

**EXCERPT OF PLANNING AND TRANSPORTATION COMMISSION
MEETING OF JUNE 14, 2006**

1 **4243 Manuela Avenue [04PLN-00143]**: Request by Cingular Wireless on behalf of
2 Aldersgate Methodist Church for a Conditional Use Permit to allow the installation of
3 one telecommunications facility, comprised of a 45-foot tall tree-pole with six panel
4 antennas concealed within the top region of the pole and associated equipment cabinets.
5 Zone District: R-1 (20,000). Environmental Assessment: Exempt from the California
6 Environmental Quality Act per section 15301.

7
8 Ms. Clare Campbell, Planner: Yes. Good evening Commissioners. As a correction to
9 the item in the report packet there are a few inconsistent references in the report and in
10 the Record of Land Use that reflect the monopole and the tree-pole as the Staff's
11 recommendation. So to clarify this I would like to just restate the recommendation.
12 Staff's recommendation is that the Planning and Transportation Commission recommend
13 that the City Council uphold the Director of Planning and Community Environment's
14 2005 decision to approve a monopole design wireless communication facility.

15
16 The project before you tonight is for a new Cingular Wireless communication facility
17 located within the parking lot area of the existing church site. The Commission reviewed
18 this project last year on August 31 and at that meeting the issues that were raised by the
19 speakers primarily focused on the aesthetic qualities of the project. Based on these
20 concerns the Commission directed the project to the Architectural Review Board for
21 Design Review and continue the item.

22
23 On May 18, 2006 the Architectural Review Board discussed the proposed design options
24 for the new facility. The applicant provided four design options: a monopole, a pine tree
25 pole, a palm tree pole, and a light standard. The two options that were considered by the
26 ARB were the standard monopole and the mono-pine. The Board voted three to two in
27 favor of the mono-pine design.

28
29 Now with the feedback from the ARB the Commission can make a decision on which
30 design they prefer either Staff's recommendation for the monopole or the ARB's
31 preference for the tree-pole. Staff is not wholly opposed to the tree-pole but believes that
32 the more modest proposal is more appropriate in this location due to the existing trees
33 that are in that immediate area.

34
35 If the tree-pole design is the Commission's recommendation Staff will modify the
36 conditions of approval accordingly to assure a quality project.

37
38 For additional background on the site this project site abuts Foothill Expressway, which
39 is a designated scenic route and for the most part has a special setback of 60 feet to help
40 preserve the scenic views from the road. In the immediate area of the project parcel there
41 is no special setback requirement. There are a total of nine R-1 lots that backup to
42 Foothill Expressway and that have the potential of building a 30-foot tall structure 20 feet
43 away from this scenic route. This project proposes a 70-foot setback from Foothill

1 Expressway and in doing so minimally impacts the visual qualities of the route. Also, an
2 application was filed for another facility in 1996 and that application was denied for not
3 meeting the required findings. Over the ten years that have elapsed since that submittal
4 the telecommunications industry has improved both technologically and aesthetically.
5 Staff was unable to locate a copy of those plans that were submitted at that time but I feel
6 confident in saying that the project before you today is a more attractive project than
7 what was previously proposed.

8
9 Another difference in the decision-making between 1996 and now is that there is a more
10 general understanding and acceptance of the impacts and benefits of these types of
11 projects. This concludes Staff's report. Pamela Nobel, the applicant, is here tonight and
12 is ready to make a presentation for you. Thank you.

13
14 Chair Burt: Thank you. Does the Commission have any questions of Staff before
15 hearing from the applicant? Karen.

16
17 Vice-Chair Holman: Yes, an additional clarifying question. In the plans that we have the
18 front page indicates a monopole as I read this and then the third page from the back
19 indicates then the mono-pole. So there is an inconsistency within the plan drawings as
20 well it seem.

21
22 Ms. Campbell: That is right. These plans were the original plans that the Commission
23 saw last year and there are no new plans that have been submitted since that time. What
24 happened in the original conditions of approval is the plan that was submitted reflected
25 the tree-pole and in the conditions of approval it was modified to say that it had to be the
26 monopole. We had a previous submittal so I attached that to the front of the plans that
27 way you would have something to see as a reference of what it would look like.
28 Basically nothing else changes. The siting is exactly the same except the profile would
29 be different – the elevation would be different.

30
31 Chair Burt: Thank you, Clare. So at this time the applicant has up to 15 minutes to make
32 a presentation. Welcome.

