



**City of Sebastopol**

*Incorporated 1902*

Planning Department

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PLANNING COMMISSION

MEETING OF: April 24, 2018

SEBASTOPOL YOUTH ANNEX

425 MORRIS STREET

APPROVED MINUTES

PLANNING COMMISSION  
CITY OF SEBASTOPOL  
MINUTES OF APRIL 24, 2018

SEBASTOPOL YOUTH ANNEX  
425 MORRIS STREET

**PLANNING COMMISSION:**

The notice of the meeting was posted on April 19, 2018.

**ANNOUNCEMENT:** Please turn off all cell phones and pagers during the meeting.

**1. CALL TO ORDER:** Chair Fritz called the meeting to order at 7:03 p.m.

**2. ROLL CALL:**

**Present:** Chair Fritz, Vice Chair Douch, and Commissioners  
Glaser, Wilson, Doyle and Jacob  
**Absent:** Commissioner Fernandez (excused)  
Commissioner Kelley (excused)  
**Staff:** Kenyon Webster, Planning Director  
Rebecca Mansour, Planning Technician

Chair Fritz noted that Commissioner Fernandez reached out to him to say that he has been recuperating from his back injury and hopes to rejoin the Commission soon.

Linda Berg, a resident of Sebastopol, interjected.

At the request of Ms. Berg, Chair Fritz requested that people in attendance turn off their cell phones during the meeting if obliged to do so.

### 3. ELECTION OF OFFICERS:

Chair Fritz asked for nominations for Chair.

Commissioner Glaser nominated Chair Fritz to continue as Chair.

Commissioner Doyle nominated Vice Chair Douch to serve as Chair.

Commissioner Wilson asked for an explanation of the normal protocol for election of officers.

Chair Fritz explained:

- The Commission elects a new Chair and Vice Chair every April.
- Each person usually serves as Chair and Vice Chair for the period of one year.
- There is no particular order of succession.

Commissioner Doyle commented:

- Chair Fritz has been a fantastic Chair.
- The typical protocol, which is not required, is that the Vice Chair becomes the Chair and a new Commissioner is elected Vice Chair.
- There hasn't been a Chair that has served consecutively for as long as he's been on the Planning Commission.
- Would like to follow that protocol.

Chair Fritz asked for a vote on electing him to serve a consecutive term as Chair.

AYES: Commissioners Glaser

Chair Fritz asked for a vote on electing Vice Chair Douch to serve as Chair.

AYES: Commissioners Fritz, Jacob, Douch, Wilson, and Doyle

Newly elected Chair Douch commented:

- Thanked Commissioner Fritz for what has been an exceptional Chairmanship this year.
  - As Chair, Commissioner Fritz navigated the Commission through many, many long meetings regarding the Zoning Ordinance update.

Chair Douch asked for nominations for Vice Chair.

Commissioner Fritz nominated Commissioner Jacob to serve as Vice Chair.

Chair Douch nominated Commissioner Doyle to serve as Vice Chair.

Chair Douch asked for a vote on electing Commissioner Jacob to serve as Vice Chair.

AYES: Commissioners Fritz, Jacob, Doyle, Glaser and Wilson

Chair Douch asked for a vote on electing Commissioner Doyle to serve as Vice Chair.

AYES: Chair Douch

After the vote, Commissioner Jacob is the new Vice Chair.

**4. APPROVAL OF PLANNING COMMISSION MINUTES:** April 10, 2018.

Commissioner Doyle amended the minutes.

Commissioner Fritz made a motion to approve the minutes as amended.

Commissioner Glaser seconded the motion.

AYES: Chair Douch, Vice Chair Jacob, and Commissioners Glaser, Wilson, Fritz and Doyle  
NOES: None  
ABSTAIN: None

**4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA** - This is for items *not* on the agenda, but that are related to the responsibilities of the Planning Commission or City Council. The Commission and Council receive any such comments, but under law, may not act on them. If there are a large number of persons wishing to speak under this item, speaking time may be reduced to less than 3 minutes, or if there is more than 15 minutes of testimony, the item may be moved to the end of the meeting to allow agendized business to be conducted.

Chair Douch asked for comments from the public on items not on tonight's agenda.

Linda Berg, a resident of Sebastopol, commented:

- Provided a handout to the Commission.
- We are living in a manmade microwave oven.
  - A lot of the policies that the City has annoyingly put into place have contributed to our being killed.
  - All of the technology that we're buying into is just not healthy for us.
- The Planning Commission is in a unique position to reverse their situation and educate themselves.
- Building biology is a different type of architecture that the Commission should be informed about.
- It would be relatively easy to reduce the toxic environment of just this room alone.
- There are people with a wealth of information that would like to help the Commission through the process of updating the City's Telecommunications Ordinance.
- Hopes the new Chair will allow Paul McGavin to provide a 20 minute presentation to help educate the Commission on these matters.
- The Planning Director has been totally deaf to environmental and public health issues.
- She has been trying to have Director Webster terminated for years.
- She knows a number of other people that have had issues with Director Webster as well.
- Has had difficulty getting information from the Planning Department.
  - She is not the only one.
- Thanked the Commission for their time.

Chair Douch noted that comments on the Telecommunication Ordinance should be held until the public hearing for item 10B on tonight's agenda.

Deborah Taveras, a resident of Sebastopol, commented:

- Just came from the Santa Rosa City Council meeting where 'Resilient Cities' was on their agenda.
  - The meeting had to be cut short due to a homeless crisis.
- Expressed a concern with small cells and the type of infrastructure that is coming into the city.
- Recently discovered that 'Resilient Cities' is orchestrated by World Bank Group and Goldman Sachs Bank.
- Encouraged people to look up, "Resilient Cities" online to learn more about this global agenda to create a new infrastructure of software rather than hardscape cities in the future.
  - The brick and mortar city futures are different.
  - They will be run by computers.
  - Five acronyms of interest are; '5G' which is the backbone of it, 'CV' which stands for computer vision, 'AV' which stands for autonomous vehicles, 'MR' which stands for mixed reality, and 'AI' which stands for artificial intelligence.
  - People won't be necessary.
  - The increased frequencies of all of this will mean that people cannot survive.
- Referred to, 'Operation Sea-Spray' and, 'Operation Crimson Mist' which she recently discovered; encouraged others to learn more about it.
- Thanked the Commission for their time.

