

**MACKENZIE & ALBRITTON LLP**

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March 8, 2013

**VIA EMAIL AND FEDEX**

Chair Doreen Farr  
Vice Chair Salud Carbajal  
Supervisors Janet Wolf,  
Peter Adam and Steve Lavagnino  
Board of Supervisors  
Santa Barbara County  
105 East Anapamu Street  
Santa Barbara, California 93109

Re: Appeal Case No. 12APL-00000-00011  
Verizon Wireless Stealth Communications Facility  
512 Santa Angela Lane, Montecito  
Board of Supervisors Agenda March 12, 2013  
Supplemental Letter Regarding Alternatives 2 and 19

Dear Chair Farr, Vice Chair Carbajal and Supervisors:

We write to you on behalf of our client Verizon Wireless to provide you with supplemental information regarding two alternatives described in the Alternatives Analysis attached to our letter of last week that were heard by the Montecito Board of Architectural Review (the "MBAR") on March 4, 2013. In sum:

**Alternative 19.** The MBAR greatly disfavored Alternative 19, the proposed treepole on the roadway median at Hot Springs Road and Olive Mill Road. MBAR members expressed concern over the adverse aesthetic impacts of a proposed treepole at this location and the harmful effect the facility would have on existing trees, including the removal of a specimen tree. The summary MBAR checklist firmly indicates that it "cannot support" the proposal and that in particular the required removal of the specimen tree would be "unacceptable." A copy of the MBAR's summary checklist for Alternative 19 is attached as Exhibit A to this letter. The MBAR's concern has been confirmed by a report received by Verizon Wireless prepared by a registered consulting arborist dated March 6, 2013. In his report, Mr. Bill Spiewak confirms that: "The installation of the Verizon facility on this site would create a significant impact to one or more key trees and likely cause its decline or require removal of at least one significant tree." The Arborist's Report is attached as Exhibit B to this letter. Based on the conclusions of the MBAR and the arborist, the roadway median is not a viable alternative for the Verizon Wireless facility.

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**Alternative 2—Favored.** The MBAR favored Alternative 2, the treepole at 512 Santa Angela Lane. At the hearing, MBAR members indicated that the treepole would be acceptable with respect to view corridors and environmental context. A copy of the MBAR's summary checklist for Alternative 2 is attached as Exhibit C to this letter. A treepole design at this location was proposed by Verizon Wireless in response to concerns raised by appellants to the approved facility at 512 Santa Angela Lane. Appellants and other residents spoke in favor of this treepole alternative at the MBAR meeting. As stated in our prior correspondence, Verizon Wireless is willing to modify the approved project to include a treepole at 512 Santa Angela Lane as preferred by the MBAR and appellants, provided an approval for this alternative can be obtained with minimal delay. Detailed plans and required submittals for the treepole were provided to the Planning Department last month.

Thank you for considering this supplemental information in your deliberations. Since Wednesday, Verizon Wireless has received over 300 text messages and emails of support for the proposed facility that we will provide at Tuesday's hearing. Verizon Wireless asks that you approve a permanent facility at 512 Santa Angela Lane with or without a treepole without further delay.

Very truly yours,



Paul B. Albritton

cc: Rachel Van Mullem, Esq., Chief Deputy County Counsel  
Michael Ghizzoni, Esq., Chief Assistant County Counsel  
Megan Lowery, Planner  
Anne Almy, Supervising Planner

#### **Schedule of Exhibits**

- Exhibit A:** Montecito Board of Architectural Review Conceptual Checklist, Verizon Telecom Facility at Hot Springs Right Of Way, March 4, 2013
- Exhibit B:** Report of Bill Spiewak, Consulting Arborist, March 6, 2013
- Exhibit C:** Montecito Board of Architectural Review Conceptual Checklist, Verizon Switch Station, 512 Santa Angela Lane, March 4, 2013

Montecito Board of Architectural Review  
Conceptual Review Checklist

#3

Project Name Verizon Telecom Facility  
Project Address @ Hot Springs St. of Way  
Case No. 13BAR-00029

Date 3/4/13

Conceptual Review is intended to provide the Applicant with clear direction early in the process to ensure that proposed development conforms to the applicable Land Use Development Code requirements regarding architectural review. If items are not addressed in the resubmittal, the application may be scheduled for Preliminary Review and may be denied.

