

June 3, 2021

PC Members Present: Zach Sullivan (Chair), Julie Potter, Kim Watson (8:15pm), Scott Hess, Richard Hall, Sui Tip Lam (7:30pm), Gianna Petito, Mark Lane

Others Present: Kristi Flynn (Recording Secretary), Laureen Gauthier, Ron Koss, Kate Ruddle, Andi Colnes, Erica Zimmerman

**Call to Order:** 7:02pm

**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 Summer Schedule and Possible August Break**

The board discussed taking off meetings in August and talked about using August for small groups (no more than 4 members) to get together to plan the public meeting materials for the fall.

**Motion: I move that the PC take a break from meetings in August and resume in September.** Made: Ms. Potter, second: Ms. Petito

**Vote on Motion:** Passed 6-0

**Discuss Cell Tower Updates to Town Plan: History, Current Status, and Regulatory Process**

The Chair hopes to have updated versions of the maps by the next meeting, including breakdowns by Verizon and AT&T. The following areas of the draft were reviewed:

- Page 3, line 4 – applicants can choose to go through the municipal process instead of PUC but it is rare; it was suggested to add 'alternatively' before 'choose'
- Dan Burke has confirmed this
- Page 3, lines 18-24 – contradictory language regarding health concerns, physical structures and radio waves; the Chair will re-work the section
- Page 3, lines 24-25 – strike everything after 'Vermont law...'

There was discussion regarding Section 4.14 which refers to public health and safety being a focus of the Town Plan. Mr. Koss and Ms. Colnes advocated for adding something in the draft referring to this even though the town cannot regulate health issues at this time; there may be more flexibility on this issue in the future. The Chair noted that the town cannot regulate over health issue but the document is serving multiple audiences and the plan shows what we are focused on. Ms. Petito wondered if the PC will have more flexibility with health issues if filing as an intervener. The PC needs to become more informed on the health impacts of a cell tower. Ms. Colnes would like the plan to state that the town wants to explore the issue; it was suggested to add it as an Action item. The PC is concerned with following the law but nothing prevents the PC from looking at this issue in the future.

- Preference poll: include health statement – yes – 1; no – 5; undecided – 1

**Discuss Cell Tower Updates to Town Plan: Cell Tower Citing Standards**

The board reviewed the draft standards. It was suggested to make the setback up to 2000' and specify that the tower cannot be seen from scenic views. Mr. Hall noted that it is hard to never see a cell tower. The balloon test should determine where you can see a tower from. There was some discussion regarding minimal versus no visual impact. For scenic areas, there should be no visual in the foreground. This contradicts with the goal to have adequate cell coverage in town. The PC needs a good definition of foreground. The Scenic Resources section states that foreground equals ½ mile. The following areas of the draft were reviewed:

- Page 5, line 5 – change to 'scenic public views'
- Page 4, line 15 – possibly add foreground here; consider ways to put transmitters in village areas that aren't visible, such as church steeples
- Page 5, line 8 – change 'viewing area' to 'these areas'
- Page 4, line 19 – residences – as no one wants a tower overlooking their house, make it clear that on private property, residences matter
- Page 4, line 2 – scenic areas a mostly focused on roads, consider adding permanent trails, such as EM trails, not VAST trails; can we put a number on the setback requirement instead of just relying on the drop zone data

Ms. Colnes brought up two issues:

- Protection of scenic areas – are protections as strong as they could be; foreground seems to be the weakest protection and all protection language needs to be strengthened

- Distance from residences – consider this distance as very important; a 140' tower is double the size of the canopy; how can the town protect this

Ms. Petito noted that interpretation of the foreground often depends on the viewing point. Ms. Potter noted that the Scenic Resources section was new in 2018 so there is no historic language to look at. Ms. Ruddle noted that foreground refers to one point and is a flat perspective. A clearer definition of perspective might be needed, as well. Ms. Colnes suggested using 'undue impact' instead of foreground. The board discussed more specificity versus less with differing opinions. Ms. Potter suggested that the Chair speak with Jean Vissering regarding how scenic views are discussed in other Town Plans, which might bring to light different language.

**Discuss Cell Tower Update to Town Plan: Goals and Actions** – tabled

**Discuss Village Zoning: Planned Unit Developments** – tabled

**Updates**

- Capital Improvement Committee – no update – meeting in August – long-term priority discussions regarding water/wastewater
- Energy Committee – no update
- Resilient Roads Committee – Foxfire Tree Service got the County Road project and is taking down ash trees
- Central Vermont Regional Planning Commission – no update
- Return to in-person – cannot return to town offices yet, as many places are blocked off; Chair is checking with the ZA regarding using the fire station and the DRB is considering using EMES; if the state of emergency is lifted, boards lose their ability to meet remotely; Mr. Hess would like to explore the ability to join meetings remotely when necessary

**ZA Report**

- Three new permits

**DRB Report**

- Meeting on 6/1/21:
  - Approve change of use at Marcie Bolduc's auto repair shop on Route 2
  - Reviewed sketch plan of Kaplan property between County and Cummings Roads

**Review Minutes**

May 20, 2021

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

**Vote on Motion:** Passed 8-0

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

*Respectfully submitted by Kristi Flynn, Recording Secretary*