33
34 Ms. Pamela Nobel, Applicant: Good evening Chairman Burt and Commissioners. My
35 name is Pamela Nobel. I am a consultant with NSA Wireless representing the applicant,
36 Cingular Wireless Services this evening.

37
38 The project before you this evening was heard by this Board last August as probably all
39 of you remember after it had been initially approved by both Administrative Planning and
40 for Design Review in July 2005. I guess as a result of one letter requesting a public
41 hearing that is how you saw it in August. At the Planning Commission hearing in August
42 from reading, I was not the person that was representing back then, but having reviewed
43 all of the comments and concerns basically it seemed that the major concern was the
44 aesthetics of the project. To that end I guess my understanding is that this body
45 continued the project over to Design Review to work those details out. That has
46 happened, we have had meetings with the Planner, responding to the neighborhood on the

1 neighbors concerns about the aesthetics and came back to a Design Review meeting in
2 May and presented a number of options that we felt would blend well into the Foothill
3 Expressway and R-1 area that surrounded it.

4
5 We believe that the mono-pine fits in quite graciously with the existing landscaping of
6 the Foothill Expressway. We of course will do the monopole as the Staff...so you have
7 two sets of drawings there where basically you can see the tree, you see the monopole
8 and that was what was presented as well to the Design Review. I guess as the Staff
9 reported the Design Review voted for the tree. I have here this evening, I know rather
10 than go over a lot of I think pretty much a number of the questions were answered in the
11 last hearing that was held in August. But if there are any questions from a technical
12 standpoint or from a health issue I have an RF engineer here this evening to answer any
13 questions that you may have. I also have someone representing from [Hammet and
14 Edison] that did a RF emissions analysis for the project. We have submitted alternative
15 site analysis, which I believe you reviewed at the last meeting. So basically I think we
16 have responded to the neighbors' concerns. I am hoping that is the case. I am here to
17 answer any questions that you might have to further make a judgment here.

18
19 Chair Burt: Thank you. Do Commissioners have any questions of the applicant at this
20 time? Okay, thank you very much and if we have more we will get back to you.

21
22 Before we hear from the two members of the public perhaps it would be helpful if the
23 City Attorney would review the constraints upon the Commission of federal legislation
24 affecting siting of telecommunications poles.

25
26 Mr. Don Larkin, Senior Deputy City Attorney: As I believe the Commission is aware
27 any decision on whether or not to approve this project can be based only on land use and
28 planning considerations. Radio frequency emissions are not factors that can be
29 considered in denying or approving a wireless project under the Federal
30 Telecommunications Act.

31
32 Chair Burt: Thank you, Don. At this time we have two speakers from the public who
33 can speak up to five minutes each. Our first speaker is Vic Nelson to be followed by
34 Jackie Berman. Welcome.

35
36 Mr. Vic Nelson, Palo Alto: I live on the corner at Moana Court. You can see the
37 proposed project. I can't get wireless cell receiving in my house. I have to go outside to
38 get it. It has been that way for a long time, since 1990 when I got my first cell phone. I
39 have lived there for 30 years.

40
41 In 2004 I had my house remodeled for several hundred thousand dollars. The contractors
42 came in there plus my contractor had to go out in the middle of Moana Court to carry on
43 conversations on their cell phones.

44
45 So what I am doing here tonight is I am asking that you guys get a pole of some kind
46 somewhere so that everybody will approve it. I don't care who it is. I am with Verizon

1 right now. I just want a pole so I can use my cell phone. I also have a managing business
2 of commercial property and I need that cell phone. I have to leave a message, call me on
3 my land line, leave me a message and if you have to leave me a message you know I am
4 not home so I am probably on my cell phone and you can get me because I will be out
5 where I can get a signal. I got a fax machine. I have an email there, everything. I think
6 this is terrible that we don't have a pole there.

7
8 Now, my neighbor over here, Jackie, is going to disagree. Well, I don't disagree with
9 Jackie. They come up Miranda and they look right where that project is. I come out
10 Moana and I am going down Miranda I am not going to pay any attention to that pole.
11 You can put that pole anywhere I'll never look at it. That's all I have to say.

12
13 Chair Burt: Thank you. Jackie Berman. I don't have any other speaker cards.

14
15 Ms. Jackie Berman, Palo Alto: We do have a very wonderful neighborhood and good
16 friendly relations. Vic has been a loyal servant of Palo Alto as a fireman for many years
17 in the service of our city. We appreciate that.

