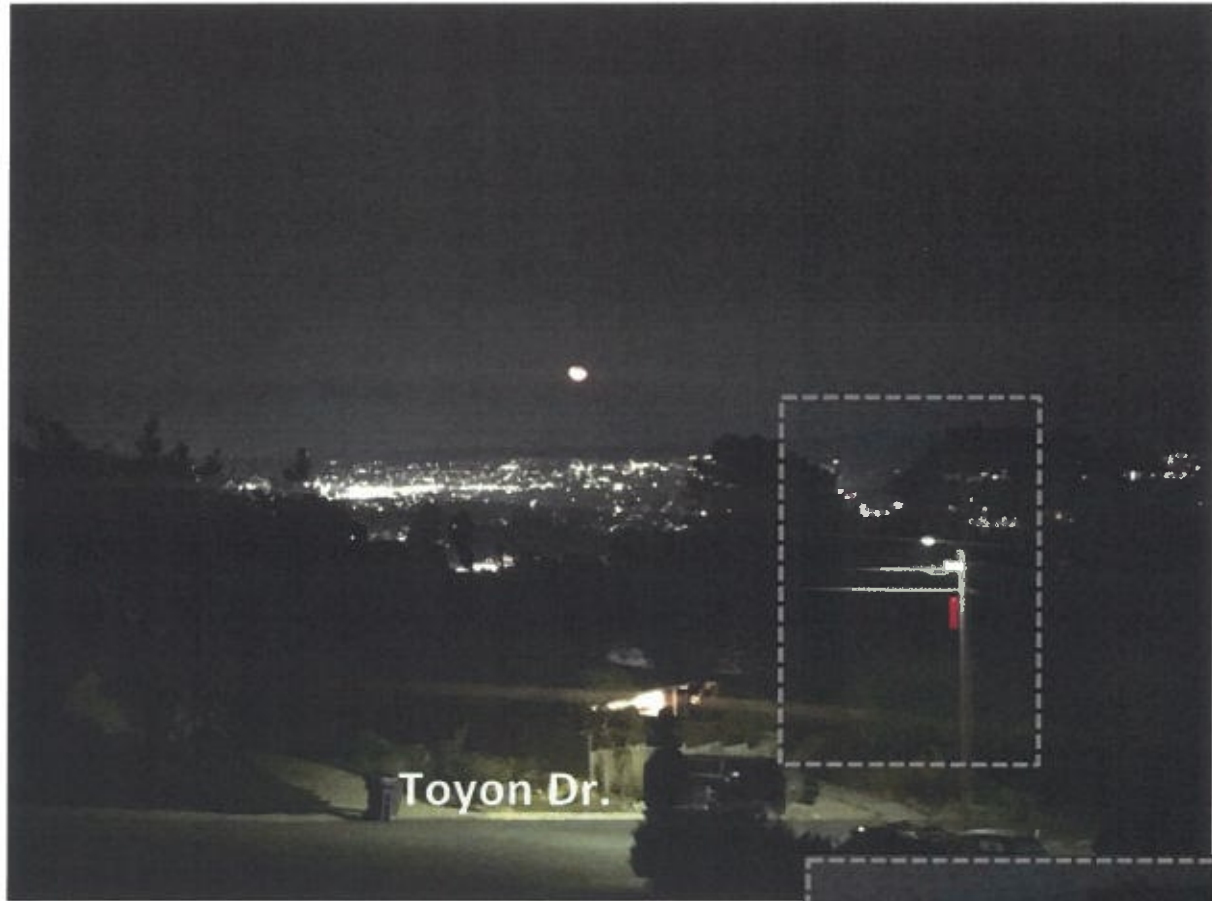
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City of Monterey
DIVISION



ATTACHMENT 3
View from 102 Shady Lane (Night-time)



1. Light will be reflected off of Extenet's pole-mounted equipment which will be "lit-up" by the streetlight located above the equipment. This in-turn will add yet another obstruction which will reflect and impact the local bird habitat and environment.
2. Additionally, the equipment will cast a shadow on the ground, reducing effective safety on Toyon Drive.

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City of Monterey
PEEC DIVISION





Monterey Vista Neighborhood Association

PO Box 2096 Monterey, CA 93942

Web: montereyvistaneighborhood.org Email:

The Monterey Vista Neighborhood Association is one of the City of Monterey neighborhood associations that represents its residents. Our goal is to preserve the quality and character of our neighborhood areas. Our services include review and comment on selected city programs, proposed ordinances, and building designs. We publish periodic newsletters, hold events for our members and the general public, and provide assistance to residents in resolving neighborhood concerns.

