

May 5, 2022

PC Members Present: Zach Sullivan (Chair), Clarice Cutler, Lauren Oates, Scott Hess, Gianna Petito, Mark Lane, Spencer Hardy

Others Present: Bruce Johnson (Zoning Administrator), Kristi Flynn (Recording Secretary), Richard and Alice Angney, Ron Koss, Kari Little and Greg Wimer, Andy Shapiro (8:17pm)

Call to Order and Introductions: 7:05pm

Overview Presentation of Proposed Amendments to the Town Plan

The Chair gave a presentation on the proposed amendments to the Town Plan. One of the major changes is changes to the Telecommunication section; this covers all types of communications that can go on a tower, including cell towers. Changes were made to the Scenic Resources section, clarifying what constitutes scenic views and correcting some typos. The changes to the Telecommunications section are mainly for PC members to help evaluate future projects. There is a part of the section dealing with preferred and prohibited siting in town. The Chair reviewed the Scenic Resources map and table and what corrections were made. The PC is considering making permanent trails as protected scenic views.

Public Comment on Proposed Amendments to the Town Plan

Ron Koss

- Thank you for the work put into the amendments.
- Question regarding the vendor maps and whether they had been validated for accuracy; the Chair noted that the maps were produced by the state, not the carriers
 - One of the reasons for siting of cell towers is to serve under-served communities
- One thing that is missing is not identifying property values in the criteria of the siting of cell towers; he would like to have it acknowledged even if it falls outside of the jurisdiction of the PC or town

Alice Angney

- Ron's last point regarding property values should be considered
- The scenic views should be a large part of the puzzle as they are one of the calling cards of Vermont

Ron Koss

- Understands that safety falls outside of the town's jurisdiction; based on a 30-year regulation; he feels this issue should be acknowledged in the Town Plan
- There was a reference to two proposed towers in town; the Jacobs Road project cost the residents \$40,000 in order to stop the project; he would like to see the Town Plan reference the Jacobs Road process as an example

Greg Wimer

- There was another proposed tower in the EM Center, he was a part of stopping that project; he was surprised that someone who didn't live in the immediate area was able to affect so many other people and properties
 - He is concerned with property values and health issues that are currently unknown

Kari Little

- No neighbors in the area were complaining about cell service, so the tower wasn't proposed to meet their needs

Alice Angney

- Thank you for your work and it's a great start
- There is more to consider than just having service available on every square inch of Vermont

Motion: I move to adjourn the public hearing. Made: Mr. Lane, second: Ms. Petito

Vote on Motion: Passed

Public hearing adjourned at 7:43pm.

Call to Order: 7:43pm

Changes to Agenda: None

Public Comment: None

Discuss Public Feedback on Town Plan

The Chair had forwarded written comments received to the PC members. The state criteria is silent on whether property values can be considered during project review. In February 2021, the PC spoke with a lawyer from the Public Service Department and he stated that the PUC doesn't generally look at property values; the sense is that the PUC will ignore the property value issue even if in the Town Plan. The PC had reviewed other Town Plans and didn't find many references to property values; EM amendments are more

comprehensive than any other plan that was reviewed. The Chair is hesitant to put something in the criteria based on where someone comes from or lives.

The Chair wondered if the PC would like to speak to property values in the plan. Ms. Oates questioned what the quantification on impact would be, as there is not a lot of this type of infrastructure in the area and the state. Ms. Petito suggested mentioning the tension between the issues. Mr. Koss expressed his interest in making sure that property values are considered and wondered who would be liable for people whose property values are decreased. Ms. Oates asked if there is anything in the plan or regulations that would prohibit someone from clear-cutting their land and adversely impacting an adjacent neighbor's scenic views. The PC does not know of anything currently written. Ms. Cutler noted that the property value and health issues can be added as an educational piece, but as the PUC will not consider it anyway, it might not be worth it.

The PC acknowledges the complexity of the property value issue. Ms. Little would like to see it acknowledged; she would like to see the town resolve the cell service issue instead of having individuals make the decision about where cell towers will go. The Chair noted that this is what the amendments are trying to address. Ms. Little noted that there is so much undeveloped land in the state that it seems like someone all can agree on. There is a goal in the Town Plan to continue reviewing preferred siting in the town. Ms. Angney agrees that looking at preferred sites is the best way for the town going forward and will be the least obtrusive to the neighbors. Mr. Hess suggested adding an Action Item to actually do the study, not simply deciding whether to do the study or not. It is unclear why the PC added 'consider' in the current Action Items instead.

The PC did a straw poll of whether to add property value language to the current amendments: **Yes – 2, No - 7**

Regarding health impacts, it is pretty clear that the PC cannot add this to the Town Plan to be considered by the PUC. The Chair wondered if there are changes to be made or if the PC would like to send the current draft to the SB.

Motion: I move to send the draft amendments to the SB as is. Made: Mr. Lane, second: Ms. Cutler

Discussion: It is important to get this language into the plan as soon as possible and not put it off

Vote on Motion: Passed 7-0

Updates

- Capital Improvement Committee – no update
- Energy Committee – no update
- Resilient Roads Committee – committee cleaned out the area where the ash trees were removed at U-32; a shade tree plan was discussed at the most recent meeting
- Central Vermont Regional Planning Commission – next meeting on 5/10; discussion of S148 bill on environmental justice; there is a workshop on energy planning on May 18th from 9a-1:30p; this open to anyone who is interested

ZA Report

- 20 new permits

DRB Report

- Approved application for dugouts and scoreboards at U-32
- Approved after-the fact permit for equipment sales on Fair Road
- Approved improvements at Orchard Valley School
- Approved new hoop barn on Towne Hill Road
- Reviewed sketch plan of a two-lot subdivision on McKnight/Quaker Roads

Review Minutes

April 21, 2022

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

Vote on Motion: Passed 7-0

Motion to Adjourn. Made: Mr. Lane, second: Mr. Hess. Passed unanimously. Meeting adjourned at 8:40p.m.

Respectfully submitted by Kristi Flynn, Recording Secretary