

**Town of Warren
Planning Commission
Minutes of Meeting
Monday, December 12, 2022**

Members Present: Camilla Behn, Jenny Faillace, Macon Phillips, Dan Raddock, Jim Sanford, Chair.

Staff Present: Ruth Robbins, Zoning Administrator, Carol Chamberlin (Recording Secretary, online)

Others Present: Bob Ackland, Tom Anderson, Stephen Annino, MGB's iPhone, Susan Bauchner, Jessica Bennett, Robert Berg, Dodge Bingham, Mary Jane Blouin, Binnion, Cindy Bond, Bonnie, Ryan Bowen, Barry Bronfin, Alice Cheney, Connie Colman, Maura Connolly, Justin Cook, Devin Klein Corrigan, Andrew Cunningham, Pamela Day, Brooke Dingleline, Scott Dolny, Jim Edgcomb, John Egan, Liam Egan, Elizabeth's iPhone, Ben Falk, Randy Graves, SH, Tammy Haskell, Patrisha Hayes, Peter Hayes, Alex Hilton, iPad, iPhone, Jade, Jeff, Gary Johanneson, Carl Johnson, Kempf, Joannene Kidder, Kristina, Matt Larkin, Lexi Leacock, Kevin Losty, Maclay, Hugh McGowan, KM's iPhone, Beth McCormack, Jeff Myers, Ty Nelson, Erika Nichols-Frazer (Valley Reporter), Miller Noble, Evan Otero, Michael Palmer, Liz Palumbo, Carole Parker, Andy Phelan, John Pitfield, Julia Purinton, , Liz Raddock, Jon Rickard, Clare Rock (CVRPC), SBritton Rogers, Virginia Roth, Andrew Russell, Sally, Peter Schneider, Jeff Schoellkopf, Seddon, Sharon, Annette Smith, Win Smith, Zac Smith, Sue Anne Steger, Dorothy Tod, C. Tyler, W, Washington, Kurt Wegener, Larry Weinstein, Patty Weston, Stacey Weston, Steve White, Will, Callie Willis, 642590, 12077125255, 18022497836, (9)924743645

Agenda:

1. Public Comment
2. Clare Rock, CVRPC
 - role of RPC and Regional Plan in PUC process
 - general discussion of process and considerations for amending Town Plan to regulate cell towers
3. List of questions for Verizon
4. New & Other Business

The meeting was called to order at 7:34 pm.

Public Comment

Nobody present provided public comment on a topic other than the proposed cell tower installation.

CVRPC Cell Tower Discussion

Clare Rock provided some background on Regional Planning Commissions in general and some specifics regarding CVRPC, including their role in the PUC hearing process. She explained that if a staff review determines that there is substantial regional impact, broader in scope than the area where the proposal is located, then it is reviewed further and compliance with the Regional Plan is considered. Appropriate written comments are submitted to the PUC, and the RPC requests clarification or further information related to the proposed project.

Clare indicated that related Regional Plan language focuses on aesthetics, safety concerns, and natural resource impacts; the Plan also recognizes the benefits of the services to be provided, and staff works to consider and weigh these multiple aspects. The Plan acknowledges that there is no ability to prohibit communications infrastructure, but that municipalities have a reasonable right to impose suitable constraints. She noted that some policies specifically refer to aesthetics, including no siting on ridgelines or hilltops, colocation where possible, and that proposed locations should be served by existing roads/trails.

Clare confirmed that towns may identify specific areas/views that are important, and that the RPC will support those identifications; she provided examples from the Regional Plan of the Worcester Range and Camel's Hump, and explained that protected views must be from public places, views from private properties cannot be included. She

further explained the adoption of energy plans by towns, and how those serve to provide further control over tower installations. She also noted that there are no specific criteria established upon which to base any health impact considerations due to radio frequency emissions.

Town Plan language impacts was the next topic covered by Clare. She explained that the timeline involved in adopting changes to the current Plan would not allow for any effect on the current application, but that incorporating guidelines based upon a vision for the future would be possible in future iterations. Some tips for amending the Plan were pointed out, stressing the need for clear identification of concerns to be addressed, related to all facets and impacts of this type of development as well as other development in the related zoning districts. Clare provided examples including the scenic protection manual recently adopted by Essex and Jericho, the East Montpelier Town Plan, and available guides and resources. These include the DHCD Planning Manual appendix, the Public Service Guide to the Act 248a Process for Siting and Deployment of Telecommunications Facilities, and the Public Service document covering Municipal Enhanced Energy Planning in Vermont. Clare noted that there are other resources that she can provide upon request, particularly regarding the identification of viewsheds.

There was some discussion related to the use of Land Use Regulations in this process, and it was indicated that any related regulations need to be specifically referenced, and that recommendations may be made based upon LUDR language, but that they are not an enforcement tool in this process.

Brooke Dingledine of Randolph provided some background information based upon her experience in this arena, indicating that any telecommunication standards outlined in land use regulations may be used to provide the Town's recommendations to the PUC.

It was indicated that Verizon's attorneys plan to attend the January 9 PC meeting, as well as the January 23 meeting if necessary, and have stated that they will not file a full petition until after that time.

Questions for Verizon

Aspects of the proposed cell tower to potentially be included in a list of questions for Verizon were reviewed, including suggestions from those in attendance:

- Tower height
- Aesthetics
- Proximity to airport
- Lighting
- Needs assessment/Coverage provided
- Consideration of colocation options
- Consideration of other locations to provide the same coverage
- Effects on wildlife, including birds and insects
- How 5G development will impact these towers
- If other providers will be allowed to collocate
- Provision of E911 services
- Balloon flight – assurance that what is presented for visual impacts is accurate
- Common good being served
- ROI – population being served: local vs skiers
- Tree cutting, blasting needed
- Generator use, fencing at site

- Radiation levels, including if others collocate
- Maintenance and upkeep of appearance

It was explained that a balloon float was conducted in the past week, during which photos were taken for use by Dubois and King in presenting visual impact images, where the tower will be superimposed over the balloon images.

PC members confirmed that they will verify that the PSB will be requesting an evaluation by an aesthetics expert, and determine the timing for that study and presentation. They also noted that it will be a Selectboard decision as to whether there will be legal representation for the Town at the upcoming January meetings. There was some discussion regarding the current stage of the Land Use Regulation adoption process, and how that might impact this proposal.

New & Other Business

Ruth provided some budget information for review.

Minutes were signed.

The meeting adjourned at 10:09 pm.

Respectfully Submitted,
Carol Chamberlin, Recording Secretary

Planning Commission

Jim Sanford date

Camilla Behn date

Jenny Faillace date

Dan Raddock date

Michael Bridgewater date