March 7, 2018

Mr. Steve Millich, Chair
Monterey City Planning Commission
Colton Hall
570 Pacific Street
Monterey, CA 93940

RECEIVED

MAR 07 2018

City of Monterey
PEEC DIVISION

Dear Mr. Millich:

Last week a few members of the Monterey Vista Neighborhood Association met with City staff with our many concerns over the cell antenna issue that is coming before the planning commission on 15 March.

We were told very little at the meeting. Staff did say that any procedural issues with the running of the meeting that night would be up to you. Because of that, I am coming to you asking for the following considerations.

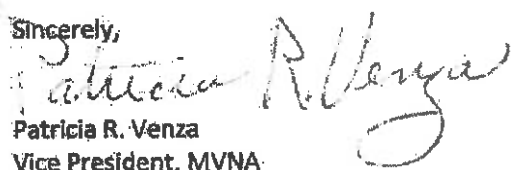
1. We are glad that the first 5 permits are the ones that their shot clock is up on 30 March. Even with this agenda, if the residents have to appeal we will have to do that the next day and the staff will have to set up a special meeting of the City Council and provide 10 day notice in order to hear prior to the shot clock running out. This will be very close, if not impossible.
2. The residents have packed the council chambers twice now to be heard. The idea of hearing 13 permits in one meeting will take us into the next day. We need to prepare for this. I hope that you tell us your plan for managing this large number of permits prior to the meeting. Our hope (and suggestion) is that you do the first five permits that evening and move the last 8 to a later date, possibly your next regularly scheduled meeting. The shot clock on those 8 is not until 30 June. If it is a continuance (notification not required) we need to know that date now in order to inform our residents to mark their calendars.
3. Looking at the agenda it lists all of the 13 permits. There are some basic comments that cover all of the 13 permits. Our hope (and once again, our suggestion) is that you provide a period before the first permit for comments that are common to all of the 13 cell antennas.

We realize that once you start into the separate permits it is a 3 minute per speaker, per permit.

4. As the representative of the Monterey Vista Neighborhood Association I request, at the beginning of the meeting, a little additional time to state the feelings and concerns of the residents of this neighborhood. I am asking for more than 3 minutes, but less than 10. Our association is the second largest in the City of Monterey and represents 1,200+ residents in the MV neighborhood with 450 paid members.
5. For the resident's planning purposes and for transparency of how that meeting will be conducted we hope that you will notify me as soon as you can of any decisions you make on the above recommendations. We are trying very hard to keep the residents informed with as much information as possible.

I hope you will take these requests into consideration. The City of Monterey has always been built on its residents and neighborhoods. Currently, this is a Monterey Vista Neighborhood issue, but with the wrong decisions on this issue, it will be a City-wide issue from which we will not recover.

Sincerely,


Patricia R. Venza
Vice President, MVNA

Contact inf:
831-375-8416 Home phone
831-917-9906 Cell

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MAR 07 2018

City of Monterey
PEEC DIVISION

JEAN RASCH
ATTORNEY AT LAW
3855 VIA NONA MARIE, SUITE 204B
CARMEL, CALIFORNIA 93923

Telephone: 831-625-3200

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MAR 08 2018
City of Monterey
PEEC DIVISION

March 7, 2018

Stephen Millich, Chair
Planning Commission
Colton Hall
570 Pacific Street
Monterey, CA 93940

Re: Small Cell Facility Application Hearing

Dear Commissioner Millich:

I am a resident of Monterey Vista neighborhood in the City of Monterey and a practicing attorney in Carmel.

I ask for a denial of Use Permit UP-17-0035, Use Permit UP-17-0036, and Use Permit UP-17-0038 for 1, 2, or 3 of the following reasons, as applied to the particular applications:

1. The applications are warranted only in the face of a significant coverage gap. **There is no significant coverage gap** in our neighborhood so the applications are invalid. Discussion should go no further. The City report presumes there is a coverage gap, which is not true.

