

**APPEAL OF THE APPROVAL OF ACU-23-00003 ATLAS**

RECEIVED  
NOV 08 2023

Kittitas County CDS

My name is Frances Ceraolo. I reside at 131 Blazing Sky Lane, Ellensburg Wa 98926

This property was purchased several years ago due to it being in a rural setting with pleasant views of the surrounding countryside and the Stuart Range. I am an 85 year old retiree who enjoys looking out the windows of this home to gaze at the cows grazing in the fields and the harvesting of hay fields. I find it very beneficial to my emotional and mental health to indulge in this activity and feel very privileged to be able to do so.

The prospect of waking up in the morning and seeing first thing when I look out the window a monstrous 100' cell phone tower fills me with angst. It also negates every reason for the purchase of this property in the first place. I find the approval of this project to be intolerable.

The specific reasons why I believe this decision is wrong are many and varied and can be found on the attached pages.

I would like to have this decision modified rather than be denied.

One reason for not wanting the decision denied is the plethora of court actions brought by cell phone providers against municipalities, counties, townships etc. I have no wish for Kittitas County and its inhabitants to be subject to such an expense of time and money that would result. For this reason I seek a modification. Your decision goes far beyond the bounds of Kittitas County as it would give precedence for those companies to run amuck and plunk down their towers wherever they choose. Please take this into consideration. It would be most detrimental to all to allow the present chosen site.

As can be seen from the attached maps the area in question is more or less bounded by Manashtash Rd to the south and Interstate 90 to the north, ridges to the west and Cove or Strande to the east. This gives Atlas many opportunities to find a more suitable location for their infrastructure.

I would like to see this tower installed on something else (such as fire stations, hospitals etc. that contribute to the public good so that they can benefit from the lease fees) rather than private property. I am aware it is up to the Applicant and not the County to come up with a suitable site.

You should also take into consideration the loss of revenue to the county that could or would occur from a tax base as the properties in close proximity decline in property values.

As a last resort and the least desirable option would be to move the tower to the south-west corner of the Strand 20 acre property and provide substantial screening in the way of fast growing vegetation hedges such as Lombardy/poplar hybrids with a non-suckering habit.

You should not consider painting the tower some shade of brown to be an answer to the aesthetics question as this would not change the overall aesthetics of the tower itself.

Most sincerely

A handwritten signature in cursive script that reads "Frances Ceraolo". The signature is written in black ink and is positioned below the text "Most sincerely".

Frances Ceraolo

To: Kittitas County Community Development Services

411 N. Ruby St. Suite 2

Ellensburg Wa 98926

SUBJECT: File ACU-23-00003 Atlas

Atlas Tower 1 LLC (authorized agent) And Victor Strand (landowner)

Parcel #818833, 4140 Manashtash Rd. Ellensburg Wa 98926

Section 18, T17, R18, WM in Kittitas County, bearing Assessor's map

Number 17-18-18010-0001

Pursuant to Chapter 43.21C RCW I appeal the Notice of Sepa Action and Mitigated Determination of Nonsignificance dated October 26 2023 regarding the above subject matter on the following grounds:

My specific factual objections are :

**A. Under Sepa Environmental Checklist**

**Number 7a 3) and Number 7b 2)** stored toxic or hazardous materials on site has not been adequately addressed. It is my understanding that generators (and or batteries) will be used in the event of a power outage and that for generators to run they require fuel such as gasoline or diesel fuel. The use of the generators would also question the assertion by Atlas that telecommunications are essentially silent.

**Number 8b** Atlas response to the question regarding if the proposed site has been used as working farmland is "NO". A clarification of this statement is needed.

**Number 8c** Atlas response to the question regarding structures on proposed site is "100' monopole with a 50x50 fenced compound area" This is incorrect as the question is in regard to what structures are currently on site which are several barns, and 2 homes.

**Number 8f** Atlas response to the question regarding current comprehensive plan designation of the site is nonsensical. It responds by citing their own plans.

**Number 9a** Atlas response to this question is “We are proposing a new 150’ tower.” I assume that this is an incorrect statement that needs to be modified.