Margie Stewart, a resident of Sebastopol, commented:

- Raises issue in the interest of safeguarding the health and wellbeing of those in Sebastopol.
  - This also applies to those around the world at a time when the wireless industry is pushing for the installation of a million cell towers to satisfy the requirements for a 5G network worldwide.

Chair Douch interjected that it sounded like the member of the public's comments related to the Telecommunications Ordinance in which case she should hold her comments until item 10B.

Members of the public in attendance responded that her comments related to Epic Wireless's recent application, not to the Telecommunications Ordinance.

Ms. Stewart responded that she was talking about an application, not the Ordinance.

Chair Douch asked Ms. Stewart to resume her comments.

Ms. Stewart comments continued:

- Verizon has requested a Major Use Permit to install two new towers in Sebastopol. One on McFarlane, the other on Hutchins at 116. A third tower is proposed for a location outside our city limits.
  - Opposes this project.
  - They claim that more towers are needed for public safety.
  - Adequate coverage throughout Sebastopol exists already.
  - This project will add more radiofrequency levels throughout our neighborhoods.

- Unchecked levels of radiation will make our already existing public health crisis worse.
- Hundreds of thousands of people from around the world have become aware of the debilitating effects from cumulative exposure to radiation.
- Those who have EMF hypersensitivity end up with compromised immune systems and suffer headaches, insomnia, memory loss, anxiety, and serious autoimmune disorders.
- Those highly sensitive to electromagnetic radiation have had to abandon their homes, sleep in their cars, have lost their jobs, and many have ended up in isolation.
- To date, no FCC long term exposure studies have been completed.
- In a \$25,000,000.00 study which was done in 2016, the National Toxicology Program found an increase in brain and heart tumors from exposure to cell phone radiofrequency radiation.
- The International Association of Firefighters oppose small cell towers due to a list of negative health effects.
  - California State Law states cell towers can no longer be installed next to Fire Stations.
  - Others should not be subjected to radiation from these towers either.
- Urged the Planning Commission to place the Epic Wireless application back onto the Commission's agenda and to then deny their request for a Use Permit to install the two small cell towers on McFarlane and Hutchins at 116.
- Thanked the Commission for their time.

Sandi Maurer, a resident of Sebastopol, commented:

- Serves as the Director of the EMF Safety Network.
- Opposes the Epic Wireless application to install two small cell towers in Sebastopol.
  - Requests that the Commission deny their application.
  - The last time she read their application she found it to be inconsistent, unclear, and in violation of our local Telecommunications Ordinance as it is written today.
  - Will be sending the Commission a letter asking that the Epic Wireless application be placed on a future Commission agenda.
- Last year they were told by a City representative that there was nothing the City could do deny small cell towers within the city.
  - The EMF Safety Network engaged Best Best & Krieger to write a letter on ways the City can deny these cell towers in public rights-of-way.
  - The letter, which they hope can be useful, has been provided to staff.
- Thanked the Commission for their time.

Staff confirmed that copies of the letter had been provided to the Commission.

A woman named Jo Leanne, who is a resident of Sonoma County, commented:

- Has been diagnosed with an electromagnetic illness.
- Was working for Yahoo, designing her own websites, when she almost died.
  - Everyone in here thinks that they're not being affected, but they are.
  - Has rights guaranteed by the Americans with Disabilities Act.
- Read part of a prepared statement that had been written by Mr. McGavin and provided to the Commission this evening.
- Thanked the Commission for their time.

Alan Horn, a resident of Sebastopol, commented:

- Is a 22 year resident of Sebastopol.
- Has owned a business here and has been a member of the Chamber of Commerce for the last 21 years.
- Opposes the Major Use Permit application that was submitted by Epic Wireless.
  - The request should be denied because there is already too much radiation in our city.
- There is too much radiation in the Youth Annex.
  - There are people in Sebastopol who are unable to come to these meetings because there is just too much radiation.
- We need to reduce the amount of radiation that exists in our town because there is way too much and our General Plan calls for it, as does our Telecommunications Ordinance.
- Spoke on the many ways that we can reduce our exposure to radiation.
- Encouraged people to learn more by contacting the EMF Safety Network, SCREAM (Sonoma County Radiation Education and Mitigations) and MVRS (Military Veterans for Radiation Safety).
- Do not rely on devices that claim to shield or neutralize EMF's from cell phones.
- There is no such thing as a safe level of radiation.
- The government is lying when they tell you that these levels of radiation are safe.
  - You do not have to believe the government.
- Thanked the Commission for their time.

Sue Beetson, a resident of Sebastopol, commented:

- Has lived here for about 7 ½ years.
- Urged the Commission to deny the application that was submitted by Epic Wireless.
- Believes that Sebastopol already has adequate cell coverage.
- We don't need more wireless radiation, especially given that their application will lead to 5G which will mean having a cell tower on every block.
- There is research that shows if you live within a mile or so of a cell tower that your likelihood of getting cancer is greatly increased.
  - While she doesn't feel extreme and immediate effects of wireless radiation like some people in attendance do, she has read enough about it that she does believe that it has negative health effects, especially in the long term.
  - Has a chronically ill young adult child in her household and his doctors do not want him exposed to wireless radiation or high levels of electricity.
  - Has gone to great lengths to help lower all of the electrical levels in the household, not just the wireless radiation.
  - As electrical beings, we are affected.
  - There are more and more doctors who treat chronic illness who believe that it's essential to lower these levels to have a chance of healing.
- Encourages the Commission to put the Epic Wireless application on the agenda and veto it.
- Thanked the Commission for their time.