What the neighborhood suspects, and what telecommunication industries have stated in their internet marketing, is that once lines are placed under the guise of 4G LTE, expansion will occur to their true goal of 5G. Research on health effects of 5G is worrisome and incomplete as the science unfolds. Section 704(a) of the 1996 Telecommunication s Act expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. 47 U.S.C. §332(c)(7)(B)(iv). Any approval of a site must be contingent on limitation of emissions to those within the FCCs regulations. **There must be stated limits to the allowed MHz range in any permit issued by the City, to include no expansion of emissions beyond the STATED permitted MHz range of 4G.**

Please understand that we have residents with proven health sensitivities to radio emissions. The City should anticipate litigation from residents for emissions beyond the STATED permitted MHz range of 4G.

2. **The aesthetics of our beautiful hill bound neighborhood demand protection of our views.**

Section 704(a) of the 1996 Act amends Section 332(c) of the Communications Act ("Mobile Services") by adding a paragraph (7). Paragraph (7) preserves the authority of state and local governments over decisions regarding the placement, construction, and modification of personal wireless service facilities. This authority has been held in case law to include view sheds (T-Mobile West LLC v. City and County of San Francisco) (Sprint PCS Assets v. City of Palos Verdes Estates) (9th Cir. 2009) 583 F. 3d 716, 720. In T-Mobile West LLC, the court upheld the claim of the City of San Francisco Board of Supervisors that, "...the City's beauty is vital to the City's tourist industry and is an important reason for businesses to locate in the City and for residents to live here. BEAUTIFUL VIEWS enhance property values and increase the City's tax base." (Emphasis added). The court held that appearance of a small cell facility is within the meaning of incommoding the public.

3. **Utilities on poles increase fire hazard.**

The City of Santa Rosa recently released the Fire Department report that the October 2017 Brush Creek blaze and the Sullivan Way blaze were caused by a combination of winds, arcing electrical wires, and dry vegetation from the droughts. (Julie Johnson, The Press Democrat, February 3, 2018.)

Clearly, we are all concerned that burdening our utility system represents a true threat to our safety as we enter yet one more year of drought.

Hopefully, the Planning Commission will exhibit leadership through a plan to require undergrounding throughout the City in a Business-Residents' partnership led by the City and denial of any applications to further burden our above ground infrastructure.

For these 3 reasons of lack of a coverage gap, aesthetics, and increasing risk of fire, the permit applications for the 3 locations should be denied.

Sincerely,



Jean Rasch
Attorney at Law

March 9, 2018

Dear City Planning Commission members,

We have been residents of the Monterey Vista Neighborhood for 26 years, and while we are away from our community at the time of this meeting, we are writing to let you know that we are opposed to seeing the Extenet/Verizon partnership proceed with their plan to mount cell tower extensions on *any or all* 13 of our neighborhood telephone poles.

While Extenet/Verizon has a national agenda to expand their product, we believe that the vision of this business enterprise falls *far behind* the vision and plan for the City of Monterey. While they might want to appear to play a sort of "superhero" role in advancing the fictitious communication appetite of our Monterey neighborhood, we join the forward thinking, *long term* goal by City planners to place fiber optic communication utilities below ground in our neighborhoods.

Because we consider the visual beauty of our neighborhood to be an asset to our City, it is our job, from time to time, to assist you in the growth and protection of that asset by sharpening the focus of that vision where it impacts us directly - on the streets of our neighborhood where we live and do business. We are called at this time to stand ground and support you in refusing to accept the Extenet/Verizon application to impose the *utility pole blight* of these cellular nodes onto our telephone poles. The legislative "tsunami" they have orchestrated would only serve to slam . a roadblock in front of our City planners as they work toward progressive underground solutions for communication utilities, and release the dam for greedy Extenet/Verizon-type enterprises to pick apart the natural view scape of our residential streets one telephone pole at a time.

In addition, because the City of Monterey is built on a hill, and because we see other communities in California struggle in the aftermath with increasingly destructive inclement weather - including high winds, fire and mudslides - forward thinking underground utility solutions would offer more stable, *uninterrupted* communication service in such times.

In the overview of the purpose of the City Planning Commission, it states that in order to do your job you must:

1. Conduct research on growth and development.
2. Establish community development objectives, and
3. Outline planning strategies to achieve the community objectives.

In partnering *with you* to meet these objectives, we, too, are doing our homework. Many residents - outside their other jobs and obligations - have done extensive research, worked with the issues, created committees, set up meetings with you and other City leaders, written letters and communicated all steps and information to our greater neighborhood community. There will be no "ghost town" bystanders on our watch! And so we would like to suggest that we, as a community, rest on a "tipping point" of technology growth. While we all benefit from these advances, the "fast and furious" decision should *always* raise a red flag to check for *prudent and progressive* growth.