18
19 I am here on behalf of the neighbors who don't want to look at any old thing that you
20 want to put up, quoting Vic. We oppose it because one, it will be a visual intrusion in our
21 neighborhood and along the Foothill Expressway which is a designated scenic route. In
22 your material I thought it was interesting that in the AT&T papers AT&T calls the
23 Foothill Expressway a freeway. So it is no longer a designated scenic route as far as
24 AT&T is concerned. There have been comments that it will be fully screened by existing
25 trees but the ARB minutes state clearly that the tower must be ten feet higher than the
26 existing trees or the tower won't work. So it won't be screened by existing trees. Also,
27 according to the City Arborist in the ARB minutes the trees are in very bad shape and are
28 going to die soon. So they are going to plant some little ones to take over when these die.
29 So we don't think it will be very effective in terms of screening.

30
31 Some people have said they can't see the tower and some people say they don't care what
32 it looks like but I am here to tell you that we can see it and some of us do care. We are
33 not against cell phones. We are not against antennas. We are not against technology.
34 We are not complaining about the RF. We just think that it could and should be located
35 not in an R-1 area. When you start locating cell towers in R-1 areas you are setting a
36 policy for the city and you are going to have to make decisions on a case-by-case basis
37 and what are your criteria going to be?

38
39 We think it can and should be located in the Stanford Industrial Park to the north of
40 Arastradero. Now, the _____ claims in the material you have that they can't
41 consider sites north of Arastradero because, "the applicant is proposing a separate
42 telecommunications site inside the Hillview-Arastradero triangle at Roche Labs." But no
43 one has even asked them what is being planned at that site and why it precludes an
44 antenna somewhere in the same industrial park area where you wouldn't be setting a
45 precedent for R-1. Now, the proposed pole that the Staff continues to recommend in

1 spite of the ARB recommendation for a mono-pine the Staff goes back to the ugly
2 smokestack-like monopole. We think that is very ugly.

3
4 I have visited the two existing antennas in R-1 zones in the city. One is totally and I
5 might say nicely concealed in the huge cross on the Congregational Church at
6 Embarcadero and Louis Road. The other is a faux pine tree at the end of a very long
7 driveway at the back of the Achieve School on Middlefield just north of Charleston. The
8 faux pine is next to the Mitchell Park fence among other tall pine trees. It looks realistic
9 from Middlefield and it is not contiguous to any residential area. The ARB has
10 recommended the faux pine, mono-pine, for the Aldersgate site but the Staff has rejected
11 this and had opted for the industrial-looking monopole. The reason that I could divine
12 from the material is that they think that the branches of the real trees could interfere with
13 the branches of the faux pine. The minutes from the ARB meeting indicate that that
14 argument was rejected by the City Arborist. He said it wouldn't interfere.

15
16 As I have stated we do not want any antenna on this R-1 site but if there is to be an
17 antenna forced on us we should be given the same consideration as the other R-1
18 neighborhoods and have as much concealment as possible. We should have just as bushy
19 and realistic a faux pine as the one on Middlefield that borders Mitchell Park. Thank
20 you.

21
22 Chair Burt: Thank you. At this time we will return to the Commission for questions of
23 Staff. Commissioners, who would like to go first? All right, I have a question. Would
24 Staff just share a little bit more of their thinking on why they have the preference for the
25 monopole versus the mono-pine?

26
27 Ms. Campbell: In that immediate area for the location of the pole there are a lot of
28 existing mature trees. When Dave and I were out there looking at the site we felt that the
29 standard monopole would be a better fit just because when you do the construction of the
30 pole and the new branches won't conflict with the existing natural branches of the trees.
31 In discussions at the ARB Dave did mention that we could carefully review how they do
32 the installation. The applicant is more than willing to work with us on this project to
33 modify the lengths of the limbs of the tree-pole to try to get the best fit for something that
34 will go in there. So that was the general logic behind why we were going with the
35 monopole originally.

36
37 Chair Burt: Have you had comments from other neighbors on their aesthetic
38 preferences?

39
40 Ms. Campbell: Other than the tree? It has really basically been about the tree. There
41 was a community meeting that the applicant held and they showed the tree-pole at that
42 community. I wasn't there for that meeting but it seemed to be something that they
43 seemed to be more agreeable with. Staff is not opposed to a tree-pole. I just want to
44 reiterate that. The initial recommendation was for a monopole because we thought it
45 would be a better fit for that site.

