

SELECTBOARD MEETING MINUTES

Wednesday, February 12, 2025, 5:30 p.m, Old Schoolhouse Common and Zoom

Present: Selectboard members Justin Campbell, Michele Gonzales and Christopher Whalen; Town Clerk Bobbi Brimblecombe; Alice Peal and Will Pitkin (CVRPC); James Porter (Department of Public Service); Visitors Rich Phillips, Barbara Bendix, Amy Monahan, Rich Baker, Dina Bookmyer-Baker, Ellen Keene, Angie Barger, Anne Reed, Steve Fiske, Anne Miller, Michelle McCormick, George Africa, Margaret Campbell, Erik Van Hauer, Arthur Gilman, Arlene Quinn, Natasha and Michael Xenakis, Bob Buchanan, Barb Colf, Matthias Schrum, Melissa Seifert, Wes Cate, Drew McNaughton, Kathleen Hayes, Laura Ullman (WCAX)

At 5:30 p.m. the meeting was called to order by Justin Campbell

Justin explained the purpose of the meeting, to hear from James Porter from the Department of Public Safety, and to hear comments regarding the public's opinion of the application.

DPS: James Porter explained that the Department of Public Service will be a party to the application. Once an application is submitted, a staff attorney and an engineer will be assigned. Depending on the comments tonight, they may or may not hire an aesthetics expert. If the Town takes a position, they are entitled to substantial deference. The Department gives the Town's position substantial deference. The Department will make a recommendation to the Public Utilities Commission about whether they feel a Certificate of Public Good should be issued. Adjoining landowners are entitled to participate in the process. There is a guide on the DPS website about how the process works.

Public Comment

George Africa: He owns the Vermont Flower Farm, across the street from the proposed tower. He asked where the map came from in the flyer that was sent around. Angie Barger explained that the viewshed map came from the town plan (page 88). George wants to make sure the environmental statements in the flyer are true. He mentioned that there is a stream on the map that is not truly a stream – it is only a stream in the spring. He stated that in 2005 when he bought the farm, there were 20,000 cars per day that went past the farm in the summer. Now there are twice as many. There isn't any service there unless you are standing directly in front of the farm. He noted that cars park in front of his business to use his phone during emergencies, or because they can't reach someone at the dam, or they park in front of his gate, blocking traffic, so they can make a call. There are also people parked every single day at the top of Peacham Pond Rd making calls, because they don't have service further down the road. He also noted how pathetic the Consolidated Communications

Angie Barger: She encouraged the Selectboard to participate in the process because based on a review of the town bylaws and town plan, both documents include provisions that the tower does not comply with. It falls within a protected viewshed in the bylaws. The tower will interfere with

the scenic vista from several areas in town. This is prohibited by our telecommunications bylaw. The natural resources inventory indicates the zone named Knob Hill south includes species that are of particular interest; the tower will be located in that zone.

Erik Van Hauer: Submitted a review of the town bylaws. The purposes of the bylaws are to balance development and the need for telecommunications. The tower

1. Section 1.12b the tower exceeds the height above the treeline. Zoning regulations also have height restrictions
2. Section 1.6 The tower is too close to the wetlands and stream
3. Section The tower falls within the protected viewshed
4. Zoning regulations 245 and 350 allow the zoning board to limit noise. This will have a diesel generator. That is also a violation of telecom 1.14
5. Slope: development on slopes >25% prohibited. Section 245 and 303. Slope between 15% and 25% require development permits. According to VCGS the tower will be on a steep slope and that has possibility to create damage in floods
6. National Inventory mentions the Knob Hill zone as Angie spoke about.

Ellen Keene: Showed a picture of the playground. The Old Schoolhouse Common is the heart of our community and many people have worked to make this a great place to live. We have spent time to create bylaws and town plans. She respects the need for cell service but there are other measures that can be taken, to put a tower somewhere that is not so close to the heart of the community. She asked the Selectboard to file the letter of opposition to the tower.

Rich Baker: We need to have cell service in this area, as a safety measure. He feels we need to be careful that when we are looking at the regulations. For example, the height provision adds that increased height may be allowed under some circumstances. Rich feels that the proposal will meet the requirements of the telecommunications bylaw. He noted that the zoning regulations do not come into play. He explained that the protected viewshed is not a regulation. He suggested that the Selectboard should not spend a lot of money on fighting the tower. Every \$10,000 is one percent of our budget.