As you know by now, we are not a "duck and cover" neighborhood! Indeed, we are grateful to live in an educated, savvy community willing to participate in the vision of our City plan and raise our voices when we feel we must. We are outspoken at times, but we are present and accounted for like any member of a family who cares.

The Extenet/Verizon application that has been placed before you is an *opportunity to refuse and reaffirm* our City's goals for growth and development. We urge you to honor our voices in the community and vote "No" on this application.

Respectfully,

Elizabeth and Hans Jannasch

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MAR 09 2018

City of Monterey
PEEC DIVISION

122 Monte Vista Drive
Monterey, CA 93940
March 9, 2018

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MAR 09 2018

City of Monterey
PEEC DIVISION

TO: The City of Monterey Planning Department
Planning Commissioners
Council Members

C/O Todd Bennet and Jenny Leinen

For: Inclusion in the March 15, 2018 Meeting Records

RE: Verizon/ExteNet cell towers in the Monte Vista neighborhood

FROM: Jeana M. Jett

The Monte Vista neighborhood has raised concerns related to property devaluation, aesthetics and, most importantly, their health and welfare with regard to the proposed installation of Verizon/ExteNet cell towers. While health issues are a major concern, I understand that due to the Telecommunication Act of 1996, local governments cannot use this issue for denial, as long as the site is within the FCC limits.

Nevertheless, these commercial cell towers violate many city zoning codes.

Why has this neighborhood been targeted? For unclear technical reasons, this particular neighborhood is best situated to "fill in the signal gaps" but not for the actual residents. Oddly, Monte Vista neighbors tell me that they do not experience dead zones and inconsistent service with their wireless devices in their neighborhood. According to these neighbors there is no proven "significant coverage gap".

Neighbors have conducted a test to prove the area has good coverage and download speeds.

So, someone or some community, somewhere nearby is experiencing poor wireless connections. Maybe Downtown Monterey where neither utility poles nor unsightly protruding appendages can be found? Decidedly not Downtown Monterey where all the unsightly stuff is built in, or placed on top of buildings or underground.

When I was delivering "Stop Cell Towers in Residential Neighborhoods" my own neighbors reported no problems whatsoever with wireless connections.

That leaves Pebble Beach which is known for its pockets of poor wireless reception. Most of the proposed antennas are directed westerly towards the Pebble Beach area.

Jett page 1/3

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MAR 09 2018

City of Monterey
PEEC DIVISION

THE FAIR SOLUTION

The small cell Verizon/ExteNet project in the Monte Vista neighborhood is not random but rather a very politically and economically motivated remedy for some other community—likely, Pebble Beach.

Why not install the necessary equipment directly into the affected neighborhood, rather than mess up someone else's neighborhood? Anticipating this scenario, Pebble Beach has already denied cell towers!

Think about it. If your neighborhood lacked sufficient wireless coverage, why would you impose your problem on another neighborhood, causing their property to be devalued, their vistas to be destroyed and their health put at risk?

THE LONG VIEW

Every several years we experience wireless progress: 2G, 3G, now 4G and soon-to-be 5G. Each rendition involves the introduction of more infrastructure. Just when most of us dream about in-ground infrastructure, we now are invaded by archaic appendages with ugly profiles added to the already cluttered poles in our neighborhoods.

The small cell installation issue is playing out in many states, large and small cities and micro-communities. The City of Monterey has the opportunity to learn from the myriad of lawsuits underway throughout the nation. Consider beautiful Palo Alto, where the citizens are in absolute disgust at what their city has approved.

At this time, the Monte Vista neighborhood is not being permitted to participate in the decision-making process. And, these residents—our neighbors—are very frustrated and unhappy. For the sake of the whole community, we don't need the short-sighted city officials.

What we need is for the City of Monterey to find its moral courage beyond just having our voices heard at the March 15th meeting.

It should not be necessary to wind up with the thirteen cell towers anyway, and then be compelled to vote out all officials who side with the Telecom industry over its citizens.

Huge multi-billion dollar companies are aggressively lobbying officials at all levels—yes, even here in Monterey. The Telecom industry is writing laws to stack the deck—yes, even here in Monterey.

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MAR 09 2018

THE ETHICAL SOLUTION

City of Monterey
PEEC DIVISION

The question now and in the future is: Who gets to decide where cellular service and all its hardware go?

