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Cell Equipment Getting Schooled

By Cathy Tyson

Although the city of Lafayette approved a wireless communication facility near Happy Valley Elementary School, it didn't approve of more equipment than originally bargained for. Back in 2008, AT&T replaced two antennas on an existing utility pole and installed a new cabinet on the ground; no problem there.

Fast forward four years and astute Code Enforcement Officer Mark Robbins issued a Notice of Violation for "significantly more equipment associated with the wireless communications facility than was approved." He noted that exposed wires were a particular concern and had photos to prove it.

What's the penalty for failure to comply with the Municipal Code? It can get serious fast, vaulting from revocation of a land use permit, to abatement, to criminal prosecution and/or civil litigation.

Two nearby homes were considered for the cell equipment, but one had dense vegetation and the other would have required a 50-foot tower that the owner was not interested in. Just down the block at Happy Valley Elementary School is a feasible site that would have a 9-foot-high fence to match the neighboring enclosure that contains a garbage compactor. With very little fanfare the new location that will house ground-mounted equipment on a concrete pad was unanimously approved by the Planning Commission on June 17. Chair Karen Maggio encouraged "robust" landscaping that will surround the less than handsome fence. The permit requires that the wireless communications facility will be reviewed every three years.

For parents and neighbors concerned with exposure to radio frequency (RF), a report submitted by William Hammett of Hammett & Edison documents that the maximum exposure of RF is 5 percent of the applicable public exposure limit for school buildings; 95 percent below the limit set by the Federal Communications Commission.

Reach the reporter at: cathy@lamorindaweekly.com

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