CUP 2022-0023 Correspondence posted 12-4-2023 (in no particular order)

From: Kevin Sabellico <

Sent: Thursday, November 30, 2023 6:32 PM

To: Cynthia Vigeland <Cynthia.Vigeland@carlsbadca.gov>; Eric Lardy <Eric.Lardy@carlsbadca.gov>

Subject: Fwd: Cell towers in the parks ------ Forwarded message ------

From: Robert Hampton < thesouthhamptons@gmail.com >

Date: Thu, Nov 30, 2023 at 5:58 PM Subject: Cell towers in the parks

To: Robert Hampton < thesouthhamptons@gmail.com, melanie.burkholder@carlsbadca.gov, carolyn.luna@carlsbadca.gov, carolyn.luna@carlsbadca.gov, teresa.acosta@carlsbadca.gov, teresa.acosta@carlsbadca.gov>

CC:

Dear City of Carlsbad,

I have lived at 1026 Beacon Bay Dr for 26 years. When we moved in, the park wasn't complete yet, but we were excited about what was planned. Over the years we have been thrilled with the beautiful park and all of the different areas designed to appeal to a large variety of interests. And because of this planning, Poinsettia Park is a hub for the community. Thank you for the jewel that is Poinsettia Park. I have also been teaching 3rd grade at Pacific Rim since the school opened. I am not sure if you know that Pacific Rim is ranked number 10 in out of 8,600 elementary schools in the state of California. By US New and World Reports for a 2nd time. It is a huge testament to the community that has been built around this park. Every spring I bring my class to visit the city council chambers. We spend a lot of time explaining to the children how citizens bring concerns to the city, and how our elected officials and city employees work to support and protect us. The kids are so excited to pretend they are the planning commissioner and parks department as well City Council members and the mayor during our mock city council meeting. They and their parents, love hearing about how the city can be creative in finding solutions. The kids learn that the city moved a sidewalk to make it safer for people walking and riding bikes so they didn't need to cut down a wonderful old tree that is still growing near the Boys and Girls Club downtown. I also remember attending an actual meeting about adding more stop lights along Carlsbad Blvd. The citizens/neighbors shared concerns about balancing safety with the beauty that makes Carlsbad amazing. Every time I drive along the coast, and stop for the flashing lights, or push that button to cross myself, I am reminded that our city found a creative solution that benefits everyone. And I actually tell people I was at the meeting where the council decided to keep considering options because the stop lights were an unacceptable. I have been listening to discussions about the planning to place a cell tower in Poinsettia Park. And sent emails expressing my concerns. It is disappointing, and frankly upsetting to hear the lack of will to keep these towers away from homes, parks and schools. It might be a challenge to reject or at least delay the application from AT and T while alternatives are explored. I believe there are options available to the city to find a better location for this tower. We all know that these towers are unsafe in this location, which is 220 feet from my back door, and less than 800 feet to the elementary school and the preschool). You should use any means available to move this tower. You have that ability. At this point, I am hearing that the planning commission is leaning towards corporations against the best interest of citizens. I hope you don't believe the telecommunication industry, like tobacco and pharma in the past, when they say their products are safe. We all know there is plenty of research proving these cell towers need to be placed away from homes and children, but they don't care. They want this tower in the middle of a park, in the middle of homes and near a preschool and elementary school. Sadly, not surprising.

But you, our city officials, need to care. It's your responsibility, and your job to take care of us. I look forward spreading the news that we can be proud of our city government finding a creative solution.

Thank you,

Anne Hampton

From: Richard Heimlich < rheimlich@icloud.com>

Sent: Friday, December 1, 2023 12:03 PM
To: Planning < Planning@CarlsbadCA.gov >
Subject: Fwd: No Cell tower at Poinsettia Park

Please distribute to all commissioners for Dec 6 meeting. I don't have all their emails

Thanks

Richard Heimlich
Poinsettia Park homeowner
Mariner's Point HOA Board Member
Sent from my iPad

Begin forwarded message:

From: Richard Heimlich < rheimlich@icloud.com>
Date: November 30, 2023 at 1:56:24 PM PST

To:

Subject: No Cell tower at Poinsettia Park

Hello Joe - As a Poinsettia Park area homeowner for 25 years and concerned citizen I ask you to continue the Poinsettia Park cell tower application and not approve it at the Dec 6 planning commission meeting.