Mr. McGavin commented:

- An expert in measuring and mitigating microwave radiation.

- Has substantial evidence to share on the deception of Verizon Wireless at the Federal, State, and now local levels.
- Referred to the letter regarding the shot clock tolling agreement, dated April 18, 2018, that was signed by City Manager/City Attorney, Larry McLaughlin.
- Read from a prepared statement that had been provided to the Commission.
- Encouraged all to read an article in The Nation. titled, 'How Big Wireless Made Use Think That Cell Phones Are Safe: A Special Investigation' which was written by Mark Hertsgaard and Mark Dowie.
  - This article is all about Verizon's deceptions and how they pushed the wireless network out upon us all.
- Verizon is in the process of bamboozling Sebastopol.
- Mr. Webster and Mr. McLaughlin have not done the proper due diligence on this process.
  - The Commission needs to step in and rein in their public employees that are signing over the rights of Sebastopol residents.
- Verizon itself is in a multi-billion dollar settlement in the State of New York right now.
  - Verizon illegally transferred funds that were collected by the public utility to build their own wireless network.
  - The same thing happened in California.
  - Verizon is trying to hide this.
- The specs show that these towers have a range that can go out miles and yet they're saying that they only reach out 500'.
- Verizon is playing the City.
- There was no basis for starting the shot clock until the application was deemed complete.
- The tolling agreement that the City agreed to is crazy.
- The real shot clock date should be in December, not July.

Johannes Grenfeldt, a long time Sebastopol resident, commented:

- Has a vested interest in what is best for this community.
- Is an Electrical Engineer who specializes in microwave and RF.
- There is a future technology that is in the research stage now.
  - There should be a bridge technology between this future technology and what we have now.
  - This future technology moves away from microwave radiation.
  - Most people don't really understand microwave radiation.
  - The power density of microwave radiation has to do with cells.
  - Some of the research that he's read talks about how cells are actually altered by microwave radiation.
  - Some diligence needs to be done on bridging the two.
- The installation of 5G towers means higher power, power density, increased frequency and bandwidth.
  - They're advocating for this so people can watch full-length movies on their cell phones.
  - That is not a good justification for increasing radiation.
- Empathized with the people who are electrosensitive, some of whom he's spoken to directly.
- Dr. Sanjay Gupta, a medical correspondent for CNN did an intriguing report on electromagnetically sensitive people.

- Thanked the Commission for their time.

Taylor Cary, a resident of Sebastopol, commented:

- Lives a few houses down from where Epic Wireless is proposing to install their antenna.
- Expressed being opposed to the Epic Wireless application.
  - Has put up signs alerting people to this issue.
  - Has collected signatures on a petition.
- We can't know for sure the harmful effects that these installations could have as they haven't been around for very long.
  - Wants decision makers to keep that in mind when making their decisions.

Connie Bonderlee, a resident of Sebastopol, commented:

- Resident of Petaluma Avenue Homes.
  - Petaluma Avenue Homes is near the hospital and huge cell tower.
  - Has lived there since they were first constructed, back in March 2009.
  - 5 people have passed away in her complex since then.
  - 4 woman have been diagnosed with breast cancer, 2 have died.
  - Has a 12 year old, who has lived there since 2009, has been diagnosed with a disease and her mother has skin cancer.
  - 3 other deaths have stemmed from diseases that radiation can seem to amplify.
  - All of this should be looked into.
  - A lot of people have been affected.
  - She is one of the people who came in healthy, now she has breast cancer.
  - Fears for the health of her daughter whose bedroom is right in front of all the SmartMeters.
  - The tower at the hospital aligns with the tower at the Police Department and City Hall.
  - We're all being zapped all of the time.
- Would move if she could afford it.
  - There is a housing shortage as well.
- Thanked the Commission for their time.

Hearing nothing further, Chair Douch closed the public comment period.

**5. STATEMENTS OF CONFLICTS OF INTEREST:** There were none.

**6. PLANNING DIRECTOR'S REPORT (Update on Future Agendas, Action of Other Boards and City Council)**

Director Webster provided the following update:

- At the last City Council meeting on April 17, the Council:
  - Authorized the City to apply for a grant for the AmeriCorps Trail improvement project with the Open Space District.
  - Authorized the first phase of the Wayfinding Sign Program.
  - Received a presentation from Supervisor Hopkins. The County Board of Supervisors about a proposed housing bond. This would be a \$300,000,000.00 bond that would effectively be a tax on property owners in Sonoma County. As currently described, most of the money would go towards lower income housing

projects. This is currently under discussion and no definitive proposal has been written up. The Board of Supervisors would have to decide by August whether or not they want to put it on the November ballot.

- Consistent with the recommendation of the Planning Commission, the Council authorized formal annexation proceedings for the small Railroad Forest property in the coming months.
- At the next City Council meeting, the Council:
  - Consider design approval of the Burbank Experiment Farm restroom project. This will also be discussed during the budget process for possible funding.
  - The main items will be the Zoning Ordinance and Zoning Map. A study session on 5/1 at 4 p.m. will take place prior to the regular meeting which will begin at 6 p.m. Both the study session and regular meeting will be held at the Youth Annex.
- The regular Planning Commission meeting on May 08 will likely be cancelled.

The Commission had no questions for Director Webster.