1 Ms. Amy French, Current Planning Manager: I was also at the ARB meeting and heard
2 their debate and views on it. We are certainly in support and concur with the ARB as
3 well for the reasons they mentioned. I believe you have the minutes. Certainly if the
4 neighbors are more favorable or seeing the tree as the more protective of their views then
5 we are in support of that as well.
6

7 Chair Burt: I just want to be clear because we only had two neighbors speak tonight, one
8 who really wasn't speaking on the aesthetics. Out of the other neighbor comments that
9 you have received either last year or more recently I think that I understood Clare to be
10 saying that the neighbors seem to be favoring the mono-pine.
11

12 Ms. Campbell: The comments primarily were not in favor of anything but the neighbors
13 were made aware of the mono-pine design by the applicant's community meeting. So
14 what I perceive from the feedback is from the original Staff recommendation for the
15 monopole the reaction was they would prefer the mono-pine versus the monopole.
16

17 Chair Burt: Karen.
18

19 Vice-Chair Holman: The handout that was delivered by Mr. Emslie and prepared by Ms.
20 Berman it says that she is here on behalf of neighbors who oppose the Staff
21 recommendation to construct a 45-foot monopole. I don't know how many neighbors
22 that is. Public comment isn't closed I guess she could comment. It says on behalf of her
23 neighbors.
24

25 Chair Burt: I had one other question. Ms. Berman raised a question as to why the pole
26 could not be located in the Research Park and that evidently the applicant had alluded to
27 something to do with an upcoming pole near the Roche facility.
28

29 Ms. Campbell: Right. The Roche facility had an application in file approximately the
30 same time this came through. That was approved and it is probably up and running for
31 some time already. So they already have a site in place for this particular carrier. So I
32 think to answer the question that particular site covers a certain range and it doesn't cover
33 far enough to reach this particular site where we are at Manuela.
34

35 Chair Burt: Does that also mean that other sites on the southwestern edge of the
36 Research Park are not viable sites to provide the range that is necessary?
37

38 Ms. Campbell: Let me have the applicant speak to that.
39

40 Mr. James _____, RF Engineer: I am the RF engineer working on this project. In
41 response to the question as to why we can't go further north that would bring us close to
42 other wireless towers and would not provide us with the coverage that we are looking for
43 further south on Foothill Expressway. That is the primary reason – we would not achieve
44 our coverage objective.
45

1 Chair Burt: So this neighborhood immediately surrounding the pole might be covered
2 but the intention of this pole is basically to cover a certain radius from the pole and
3 further south would not be covered by a pole at the edge of the Research Park.

4
5 RF Engineer: That is correct. It would not connect with the cell site further to the south
6 on Foothill Expressway.

7
8 Chair Burt: Thank you. Lee.

9
10 Commissioner Lippert: I just wanted to hear from the City Arborist in terms of being
11 able to install this and preserve the existing trees and whether the existing trees are going
12 to be stressed and whether they will need to be replanted.

13
14 Commissioner Garber: I understand we also need to be careful about asking about
15 expertise and bird habitat.

16
17 Mr. Dave Dockter, City Arborist: To respond to Commissioner Lippert's question, the
18 Monterey pine trees are in various stages of health. I made a statement in the ARB
19 meeting that they are probably in the same status they will be there for another 15 years.
20 There may be a tree here and there that does suffer mortality from beetles or other things.
21 We have provided for an arborist assessment and replanting of trees if that does occur
22 whether it is a faux pine or a monopole. So either way I believe it is conditions 14
23 through 19, well several conditions apply to either one. The fate of the pines I think is
24 not something that we can really determine with certainty at this point but we have
25 provided for the replacement if there is one or if there are ten trees then there is provision
26 for replacement.

27
28 Chair Burt: Dave, about how many pines in the vicinity of the 30 to 35-foot height level
29 are nearby to this proposed tower?

30
31 Mr. Dockter: I don't have the number of trees.

32
33 Chair Burt: Just a ballpark.

34
35 Mr. Dockter: The area for the pole is surrounded by Monterey pines and beyond that
36 there is another layer of coast live oaks that is the first barrier that one would see going
37 northbound on Foothill Expressway.

38
39 Chair Burt: Karen.

40
41 Vice-Chair Holman: The ordinance says and I just want clarification on this if I could
42 please, Dave. The ordinance under the conditions of approval says replacement trees,
43 this is presuming some will die off, that replacement trees shall be one of the following:
44 [corcus] species, canary island pine, coast redwood or other approved species. Just for
45 clarity for my own mind, I don't know how invasive the beetle is it attacks the pine and

1 you replace pines in there are those pines going to be subject to the same beetle
2 infestation? I trust that the tree pine would not be subject to the infestation.