Send it back to the applicant to find another site rather than in the heart of our pristine park. Their site search documentation was thin and many obvious locations were overlooked. This natural jewel is not the place for an ugly commercial operation with a generator and 103 gallon diesel fuel tank.

The tower would be within 210 feet of The Cove homes fronting the park. Two well used ball fields would be adjacent to the proposed 78 foot tower.

It is also where our popular TGIF concerts are held each summer.

The city's Policy 64 clearly states homes, open space/parks are top discouraged locations.

Another cell company has an application pending for the same location. It will be a cell farm.

In just 2 days we got 300 signatures from park users and parents and staff at nearby Pacific Rim Elementary school. They say no to cell towers in our park.

Many of us will speak at the Dec 6 meeting to expand on why the park is the wrong spot.

Thanks for your consideration.

Richard Heimlich VP, Mariner's Point HOA 6729 Tea Tree St Carlsbad, Ca 93011 Sent from my iPhone

From: Richard Heimlich < rheimlich@icloud.com>

Sent: Friday, December 1, 2023 3:05 PM

To: Planning < Planning@CarlsbadCA.gov>

Subject: Press Release - Poinsettia Park neighbors say no to cell tower in our pristine Carlsbad park

Begin forwarded message:

From: Richard Heimlich < rheimlich@icloud.com>
Date: December 1, 2023 at 10:05:09 AM PST

To: dplante@kusi.com, steve.puterski@gmail.com, chrisi@timesofsandiego.com, editor@coastnewsgroup.com, team10@10news.com, philip.diehl@utsandiego.com,

Cc: Richard Heimlich < rheimlich@icloud.com >

Subject: Poinsettia Park neighbors say no to cell tower in our pristine Carlsbad park

Press Release



The cell tower in Carlsbad's Calavera Hills Park. Residents want no more towers built in their parks.

The Poinsettia Park community will turn out Dec 6 @5 pm to ask the city's planning commission to find another location for a 78 foot AT&T multi panel cell tower. Not in our pristine park, 300 residents have said in a two-day petitions drive, says resident Robert Hampton who headed the effort.

The Cove homes are just 210 feet from the large project that will include a 103 gallon fuel tank and diesel generator. Another cell company is pending application to locate in the same space, next to two well-used ball fields and where the large TGIF summer concerts are held.

"We don't want a cell farm of industrial scale in our natural park with its wildlife corridor," says Nora George, homeowner whose backyard would face the tower.

Residents here say Carlsbad City Council Policy 64 on cell tower placement is being misinterpreted, says Frank Sung, whose home overlooks the park.

"While parks and open space is on a list of possible sites, it is low on the preferred list says Sung.

"More important, on the policy's Discouraged Locations list, parks, homes and open space top the 'should be avoided category'" he said.

Kevin Fritz, Treasurer of the Poinsettia Cove Maintenance Corporation, wants to work with the city to find alternative sites and submitted a list of seven overlooked locations.

"At&T's site analysis is sparse and lacking in supporting data," he wrote city officials on behalf of the Cove's board of directors and representing 112 single family homes.

The letter further states "The city has a higher obligation to its residents' concerns over expediting a commercial vendor's schedule.

We are not against a new wireless cell facility. We are simply reflecting the same concerns the city has already considered while developing P64. These facilities just don't belong in parks or residential settings."

Contact -

Kevin Fritz, 760-930-9669 <u>k99@nethere.net</u> Nora George, 760-930-0065 <u>Norageorge7@gmail.com</u>

From: Kevin Sabellico <

Sent: Sunday, December 3, 2023 8:17 AM

To: Cynthia Vigeland < Cynthia. Vigeland@carlsbadca.gov > **Subject:** Fwd: NO CELL TOWERS AT POINSETTIA PARK

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

From: Jessica Price < <u>jessicalangprice@gmail.com</u>>

Date: Fri, Dec 1, 2023 at 11:04 PM

Subject: NO CELL TOWERS AT POINSETTIA PARK

To: <

Hi Mr. Sabellico,

I'm not sure where you stand on this but I would like to tell you I stand with many other moms/parents at Pacific Rim who do NOT want 5G/cell towers at our park.