Why is this THE question? Because your neighborhood may be next!

It is not too late here in Monterey and before the March 15th meeting to address THE question.

It is possible—although perhaps unorthodox—to step back yet again from the issue and take the time to engage in more open, honest discussion based not just on economics and profits, but also on principles of interest-based problem solving and restorative justice with all the stakeholders: the community in need of better signals; the Monte Vista citizenry; and the City officials and staff.

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MAR 09 2018

City of Monterey
PEEC DIVISION

9 March 2018

Mr. Todd Bennett, Senior Associate Planner

Dear Mr. Bennett, Monterey City Councilmembers & Planning Commission,

Greetings.

I am writing to express my opposition, in the strongest possible terms, to ExteNet/Verizon's proposed small cell facilities in the Monterey Vista neighborhood. I am a homeowner, resident, taxpayer, and voter in this lovely Monterey Vista neighborhood.

Previously, I have attended several meetings in person and voiced my opposition to this proposal. To be clear, I am voicing opposition to the ENTIRE PROJECT – not merely particular locations. Unfortunately, I am unable to attend the meeting that is now scheduled for 15 March 2018 where the City Planning Commission will vote. Not being able to attend is extremely frustrating, and partly due to the fact that the meeting date has been changed repeatedly over the course of many months.

Be that as it may, I wish to reiterate a large number of key points that have been raised by myself and others in opposition during previous meetings. These include:

Extreme fire safety hazard CAUSED BY overloaded utility poles in the highly vulnerable and tree-filled Skyline Forest neighborhoods

Contrary to ExteNet/Verizon's claims that cell coverage provides increased communication during emergencies such as fires, the recent devastating fires in Napa and surrounds completely destroyed above-ground cell facilities. Fire departments in those counties subsequently concluded that underground utilities provided far greater protection for telephone communication and for this reason were superior cellular services during fires. Thus, ExteNet/Verizon's claims on this point are both inaccurate and misleading

Lack of proof of the "inadequate cell coverage" cited by ExteNet/Verizon in their proposal

Lack of any proof of the neighborhood demographic cited by ExteNet/Verizon i.e., first-time homebuyers in Monterey Vista expect increased speed and coverage so that everything in their homes can be wireless?

Visual blight in our tranquil and picturesque neighborhood

Sharp decrease in property values

Documented debilitating impacts on sensitive individuals from broadcast micro-wave arrays, especially those persons suffering from nerve pain

Serious known and as-yet-unknown negative health effects from 24/7 exposure in the proposed arrays

The proposal by ExteNet/Verizon is to install "4G". ExteNet/Verizon claims that 4G technology is 'safe'. The most recent studies on the health effects of 4G were conducted in the 1970s.

Subsequently, ExteNet/Verizon's has the ability to change existing units to 5G or other technologies, with little to no further permitting required, after the proposed 4G units are installed. Bait & Switch!!!

Preliminary studies of 5G millimeter exposure have raised serious and glaring health concerns. 5G technology is already used as "non-lethal crowd dispersal". In short bursts, anyone within range feels as if their skin is on fire. This causes people to 'disperse' to get out of range in effort to escape this torturous sensation.

5G millimeter waves have completely different structure, and therefore penetrating ability, than do 4G

No safeguards exist relating to 24/7 exposure of humans and wildlife to 5G technology

Precedent that would result in the City permitting additional small cell facilities proposed by competitors e.g., ATT, Sprint, etc.

The level of opposition to this project that has already been demonstrated within the Monterey Vista neighborhood, as well as other neighborhoods in our lovely city, should be a sobering indicator of our community's collective voice. This includes public presence at meetings (standing room only), public statements at meetings, letters (such as this one), opposition signs peppering our neighborhood, flyers and petitions, articles of concern in recent newspapers and more.

As a Monterey citizen who loves this town and neighborhood, I urge you to protect our community by voting "NO" to this and any similar proposals for small cell facilities in our residential neighborhoods.

Please protect the town and people of Monterey by voting "NO" on the proposed small cell facilities. Not just some locations, but the entire proposal. Vote NO.

Send ExteNet/Verizon a message loud & clear: NO! Not in our Neighborhood!

Thank you for your consideration,

Sincerely,

signed

Dr. Paula White
26 Cuesta Vista Dr
Monterey, CA 93940
831 (521-1218)

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MAR 09 2018

City of Monterey
PEEC DIVISION