3
4 Mr. Dockter: The latter is correct. Of the pine trees selected for replacement canary
5 island pine is significantly more resistant to the beetle attack than these Monterey pines.
6 Any new pine also would be required to be replaced with a watering system to it so the
7 new pines would benefit from the irrigation to support that new pine. So that is another
8 resistor against the beetle too.

9
10 Commissioner Lippert: Does that mean that the pine pole is subject to electronic bugs?

11
12 Mr. Dockter: No comment.

13
14 Chair Burt: Dave, I just want to make sure I grasp the essence of what you are saying.
15 So is it correct that while some of those pines may succumb to disease over the next 15
16 years you don't anticipate a wholesale loss of that grove of pines and a wholesale loss of
17 the screening that they provide?

18
19 Mr. Dockter: I would not expect that because if we have an annual report from an
20 arborist assessment which we have provided for that would immediately catch if there
21 were an epidemic of one tree after another falling to the beetle. There are treatments that
22 can be applied to those trees. If the Commission were to condition the project to say even
23 add extra water to the existing pines that could extend the life and survivability of the
24 existing pines. If you added that condition that would be probably appropriate. That
25 could be done very cheaply with a soaker hose or that type of thing.

26
27 Chair Burt: Thank you. Commissioners, any discussion or should we go to a motion?

28
29 MOTION

30
31 Commissioner Bialson: I would be happy to go to a motion because I feel the ARB
32 covered this ground very completely and they also couldn't control themselves and had
33 some jokes in there too. So I feel that the matter has been discussed and I would like to
34 move the recommendation that the Director of Planning and Community Environment's
35 decision to allow a conditional use permit be forwarded with the change that instead of a
36 monopole we would have the tree-pole.

37
38 SECOND

39
40 Commissioner Lippert: I'll second that.

41
42 Commissioner Bialson: I have seen these tree-poles and they need to be pointed out to
43 me when they are within an area that has regular trees. The mind sort of fools itself as it
44 looks at a group of trees and whether they are real or not assumes that they are all real. I
45 think that we are going to be benefiting this area. The conditions already on the approval
46 I think are solid ones. I don't think saving the trees that are there is necessarily

1 something that we should impose. I think they have a useful life if one wants to look at it
2 that way and some of them are probably reaching the end of those lives. I would like to
3 see different types of trees in there. I think aesthetically that would look better and
4 having that be the obligation of the applicant makes it even more comfortable for myself
5 and I am sure the City and the neighbors. So I would expect that in four or five years
6 time the site will look better than it does today.

7
8 As to having a precedent with regard to an R-1 area I think we are seeing this as an
9 unusual location and one that is necessary. I think that there are places in Palo Alto
10 where we have much like the first speaker mentioned rather poor coverage. Since I stand
11 out in the middle of my street to get any coverage I know of exactly what he speaks.
12 People are asking for these things and I think they are necessary.

13
14 Chair Burt: Would the seconder like to speak?

15
16 Commissioner Lippert: Well, the only reason I seconded actually is because I had made
17 the original motion to refer this to the Architectural Review Board. They have done their
18 work in terms of reviewing this and made their recommendation and I would like to
19 support their recommendation in terms of going forward to Council and also the tree
20 solution I think is the most appropriate solution. They are the arbiters of quality and
21 character in our community and therefore I believe that their recommendation here is
22 important and should be heard by Council.

23
24 I just wanted to say I want to second Annette's comments with regard to flushing out and
25 looking at the R-1 regulations and whether we allow these further in the future. I know
26 that Staff is in the process of creating regulations for cell towers, are you not? So with all
27 speed I hope you will come up with your guidelines for that.

28
29 Chair Burt: Phyllis.

30
31 Commissioner Cassel: Annette, would you consider adding the condition to add watering
32 to the existing trees?

33
34 Commissioner Bialson: I would not because as I expressed before I am looking forward
35 to some of those trees that are there reaching the point where they would be necessary to
36 be removed and be replaced by the various trees that Dave has indicated.

37
38 Commissioner Cassel: Okay. I will support the motion anyway. There are a couple of
39 things we should comment about. One is the single-family issue. Even though we have
40 some various faux trees and poles in areas that are commercial that doesn't mean that
41 they are necessarily very far from residential spaces. They are often very close but it
42 somehow seems to calm people down just because they are in the commercial space. The
43 situation is the same. They need to be buffered or concealed or placed in a way in which
44 they are not too obvious. The distances are as appropriate by our existing laws that we
45 must be governed by. This particular tower is set way back from the road. You would
46 really have to be looking for it if you were driving down Foothill. It is quite some

1 distance from any of the other residential areas and there is a considerable amount of
2 buffering for trees in that area. Thank you.