I fought to move the dog park (and won) and now it's time to fight for our children to protect them from the damaging effects of telecommunications towers in the place where they play. I live by the park, I can attest that it is a black hole/has spotty cell service. I conduct business at home and it can be frustrating to say the least. However, I still feel strongly we don't want those towers at the park or near schools. Please join us in fighting off these cell towers! Thank you,

Jessica Price 801-719-0028

From: Jessica Price < jessicalangprice@gmail.com >

Sent: Friday, December 1, 2023 11:09 PM

To: Kyle Van Leeuwen < Kyle. Van Leeuwen@carlsbadca.gov >

Subject: No 5G!!

Hi Mr. VanLeeuwen,

I'm not sure where you stand on this but I would like to tell you I stand with many other moms/parents at Pacific Rim who do NOT want 5G/cell towers at our park.

I fought to move the dog park (and won) and now it's time to fight for our children to protect them from the damaging effects of telecommunications towers in the place where they play. I live by the park, I can attest that it is a black hole/has spotty cell service. I conduct business at home and it can be frustrating to say the least. However, I still feel strongly we don't want those towers at the park or near schools. Please join us in fighting off these cell towers! Thank you,

Jessica Price 801-719-0028

From: Kevin Sabellico <

Sent: Monday, December 4, 2023 1:34 PM

To: Cynthia Vigeland < Cynthia. Vigeland@carlsbadca.gov > **Subject:** Fwd: proposed cell phone tower in Poinsettia Park

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

From: Dave George < davidlarkingeorge@gmail.com >

Date: Mon, Dec 4, 2023 at 1:32 PM

Subject: proposed cell phone tower in Poinsettia Park

To: <

Hello planning commissioners:

The more I learn about what is happening with the proposed cell tower the more incredulous I become. It has become quite obvious from the feedback the city has provided so far that they plan on taking the position that there is nothing they can do. THIS IS NOT TRUE!!

A simple solution would be for the Planning Commission to send the application back for more analysis. The AT@T Alternative Analysis report was a joke. The intro and conclusion are longer then the actual findings! This decision is too important to the citizens of Carlsbad to just rubber stamp it. I sincerely hope the planning commission steps up and does the right thing. Respectfully,

David George

1032 Beacon Bay Dr. Carlsbad CA 92011

619-252-5956 (cell)

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

Date: Sat, Dec 2, 2023 at 10:43 PM

Subject: Fwd: NO cell tower in Poinsettia Park

To: AM Lafferty

Begin forwarded message:

From: Michael Gartland < <u>mikegartland@me.com</u>>

Date: December 2, 2023 at 7:57:01 AM EST

To: scott.chadwick@carlsbadca.gov

Cc:

keith.blackburn@carlsbadca.gov, priya.bhat-patel@carlsbadca.gov, teresa.acosta@carlsbadca.gov, manager@carlsbadca.gov

Subject: NO cell tower in Poinsettia Park

Please do not allow a cell tower in Poinsettia Park for the following reasons:

- 1) Installation at the park is **inconsistent** with City Council Policy 64 (which lists parks and residential areas as the least preferred sites),
- 2) AT&T's alternative analysis was sparse/incomplete and AT&T needs to continue looking for alternative sites especially industrial parks that do not have children and families near by.
- 3) It interferes with the City's quality of life in our <u>community</u> for which residents <u>consistently</u> rank parks & open space as their top priority in past surveys
- 4) Potential home devaluation of up to 15% for nearby homes and communities.

Thanks for voting No on the cell phone tower in Poinsettia Park. Encourage AT&T to continue their study of other sites with more vigor and effort.

