



## Minutes for 6 December 2018

The regular monthly meeting of the Gualala Municipal Advisory Council (GMAC) was held on Thursday, 6 December 2018 at the Gualala Community Center in downtown Gualala. Council Members present were: Lloyd Chasey, Melissa Finley, Charles Ivor, Robert Juengling, and Jeff Watts. Special Guest Ted Williams, Mendocino County 5<sup>th</sup> District Supervisor, Administrative Secretary Mary Mober, and twenty-eight members of the public were also present (see sign-in sheet and speaker's cards). **Council Chair Juengling** convened the meeting at 18:56.

1. **Sheriff's Forum:** was convened at 18:08 with Sheriff Tom Allman, Mendocino County 5<sup>th</sup> District Supervisor Ted Williams, Sheriff's Officer and Coast Commander, Lieutenant Greg Stefani, and 38 Members of the public in attendance. Concerns such as "driving under the influence" (DUI), opioids, emergency satellite phone communications, installation of community emergency sirens, and mental health were discussed.
2. **Introductions and Announcements:** Council Members introduced themselves. **Council Chair Juengling** announced Mendocino County 5th District Supervisor Ted Williams was present to address public concerns later in the evening.
2. **Consent Agenda:**
  - a. **Minutes: 1 November 2018**

It was moved by Council Member Chasey, seconded by Council Member Watts, and unanimously carried that the Minutes be approved as presented.
  - b. **Correspondence:**
    - i. Annual Mendocino Community Network (MCN) Internet-provider's statement for \$179.40
3. **Approval of Agenda:**

It was moved by Council Member Ivor, seconded by Council Member Chasey, and unanimously carried that the Agenda be approved as presented.
4. **Public Input on Non-agenda Items:** None
5. **Report: Mendocino County Law/Code Enforcement:** (See Sheriff's Forum recording on GMAC's website: [www.gualalamac.org](http://www.gualalamac.org).)
6. **CDPM #2018-0006 (Howell & Norcross);** Location: 38690 Pacific Drive; APN 145-164-16; To modify CDP #2015-0022 by removing adopted condition 9, which requires a pedestrian walkway adjacent to State Hwy. 1 (SH1). (**CDP 2015-0022:** A Coastal Development plan requesting to renovate and convert three commercial units into three residential units. Each unit would be 400-500 square feet. Two units would be one-bedroom and the remaining unit would be a studio. Each would have a kitchenette. One existing residential unit will remain. The building will be converted to a four-plex.)

**Owner William Howell** gave a brief history of the project, CalTrans' objections to the installation of a pathway along the property's frontage along Highway One that the State would have to maintain, and County Planning and Building's insistence that an *Americans with Disabilities Act* (ADA)-compliant walkway be installed. He has now had to restart the CDP processes from the beginning.

**Council Member Watts** saw the property and felt Mr. Howell was in complete compliance. **Council**

**Member Chasey** felt mandating a pathway at that location ridiculous and usurious.

**Red Wristen**, Gualala-area resident, noted that at one time, the Gualala Lions Club had considered installing a footpath in the area. Since the area is very dangerous for pedestrians due to the narrow access provided for a footpath between the Highway and a steep drop into the canyon, the Lions decided not to build it.

**It was moved by Council Member Chasey, seconded by Council Member Ivor, and unanimously carried that the project be recommend for approval as presented. Council Member Chasey will write letter to the County.**

- 7. Update and Presentation; Redwood Coast Medial Services (RCMS); Heliport Status in the Permitting Process:** Deborah Lane Corporate Compliance & Safety Officer and George Provencher were present representing RCMS. An e-mail from Julia Acker of Mendocino Department of Planning and Building to Ms. Lane dated 16 March 2018 outlining the proposed path forward for the RCMS County Helipad Permit and pertinent sections of the *Gualala Town Plan* approved 15 January 2002 were distributed (see attached. For more information see Minutes Archive: Minutes, 7 June 2018 and the *RCMS Helipad Permit Application June 2018*).

**Ms. Lane** reported on the project's progress to date. RCMS will present the project packet to the Mendocino County Board of Supervisors (BOS) next week and to ask to be on the 22 January BOS meeting Agenda to write and pass a Resolution of the Board.

**Mr. Provencher** stated that CalTrans gave RCMS until 31 December 2018 to apply for their state Heliport permit. Over the years, RCMS had upgraded its facility making it safer. CalTrans maintains the upgrades can't be done because the site is a helipad not a heliport. Contrary to CalTrans' statements, neither the Public Utilities Commission (PUC) nor California State has rules or regulations against these upgrades being done to a helipad site.