**7. CONSENT CALENDAR (PUBLIC HEARING IF REQUESTED):** (none)

**8. PUBLIC HEARING:** (none)

**9. DISCUSSION:** (none)

**10. WRITTEN COMMUNICATIONS:**

**A. PARK PROJECT REVIEW, AMERICORPS TRAIL IMPROVEMENT PROJECT:**

The AmeriCorps Trail is an existing primitive trail in the Laguna Preserve. The project involves improvement and extension of the trail from its present terminus behind the City's 'lift station' to Sebastopol Avenue, and includes installation of a pedestrian bridge over Zimpher Creek. The Planning Commission functions as the City's advisory 'parks board' and will review the project and provide comments for City Council consideration.

Director Webster presented the staff report.

Chair Douch asked for questions of Director Webster.

Hearing none, Chair Douch asked for a presentation from the consultant.

Jeff Peters of Questa Engineering gave a PowerPoint presentation and was available for questions.

The Commission asked questions of Mr. Peters, some comments included:

Vice Chair Jacob commented:

- Given that a legend was not provided, he asked for clarification on a number of items on the drawings.
- There are some inconsistencies on the detail drawings.
- Suggested that the supports for the decking be tightened up for more of a commercial use.
  - The proposed assumes more of a residential use.

Commissioner Glaser commented:

- Suggested adding a sign about the trail where it hits Highway 12.
  - Signage should include information on how to get to the continuation of the trail on the other side of Highway 12.

Hearing no further questions of Mr. Peters, Chair Douch opened the public hearing.

Ms. Tavares commented:

- Asked for information on AmeriCorps.
- A grant is never free money, there is always some kind of string attached.
  - Wants clarification on the basis for the grant.
- Expressed a concern over these trails being adequately maintained in terms of vector issues.
  - Mosquitos and ticks represent a tremendous health crisis.
  - Questioned how to control the liability aspect for those who go out to enjoy these trails.
  - The trail needs be maintained well enough to provide enough distance between the path of travel and the ticks.
- Reiterated her request for information on AmeriCorps and the grant.
- Thanked the Commission for their time.

Mr. Horn commented:

- The City of Sebastopol made a huge mistake some years ago when they decided to seal the creeks and build on top of them.
- We should daylight all of our creeks regardless of what buildings may be impacted.
- Creeks have rights and we humans have no right to build on top of them.
- One day, in the not too distant future, we will daylight all of our creeks.
- Thanked the Commission for their time.

Hearing nothing further, Chair Douch closed the public hearing.

Mr. Peters responded to Ms. Tavares' questions as follows:

- AmeriCorps is a non-profit, non-governmental organization.
  - Similar to the California Conservation Corps or the North Bay Conservation Corps.
  - AmeriCorps is a job training program for young adults that build trails, do plantings, among other things.
- In terms of maintenance, ticks and mosquitos; people who use the trails will often self-police and phone the City when they see issues that need to be addressed.
  - The trails can provide access to areas that may otherwise be inaccessible.
  - Most trails in Sonoma County have notices/warning signs about the various issues that could be encountered while on the trail.
  - In terms of liability, most recreational trails fall under California Code that includes liability protection for government agencies that have a trail system or other outdoor recreation areas with the understanding that the people using these trails are doing so at their own enjoyment and risk.

Director Webster added:

- Concurred with Mr. Peters.

- This is called the AmeriCorps Trail because this trail was created by 100 young people, a lot of whom were affiliated with Sonoma State, in an annual volunteer project back in 2003.
- AmeriCorps has nothing to do with the funding of this project.
- The grant is with the Agricultural & Open Space District through their matching grant program.
  - The Agricultural & Open Space District is funded by sales tax that everybody pays when purchasing something in Sonoma County.
  - If the grant is awarded, there are usually significant restrictions placed on the property in terms of what can happen on said property.
  - In the past the City has accepted those significant restrictions as they were not considered problematic in that the City had no intention of changing these areas from being open space.

Commissioner Glaser noted that AmeriCorps is across the U.S. and that they do much more than build trails and do plantings.

Director Webster concurred.

Chair Douch asked for additional questions or comments from the Commission.

Commissioner Doyle commented:

- In looking at the photos and hearing Mr. Peters' description, he expressed concern over the durability and longevity of the bridge.
  - The bridge seems lightweight.
  - The bridge looks like it could be abused pretty easily.
  - Asked if Mr. Peters had experience using this bridge in the past.
  - Asked about repairing the bridge should the need arise.
  - The bridge doesn't look like it will last very long.

Mr. Peters responded:

- This will be the first time he's used this bridge.
- Has done plenty of research on the bridge.
  - Has spoken with the manufacturer who is based in Portland.
  - Unfortunately, this bridge has not been installed anywhere in the greater Bay Area.
  - The manufacturer has installed a hundred or more of these bridges with no reported durability or longevity issues.
  - Will do further diligence to assuage concerns on durability and longevity.
  - Agreed on it being a light weight bridge, however, that is part of what drew him to it.
  - The bridge is designed for ATV's.

Commissioner Doyle commented:

- The guardrails don't seem to meet Building Code.
  - More than a 30" drop requires openings of no more than 4" per California Building Code.

Mr. Peters responded that he would look into possibly adding safety railings or other measures to address the concern.

The Commission asked procedural questions of Director Webster.

Commissioner Fritz commented:

- This will be a nice amenity to have.
- Likes having a more continuous trail along that side of the Laguna.
- Shared Commissioner Doyle's question on the openness of the guardrails.
- Expressed having no major concerns otherwise.
- Likes Commissioner Glaser's idea to add a sign.
- Maps to show the connections may be helpful as well.

Vice Chair Jacob commented:

- Recommended that the City include a similar sign in the other direction (from the Joe Rodota and Redwood Forest Trails) as well.

The Commission concurred.

Commissioner Doyle commented:

- This is a really, really great idea.
- This will hook up with the bike trail that goes north.

Commissioner Wilson expressed being in support of this.

Chair Douch commented:

- This will be a valuable addition and improvement to the AmeriCorps Trail.
- Encourages the application to go forward.
- Concurs with Commissioner Glaser and Vice Chair Jacob on signage.
- Interested in being reassured on durability.
- This is great.