**Number 10a** Atlas response to this question regarding height of proposed structure(s) is “6’ chain link fence” This is incorrect as the tallest structure will be 100’ or more.

**Number 10b** Atlas response to the question regarding views in immediate vicinity that would be altered or obstructed is “The proposed site is chosen to maximize visual aesthetic and distance from residential homes.” This is patently untrue as the site was chosen for other reasons. See PURSUANT TO KCC 17.60A.015 REVIEW CRITERIA #5a below

**Number 10c** Atlas response to the question regarding measures taken to reduce or control aesthetic impacts is “The surrounding area is largely rural with low density residential zones nearby.” This statement fails to answer the question. See PURSUANT TO KCC 17.60A.015 REVIEW CRITERIA #5b below

#### **NOTICE OF SEPA ACTION**

This notice states “This decision was made after review of a SEPA environmental checklist, and other information on file with the lead agency. This “other information” includes emails received from the public as follows:

**From:** Dana Ogan  
**To:** Chace Pedersen  
**Subject:** Conditional Land Use Application ACU 23-00003 (Atlas)  
**Date:** Tuesday, August 22, 2023 4:22:30 PM

**CAUTION:** This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

Chace Pedersen,

This email is in opposition to Conditional Land Use Application ACU 23-00003 (Atlas). I have read all of the other letters opposing this application and agree with all of their sentiments. While these communication towers are something of the future, they do not belong in our rural neighborhoods and farm land.

While reading the application and project narrative, I see that several of the criteria are clearly not met. Let me pick this apart further...

**“A) The proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace or safety or to the character of the surrounding neighborhood.”**

- This proposal is obviously not essential, OR DESIRABLE. It appears that the land owner is approaching this as a financial gain, not in consideration of his community.
- We can argue that there is not enough credible data to prove that tower emissions are not harmful to humans/animals. We could get into this debate, but the bottom line is that we don't know. So why risk it?
- This proposal IS DETRIMENTAL to the character of the surrounding neighborhood. PERIOD. You cannot argue against this.
- This is just the first of the 7 criteria and it's CLEARLY not met.

**“B) The proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county...”**

- As homeowners close to the site have complained, this would obstruct their view, in turn reducing the value of their property.

For Items “C-E,” I'm going to trust Kittitas County Community Development Services does their due diligence in making ABSOLUTELY sure that this proposal meets ALL county codes, development standards, environmental impact, and public health standards.

For items “F, G”, plopping a tower in the middle of a beautiful agricultural/rural area is clearly not in the “Character” of the district it is being proposed. In fact, the “Rural Character”, as defined by The Growth Management Act defines is as follows per the Washington State

RCW:

"Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan: (a) In which **open space, the natural landscape, and vegetation predominate over the built environment**; (b) That **foster traditional rural lifestyles**, rural-based economies, and opportunities to both live and work in rural areas; (c) That **provide visual landscapes that are traditionally found in rural areas** and communities; (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat; (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development; (f) That generally do not require the extension of urban governmental services; and (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

Items a, b and c in the definitely of "rural character" are obviously not met with this proposal and therefore this proposal clearly does not preserve the "Rural Character" of the area it is being proposed in. Items d-g could be argued as well, but I won't get into those, since the first three are clearly not met.

As someone who is pretty naive to land development, it's very easy for me to see that this proposal cannot possibly be supported by our county or residents.

Thank you for your time,  
Dana Ogan  
710 Barnes Road  
Ellensburg, WA

**From:** Jil Zilligen  
**To:** Chace Pedersen  
**Subject:** ACU-23-00003 Atlas  
**Date:** Monday, August 21, 2023 10:51:20 PM

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Chace Pedersen  
Staff Planner  
Kittitas County Community Development Services

Re: ACU-23-00003 Atlas, Notice of Application, Atlas Tower LLC and Victor Strand

Dear Mr. Pedersen:

We are writing to object to the application ACU-23-00003 Atlas for the placement of a telecommunications tower and facilities on parcel number 818833 at 4140 Manastash Road, Ellensburg, WA. We are nearby residents and property owners who learned of this application from neighbors who learned of it from a Facebook friend. We received no notice directly from KCCDS, making it difficult to comment substantively with such short notice. Nonetheless, we write with significant concerns about the negative impacts that will result if this project is approved.