Acceptable    Unacceptable    Not Applicable

1. Development is appropriately sited considering:

- 1a. View Corridors - HIGHLY VISIBLE TO COMMUNITY
- 1b. Site Topography and Proposed Grading -
- 1c. Known Resources - TREES

2. Development fits and is compatible with the neighborhood considering:

- 2a. Proposed Size, Bulk and Scale
- 2b. Building Height and Number of Stories
- 2c. Architectural style - TREE TOO TALL, FENCE UNACCEPTABLE.
- 2d. Environmental Context

Yes

No

- 3. Site Visit Required - COMPLETED 3.4.13
- 4. Story Poles Required
- 5. Additional Information Required (See notes below)

Notes

MBAR CANNOT SUPPORT LOCATION.

REMOVING SPECIMEN TREES TO REPLACE W/ PAUX TREE IS UNACCEPTABLE.

**Follow-Up** Please return for:

- Conceptual Review     Preliminary     Final     Consent

Refer to the Approved Meeting Minutes for additional information.  
Check with your Planner to schedule the next meeting.



March 6, 2013

Jay Higgins  
211 East Carrillo, Suite 201  
Santa Barbara, CA 93101  
805.617.4563 / Jay.Higgins@sacw.com

### BACKGROUND/ASSIGNMENT

I was contacted by Lynnedee Althouse of Althouse and Meade and then by Planner Jay Higgins, regarding installation of a Verizon facility within the triangle between Olive Mill and Hot Springs Roads in Montecito. There were several trees on this site adjacent to proposed development. I was asked to assess potential impacts to the trees from the proposed installation and prepare a report with my findings. I was on the site during March 5, 2013.

### OBSERVATIONS & DISCUSSION

1. There are three dominant trees on the site that include:
  - a) One large Monterey Cypress (*Cupressus macrocarpa*) with a 36" DBH (diameter at breast height measured at 54" above ground).
  - b) Two Coast Live Oaks (*Quercus agrifolia*), with a 25" DBH and 19" DBH.
2. The trees were in good condition although the cypress had an abundance of deadwood throughout the interior of the crown. The majority of outer crown appeared healthy.
3. I determined the critical root zones (CRZs) based on the trunk diameters and drew them to scale on the site plan. The CRZ is defined as a circle around the tree with a radius of one linear foot per inch of trunk diameter (DBH).
4. I cut out a rectangle (scaled to size) to represent the hole in the ground required to install the Verizon facility. I moved the rectangle throughout the site to locate an area with the least encroachment into the CRZs of the three trees. The one location where encroachment is less than 20% into the CRZ is within the right of way of the underground gas line on the western edge of the triangle and still encroaches into a large portion of the CRZs. In conjunction with construction, it is likely that other variables including equipment staging would increase the encroachment to greater than 20% thus creating a significant impact. See the adjoining site plan for the location of the trees, their CRZs, and the placement of the hole for the facility that would incur the least impact to trees.

### CONCLUSIONS

The installation of the Verizon facility on this site would create a significant impact to one or more key trees and likely cause its decline or require removal of at least one significant tree.