A member of the public asked a follow up question of Director Webster.

Hearing nothing further, Chair Douch concluded their discussion of this item.

**B. TELECOMMUNICATIONS ORDINANCE UPDATE, INITIAL DISCUSSION AND COMMISSION DIRECTION:** The City Council has directed the Planning Commission to develop a comprehensive update to the City's Telecommunications Ordinance, adopted in 1996. The Commission will receive public comments on this issue and is expected to provide direction for formulation of a draft comprehensive updated ordinance that will be the subject of future public hearings.

Director Webster presented the staff report.

The Commission asked questions of Director Webster throughout their discussion.

Chair Douch opened the public hearing.

Marcel Cary, a resident of Sebastopol, commented:

- Is a Software Engineer.
  - Among other things, he builds web software that runs on cell phones.
  - Minored in Engineering Physics which studied EMF and microwave radiation.
  - Has some technical understanding on this subject matter.

- Overall feeling about this is that there are enough doubts about the safety of some of this stuff, especially some of the newer higher powered technologies, to warrant caution.
- Understands that the Federal Government doesn't give us a lot of leeway for doing things on the basis of health.
  - There are things that we can do.
- Particularly concerned about 5G and other future technologies.
  - 5G has unique penetrating properties that translates to deeper damage to the human body.
  - These things haven't been around long enough for us to do long-term studies on the effects.
- As an occasional cell phone user he finds coverage in Sebastopol to be pretty good overall.
- Wants to be sensitive to our residents who may be more sensitive than he is.
- After perusing some of the relevant Federal law, he believes that the City does have some legal standing to deny permits to preserve its unique character, especially in residential neighborhoods where people go to rest and to heal.
- Urged the Commission to strengthen City Code to avoid unnecessary installation of additional antennas.
- Would like us as a city to favor wired technology over aerial antennas.
- Encouraged the City to institute some operational oversight, including monitoring of installations which should be funded by the operators.
- This is not just about health and aesthetics.
- Thanked the Commission for their time.

Mr. Horn commented:

- The update of the Telecommunications Ordinance must include the hiring of one full time RSP (Radiation Safety Person).
  - This person will be responsible for advising the City and its residents on all aspects of radiation safety. The RSP must conduct daily radiation monitoring throughout Sebastopol and report the readings daily to the City and its residents.
  - This position should be paid for by each member of the telecommunications industry who currently have their antennas deployed in Sebastopol. In addition, members who have their antennas deployed within a 30 mile radius of Sebastopol shall be charged as well.
- The fact that telecommunications companies are unable to obtain product liability insurance for their radiation devices.
  - There are no insurance companies on earth who are willing to underwrite radiation risk and exposure.
  - These kinds of things must be considered when we're updating our Telecommunications Ordinance.
- Telecommunications companies are having a hard time finding people to climb these poles in order to install and service their radiation devices.
- Radiation warning posters should be posted at ground level, not just at 44' above the ground.
- Why have Fire Departments received an exemption from having radiation emitting devices on their Fire Station buildings.
- Emergency Responders needs to be properly trained should any of these radiation emitting devices on poles fall down.

- It is important to minimize the threat of danger or death to the public should this occur.
- Emergency backup batteries, which would be located at the base of these poles, could represent a serious explosion hazard.
- We need to ensure that these devices are properly disposed of should they fail or be otherwise removed.
- All of the items mentioned should be addressed in the update to our Telecommunications Ordinance.
- The RSP should be knowledgeable about all of these matters in order to better advise Sebastopol and its residents.
- The current 75' setback must be strengthened, not weakened.
- Recommends that no radiation devices be allowed within a minimum 1,000' of any residence.
- Thanked the Commission for their time.

Therese Amelia, a resident of Sebastopol, commented:

- We share one atmosphere, one air, here on earth.
- Into this one air, the FCC (which is a captured agency) has been allowing telecom companies to spew radiation.
  - Radiation that was classified in 2011, by the World Health Organization, as a 2B carcinogen which is the same class as led, asbestos and DDT.
- We have lost our sanity.
- Begged the Commission to protect Sebastopol from any increase in telecommunication radiation.
- 5G should be stopped in its tracks.
- Small cells should be prohibited in residential areas.
  - They should also be prohibited areas where the public gathers such as schools, parks, churches, and shopping centers.
- Urged the Commission to maintain the health of Sebastopol as best they can.
- Thanked the Commission for their time.

Ms. Cary commented:

- The Telecommunications Ordinance should become stricter.
  - Especially when it comes to high power antennas.
- Doesn't have or want a cell phone.
  - Her family shares one cell phone that they rarely use.
- Considers cell phones to be for convenience and entertainment for people who don't have better ways to spend their time.
- Some coverage is okay.
- Does not support increasing exposure for capacity which is entertainment based.
- Has collected over 150 signatures on her petition against the Epic Wireless application.
- Thanked the Commission for their time.

Ms. Tavares commented:

- Finds it curious that Sebastopol went against the Federal government when it comes to legalizing recreational cannabis use and our being a sanctuary city, but doesn't want to go against the Federal government when it comes to this issue.

- There are thousands and thousands of peer-reviewed studies globally that show health problems as a result of this.
- There is absolutely no way that you can conceptually perceive any kind of Telecommunications Ordinance with the explosion coming out of Silicon Valley on the new technology that is headed our way.
- Does not want Sebastopol to be the experimental lab rap.
  - With regards to choosing a model ordinance to copy; the City should watch and see what happens with the people in those communities before deciding on its own.
- We're satisfied with the coverage that we have currently.
- These technologies are advancing beyond anyone's imagination.
- We don't even know what a lot of this means yet.
- We need to protect ourselves and our people.
- We need to keep Sebastopol safe and there are enough loopholes in our existing ordinance for us to do that.
- After sitting back and observing, we can then write an ordinance that is even tighter.
- This is a hazard.
- Did an interview with Barrie Trower called, "The Cooking of Humanity".
  - Mr. Trower warns about cell phone use.
- In December of 2017 the California Department of Health released recommendations to reduce cell phones.
- These frequencies have a dopamine effect.
- Cell phone use is an addiction.
- Thanked the Commissioner for their time.