1. We note with concern that a NEPA report has neither been completed nor reviewed. We respectfully request that no approval for this project be granted until after the NEPA report is complete, made available, and thoroughly reviewed.
2. While the SEPA checklist notes that no emissions are expected from the tower itself, there is no mention of the negative impacts from the planned one to four wireless providers' antennas that will be installed on the tower. **Most concerning in this regard is the radiation emitted from the collocated antennas.**
3. While the FCC claims that wireless facilities are safe, the U.S. Department of the Interior states that "the electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today." Other countries now limit public exposure to levels far lower than the standards currently set by the FCC. Studies have shown that even at low levels of radiation, there is evidence of biological damage, brain tumors, cancer, weakened immune function, childhood leukemia, reduced sperm count and ovarian follicles. Further, The American Cancer Society has stated that more research is needed to address the concerns relating to emissions from cell phone towers. Studies that looked at the cancer rates of children living near cell phone towers have concluded that living within proximity is cause for concern.
4. The permit application stipulates that "the proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood." Please see #3 above re: health concerns and safety from the collocated antennas. In an agricultural and residential area with dozens of homes nearby, a 100-foot commercial tower with up to four wireless providers' antennas and on-the-ground base-station equipment is dramatically inconsistent with and detrimental to the character of the surrounding neighborhood.

5. Additional non-radiation safety concerns include pole overloading and resulting fire and electrocution hazards should the pole topple due to **high winds**, earthquakes, or vehicle accidents, as well as explosive or toxic chemicals hazards from any potential on-the-ground base-station back-up batteries.

While we agree that our county needs increased communications capacity and reliability, we hope that there are strategies and locations more in keeping with Kittitas County's public health and safety and character goals.

Thank you very much for your careful consideration of these concerns.

Sincerely,

Jil Zilligen and Chris Schedler  
361 Midfield Drive



**From:** Candice Comfort  
**To:** Chace Pedersen  
**Subject:** Opposition to the Atlas Cellular Tower Project  
**Date:** Tuesday, August 22, 2023 9:27:02 PM

**CAUTION:** This email originated from outside the Kittitas County network. Do not click links, open attachments, fulfill requests, or follow guidance unless you recognize the sender and have verified the content is safe.

08/22/23

To Whom It May Concern; Kittitas County Community Development,

In the middle of August, I learned that Kittitas County had received an application from Atlas Tower 1 LLC to build a 100ft tall cell phone tower off Manastash Road at Blazing Sky Lane on the rural property of Victor Strand that is zoned as residential. As my family lives very near this location, I have a deep investment in this project for multiple reasons, and am writing to express my opposition to this tower.

While reading Atlas' general description of the site in their SEPA Environmental Checklist, under B: Environmental Elements, 1: Earth- bullet point A, they state it will provide critical wireless coverage to the surrounding area. It was surprising to me that they would say the coverage is critical, as it is not only not critical, but it is indeed not even deemed as essential by the county's own standards laid out in the 2021 Comprehensive Plan under Utilities, Section 6:1- Introduction: "As defined by the WUTC, some utilities are considered a critical service, namely electricity and standard telephone, and must be provided "upon demand." Per definition, standard telephone service is a "landline phone service", not cell phone service. It is not a critical service that has to be provided, but a luxury service that should not be expected if it is not the right area to build a tower.

Whether this is the correct location to build a 100ft tall cell phone tower should never have come into question or consideration. Per Atlas' Project Narrative, they state under Wireless Telecommunications Facility Characteristic on page 2: Visual Effect- "We strive to design our facilities and locate parcels that create the least amount of community disturbance. The surrounding area is largely rural with low density residential zones nearby. The proposed site is chosen to maximize visual aesthetic and distance from residential homes." This can also again be found in the Project Narrative on page 5, bullet point E: #12: "E. The proposed use will ensure compatibility with existing neighboring land uses. The surrounding area is largely rural with low density residential zones nearby. The proposed site is chosen to maximize

visual aesthetic and distance from residential homes.” There is nothing about a 100ft tall galvanized cell phone tower (per Atlas’ site plan) directly off one the main roads and thorough fairs in west Ellensburg that won’t create a community disturbance. This is an area of beautiful ridgelines on Manastash Ridge, much of which is public lands for people to enjoy and recreate on because of its beauty. To say this site was chosen to maximize visual aesthetics is false, and not shocking from a company based out of Colorado who most likely hasn’t even visited the site in person.

