

**Town of Warren
Planning Commission
Minutes of Meeting
Monday, March 13, 2023**

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

Selectboard Members Present: Bob Ackland, Andrew Cunningham, Camilla Behn, Devin Klein Corrigan, Luke Youmell

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

Others Present: Robert Berg, Callie, Connie Colman, Brooke Dingledine, John Egan, Pamela Lerner, Alex Maclay, Mark O'Connell, Carole Parker, Eric M. Potter, Liz Raddock, Dan Reicher, Beth Schoellkopf, Jeff Schoellkopf, Win Smith, Richard Travers

Agenda:

1. Public Comment
2. Discuss with Selectboard proposed LUDR changes re Communication Towers
3. New and other business

The meeting was called to order at 6:45 pm.

Public Comment

Eric Potter offered some comments regarding some of the more technical requirements of the proposed LUDRs. Jim suggested that he provide details of his concerns in written format to the Selectboard, as the document is now under their review.

It was agreed to limit the meeting to approximately two hours in length, and that the Selectboard should lead the meeting, as the LUDRs are in their purview at this point.

Discussion of Communication Towers language for LUDRs

A group of citizens recently provided the Selectboard with some proposed language changes related to the siting of telecommunication towers, for consideration during the Public Hearing phase of the LUDR adoption process.

John Egan summed up what the proposed revisions intend to accomplish, which is to give the Town more control over the placement of communication towers.

Luke noted that the Town's attorney has been asked to review the proposed revisions, and that his response was only received this afternoon and so still needs to be fully reviewed by the Board.

Jim provided some background on advice received from PlaceSense regarding what weight the PUD gives the Town Plan and LUDRs when making decisions, noting that there is some disagreement between that advice and the information that Brooke has provided.

Jim advised that the PC agrees that a community process should be initiated to better define the important viewsheds in Town, so that appropriate standards may be put in place. There was agreement on this from members of the Selectboard as well, as it will provide a better basis for formulating recommendations to the PUC for future tower proposals.

Brooke offered some comments, noting that she is representing John Egan and others concerned with telecommunication towers. She spoke of the need for reliable standards, and explained that much of the proposed language is meant to bring in some protections that are in the existing LUDRs to the LUDRs that are currently under consideration for adoption. She agreed that a Town Plan/viewshed review process should be initiated, and indicated

that the proposed language relates more to general standards. Mr. Egan provided some examples of towns working with communication tower applicants using the language of their Land Use Regulations during the initial noticing period.

Several points were made during the ensuing discussion, including the following:

- Waitsfield's regulations suggested as a place to look for ways to incorporate more specifics into tower regulations.
- Tower proposals should include documentation of what public good will be served, providing detail about the services to be provided.
- Precedent has been set that Town input will be considered.
- There are differences of opinion among residents regarding where the balance is between the service provided and the impact on aesthetics.
- Requiring Conditional Use Review as a strategy in all districts where towers are allowed.
- Differences between evaluating undue adverse impact vs. character of neighborhood.
- Prevention of undue adverse impact rather than prohibition as what is included in proposed language changes.
- Strategies for height limits; distance above tree line may be better than specific measured height.
- Dimension and location standards vs. standard of undue adverse impact needs further discussion; objective or subjective standards.
- Prohibiting location of towers within 1600' of all dwellings, along with other prohibited areas – a mapping of this would be needed to evaluate properly.
- Potential health impacts near residences might mean that an undeveloped hill is the best location.

Board members generally indicated comfort with including some of the proposed language changes in the draft LUDRs currently under review, but need some time to further review the legal advice received earlier in the day. They will likely schedule a work session where they can look at the various language iterations – the current regulations, the proposed draft regulations, and the suggested changes provided by the citizens' group – and determine how best to combine the versions to provide the Town with more ability to draft a relevant recommendation to the PUC. A project including a more thorough look at the Town Plan language, a determination of specific viewsheds to be prioritized, and any other changes to siting standards will then be initiated.

New and other business

Minutes were signed.

The meeting adjourned at 8:55
pm.

Respectfully Submitted,
Carol Chamberlin, Recording Secretary

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Jim Sanford date

Camilla Behn date

Jenny Faillace date

Dan Raddock date

Michael Bridgewater date

Macon Phillips date