Carlsbad Resident and Carlsbad Park Advocate-Michael Gartland

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

From:

Date: Sat, Dec 2, 2023 at 10:44 PM Subject: Fwd: Cell towers in the parks

To: AM Lafferty

Begin forwarded message:

From: Robert Hampton < the southhamptons@gmail.com >

Date: November 30, 2023 at 8:58:13 PM EST

To: Robert Hampton < thesouthhamptons@gmail.com>, melanie.burkholder@carlsbadca.gov, carolyn.luna@carlsbadca.gov, priya.bhat-patel@carlsbadca.gov, teresa.acosta@carlsbadca.gov,

Cc:

Subject: Cell towers in the parks

Dear City of Carlsbad,

I have lived at 1026 Beacon Bay Dr for 26 years. When we moved in, the park wasn't complete yet, but we were excited about what was planned. Over the years we have been thrilled with the beautiful park and all of the different areas designed to appeal to a large variety of interests. And because of this planning, Poinsettia Park is a hub for the community. Thank you for the jewel that is Poinsettia Park. I have also been teaching 3rd grade at Pacific Rim since the school opened. I am not sure if you know that Pacific Rim is ranked number 10 in out of 8,600 elementary schools in the state of California. By US New and World Reports for a 2nd time. It is a huge testament to the community that has been built around this park. Every spring I bring my class to visit the city council chambers. We spend a lot of time explaining to the children how citizens bring

concerns to the city, and how our elected officials and city employees work to support and protect us. The kids are so excited to pretend they are the planning commissioner and parks department as well City Council members and the mayor during our mock city council meeting. They and their parents, love hearing about how the city can be creative in finding solutions. The kids learn that the city moved a sidewalk to make it safer for people walking and riding bikes so they didn't need to cut down a wonderful old tree that is still growing near the Boys and Girls Club downtown. I also remember attending an actual meeting about adding more stop lights along Carlsbad Blvd. The citizens/neighbors shared concerns about balancing safety with the beauty that makes Carlsbad amazing. Every time I drive along the coast, and stop for the flashing lights, or push that button to cross myself, I am reminded that our city found a creative solution that benefits everyone. And I actually tell people I was at the meeting where the council decided to keep considering options because the stop lights were an unacceptable. I have been listening to discussions about the planning to place a cell tower in Poinsettia Park. And sent emails expressing my concerns. It is disappointing, and frankly upsetting to hear the lack of will to keep these towers away from homes, parks and schools. It might be a challenge to reject or at least delay the application from AT and T while alternatives are explored. I believe there are options available to the city to find a better location for this tower. We all know that these towers are unsafe in this location, which is 220 feet from my back door, and less than 800 feet to the elementary school and the preschool). You should use any means available to move this tower. You have that ability. At this point, I am hearing that the planning commission is leaning towards corporations against the best interest of citizens. I hope you don't believe the telecommunication industry, like tobacco and pharma in the past, when they say their products are safe. We all know there is plenty of research proving these cell towers need to be placed away from homes and children, but they don't care. They want this tower in the middle of a park, in the middle of homes and near a preschool and elementary school. Sadly, not surprising.

But you, our city officials, need to care. It's your responsibility, and your job to take care of us. I look forward spreading the news that we can be proud of our city government finding a creative solution.

Thank you,

Anne Hampton

Date: Sat, Dec 2, 2023 at 10:44 PM

Subject: Fwd: Poinsettia Park Wireless Cell Facility / Letter from theCove Hoa

To: AM Lafferty

Begin forwarded message:

From: Admin <admin@thecovehoa.com>
Date: November 30, 2023 at 4:02:20 PM EST

To: scott.chadwick@carlsbadca.gov, manager@carlsbadca.gov,

, priya.bhat-patel@carlsbadca.gov,

<u>keith.blackburn@carlsbadca.gov, carolyn.luna@carlsbadca.gov, melanie.burkholder@carlsbadca.gov, teresa.acosta@carlsbadca.gov, Eric.Lardy@carlsbadca.gov, Kyle.VanLeeuwen@carlsbadca.gov</u>

Subject: Poinsettia Park Wireless Cell Facility / Letter from theCove Hoa

Please see attached letter regarding the Planning Commission agenda item for the December 6, 2023 meeting.

Board of Directors Poinsettia Cove Maintenance Corporation



November 30, 2023

Scott Chadwick City Manager City of Carlsbad 1200 Carlsbad Village Drive Carlsbad, CA 92008

RE: CUP2022-0023 / CDP 2022-0070 (DEV2022-0206)
Conditional Use Permit for Wireless Telecom Facility

Dear Mr. Chadwick:

On behalf of the residents of 112 single family homes located on the south side of Poinsettia Park, we respectfully oppose this proposed wireless telecom facility to be located in Poinsettia Park. We further ask that you recommend to the Planning Commission to request additional analysis at the upcoming December 6, 2023 planning commission meeting.