Many people who have moved out to this area have chosen it due to it being rural, and wanting to get away from urban areas that are characterized by city features such as 100ft tall galvanized cell phone towers. To build one in an area that is strictly zoned as agricultural and residential is 100% not in keeping with existing neighboring land uses, and shows that Atlas is not committed to their promise of maximizing visual aesthetics and distance from residential homes. A 100ft tall tower can easily be seen in all directions for miles as the valley floor is flat, with no direct hills to block it. A simple search on Kittitas Compas shows there is in fact a house directly to the south of the proposed tower location, which will not only detract from the visual aesthetics of the area for the owners, but also lower its property value, as will it do for many neighboring homes. Historically, homes near cell phone towers or large power lines have reduced values compared to homes that are not near those things, which leads me to question if the county is following their own comprehensive plan to keep the area rural.

In the 2021 Kittitas County Comprehensive Plan, Section 8.4: Rural Lands, bullet point 8.4.1: Introduction, it states, “Kittitas County residents, through an extensive public involvement process in 2012, provided descriptions of “rural” that they wish to preserve. Such descriptions include many of the conclusions presented by scientific research including, “natural open spaces and streams,” “forests,” “recreational opportunities and spaces,” “agriculture lands and activities,” “mountain views,” and “development away from urban areas.” These descriptions capture the essence of “rural character” in Kittitas County, and fall squarely within the broad definition in RCW 36.70A.030. “Rural character” in Kittitas County is predominantly a visual landscape of open spaces, mountains, forests, and farms and the activities which preserve such features.” The citizens of Kittitas County have spoken and made clear what their expectation is for our rural areas, and the tower Atlas plans to build does not fit with this expectation whatsoever. It will detract from the view of our natural open spaces, it will detract from our agriculture lands as it takes away the feel of our culture of farming and introduces a very urban and commercial aspect, it will detract from our mountain views as it will be built directly in front of Manastash Ridge, and it is the exact opposite of “development away from urban areas”.

Under the Growth Management Act of Washington State, the legislature recognizes the importance of rural lands and rural character to Washington’s people. It states in RCW 36.70A.030, Definitions: bullet point (23), “Rural character” refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan.” As I have laid out in the previous paragraph, Kittitas County’s 2021 Comprehensive Plan clearly shows the cell tower Atlas is requesting to construct is in no way in keeping with the pattern of land use. This can also be backed by looking at the zoning of the area on Kittitas Compas

which shows it to be Rural Working Land Use (Agriculture 20 Zoning), and Rural Residential Land Use (Residential 11). With evidence from multiple sources to prove what our rural land is and should remain, I can easily say the proposed use by Atlas Tower 1 LLC does not ensure compatibility with existing neighborhood land uses. They state in the Project Narrative, G, bullet point (ii) that they will maintain the "rural character" of our area, but that cannot be done with what they are proposing to build. It is shocking, wrong, and incorrect for the company to say in the Project Narrative under #12, bullet point G that their cell phone tower is consistent with the Kittitas County Comprehensive Plan, including the policies of Chapter 8, Rural and Resource Lands.

For a company that says they will not impede on the rural character of this location of Kittitas County, it's inexcusable for them to not know there is an irrigation ditch bordering the proposed tower site. If they knew the agricultural background of our county, and knew the area, they would know there was water immediately next to it. However, they marked "No" on their SEPA Environmental Checklist as to whether there was any surface water body on or in the immediate vicinity of the site under 3: Water, bullet point a: Surface Water, #1. There is also a 100 year floodplain on the north side of the road, just opposite the build site. Because of this, the tower is required to be built a certain number of feet away from it, which they have made clear they are unaware of. When asked under 3: Water, bullet point a: Surface Water, #6 if the proposal lies within a 100 year floodplain, they marked "Unknown." This is simple information anyone in the public can access through Kittitas Compass, but they have once again failed to do their research on this beautiful area we call home.