Bob Buchanan: He worries about the problems that George has and he feels that we should have signs on Route 2 directing folks to the Old Schoolhouse Common for internet service. He doesn't feel that this is an appropriate place for a tower.

Dina Bookmyer-Baker: She asked who authored the flyer. She feels that the photos are misleading. The Verizon photos showed the tower scaled off of the two balloons, and the tower will be brown. In the flyer the tower is shown larger and a brighter color. She noted that the tower is also not going to be daylighted above the ridge, other than directly in front of the property. She noted that all of the other internet options mentioned are for service in homes, not while driving down Route 2. She also noted that the satellite technology that was mentioned is for texting only, not calls.

Matthias Schrum: He has safety concerns because when he and his cousin Luke Mulligan are

haying property on Route 2, there is no way to get in touch with anyone in case of emergency. He supports having a tower.

Wes Cate: He would like to rebut a few points. He gets cell coverage at his property on Route 2. He also gets cell coverage in George Africa's driveway but once you head further east, it is a black hole.

Melissa Seifert: She knows that health effects are not included in the application process. She noted that there are no regulations, only guidelines, based on research 30 years ago. There are scientifically proven biological effects. There are long-term chronic health effects that were not incorporated in the 1996 research. There are many scientists who feel that there are effects that are not taken into account in the FCC research, and the limits only take into account a 220 lb male's head. Nothing was studied regarding children and women. The telecommunications industry lobbied to have the funding halted for the research. A district court of appeals has ruled that the FCC must update their guidelines but that has not happened and there is no credible research.

Bob Buchanan: Standards in the United States are much weaker than in other countries.

Mike Xenakis: His concern is the long-term health effects of living so close to a tower. He experiences the hardship of not having cell service but in the face of coming technology and this infrastructure, he has concerns. His work brings into question the varying sensitivity that people have to electromagnetic radiation. He has a meter that goes into alarm whenever he is near a similar tower. He feels that we do not know enough about the effects.

Anne Reed: I look at the stream in her database. It is an ephemeral stream but it is still a drainage. She has ecological concerns about the disruption to the hydrology – everything drains to the Winooski.

Rich Phillips: He has seen the community grow in the last 50 years. He feels that we need a cell tower but he can't see why it has to be there – we will be known as the tower town. It does not put a good foot forward. He would like to keep the community pleasant. People will notice the tower from either direction. He thinks the other sites that were mentioned at an earlier meeting should be considered again. He would like to know if the other sites were technically feasible, or if they were just abandoned because they couldn't come to an agreement with the landowners. This tower is right in your face in both directions, and this will be hanging over the village. He loves this town and wonders why we would degrade the view of the town.

Steve Fiske: He agrees with Rich. It is not in the character of the town to have the tower hanging over the edge of the Village. He also shares Melissa's concern about the health risks. Even if they are not supposed to be considered, they are real concerns. There may be alternative technologies down the road for cell service. He noted that we lived for many years without cell phones. For ecological concerns, they will need to get ANR permits so the ecological concerns will be addressed. There will be an ecological survey as part of the application and we should ask to see it. He would support having the tower relocated somewhere else. We are going to be getting some

land through the buyout process, so maybe those parcels should be looked at as possible locations for cell towers. Then the Town would be getting the lease income.

Anne Reed: The installation is a very steep slope. They are going to have to level a big piece of property, and they are going to need constant access. It's not just a tower, it's an installation that is going to have to be monitored.

Rich Baker: Any cell tower on Route 2 is going to be visible. Any time you have cell service, there is a tower within line of sight. If people have health concerns, they need to work through the legislature because the Selectboard doesn't have jurisdiction. He asked Jim Porter if the DPS will weigh in on the ecological concerns. He replied that ANR will review it. Rich asked if the PUC will consider other sites. Jim replied that they will have to judge the project that is before them. The companies are supposed to show that they have tried and been unable to co-locate on other towers.

Chris Whalen: At the earlier meeting, Verizon discussed other locations.

Wes Cate: He explained that the siting process starts with technical requirements and then looks at whether landowners would agree.

Rich Baker: When you dial 911, it doesn't go through Verizon – it goes through all services.

Michelle McCormick: People have approached the Planning Commission to ask if they will be weighing in. She doesn't believe it is up to the planning commission to make a decision; all they could do is amend the town plan but the state would not allow us to prohibit all cell towers.