Mr. McGavin commented:

- The Commission has a great opportunity to improve the City's Municipal Wireless Code.
  - Encourages the Commission to embrace this opportunity.
- If we just sit and stick with what we have, Verizon and AT&T would love to take the City to court.
- It is time to draw a line in the sand and state exactly what kind of playing field we will allow these companies to compete upon.
- Microwaves without data and microwaves transferring data are two very different events.
- The FCC tries to hide the large pulses that come when microwaves transfer data by measuring the average.
  - These are called, "evoke potentials".
- This needs to stop.
- Fiber optic cables are the best way to transfer data directly.
- 5G is all about video.
- We need to tell these large telecom companies to lay cable in order to compete here.
- Wireless should be used for emergency calls.
- A significant gap in coverage should exist before we approve new wireless antenna.
- He has already entered into the public record proof that there is no significant gap in coverage in response to the Epic Wireless application.

- If there is a significant gap in coverage, the applicant must use the least intrusive (far away from where people live, sleep, and heal) means to close that gap.
- Thanked the Commission for their time.

Ms. Maurer commented:

- Serves as the Director of the EMF Safety Network.
- Referred to an email that she had sent to Director Webster back in February.
- The EMF Safety Network would like to participate in the update of Sebastopol's Telecommunications Ordinance.
  - Works with experts in science, telecommunications, policy, and health.
  - Wants to work with Sebastopol to create a model ordinance that will meet the sustainability goals to protect the wellbeing of the city, its residents, and the natural environment.
  - Knows that Sebastopol looks to others for model ordinances, however, she would like to see Sebastopol create that for others in this case.
  - Wants to help the City do just that.
  - Knows others who want to help with this as well.
- Does not know of the best ordinance.
- Palos Verdes may be a good one to look at.
- The intention of Sebastopol to reduce radiation should be included in the update. Suggested that no increases be allowed.
- The need for more power and data is industry driven, not consumer driven.
- Supports Ms. Tavares' comment on the City's willingness to oppose the Federal government when it comes to cannabis and sanctuary cities but not this.
- There are a number of issues she'd like to go over, some are:
  - Defining requirements for aesthetics
  - Defining requirements for land use compatibility
  - Defining requirements for voids
  - Coming up with our own definition for what constitutes a significant gap in coverage
  - Need to address the full project
  - Defining a small cell
  - Public Noticing should be increased; right now notification for modification of a cell tower is 50'.
  - Notifications should reach however far the tower will emit radiation
  - Radiation measuring should be paid for by the industry that is deploying it
- Thanked the Commission for their time.

Michele Linfante, a resident of Sebastopol, commented:

- Lives at Burbank Heights and Orchards.
- Felt compelled to attend when she saw mention of 5G.
- Read from an article on 5G that she found in Common Grounds Magazine.
- Opted out of SmartMeters herself.
- Is a ham radio operator.
- Kind of wanted KOWS to get an antenna here.
- Has a friend that is electrosensitive now, after having lived over a SmartMeter for quite some time.
- Can see the personal effects of this.
- Thanked the Commission for their time.

Susan Ball, a resident of Sebastopol, commented:

- Has lived in Sebastopol since 1989.
- Founded the first Waldorf School in Sebastopol.
- Founded the first store in the United States that specialized in non-toxic materials for the home (Hendricksen of Naturalmente in downtown Sebastopol).
- Has always been concerned about our children.
  - Wants the Commission to think about what it would mean to have a safe place for our children.
  - Our children should not have to be inundated by the proven scientific information that states that their brains are being destroyed by these cell phone towers.
  - Our children should not be unsafe due to cell phone towers.
- There has been a spike in brain tumors.
- What will this look like twenty years from now.
- Appreciates the Commission for their care and sincerity.
- Hopes the Commission will make the right decision.
- Nevada City has said no to Verizon twice.
  - May want to look at their ordinance.
- Expressed being concerned and very, very against 5G.
- Thanked the Commission for their time.

Lou Tavares, a resident of Sebastopol, commented:

- Kids are using these wireless devices.
  - Kids are becoming addicted to them.
  - Radiofrequency radiation is especially harmful to children.
  - This could have unimaginable consequences in terms of their ability to reproduce in the future.
  - We have to realize that these devices are destroying all life.
  - Kids would be a lot happier if they didn't have these things.
  - We have to look at what is happening to this generation.
  - This is very serious stuff.
  - Understands that parental control is a part of the conversation.
- If you're putting in a system that allows use of these things then you do have some control over what happens next.
- Thanked the Commission for their time.

Mr. Grenfeldt commented:

- If the 5G networks are enabled, faraday shielding should be provided for all of the residences.

Ms. Tavares interjected that that was a really good idea.

Ms. Beetson commented:

- Agrees with some of the prior comments, especially related to opposing the Feds on cannabis, but not this.
- We have a right to protect our environment.
- We shouldn't be doing anything in our ordinances to increase our levels of radiation, they are already high enough.
- If interested in reading more on the subject, she suggested:

- An epidemiologist named Devra Davis wrote a book on this subject. Ms. Davis has a foundation that is all about children and safe cell phone use.
- Dr. Arthur Firstenberg wrote a book called, "The Invisible Rainbow". Some of conclusions that he reaches are startling.

A member of the public commented:

- Who is liable for the people that become ill from all of this.
- That should be an important consideration as the Commission works their way through this due to the number of people that have already gotten sick from it.
- Thanked the Commission for their time.