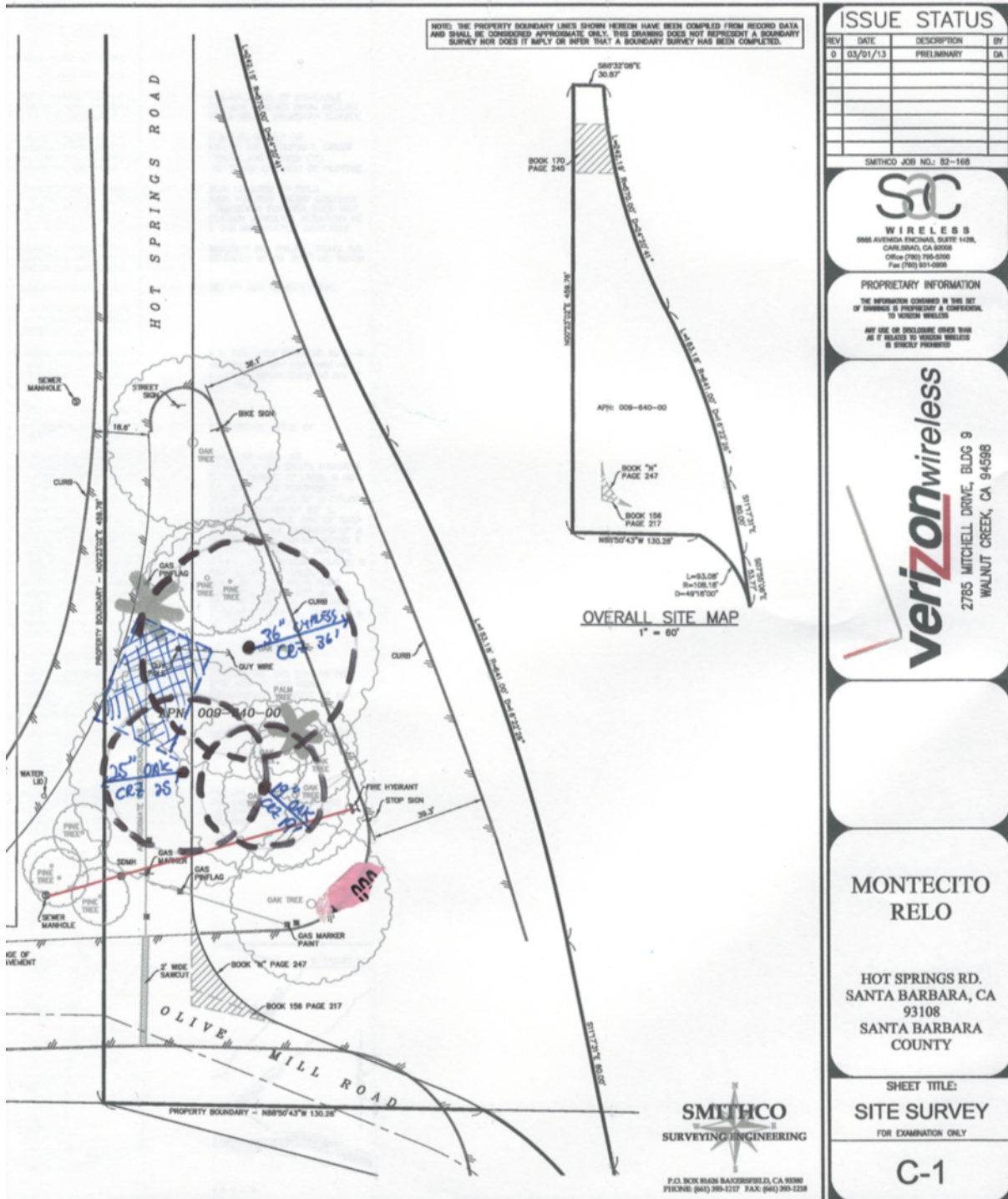
Please contact me with any questions.  
Prepared by:

*Bill Spiewak*  
Registered Consulting Arborist #381  
American Society of Consulting Arborists

Board Certified Master Arborist #310B  
International Society of Arboriculture







The dashed lines indicate the critical root zones of the three dominant trees. The hatch marks show the location of the excavation site where trees would incur less than 20% encroachment into their CRZs. All other locations will require removal of at least one dominant tree or significant impacts to one of more trees that is likely to result in their decline.

Montecito Board of Architectural Review  
Conceptual Review Checklist

#3

Project Name Verizon-Switch Station  
Project Address 572 Santa Angela Ln.  
Case No. 13BAR-00011

Date 3/4/13

Conceptual Review is intended to provide the Applicant with clear direction early in the process to ensure that proposed development conforms to the applicable Land Use Development Code requirements regarding architectural review. If items are not addressed in the resubmittal, the application may be scheduled for Preliminary Review and may be denied.

Acceptable    Unacceptable    Not Applicable

1. Development is appropriately sited considering:

- 1a. View Corridors
- 1b. Site Topography and Proposed Grading
- 1c. Known Resources    OTHER TREES

2. Development fits and is compatible with the neighborhood considering:

- 2a. Proposed Size , Bulk and Scale
- 2b. Building Height and Number of Stories
- 2c. Architectural style
- 2d. Environmental Context    FAUX TREE

Yes                      No

- 3. Site Visit Required    - completed 3.4.13
- 4. Story Poles Required
- 5. Additional Information Required (See notes below)

Notes  
- CONCERN OVER LONG TERM MAINTENANCE.  
AS SOME EXISTING FAUX TREES LOOK "TIRED".  
FADING ISSUES  
PERHAPS START OUT DARK GREEN TO MATCH  
EXISTING ADJACENT TREES.

**Follow-Up**    Please return for:

- Conceptual Review     Preliminary                       Final                       Consent

Refer to the Approved Meeting Minutes for additional information.  
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