



# Solano County

675 Texas Street  
Fairfield, California 94533  
www.solanocounty.com

## Minutes - Final Planning Commission

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Thursday, August 18, 2022

7:00 PM

Board of Supervisors Chambers

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### CALL TO ORDER

The Solano County Planning Commission met on August 18, 2022, in regular session in the Board of Supervisors' Chambers at the Solano County Government Center, 675 Texas Street, Fairfield, California at 7:00 p.m.

Solano County staff members present were Resource Management Director Terry Schmidtbauer, Deputy County Counsel Jim Laughlin, Planning Services Manager Allan Calder, Principal Planner Nedzlene Ferrario, Senior Planner Jeffrey Lum, and Clerk Marianne Richardson.

### SALUTE TO THE FLAG

### ROLL CALL

Commissioners Paula Bauer, Loretta Gaddies (WebEx), Michael Reagan and Chairperson Kelly Rhoads-Poston.

### APPROVAL OF REMOTE TELECONFERENCING

- 1 [PC 22-027](#) Consider a resolution re-authorizing remote teleconference meetings for the period of August 18, 2022 to September 17, 2022 as a result of the continuing COVID-19 pandemic state of emergency.

*Attachments:* [A - Draft Resolution](#)

On a motion by Commissioner Bauer, and seconded by Commissioner Reagan, the Commission adopted a resolution for remote teleconferencing for the period of August 18 to September 17, 2022. So ordered by 4-0 vote.

### APPROVAL OF AGENDA

On a motion by Commissioner Bauer, and seconded by Commissioner Reagan, the agenda was approved by affirmation.

### APPROVAL OF THE MINUTES

- 2 [PC 22-028](#)

*Attachments:* [Minutes of August 4, 2022 - Draft](#)

On a motion by Commissioner Bauer, and seconded by Commissioner

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Gaddies, the minutes of August 4, 2022 were approved by affirmation.

### ITEMS FROM THE PUBLIC:

Chairperson Rhoads-Poston opened the public hearing and invited members of the public to speak on items not listed in the agenda. Hearing no comments, the public hearing was closed.

## REGULAR CALENDAR

- 3**      [PC 22-029](#)      Conduct a noticed public hearing to consider Use Permit U-21-02 by New Cingular Wireless c/o Complete Wireless Consulting to establish a new wireless communication facility located at 5078 Maple Road, east of the City of Vacaville, within the Rural Residential "RR-2.5" Zoning District; APN 0134-270-030. The Department of Resource Management is recommending that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, New Construction of Small Structures.

*Attachments:*      [A - Draft Resolution](#)  
                                 [B - APN Map](#)  
                                 [C - Development Plans](#)  
                                 [D - Alternative Site Analysis](#)  
                                 [E - Radio Frequency Compliance Report](#)  
                                 [F - Noise Assessment](#)  
                                 [G - Photo Simulations](#)  
                                 [H - Aerial Photo Vicinity of Subject Property](#)  
                                 [I - Coverage Maps](#)  
                                 [J - Comments of Staniewicz, et al. and Staff Response](#)

Planning Services Manager Allan Calder introduced Principal Planner Nedzlene Ferrario who presented the use permit application to the Commission.

Commissioner Reagan stated that due to the public response, he strongly suggested the applicant revisit the alternative sites.

Commissioner Bauer asked if the proposed site was compared to other agriculture sites, possibly further east on Maple Road. Commissioner Bauer also asked if conditions can be added including inspections and/or monitoring. Ms. Ferrario responded that a condition is included for a compliance review every five (5) years, and a more frequent review can be recommended by the Commission.

Chairperson Rhoads-Poston agreed that the Commission could recommend conditions such as for aesthetics, to possibly include a cluster of trees around the fencing. Ms. Ferrario responded that staff would need to discuss with applicant if the leased area is large enough.

Commissioner Bauer stated that the public is concerned about transmissions and radiation, and asked if the commission could impose a monitoring condition. Ms. Ferrario stated that the applicant's radio frequency engineer is

in attendance to answer questions and deferred the monitoring condition question to County Counsel.

Commissioner Reagan commented that there are ample alternatives that will not pose the issues raised by the public.

Chairperson Rhoads-Poston invited the applicant to speak.

Macy Habibeh of Complete Wireless Consulting spoke of the proposed wireless telecommunications facility and two-fold purpose to close a coverage gap and provide capacity relief for surrounding sites. She addressed the alternative sites, stating they received no response from mailings to property owners in two search areas. She also stated that AT&T will comply with landscaping.

Raj Mathur of Hammett & Edison stated their firm evaluates radio frequency (RF) exposure and compliance with FCC standards, and they evaluated the EBI report and agree with their conclusion that this site complies with FCC limits. The maximum RF exposure level anywhere on ground and nearby buildings is well below the FCC limit due to the directional antennas and energy drops. Responding to the monitoring condition, he stated that other jurisdictions do have periodic monitoring requirements.

Responding to a question by Chairperson Rhoads-Poston, Mr. Mathur stated the FCC limit varies by frequency and goes from 1 milliwatt per centimeter squared to 0.5 milliwatt per centimeter squared. AT&T is proposing frequencies at 700 megahertz on the low end up to approximately 2 gigahertz on the high end.

Responding to a question by Chairperson Rhoads-Poston, Mr. Mathur stated the nearest residence to the facility is 485 feet and the levels at those homes are at one (1) percent of the FCC limit.

Responding to a question by Commissioner Reagan, Ms. Habibeh stated that site selection includes leasing, zoning, construction as well as radio frequency. Further stating that in 2 years more than 15 sites were selected by AT&T and they contacted even more property owners with no response.

Chairperson Rhoads-Poston opened the public hearing.

A) Nancy Martin, residing on Maple Road, spoke against the project in its proximity to rural residential communities. She noted the property owner is not onsite and complaints have been filed to animal control.

B) Andrew Wasson, residing on Red Sunset Court representing the 55+ community, stated he and his neighbors did not receive the public notice. He spoke in opposition of the project citing visual impacts and health concerns (radio frequency).

C) Scott Hall, neighbor on Maple Road, spoke against the project citing concerns of noise, heavy equipment traffic, security cameras/privacy, decreased property values, and increased drainage issues from new pavement/concrete surfaces.

D) Laurie Malicki, neighbor on Maple Road, spoke against the project citing

concerns of 24-hour access, construction vehicle traffic, visual impacts, motion sensors and LED lighting, dust, and impact to protected species/birds.

E) Paul Avachian, residing on Sweet Bay Circle in Maplewood, wanted to state on record he is opposed to this project.

Hearing no further comments, Chairperson Rhoads-Poston closed the public hearing.

Commissioner Reagan motioned to ask the applicants to search for a new location.

Commissioner Bauer seconded the motion and asked the applicants to include monitoring, landscaping, drainage, dust control, graffiti and trash control, motion sensor lighting to be addressed within 24 hours, and to post a 24-hour phone number for concerns.

Chairperson Rhoads-Poston requested clarification from the applicant on concerns cited by the public. Ms. Habibeh responded to each concern indicating that 1) air conditioning will be located inside the walk-in cabinets and is unsure how many units; 2) there will be one diesel backup generator; 3) the tower is structurally available to permit two (2) additional carriers; 4) there are no motion detectors proposed; 5) no flood study or environmental impact report was prepared for this application; and, 6) the site will be on a raised platform with no irrigation proposed to increase flooding.

County Counsel Jim Laughlin clarified to commissioners that the motion options are to approve based on the findings, continue or deny the application. A motion to continue or deny must include the reason for action, and he would recommend waiving the 6-month waiting period to reapply.

A motion was made by Commissioner Reagan, and seconded by Commissioner Bauer, to deny use permit application U-21-02 at the proposed location and to review alternative sites. Ms. Habibeh requested a continuance to review alternative sites.

County Counsel requested clarification on the motion if it is to deny the application that this site is not acceptable under any circumstances, and give them direction to come back with a better site alternatives analysis and revised application for a different location.

A final motion was made by Commissioner Reagan, and seconded by Commissioner Bauer, to deny use permit application U-21-02 at the proposed location and waive the 6-month waiting period to reapply. So ordered by 3-1 vote.

County Counsel stated the applicant has 10-days to appeal the Planning Commission decision to the Board of Supervisors.

## **ANNOUNCEMENTS AND REPORTS**

Commissioner Bauer reminded commissioners of the California County Planning Commissioners Association conference to be held October 14 and 15, 2022 in Pleasanton.

Mr. Calder introduced a new Planning staff member, Senior Planner Jeffrey Lum, to the commission.

**ADJOURN**

This meeting of the Solano County Planning Commission adjourned at 8:02 p.m. The next regular meeting is scheduled for September 1, 2022.