Hearing nothing further, Chair Douch closed the public hearing.

Chair Douch commented:

- Discussed process.
- Did not have the opportunity to get through all of the material that was provided.
- Asked for opening thoughts from the Commission.

Commissioner Wilson commented:

- Does not support denying requests based on health while inviting litigation.
  - The County of Mendocino tried denying an application based on health concerns and wound up losing to Verizon in Federal court. It was an open and shut case and the County had to shell out a lot of money.
  - That is not a practical approach.
  - Prefers the loophole approach.
- Very much appreciates the letter from Best Best & Krieger that was submitted by Ms. Maurer.
  - Best Best & Krieger is a well-known municipal law firm.
- Supports starting with the best ordinance we can find, one that has been reviewed by lawyers, vetted, and possibly been up against legal challenges, and then tailoring it to Sebastopol.
- Doesn't want to start from scratch.
- Would like our resulting ordinance to be a model.
- Encourages Ms. Maurer to ask Best Best & Krieger if they can recommend a pro-City ordinance.
  - Meaning an ordinance that can give the City the greatest legal grounds to review, condition, and deny applications.
- Burbank's Ordinance was drafted in 1996 which is not recent enough.
  - Table 10-1-1118 (C) which is on the second and third pages of Burbank's Ordinance is useful.
  - Appreciates the review authority and scrutiny tiers based on the perceived impacts on the corresponding zones.
- Morgan Hill's Ordinance appears to have been drafted in August 2017 which is very recent.
  - Likes this ordinance the best from what he's seen.
  - Ordinance is quite easy to read.
  - Likes some of their application requirements, which he did not see elsewhere, such as, photo simulations, alternative sites analysis, noise study, RF exposure compliance report, and a third party peer review study paid for by the applicant.

- In terms of Piedmont's Ordinance;
  - Unable to determine what year the ordinance was adopted.
  - Supports, '17.46.040 Location: City site agreement. (C)' which prohibits wireless communication facilities on residential property, if legally permissible. Could support a ban in areas other than residential as well, if legally permissible.
  - Supports protocol under, '17.46.080 Hearings; Findings. (D)' which outlines specific findings.
- In terms of the City of Santa Rosa's Ordinance;
  - Their ordinance was drafted in 2004 which is too old.
  - They may be looking to update their ordinance as well.
- Reiterated his preference for finding a good model ordinance to start with rather than starting from scratch.

Commissioner Glaser commented:

- Did not have the opportunity to get through all of the material that was provided.
- Likes the simplicity and generality of Burbank's Ordinance.
- Looks to the goals, not the method.
- Generally speaking, our Zoning Ordinance is overboard, too specific, and redundant in some places.
- Specific definitions belong within the Telecommunications Ordinance.
- Prefers referencing matters that are addressed by outside agencies rather than specifying them in our ordinance.
- Our ordinance should focus on zoning as that is what we have purview over.
- Does not want to be in a situation where we wind up losing in court.
- 'Receiving' and 'transmitting' antennas should be addressed separately.
- Surprised when reading the technical literature on frequencies.
  - Research shows that lower frequencies are more damaging to humans.
- The State of California is trying to electrify every school bus.
  - There are zero regulations on measuring the EMF level of electric school busses.
- The agencies that are responsible for our health are the ones that we should be referencing in our ordinance, those are the ones that we should be complying with.
- The Commission should look at heights, fall hazards, etc.

A member of the public interjected and commented on moving towards undergrounding.

Chair Douch requested that members of the public refrain from speaking out of turn.

Commissioner Doyle commented:

- Likes Commissioner Wilson's comments.
- Did not have the opportunity to get through all of the material that was provided.
- Agrees that we should not be trying to reinvent the wheel.
  - We should take advantage of work that has been done by others.
  - Would prefer to use an ordinance that has survived a lawsuit over one that is the most recent.
- Would be interested in having legal counsel present for at least one of their meetings on this topic, if feasible.
  - If not feasible to attend a Commission meeting, it would be helpful to have them at a Council meeting on this topic.

- Supports giving the City maximum discretion.
- Supports encouraging wired access to homes over wireless.

Commissioner Fritz commented:

- Likes the approach by both Burbank and Morgan Hill.
  - Both are relatively simple and clear.
- Agrees with Commissioner Wilson on finding, 'Table 10-1-1118 (C)', which is on the second and third pages of Burbank's Ordinance, useful.
- Supports limiting these in residential areas.
- Agreed that telecommunication specific definitions should be contained within the Telecommunications Ordinance.
- Our current Telecommunications Ordinance is mindboggling to read.
- Santa Rosa's Telecommunications Ordinance is hard to read as well.
- Likes comments on Piedmont's ordinance.
  - Piedmont's ordinance would be a good starting point for findings.
- In terms of application requirements;
  - Likes requiring an alternative site analysis.
  - Likes requiring a topographic map.
- A couple of the sample ordinance identified priority areas which he liked and found helpful.
- Liked the idea of requiring the applicant to pay for a third party peer review study.
- Nobody on the Commission is completely well-versed on this.
  - Simple explanations on some of these things would be helpful.

Vice Chair Jacob commented:

- Agrees with many of the comments made by his fellow Commissioners.
- Would be helpful to have some clarity on 'residential zones' versus 'public rights-of-way'.
  - Understands when it says that they cannot be placed on residential property.
  - If we want to say that these facilities are not allowed in residential zoning districts, the streets within it are also in that zone.
- Likes the compliance commissioning requirements.
- Understands that we cannot use health as a reason to deny a permit.
  - Hasn't read anything that states that we can't request that the applicant do a pre- and post-commissioning so they have to prove that the power levels are what they say they are going to be.
  - Would be interested in knowing if requirements around power levels in certain zones could be made.
- All of these requirements should be at the expense of the applicant.
- Agrees on specific definitions belonging within the Telecommunications Ordinance.
- Findings are key to any of our ordinances, this one especially.
- Agrees with fellow Commissioners on finding, 'Table 10-1-1118 (C)', which is on the second and third pages of Burbank's Ordinance, useful.
- Our current ordinance calls for a compliance analysis every 5 years.
  - Would be interested in tightening that up.
  - Suggested that that occur every 12 months instead.
  - Interested in understanding the City's latitude on this.