The applicant has updated its site analysis and concluded there are no other feasible site locations for this facility. We disagree.

Council Policy 64 - Location Guidelines

The spirit of Policy 64 (P64) aims to craft a balance between the Carlsbad lifestyle and allowing the installation of wireless facilities. It creates a ranking order to locate these facilities to favor commercial and industrial areas with residential and parks listed as least favorable.

MD7, the agent for AT&T has evaluated eight potential sites in their May 14, 2023 alternative site analysis report. While they have looked at each category of site preferences per P64 we feel there are other potential sites that were overlooked or omitted as the easier installation was a residential park.

Public Opposition

The surrounding neighbors join us in opposing this facility. Radiation hazards are the first concern followed by the blight of commercial antennas in a beautiful park.

Following P64 guidelines, we cannot argue the potential radiation hazards although there is more and more research studies documenting harmful effects of long term radiation exposure.

AT&T has incorporated 'stealth' shielding to help disguise the antennas on the light pole. The resulting design is a large cylinder wrapping around the pole. There is nothing of this shape or design within the park and is incongruent with the tall trees and other landscape elements.

Planning Commission Action

We strongly urge the Planning Commission to return this application to AT&T and request they formally review other potential sites listed below.

It is the responsibility of the city of Carlsbad to not only listen and respond to the concerns of its residents, but to follow the *intent* of its own policies as outlined in P64.

Alternative Sites for New Wireless Cell Facility

- 1. Water Tank, West side East of Black Rail Rd. and Triton Ave.
- CalTrans Maintenance Facility 6050 Paseo Del Norte.
- 3. Inside Windmill, Windmill Food Hall 890 Palomar Airport Rd.
- AltaMira RV lot, east side 6600 Paseo del Norte. Located on Poinsettia Park property.
- 5. Power transmission tower (wooden) north side of AltaMira RV lot.
- Carlsbad Fire Station #4 6885 Batiguitos Dr.
- 7. Poinsettia Park, New location away from homes.

AT&T's site analysis is sparse and lacking in supporting data. The city has a higher obligation to its residents' concerns over expediting a commercial vendor's schedule. We are not against a new wireless cell facility. We are simply reflecting the same concerns the city has already considered while developing its P64. These facilities just don't belong in parks or residential settings.

This commercial venture does not care about the surrounding neighborhoods and residents. The 'stealth' design is an eyesore and a blight on a beautiful park. We are relying on the city of Carlsbad to look out for our best interests. Thank you for reconsidering this application and delaying its vote.

Sincerely,

Board of Directors Poinsettia Cove Maintenance Corporation

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

From: Date: Sat, Dec 2, 2023 at 10:45 PM

Subject: Fwd: Proposed WCF at Poinsettia Park

To: AM Lafferty >

Begin forwarded message:

From: Nora George < norageorge 7@gmail.com > Date: November 29, 2023 at 4:07:04 PM EST

To: Alicia Lafferty

Subject: Proposed WCF at Poinsettia Park

Dear Alicia,

I spoke to you about the proposed cell phone tower (WCF) at Poinsettia Park at the lovely Commission's dinner a few weeks ago and you seemed discouraged on the matter BUT you should not. Despite the FCC significantly diminishing the City's decision-making power, city leaders DO have options and they can take back their power. Many cities in California and the USA are struggling with this issue and are slowly taking

back control by revising their ordinances and policies on WCFs. I sent Jeff Murphy an article (listed below for your reference) with many CA cities, several with similar demographics as Carlsbad, and a sample ordinance as a guide for cities to revise their policies (it's geared for small cells but it does include the larger WCF). Basically, these cities are clarifying and stating: no WCFs in parks or near homes, schools, and daycares, tightening up set backs to 500 ft for small cells to 1,500 for towers (the well-accepted "safe" distance is 1/4 mile/400 meters/1320 ft), AND under-grounding the supporting fuel tanks (the proposed one is 103 gal. of diesel fuel) which already is included in City Council Policy 64. Revising and tightening up CC Policy 64 will prevent these from being install in future parks and near homes.