When looking at Kittitas County's 2021 Comprehensive Plan, it is plainly stated in 7: Capital Facilities and Utilities, 7.1.1 Goals and Objectives, #11- "Utility structures such as telephone exchange buildings, telecommunications towers, transformers stations, sewage treatment plants, and solid waste facilities should adjoin nonresidential uses wherever possible. Mitigation measures to minimize scenic impacts should be required." While this is stated for Snoqualmie Pass, there is every reason that it should apply to the rest of the county as well. The land owner's property the tower is proposed to be built on is zoned residential, as is the property directly to the north and south of it, and many other lots around it, leading to a full intrusion of residential use. Atlas has done nothing to try to minimize scenic impacts, in fact putting the tower squarely in the view of the house in close proximity to the south of it.

While reading Atlas' site plan on page Z-3, it shows the cell tower to remain a galvanized color unless directed otherwise by Kittitas County. If they were true to their word about maximizing visual aesthetics, they would understand that galvanized is in keeping with an industrial or commercial area, not the rural country. A company that is invested in doing its best for the community would know that ours is one of natural tones- tans or light browns for example. When one looks at Manastash Ridge, it is easy to see a hardened steel color would not blend in, but care to learn this was not taken. They also state in their site plan on page Z-4 that the 50'x50' fence they plan to construct around the tower and electrical facilities at the bottom will be chain link coated in black vinyl. Again, this is in keeping with an industrial or commercial area, not one found in an area blanketed by farmland and family homesteads. Out of any color that could be chosen, black is possibly one of the worst. As anyone who lives out

here knows, black things get covered in dirt and dust that is blown in our famous Ellensburg winds, leaving them sticking out like a sore thumb once they are coated in it. A brown or tan would much better hide the dirt that comes with rural lands and farming, and better yet, wood reinforced with steel poles on the back side where the public can't see them. It is easy to look around our area and view beautiful wooden barns that grace our rural landscape, but not black vinyl coated chain link fencing. If there is any attempt to keep the area rural and visually appealing, Atlas should know this and would have selected wood.

In closing, I leave the county with their own words. "One of the main attractions of the rural residential lifestyle is the low intensity of development and the corresponding sense of a slower pace of living. Part of what creates that attraction is the rural-level facilities and services. This Comprehensive Plan supports and preserves this rural lifestyle by limiting service levels to those historically provided in the County's rural areas. Residents should expect County services, such as road maintenance and emergency responses to be limited and to decrease as the distance from a rural activity center or urban area increases." This can be located in the Kittitas County 2021 Comprehensive Plan under 8.4 Rural Lands, 8.4.1 Introduction. As Atlas will not preserve the rural lifestyle of our area if allowed to build their 100ft tall galvanized cell phone tower, I greatly urge the county to follow its own Comprehensive Plan, and reject their application.

Thank you for your time and consideration in this matter, and I eagerly await Kittitas County Community Development's decision.

Respectfully,

Candice Comfort

1. The first email is dated 10/10/2017 and is from [redacted] to [redacted]. The subject line is "RE: [redacted]". The body of the email contains the following text: [redacted]

2. The second email is dated 10/10/2017 and is from [redacted] to [redacted]. The subject line is "RE: [redacted]". The body of the email contains the following text: [redacted]

3. The third email is dated 10/10/2017 and is from [redacted] to [redacted]. The subject line is "RE: [redacted]". The body of the email contains the following text: [redacted]

4. [redacted]

5. [redacted]

**There is sufficient evidence in the 3 above stated emails to deny this application. You have not acted appropriately on this information.**

## **Pursuant to KCC 17.60A.015 Review Criteria**

**#1** There is no evidence that “the proposed use is essential or desirable to the public convenience”. If such evidence exists it should be part of this application process.