Chair Douch commented:

- Agrees with almost everything he'd heard from the rest of the Commission.
- Likes Commissioner Wilson's comment on our need to be broadly in compliance with the Federal regulations surrounding this.
  - Understands the impulse about the City going against the Federal government when it comes to cannabis and in being a sanctuary city, but not when it comes to EMF.
  - If we can't find the Federal government on this and win there is little point in going there.
- Interested in an ordinance that explores the extent to which we can use land use decisions to help the City have some control over these installations.
- Likes the third party review requirement.
  - Likes that that would be at the applicant's expense.
  - Could be very useful in terms of getting the technical information that we need.
  - Makes sense to have this kind of backup.
- Due to the complexity of this issue, clarity is needed.
  - Clearly this has a significant emotional impact on people.
  - It's hard to separate the technical elements from the powerful emotional elements that have been expressed.

Vice Chair Jacob commented:

- Most public policy at the Federal and State level, when dealing with anything having to do with public health, is science based.
  - How much of this is climate science, meaning 99.99% of the scientific community agrees.
  - With this, it is hard to tell the split of opinion.
  - Seems unclear.
- We can't ban all of this.
  - As a body, the Commission has to accommodate the whole population of our city.
  - We need to find a solution that will allow us to strike a good balance.

Commissioner Fritz commented that Vice Chair Jacob's comments were well said.

The Commission concurred.

Commissioner Glaser commented:

- Periodic review of the emissions should be based on what is published as the best science.
  - Every year doesn't seem reasonable.
  - Every five years does.
  - This is important in order for us to understand the true impact on the community.
  - As the science changes, the data will tell us what is happening.
  - It is important to gather data during the initial review, and periodically after approval has been granted.
- The allowable height of accessory structures is addressed in other sections of the Zoning Ordinance, it doesn't need to be addressed here.
  - We should rely on the zoning that we have already for the area rather than addressing it separately.

Commissioner Doyle expressed being in disagreement with Commissioner Glaser on heights.

Chair Douch responded that heights was something that would warrant further discussion at a future meeting.

Commissioner Glaser commented:

- Wants consistency.
- Backup generators are a concern and should be addressed.
  - They're unattended when they turn on.
  - May need to be attended for maintenance, etc.

Commissioner Jacob commented:

- The process through CEQA can create timeline issues.

Commissioner Wilson commented:

- Defers to legal counsel.
  - If there is a required process that hasn't been complete and the City's been acting in good faith (not stalling for a de facto denial), then the City should be able to deny the application due to the applicant not complying with CEQA.

Chair Douch commented:

- Concurred with Commissioner Wilson.
- Would like more information on the legal feasibility of that.

Commissioner Doyle commented:

- Based on a legal ruling that was provided to the Commission by a Council Member, he understood that the clock wouldn't start until the CEQA clearance was complete.

Commissioner Wilson commented:

- Concurred with Commissioner Doyle and commented that that should be incorporated into the ordinance.
- With CEQA, the main objection has been aesthetic.
  - These can be screened and hidden to address the concern.
- Supports banning in a residential zone, which would include the streets, if permissible.
- There should be a section on revocation of a permit as well.
- Worries about how to fund some of these things when we say that the applicant will do it, but could address through revocation if the applicant refuses to comply.

Commissioner Doyle commented:

- In the Piedmont ordinance, there is a prohibition against placing cell towers on residential property.
- '17.46.040 Location; City site agreement. C.' reads, 'No wireless communication facilities on residential property. Wireless communication facilities shall not be installed on property which is used for residential purposes, irrespective of the zoning district in which such residential property is located.'
  - This is different than what Commissioners are talking about in terms of disallowing them in residential zoning districts.
  - If disallowed in residential zoning districts, the apartment complex that goes up in the downtown would not be protected.

Commissioner Glaser commented:

- Likes the idea of identifying preferred or priority locations.
- Nice to tell people what we want them to do, instead of what we don't want them to do.

Commissioner Wilson commented:

- It is important to be clear with these telecommunication companies.
- Vague principals won't accomplish what we want.

Commissioner Doyle commented:

- To parts to this; cell phone use and internet access.
- Cell phone access in Sebastopol seems adequate.
- 5G seems unnecessary for the indicated use.

Commissioner Wilson commented:

- They're not telling us everything that they're planning on doing with 5G.
- Recommends good ordinance as a starting point.
  - The Commission can move forward from there.

The Commission asked procedural questions of Director Webster.

Director Webster responded that the Commission had provided good feedback and commented that staff could return with a preliminary draft ordinance at a future date.

Chair Douch encouraged people to forward specific ordinances that may be helpful to staff.

Vice Chair Jacob commented:

- Supporting KOWS is in our interest.

Commissioner Doyle requested more information on the KOWS request.

A member of the public requested that the public hearing be reopened.

The Commission agreed.

Ms. Ball commented:

- The City of Sonoma has gone totally underground (hard wired).
- Nevada City has said no to Verizon twice so far.
- Encourages the City to say no by saying yes.
  - They can be here if they underground.
- Thanked the Commission for their time.

Hearing nothing further, Chair Douch closed the public hearing.

Hearing nothing further from the Commission, Chair Douch concluded their discussion of this item.

**11. ADJOURNMENT:** Chair Douch adjourned the meeting at 10:15 p.m. to the next regular meeting of the Commission. The meeting will be held on Tuesday, May 08, 2018 at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted By:

Kenyon Webster  
Planning Director