3
4 Chair Burt: Dan.

5
6 Commissioner Garber: I will be supporting the motion. I was simply going to remind
7 the Commission that at the previous hearing in August we had had some thorough
8 investigation conversation/discussion on alternative sites. At that time we had become
9 satisfied with the site that was being proposed.

10
11 Chair Burt: Karen.

12
13 Vice-Chair Holman: I am also going to be supporting the motion. I have one question if
14 I might I don't know if it is for Planning Staff or the City Arborist. Other projects that
15 come along similar to this one of the conditions is, as number nine is here, for the first ten
16 years of the life of the project the following tree monitoring project will be in effect or
17 should be implemented. Why just the first ten years? This pole could be there for say 30
18 years. Why just the first ten years?

19
20 Ms. Campbell: I think at the very end of that condition there is an item here that says that
21 after these ten years have passed then we make a decision on whether or not there needs
22 to be continued monitoring on this site. Then if so we would draft a new set of
23 conditions for the site if we had to do that.

24
25 Vice-Chair Holman: Okay. Thank you for that clarification. Now if I could and this is
26 going to sound like wordsmithing but to me it is kind of important and then I might ask
27 the maker of the motion if it is okay. It probably doesn't need to be in the motion. Nine-
28 D, it is a nit but again it may make a difference depending on who is reading it. For trees
29 determined to be in poor condition and then you go down and it says a replacement tree
30 shall be installed. It doesn't sound like on a one-for-one basis and I am just wondering if
31 that was the intention, a one-for-one basis.

32
33 Ms. Campbell: It would be a one-to-one basis.

34
35 Vice-Chair Holman: It doesn't need to be a part of the motion but maybe a little
36 clarification of that language might be helpful. I am happy to support the motion and
37 also concur with other Commissioners comments about the R-1 issues.

38
39 AMENDMENT

40
41 Chair Burt: I also support the motion but I agree with Commissioner Cassel regarding
42 the preference for providing irrigation. I think it is important that we attempt to preserve
43 a full canopy that exists there. We heard the City Arborist indicate that a fairly low cost
44 irrigation will help preserve the vitality of these existing trees and they consequently fend
45 off disease. So that is I think just a constructive approach. I think it is concurrent with
46 what we heard would be the preference or the recommendation of the City Arborist as

1 well as the one member of the public who spoke. So it would be an amendment to the
2 motion if I have a seconder.

3
4 SECOND

5
6 Commissioner Cassel: I'll second it.

7
8 Chair Burt: Okay, do other Commissioners wish to speak to the amendment or to the
9 motion?

10
11 Commissioner Bialson: I would like to speak to the amendment.

12
13 Chair Burt: Okay.

14
15 Commissioner Bialson: The reason that I would look for a gradual change or turnover in
16 those trees is that I think that you will have them at various states of maturation and it
17 would be less likely that all of those trees that seem to have been planted all at same time
18 will all reach their end point at the same time and then you will not have anything there.
19 So if you allow trees to naturally pass on to greater things and replace those as they come
20 up you will have differing ages of trees and perhaps differing species which I think
21 allows for a canopy to be preserved rather than trying to freeze in place the canopy that
22 now exists. Because there is no provision for putting additional trees there now. So what
23 you would hope for is that you would be able to start replacing those trees that die off and
24 able to have a canopy that has different ages and will expire at different rates of time.

25
26 AMENDMENT PASSED (5-1-0-1, Commissioner Bialson voted no with Commissioner
27 Sandas absent)

28
29 Chair Burt: Okay. So let's call the motion. All those in favor say aye. (ayes) This is
30 the amendment. So the amendment passes five to one with Commissioners Cassel,
31 Garber, Lippert, Holman and Burt in favor and Commissioner Bialson voting nay.

32
33 MOTION PASSED (6-0-0-1, Commissioner Sandas absent)

34
35 So back to the primary motion. Any other discussion? All those in favor? (ayes) That
36 passes unanimously with Commissioner Sandas absent.

37
38 So I think that concludes this item. Thank you all very much for coming. We look
39 forward to better reception and hopefully an aesthetically acceptable environment. Thank
40 you for coming and participating.

41