RCMS met with Planning and Building in July but has had no reply but the attached e-mail. Although the e-mail stated the helipad was not permitted at the time of its construction, it was approved in the original California Coastal Commission's (CCC) permit as well as twice by the County's Assessor's Department (their diagram clearly showed the helipad) and once by the Building Inspector (see 7 June 2018 Minutes and attachments). He cited and discussed several sections from the *Gualala Town Plan* regarding the inability of RCMS to comply with these sections.

**Council Chair Juengling** referenced several maps of the parcel and discussed RCMS' possible future plans. **Mary Sue Ittner**, Gualala-area resident, gave a history of GMAC's developing of the *Gualala Town Plan*. **Mr Provencher** noted Planning and building requested RCMS rezone its parcels within five years though this would predicate the *Gualala Town Plan* be rewritten and approved before rezoning takes place. Neither the County nor the CCC has staff dedicated to working on the *Gualala Town Plan* at this time and rewriting would be a lengthy process. **Council Member Chasey** will write a follow-up letter to the County restating GMAC's support of the RCMS project.

**8. Presentation: Proposed Wireless Telecommunications Facility: APN 145-200-03;** Proposal: to install a wireless communications facility to consist of a 75'-tall monopine designed to accommodate 3 carriers with up to 12 antennas per carrier and a 55' X 35' fenced equipment compound capable of accommodating equipment needs for up to 43 carriers (shelters/outdoor equipment cabins/emergency generators).

Tom Cotter and Gordon Bell were present representing Telespan Communications, LLC of Santa Barbara that builds wireless communications sites for larger telecommunications companies and corporations. Documents attached are:

E-mails:

- i. 2 December from Lloyd Chasey
- ii. 2 December from Melissa Finley
- iii. 6 December from Melissa Finley (2)

Documents:

- i. Resolution No. 15-121 RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING GUIDELINES FOR THE DEVELOPMENT OF WIRELESS COMMUNICATIONS FACILITIES
- ii. Mendocino County GUIDELINES FOR THE DEVELOPMENT OF WIRELESS COMMUNICATION FACILITIES Adopted 4 August 2015
- iii. EMF shielding by building materials, Attenuation of microwave Band electromagnetic fields by common building materials
- iv. Senator Blumenthal, Representative Eshoo Urge FCC to Enforce Exposure Limits for Those Who Work Near Wireless Towers
- v. Supplement to the Standard of Building Biology Testing Methods SBM-2015, BUILDING BIOLOGY EVALUATION OF GUIDELINES FOR SLEEPING AREAS

Follow-up Emails:

- i. 7 December from Melissa Finley
- ii. 8 December from Navid Farah containing:
  - A. Drs. Anthony Miller and Martin Blank research reports
  - B. Health effects of cell tower radiation
  - C. Letter from Brendan Carr of the Federal Communications Commission (FCC) to the U.S. Congress dated 3 December 2018

**Mr. Cotter** stated there were two servers in the area but they couldn't cover all potential customers due to topological problems. His company tries to interest their clients to do so. He wants to erect cell tower that broadcasts 19 thousand watts at the horizon on the south corner of the Gualala Mobile Park parcel. It will be 75 feet tall, accommodate three providers and be camouflaged to look like a pine tree with foliage. Noise from any air conditioning will be muffled; no compressors will be used, a fan and generators will be present but are not large and run only 10 minutes a month so to provide power during an outage. There will be cleared, defensible space for fire prevention. Sixteen homes would be located in the area forbidden for habitation by County regulations.

A cell site has to: 1) be in the community it serves; 2) work with existing infrastructure, i.e., The Sea Ranch cell tower; 3) have access to utilities and fiber optics, and 4) have approval from the Federal Aviation Administration (FAA) that has authority over all communications nationwide.

He noted the RCMS helipad may encroach on the cell tower's approach surface and may impede the cell tower's construction because Mendocino County has very stringent setback regulations that need to be followed. FAA, FCC, and County regulations were discussed. Many health issues and reports on same were raised, as were questions on radiation's effects on medical devices, no navigation lighting present, insurance, effects of high wind buffeting, housing and families so close to the facility, lack of regulations in the *Gualala Town Plan*, tree-cutting during construction, providing emergency-service communications when necessary, and others. The possibility of finding an alternate construction site

close to- but not in town was raised, e. g. Sonoma County's Gualala River Park. It was agreed this would be further researched and findings reported at another public meeting before any decisions were finalized.

**9. Agenda for next meeting** – 10 January 2019:

- a. Complete this month's Agenda items as well as any new items presented.
- b. **Speaker Ted Williams**, Mendocino County 5<sup>th</sup> District Supervisor

**10. Adjournment:**

**On a motion by Council Member Chasey to table the remaining Agenda items, it was unanimously agreed the meeting be adjourned at 21:21.**

DRAFT Minutes prepared by Administrative Secretary Mobert

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Mobert: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.