June 28th, 2019

Planning Commission Board

Re: Cell Tower at Hartstone Bible Camp

Dear Planning Commission Board Members,

I am one of the several volunteer board members of the charitable benefit, non-profit 501(c)3, Hartstone Bible Camp. As a result of the 2017 fires that were halted within Hartstone’s forest by dramatic and stalwart action by Calfire and other agencies, the issue of forest fuel loads and the safety of the whole forest and Van Arsdale basin where Hartstone is an integral neighbor, came to light. Lack of communication by cell phone was a serious complaint and safety concern expressed by the agencies trying to coordinate in that firefight in the Van Arsdale basin and surrounds. This same issue of poor or no communications was also expressed by the many neighbors.

One of the reasons I was recently asked to join the board is because of my experience in carefully and sensitively managing Mendocino County timber-lands to reduce fuel loads for fire safety, and to improve their diversity, beauty, production and their accessibility for campers. The proposed AT&T tower is integral to my plans to greatly improve and keep the forest at Hartstone fire-safe and defensible, which inherently extends those benefits to the campers and all the neighbors living in the area.

I’d like to point out three additional reasons for your approving the small reduction in setback this tower would need:

1) The installation of the tower is congruent with and meets the intent, the letter and the spirit of the US Congress and the US Government in The Rural Broadband Act. In fact, grant moneys from that Act are part of the funding for the installation of the tower.

2) The federal Telecommunications Act of 1996 stipulates that any decision to deny an application to place, construct or modify a wireless facility must be in writing and supported by substantial evidence contained in a written record. In other words, a denial must be for very good, evidenced, substantial, and substantiated reasons.

3) Lastly, I’d like to bring your attention to page 6 of Resolution 15-121, the Mendocino County Guidelines for the Development of Wireless Communications Facilities, adopted

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Available at: http://repository.law.umich.edu/mttlr/vol3/iss1/1
August 4, 2015. I've quoted below the relevant section as it relates to the decision to permit this cell tower. *Note that only one of the four conditions need be present for you to find good reason to reduce the setback as requested by AT&T.*

In the case at Hartstone you have **not just one, but two of the necessary conditions for reducing the setback.**

**Reason (iii) is true.** The proposed location meets those conditions as there is not a more ideal location that could further reduce visibility. In fact, the only evidence that neighbors will have of the tower's presence is 5 full bars on their cell phone signal indicator.

**Reason (iv) is also true** in that AT&T will, within 60 days of completion, submit written certification of such.

m. Antenna towers shall be subject to setbacks required by the County Zoning Code, and shall be set back a minimum of 110% of the overall height from any property line, and a minimum of 500% of the overall height from any residence or school. Tower setbacks in excess of setbacks required by the Zoning Code **may be reduced under any one of the following circumstances:**

i. The facility is proposed to be co-located with an existing, legally established communications facility.

ii. All of the owners of affected properties agree to the reduced setback. A property is considered affected if its dwelling unit lies within a distance equivalent to the required setback for the subject tower prior to reduction and the reduced setback would result in the tower being located closer to the dwelling unit than the above setback would otherwise allow.

iii. **Overall, the reduced setback enables greater mitigation of adverse visual and other environmental impacts than would otherwise be possible.**

iv. **Within sixty (60) days of completion of the installation of any antenna tower, the applicant shall submit a written certification from a licensed engineer to the County of the actual height.**

In light of the above I encourage and ask the board to move ahead with full confidence in supplying what Hartstone and the Van Arsdale basin definitely needs and wants: Cell and internet service as proposed by the AT&T application.

Respectfully,

Eric Peterman