Ellen Keene: Regarding the flyer, she could also find fault with Verizon's balloon test. They are a big corporation and we need to have a say. She doesn't want our great little town to become the town with the crappy tower.

Michelle McCormick: When the power goes out in an emergency, there is no way to communicate with emergency services.

Erik Van Hauer: Plainfield's tower is 2 or 3 miles out of town but it still covers the Village of Plainfield. Our Village could get cell service without having a tower where they are planning.

Barbara Bendix: We have two valid and opposing interests. One is having better service and one is having something monstrously ugly in our 300 year old town. She thinks we need to look at the number of people that would be served.

Melissa Seifert: She asked whether the cell tower could fail during an emergency. She wants to disagree with the statement that folks are surrounded by radiation and we can't avoid it. There are people who avoid radiation – they don't have phones, etc. – and if there is a tower, there is no way to avoid it. Regarding communication during emergencies, we should investigate other means of

communication that is under our control.

Chris Whalen: The Selectboard held a tabletop exercise with the Fire Department, etc. One area of concern that came up was communication during an emergency. The emergency services are looking at other means of communication.

Bob Buchanan: The cell tower represents quiet violence that we can not control. We need to come up with safer options for our children.

Rich Baker: The cell tower would work during a power failure because it has a generator.

Justin Campbell: Noted that the town received an email regarding another available site.

Angie Barger: We should be the town that says no. It is humbling that “not in my back yard” is the reason that we have to use.

Ellen Keene: In Chelsea, they were able to find a better location. We have to respond to this location and the way to do that is to say it does not work with our regulations.

Drew McNaughton: Verizon is pushing this on us. Do we want to be a town that capitulates? That’s a choice. He would like our elected Board to be proactive and make the decision rather than capitulating. We have the expertise to look at other sites.

Rich Baker: The State legislators took the process away from towns because every town said “not in my back yard”.

Bob Buchanan: I agree, no town wants them because they are antiquated and the technology is going away.

Erik Van Hauer: The Town government has substantial deference – we have the power to stop this.

Kathleen Hayes: Is there any town property that has been considered? And would the generator run all the time or is it just for backup power?

Anne Miller: She doesn’t want it in the Village but wherever it is located, there are people who live there too. It is going to be in someone’s backyard.

Dina Bookmyer-Baker: She noted that Verizon has looked at co-locating on other towers but they wouldn’t get coverage on Route 2. They would like to have coverage from Plainfield to St. Johnsbury.

Rich Baker: If Verizon knew there was a location with less impact, they would be trying to site it there.

Art Gilman: Route 2 is a federal highway, with 40,000 cars in the summer (according to George). There is a responsibility to help people on that road. How big and ugly did people think the water tower was when it was first built? And now who ever thinks of the water tower? He thinks the tower will sink into the background over time.

Rich Baker: There are plenty of ugly things that we can not regulate – transmission lines and clear cutting are two examples.

Bob Buchanan: It is hard that there are things all around us that we can't escape, but here we have choice. We have an obligation to consider the health and safety of all of us.

Ellen Keene: She read a letter from Lawrence Black, opposing the tower.

Rich Phillips: The big issue is where the tower is located. It would be nice to see what sites Verizon has already looked at.

Angie Barger asked what the next step is. Justin thinks the next step is for the application to be filed.

Justin explained that the Board won't devote more time to this before the application is filed. Michele noted how busy the Board is between now and town meeting. It was brought up whether it could be discussed at Town Meeting but since it is not on the warning, it would not be a true representation of how people feel. Rich Baker suggested a poll or survey.

Ellen Keene asked about the process. Jim Porter explained that the town will have to wait until the application is filed.

Wes Cate asked if Verizon could rush the application at a time when every town is busy with town meeting. Jim Porter explained that there are rules about public notice that the PUC requires applicants to follow.

Anne Miller asked whether the ANR review is automatic and necessary. Jim Porter doesn't know how ANR reviews them.

Rich Baker asked whether the town would need an attorney to have party status. Jim Porter said some towns have an attorney and some don't.

When the Town receives notice that the application has been filed, it will be posted on the town website.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,
Bobbi Brimblecombe, Town Clerk

The foregoing is a true copy of the Minutes of the February 12, 2025 Selectboard Meeting.
A True Record. Attest, _____, Town Clerk