Applicant response is not relevant to subject matter.

Staff response is to agree that proposal will not be detrimental or injurious to the character of surrounding neighborhood. Evidently staff needs to go back and reread the email from Candace Comfort dated Aug 22, 2023 and all other emails regarding this subject. It is pure nonsense to state that the proposal will not be detrimental or injurious to the surrounding neighborhood which is part of the “rural character”.

Staff then goes on to declare that “local land use decisions drive the need for new or expanded utility facilities. In other words, utilities follow growth.” This statement contradicts GMA chapter 2 Land Use page 13 as follows “a primary method for maintaining “rural character” is by restricting population growth and densities through zoning and development regulations”.

The area in question as to whether essential or desirable or alleviation of network coverage issues is “**necessary**” is primarily zoned Ag. 2 and has a low-density rate of about 2 persons per household, being mostly retirees. Finally, staff declares “The project should help alleviate network coverage issues and provide more reliable service to the community and first responders.” Attached are maps showing current cell phone coverage from 3 major suppliers, AT&T, T-mobile and Version. The coverage appears to be adequate for G4 and only G5 is lacking.

**#2** Applicant response “This project will provide the needed mobile network coverage while reducing the need for additional cellular facilities in the future. This project is being proposed and this justification is being provided in an effort to alleviate current mobile network voice, data, and first responder issues in an area that is **severely lacking** reliable network coverage and capacity.” The attached maps contradict this statement.

**#4** Staff response is “As conditioned both the Sepa and ACU applications mitigate possible impacts”. This is a mere boiler plate response to the many issues confronting this application.

**#5** The proposed use will ensure compatibility with existing neighboring land uses.

Applicant response :

a) “The proposed site is chosen to maximize visual aesthetic and distance from residential homes.”

b) “The surrounding area is largely rural with low density residential zones nearby.”

Staff response, “The proposed use is consistent with other utility focused uses in Kittitas County.”

The above is utter nonsense. The applicants response is false.

a) The site was chosen because they found a landowner willing to enter a contract with them. The specific site on this 20 acre (parcel #818833) is chosen for the convenience of both landowner and Atlas Tower LLC. and ignores completely its own statement that the site is chosen to maximize visual aesthetic and distance from residential homes.

b) Are you suggesting that the surrounding area being largely rural with low density residential nearby are deserving of the construction of this tower and that the people who live here are to be considered second class citizens?

The staff response is also flawed in claiming the use is consistent with other utility focused uses in Kittitas County. A question remains as to whether this proposed tower is even a utility. Unless Atlas Tower LLC has a binding contract with a cell phone provider prior to the date of application – July 13 2023 then the proposal is for a tower and not a utility.

**#6** Staff response – See above paragraph regarding naming or calling this a “communications facility”.

Applicant response “This facility will provide critical wireless coverage to the surrounding area.” The surrounding area is already supplied with wireless coverage. “Critical” in this case seems to infer to the desire to provide 5G coverage. See attached maps.

**#7 a & b** Please refer to email by Candice Comfort dated Aug. 22 2023,  
email by Dana Ogan dated Aug. 22 2023

The applicant response. (1) includes that it will provide more opportunities  
for future development and growth which is contrary to the GMA and (11)  
it will provide a service while still maintaining the "rural character"

Nothing could be further from the truth.

Staff response is utter nonsense.



## UTILITIES

Under the Growth Management Act

**Page 77 U-P6** Community input should be solicited prior to county approval of utility facilities, which may significantly impact the surrounding community. *THIS ~~IT~~ DOES NOT APPEAR TO HAVE BEEN DONE*

**Page 77 U-P12** Kittitas County reserves the right to review all applications for utilities placed within or through the County for consistency with local policies, laws, custom and culture.

**This application does not meet the consistency for custom and culture.**

**Page 78 U-P16** It is the position of Kittitas County that it is inappropriate for utilities to over or under build other utilities.

*IS THIS NOT A CASE OF OVERBUILDING?  
AS THE COVERAGE FOR G4 SEEMS TO BE  
ADEQUATE?*

*Francis Lamb*

