

January 21, 2021

PC Members Present: Julie Potter (Chair), Zach Sullivan, Clarice Cutler, Scott Hess, Siu Tip Lam, Mark Lane, Paul Eley, Kim Watson (7:40pm)

Others Present: Kristi Flynn (Recording Secretary), Andi Colnes, Laureen Gauthier, Dan Smith, Ron Koss, Kate Ruddle, Chuck and Beth Hertz

Call to Order: 7:05pm

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: None

Public Comment: None

Discuss Cell Towers and Possible Town Plan Amendments

The Chair acknowledged the receipt of the letter from Ron Koss; the PC also appreciates the comments from the residents at the last meeting. Time has been set aside at this meeting to discuss the topic of amending the Town Plan. Members of the public recommended that Section 4.14 in the Land Use Regulations and Chapter 6, Section E in the Town Plan be reviewed to strengthen the cell tower regulations and ask the PC to conduct a cell tower siting study. The PC should definitely conduct a cell tower siting study.

The Chair noted that the PC has the following options:

- No action, wait for the next update
- Amend the Town Plan to address cell tower siting
- Amend the Town Plan to include new section on Telecommunications, including radio, TV, broadband connectivity, phone lines
- Recommend that the town conduct a cell tower siting study

The following comments were made during the discussion:

- What can town/PC/SB legally do; what can we put in the Town Plan and regulations that would work
- The PC can talk about preferences in the Town Plan, can out in regulations but can't prohibit towers in the town
- A resident used to be on the PUC, check with Michael Dworkin
- Because regulations can't do too much, would it be better to look at it from a visibility/view standpoint
- The PC should look at broad criteria to accomplish the goals
- Do we have funding for a siting study? No, the PC must find a grant or ask SB for funds
- Ms. Colnes – a small group of residents met last night to support the town on this issue: 1) what is the legal deference to influence decision, must get input on the points of legal deference; 2) learn what the town can and can't do
 - The group has been going through the Town Plan to see what's there now, need to add, strengthen and change
 - Consider scenic views and distance from residences
 - Offer of help from residents
 - Sarah Hoffman is also a former PUC member
- The Department of Public Service may help for support and information
- Mr. Hertz – AT&T answered the regulations point for point but there wasn't complete agreement on the points
 - The Chair noted that there are things in the regulations to point to for tower siting
- The distance criteria in the regulations can be tweaked; recommend also looking at regulations along with the Town Plan
- It is not clear on the health effects of cell towers, so the PC should look into the research on the topic
- Are there any options off the table?

Motion was made to take the no action option off the table. Made: Mr. Hess, second: Ms. Lam

Discussion:

- Mr. Sullivan is on the fence, as he feels that the regulations seem to do a good job; but we need to articulate the specific problems we want to address
- Mr. Eley noted that the Town Plan needs clearer language on what the town wants
- Ms. Lam noted that it is important to consider all infrastructure issues in the Town Plan
- Ms. Cutler stated that the regulations are extensive but there is a lack of confidence by the residents
- Ms. Colnes believes that the regulations are not sufficient, as there have been two recent incidences of \$40,000 buy-outs of the property proposed for cell towers; improve proximity of distance from homes
- Ms. Watson noted that there is pressure from the state for companies to set up more cell towers

Vote on Motion: Passed 7-0-1 (Ms. Watson abstained) by roll call

The Chair will look for someone who can come give the PC some insight on the cell tower permitting process.

Discuss Village Zoning: District Boundaries

The Chair noted that mobile home parks will be on a future agenda. The PC discussed village boundaries.

Mixed Use (MU)

- Bring up Quaker Road to the Brown's repair shop (lot #17)
- Extend down Route 14S to include the Humane Society
- The PC discussed addressing parcels that are in two different districts; the current regulations address this but it is preferable not to split parcels

The PC agrees to the addition of parcels up Quaker Road.

- Review of Route 14S proposal
- Include Humane Society and Dion's Equipment
- It was noted that there is no kennel or animal use in permitted or conditional uses; it is recommended adding to uses
- It was noted that Rubin Bennett is planning a solar array at the Hangar
- Important to recognize what's on the ground but zoning looks to what will be developed down the road

The PC agrees to the addition of parcels on Route 14S.

Medium Density (MD)

- Carve out areas just discussed to remove parcels added the MU
- For parcel #17, the small front piece in MU would be in Village Residential (VR) – VR = 1 acre min, MU/MD = ½ acre
- The PC discussed leaving the rest in MD so there will be no change in acreage
- The split will not allow much expansion, particularly in the back, but allows commercial development along the paved road
- Mr. Lane proposed including parcel #17 in MD except the street-side portion in MU
- The PC reviewed the section below the river: parcels 68.5, 68.4, 10.2 and 10.11
- The PC agrees with Mr. Lane's proposal
- There was discussion of lots 10.2 and 10.1 up Kelton Road; it was agreed to leave in MD

Village Residential (VR)

- Includes all parcels that are left over, including EMES, parcel 67
- PC okay with proposed boundaries

Updates

- Capital Improvement Committee – no update
- Energy Committee – no update
- Resilient Roads Committee – meeting was yesterday, Mr. Lane was unable to attend
- Central Vermont Regional Planning Commission – no update

ZA Report

- 6 new permits since last meeting

DRB Report

- Next meeting on 2/2/21
 - Final review of Messier subdivision
 - All Together Now missed the filing deadline and are coming back to the DRB
 - Conditional use review for Morrison

Review Minutes

January 7, 2021

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

Vote on Motion: Passed 8-0

Training/Education

- Zoning for Great Neighborhoods – 1/26 and 1/28 on Zoom
 - Free to attend but need to register; link for registration in the handout

Other Business

- Election reminder – deadline for application is 1/25/21; one person has filed paperwork for the PC vacancy

Motion to Adjourn. Made: Mr. Hess, second: Mr. Lane. Passed unanimously. Meeting adjourned at 8:50p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary