

Minutes
Clayton Planning Commission Meeting
Tuesday, July 10, 2012

Call to Order

Chair Dan Richardson called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Dan Richardson, Vice Chair Haydon, Commissioner David Bruzzone, Commissioner Sandra Johnson, and Commissioner Gregg Manning

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Selection of Chair and Vice Chair.

Commissioner Johnson moved and Commissioner Manning seconded a motion to elect Vice Chair Keith Haydon as Chair of the Planning Commission. The motion passed 5-0.

Commissioner Johnson moved and Commissioner Richardson seconded a motion to elect Commissioner Manning as Vice Chair of the Planning Commission. The motion passed 5-0.

1B. Review of agenda items.

1C. Commissioner Johnson to report at the City Council meeting on July 17, 2012.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of June 26, 2012.

Commissioner Richardson moved and Vice Chair Manning seconded a motion to approve the minutes, as amended. The motion passed 5-0.

Public Hearing

3. **UP 01-12, Use Permit, AT&T, 68 Nottingham Circle, APN 120-025-003.** A Use Permit request to consider amending a previously-approved Use Permit for an existing wireless communications facility. The currently-proposed modifications involve removal of six existing antennas located at the top of an existing 125-foot PG&E lattice tower and replacement of those antennas with six new antennas as well as installation of three new cabinets within the existing ground-level equipment enclosure. The purpose of the alterations are to upgrade the existing site with new technology that will allow for faster wireless data transfers and overall improved wireless service.

Chair Haydon recused himself from participating in the consideration and action on this agenda item as he is an employee of AT&T. He then left the meeting chambers.

Assistant Planner Sikela presented the staff report.

The public hearing was opened.

Commissioner Johnson asked the following questions:

- If the project is approved, when will the upgrades to the wireless communications facility occur? *The representative of the applicant, Tom Johnson, responded that, if approved, the upgrades will occur within 60 to 90 days.*
- Have there been any modifications of the site since you received initial approval four years ago? *Mr. Johnson answered that only repairs have been performed on the equipment within the enclosure.*

Commission Richardson indicated that he was aware of "Project Lightspeed". *Mr. Johnson indicated that AT&T is working on a project called Longterm Evolution which involves new technology with the ability to perform higher data transfers.*

Commissioner Bruzzone asked is Longterm Evolution going to require upgrades? *Mr. Johnson replied that system-wide upgrades will be performed at all AT&T sites to allow for Longterm Evolution.*

Brin Owen, 49 Nottingham Circle, indicated the following:

- Existing AT&T wireless communications facility does generate more noise than anticipated.
- Can hear a constant droning sound emanating from the facility when I stand in my yard, especially at night when ambient noise levels are reduced.
- Had previously contacted AT&T regarding the noise and was told that AT&T would perform acoustic monitoring and report back to me but I never heard back from them.
- Do not think AT&T adequately addressed my concerns over noise.
- Would request that additional upgrades to mitigate noise be included since AT&T is proposing to install more cabinets within the equipment enclosure.
- Part of the problem may be that the equipment enclosure has an open top which allows the noise to impact neighboring properties.
- Noticed that a wireless communications facility equipment enclosure located nearby on Pine Hollow Road has a roof on it. Perhaps a roof could be placed on the subject equipment enclosure.
- Request that the City work closely with AT&T to mitigate noise levels.
- Want to commend AT&T on doing a good job installing and maintaining the landscaping around the equipment enclosure.

Michael O'Brien, 68 Nottingham Circle, owner of the subject property on which the cellular facility is located, indicated the following:

- Have enjoyed working with AT&T.
- To AT&T's credit, they have installed acoustical walls within the equipment enclosure to mitigate noise.

- Although the topography appears to be level in the area of the neighborhood within proximity of the subject site, the equipment enclosure is actually located below the level of my residence and Mr. Owen's residence. Given that the equipment enclosure is not roofed and that surrounding residences are higher in elevation than the equipment enclosure, the noise emanating from the equipment enclosure travels out from the top of the enclosure and is easily heard by surrounding property owners.
- An acoustical study taken from the sides of the equipment enclosure would not be accurate in gauging the level of noise generated from the site; the noise study should also be taken from above the enclosure to accurately measure the level of noise.

Commissioner Bruzzone indicated that noise level information should be gathered at different heights in order to accurately capture on-site noise generation.

Director Woltering indicated that staff would seek to ensure that AT&T captures noise generation at varying heights around the equipment enclosure when the noise study is conducted.

Commissioner Johnson suggested that the equipment enclosure could possibly be enclosed at the top to mitigate noise generation.

Director Woltering indicated that, if we find a need to substantially modify the equipment enclosure (e.g., install a roof), we would bring the proposal back to the Planning Commission for review.

Michael O'Brien asked what is a comparable type of noise that would be 55 decibels at the property line, as required by the General Plan Noise Element? *It was indicated that 55 decibels would be the approximate level of noise generated by a sewing machine.*

Mr. Johnson indicated the following:

- AT&T is already coordinating with a sound engineer to conduct the noise study.
- We will coordinate with Mr. O'Brien to schedule a time to conduct the noise study.
- Can do both day and night studies to include ambient noise levels.
- Have concerns regarding constructing a roof over the equipment enclosure, indicating that the level of heat would rise dramatically, causing the cooling system to work constantly which would result in even higher levels of noise being generated from the site.

Commissioner Richardson indicated he would not support taking action on the item until the noise study is completed.

By consensus, the Planning Commission directed staff and the applicant to conduct a noise study to be taken at varying heights around and above the enclosure; and that the noise study should be conducted with staff and concerned neighbors present.

Commissioner Richardson moved and Vice Chair Manning seconded the motion to continue Use Permit UP 01-12 to a date uncertain. The motion passed 4-0.

Chair Haydon returned to the meeting chambers.

Communications

6A. Staff.

Director Woltering recommended that the next Planning Commission meeting on July 24, 2012 be cancelled and tonight's meeting be adjourned to the meeting of August 14, 2012.

6B. Commission

By consensus, the next regularly-scheduled meeting of July 24, 2012 was cancelled.

Adjournment

7. The meeting was adjourned at 7:40 p.m. to the regularly-scheduled meeting of August 14, 2012.



Submitted by
David Woltering, AICP
Community Development Director



Approved by
Keith Haydon
Chair

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