We need you to take action NOW against the proposed WCF at Poinsettia Park. Clearly these things are hazardous and don't belong 210 ft from our homes nor around children playing in parks. The Fire Fighter's Union was very savvy and passed CA AB57 in 2015 to not allow them anywhere near their stations siting health reasons, mainly brain damage (listed below for your reference). There are two things that can be done NOW to avoid a [public relations and health] catastrophe:

- 1) Planning Commission can request the applicant to revise their Alternatives Analysis because it is sparse, lacking detail, and many alternatives were omitted — simply put, more analysis is needed. Also, CC Policy 64, page 6A 1 & 2 are not being interpreted correctly by staff — parks and residential zones appear on BOTH lists inversely BUT just because they are listed as a land use doesn't make it okay to place a WCF there as they are listed in order (a historical precedence of interpretation is not grounds for correctness).
- 2) City Council can deny a land lease agreement at Poinsettia Park siting a plethora of reasons...quality of life, safety, aesthetics and incompatibility, etc.

Alicia, I trust you will do the right thing for Carlsbad. In talking to park users, it amazing how much they trust "the City" to not ruin our park by putting a WCF there, but when told it already happened at Calaveras (under a weaker version of CC Policy 64), they are incredulous. I've already had thyroid cancer — a type of cancer that has been proven to be linked to excess radiation.

My very best, Nora George (760)930-0065

https://cal4safetech.org/policies-%26-

ordinances#:~:text=No%20Small%20Cell%20shall%20be%20within%20500%20feet%20of%20anv%20residenc <u>e</u>

https://ehtrust.org/firefighter-unions-opposing-cell-towers/

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

From: **RAUL DIAZ**

Date: Sat, Dec 2, 2023 at 10:46 PM

Subject: Fwd: Cell Tower Structure at Poinsettia Park

To: AM Lafferty

Begin forwarded message:

From: Kimberly < kdhuston2003@yahoo.com > Date: November 29, 2023 at 1:02:08 AM EST

To: priya.bhat-patel@carlsbadca.gov, Eric.Lardy@carlsbadca.gov, Kyle.VanLeeuwen@carlsbadca.gov,

scott.chadwick@carlsbadca.gov, manager@carlsbadca.gov

Subject: Cell Tower Structure at Poinsettia Park

Hello,

I am writing you today regarding the City of Carlsbad's plan to consider allowing cell towers in and around our schools and parks. Specifically Poinsettia Park, of which my home is next to. Has someone lost their minds it's even come to this? I could give several reasons why this a bad idea and purely irresponsible but I'll share just a few of what I know and learned.

- 1. This installation is inconsistent with Policy 64 which lists parks and residential areas as the least preferred sites. For some reason there seems to be a disconnect or flat out disregard for the purpose of the policy. Especially when there are plenty of other areas perfectly suitable and away from our parks, schools, and homes. This would be in the back yards of my neighborhood. HELLO?
- 2. AT&T's alternative analysis was sparse/incomplete and AT&T needs to continue looking for alternative sites. There are plenty of other sites in and around the area. We should not be so easily influenced by big corp.. There is nothing wrong with saying NOT THERE, sorry.
- 3. It interferes with the City's quality of life in our community for which residents consistently rank parks & open space as their top priority in past surveys. We need to be more respectful of how we utilize our public parks. Industrializing is not the answer.
- 4. The potential home devaluation of up to 15%. People are entitled to feel the way want about RF in and near cellular equipment. Big corporation can't change that. These cell towers will affect the sale of homes along the park. People do consider a home near power lines or cellular towers over a home further away from what they feel can be hazardous. It's not for any of us to say they are uneducated about it. It's how they feel and it does affect whose house gets sold over who has to lower their price to offset the fear.

I'm not against cell structures, just not in our parks or near our homes or schools. There are plenty of industrial areas, open fields, and golf courses that would be sufficient for AT&T or any other carrier. The city needs to think of the people and be more responsible about this subject. Kindly Consider other locations. Please require AT&T to find another location.

Thank you.

Kimberly Desmarais