

November 19, 2020

PC Members Present: Julie Potter (Chair), Zach Sullivan, Clarice Cutler, Mark Lane, Paul Eley, Scott Hess, Kim Watson, Siu Tip Lam, Jack Pauly (8pm)

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Amy Willis, Carolyn Shapiro, Andy Shapiro, Beth Hertz, Kate Ruddle (2 people), Dan Smith, Adam Rosen, Chuck Hertz, Erica Zimmerman, Erik Kronke, Gregory Wimmer, Irwin Franco, James Gascoyne, Jane Knight (2 people), Jeff DelliColli (engineer - Centerline Communications), Joan ONeal, Justine Franco, Julio Thompson, Laureen, Lauren Padilla, Lori Martin, Marlene McCarty, Mike McCarty, Michael Dennis, Opeyemi Parham, Ron Koss, Sarah Shapiro, Will Dodge (DRM-lawyer), Andi Colnes, J. D. Williams, Jenille Smith, Emily Lanxner, Paul Kramer

Call to Order: 7:04pm

Roll Call Attendance

The Chair took roll call attendance; the PC members noted above were present.

Statement Regarding Remote Public Meeting

The Chair noted that as a public body, the PC must still follow open meeting laws. Vermont is allowing remote meeting. The Chair read the recommended statement from VLCT regarding meeting remotely.

Changes to Agenda: Discussion cell tower moved to before Village Zoning Discussion

Public Comment: None

Discussion on Hosting Public Information Meeting

The town received a 60-day notice before a cell tower application gets submitted to the Public Utility Commission (PUC). There is a page on the town website with all relevant information. People are encouraged to look at the Citizen's Guide, as well as other documents regarding the project. As parties, the PC and SB can plan a public meeting, where the applicants and PUC members will attend. A preliminary date of 12/14/20 at 6:30pm has been set. The public are welcome to attend.

Motion: I move to approve the PC working with the SB on a public informational meeting on 12/14/20 at 6:30pm. Made: Mr. Hess, second: Ms. Watson

Vote on Motion: Passed unanimously

Discussion on Cell Tower

Mr. Dodge gave an overview of the project. For 248A telecommunications projects, the following applies: de minimis – small projects such as attaching antennas; limited size – new tower less than 140' high, less than 10,000 square feet disturbed ground; normal – new tower in excess of 140', more than 10,000 square feet of disturbed ground. If the application moves forward, the PUC determines if it is viable. This starts a 30-day comment period or may be delayed if a party moves to intervene. If there is an intervention, the PUC will schedule public hearings. At the information sessions, the applicants will present a full presentation of the project. Mr. Dodge noted that the applicant will be looking for a recommendation either for or against the project from the PC/SB to go to the PUC. Regarding a question regarding the 4G and First Net Service tower, Mr. Dodge noted that there will be one tower for both service; an upgrade to 5G will need to go back to the PUC for a de minimis modification.

Public Questions/Comments

- Kate Ruddle – feels this reduces value in the neighborhood, concerned with oil run-off from tower; e-mail written comment to ZA
- Mike McCarty – an abutter, stream runs through his property and empties into Wrightsville, concerned with run-off, as well
- Dan Smith – concerned with impact to his land and other neighbors, town has important voice in this process, he appreciates the quick work of the PC/SB, proposes a site visit to the proposed property
- Lauren Padilla – is there any public involvement in the de minimis process?
 - Will Dodge – an application goes to SB and the owner of the property, must be in compliance with existing permits, there is no public involvement
- Andi Colnes – lives two houses away from the proposed site, cell service is important but the location is wrong: it is among many homes, on a ridge and in a wildlife corridor; cell service is fine from Verizon, she encourages PC/town to get involved
- Carolyn Shapiro – how does the advanced notice move from 60 to 180 days?
 - Will Dodge – the applicant is not rushing to file the application on day 61 but doesn't want to go past 180 days, willing to look at all the issues being raised
- Dan Smith – feels that 12/14 is too soon and too close to the holidays to have full participation
 - Will Dodge – will take it back to AT&T
- Ron Koss – application is for 4G but 5G is imminent, what other infrastructure would be required?
- Andy Shapiro – has PC looked at sites in town that are appropriate for a cell tower?
 - PC Chair – no we haven't but something worth looking into
- Kim Watson – where is AT&T's closet tower

- Will Dodge – this information will be presented at the public information meeting
- Andi Colnes – stakes are high for wherever a cell tower is located, must protect the integrity and nature of the community, encourages PC to investigate appropriate town sites sooner rather than later
- Lori Martin – are there any other purposes for the tower besides AT&T's cell service?
 - Will Dodge – there is room for co-locations for other carriers, is a requirement of the PUC, a tower company would manage and collect rent
- Ron Koss – does AT&T recognize the reduction of property values?
 - Will Dodge – their research shows that cell service does not reduce value, this area has weak coverage for A&T cell service and internet service
- Lauren Padilla – when will the 60 days end and will there be other opportunities to comment?
 - PC Chair – start 11/13/20, end 1/12/21, important to ask questions while PUC representations are present at the meetings, after the petition is filed, there is another opportunity for comments
- Jeff DelliColli – reach out to him with questions and comments
- Julio Thompson – he would like to know of the timeline: was there advance notice of the balloon test, when did AT&T inspect the site, when did Will Dodge's firm begin representation of AT&T
 - Will Dodge – the balloon test occurred on 9/3, he declined to comment on how long his firm has represented AT&T except to say it has been a long time
- Sui Tip Lam – how will people get answers to questions after public information meeting?
 - Will Dodge – suggests using the town website, ZA agrees to coordinate questions and answers
- Ron Koss – are there any towns where cell tower applications failed or withdrawn, can AT&T provide where these occurred?
 - Will Dodge – will take this under advisement
- Jane Knight – what is AT&T's long-term plan to put more towers in the area?
 - Will Dodge – will address as part of the public presentation
- Erik Kronke – he appreciates the time to discuss the issue, it is important to look at the environmental, scenic, recreational impacts
- Andi Colnes – asks town to get more deeply involved, particularly regarding the broader plan, suggests slowing down the process
- PC Chair – thank you for coming and providing comments, the PC needs to get as much information as the public does

PC Comments

- Important to hold the first meeting on 12/14/20 in order to have time before the 60 days is up
- Mr. Hess encourages all PC members to at least drive by the site
- Advance notice of the 2nd balloon test will be on the website and should be delivered through the neighborhood networks
- Make sure to read the documents so far, along with the Citizen's Guide on the PUC process and responsibilities

Village Zoning Discussion - tabled

Updates - tabled

ZA Report

- Two new permits

DRB Report

- Dealing with Orchard Valley structures at the 12/1 meeting, along with possible sketch plans

Review Minutes

November 5, 2020

Motion: I move to approve the minutes as amended. Made: Mr. Hess, second: Ms. Cutler

Vote on Motion: Passed 9-0

Training/Conferences

- Community Wildlife Program – various dates
- Vermont Community Energy & Climate Action Conference, December 5, 7, 9 and 11

The next meeting is scheduled for December 3, 2020.

Motion to Adjourn. Made: Mr. Hess, second: Ms. Watson. Passed unanimously. Meeting adjourned at 8:43p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary