

Hardwick Planning Commission
April 13, 2021
Via Zoom
Minutes

HPC Members Present: Joyce Mandeville; Ken Davis; Jim Lewis; Michael Haveson; Shari Cornish; and Dave Gross, Chair

Also Present: Kristen Leahy, Hardwick Zoning Administrator (ZA); Frank Sauer; Ran Lahav; Jan Bodendorf; Will Dodge (DRM); Jeff Dellicolli (Centerline); Jennille Smith (Centerline); Jennifer Royer; Stephanie and Mathew Best.

Absent: None

Chair Dave Gross opened the meeting at 6:35 pm.

Ken Davis moved to approve the agenda as written. Jim Lewis seconded. All members were in favor.

Shari Cornish moved to approve the March 9, 2021 meeting minutes as written. Ken Davis seconded. All members were in favor.

Attorney Will Dodge from DRM was invited to present information about the AT&T 60-day advance notice for the tower amendment on Hopkins Hill (AT&T). Attorney Dodge provided a power point presentation which will be available as a link on the Planning Commission page on the Town website. The AT&T tower proposal is part of the FirstNet network improvement that was established in 2012. The current focus is on improving coverage in rural areas for the benefit of first responders.

The proposal is for a 10 feet extension of an existing 130 feet tower. The access road is already in place and the utilities will be run underground from Pole 18. The parcel on which the tower is located has recently been partially sold. The front lot with the house has been purchased by the Best family and the Mayo family has retained the residual lot with the tower. A right-of-way access crosses the Best property. This needs to be surveyed to delineate the line between Best and Mayo and to address the utility easement questions. AT&T will use the existing conduit or install new lines next to the existing ones. There will be a diesel generator on site which will have a "kick test" on a weekly basis for ½ hour.

Currently, the tower is visible from 241.8 acres in Hardwick. The additional 10 feet to the tower height will increase the visibility by 8.7 acres.

The simulation of the visual impact was presented from 3 points on Hopkins Hill, 1 point on Dutton Road, and 1 point on Houston Hill Road.

The original location for this coverage increase was the proposed AT&T tower on Buffalo Mountain. Due to the public opposition and issues such as access and wetlands, this proposal was abandoned. Cloud Alliance, which owns the Hopkins Hill tower and has created a lease agreement with AT&T, reached out to AT&T to offer space on their existing tower.

The proposed tower amendment will augment the coverage on Route 15 in Hardwick and Route 14 into Woodbury. The proposal will also increase access in rural Hardwick, Walden, and Woodbury. Attorney Dodge indicated that cell phone coverage will improve whether the user is in a vehicle or located externally.

Attorney Dodge reviewed the language in the Hardwick Town Plan and the Hardwick Unified Development Bylaw for cell towers. The proposal meets all current zoning bylaws except the section which speaks to the height of the tower above the trees. The mandate from the Town Plan is to help with rural coverage (which is the aim of this tower extension).

AT&T would like to have input from the Town Planning Commission regarding the manner in which the proposal meets local zoning and planning. The petition for a Certificate of Public Good will be submitted to the PUC in mid-May after receiving the survey of the property and other components for the final site plan.

Chair Gross opened the meeting to questions from the Planning Commission members. Ken Davis inquired as to how far the nearest residence would be from the proposal. The closest house is the former Mayo dwelling (now the Best house). The best “estimate” from the Google Earth overlay is 810 feet.

Stephanie and Matthew Best introduced themselves to the Commission. They purchased the Mayo house on March 15, 2021. They were unaware of the cell tower proposal. The access road crosses their property.

Attorney Dodge stated that the tower would not receive large amounts of traffic after the initial construction phase. The technician visits once every 2 months. And the tower configuration does not indicate that it is likely to be a multi-tenant situation in the future.

Ran Lahav – neighbor – asked about the noise created by the generator. Jeff Dellicolli of Centerline explained that the generator would be in a sound enclosure. He stated that it tests for 30 minutes every month (*which conflicts with the information in the AT&T proposal packet and with what Attorney Dodge stated in his presentation – 30 minutes each week*). The test would be during the day and during the week. The generator would also engage if there is a power outage. The sound is similar to an air conditioning unit. The average decibel level is 64.4 which is measured from 23 feet away.

Ran Lahav – neighbor – asked about lights on the top of the tower and was informed that lights are not planned and are not necessary for this height.

Jan Bodendorf – neighbor – stated that the existing tower already has a green glow and a light exists on it. Matthew Best agreed and said that there are 2 lights on the tower. Attorney Dodge was unaware of their presence and will need to speak to Cloud Alliance about that aspect.

Jan Bodendorf – neighbor - asked why a cell tower was being increased in size when fiber optic networks were receiving state monies to expand. If cell towers may become obsolete, why make additions to the existing towers.

Attorney Dodge responded that 1) fiber optics are not available in vehicles, 2) the critical reason for the proposal is the improvement in coverage for the first responders – fire and public safety – which needs to be mobile to be effective, and 3) it is wonderful that there will be money for fiber optics but sections of the rural landscape are not connected and still need the mobile connectivity.

Jan Bodendorf – neighbor – asked for clarification on the potential for future additional tenants or arrays. No guarantee can be made but Attorney Dodge reiterated that the current tower configuration would not lend itself easily to additional tenants.

Attorney Dodge reported that the radio frequency emissions would be 1-5% of the federal safety thresholds.

Ken Davis – HPC member – inquired whether the proposal was for 5G coverage. The response was that this would be 4G, broad area coverage, cell service and internet service.

Dave Gross – HPC member – asked about the potential conversion to 5G. Attorney Dodge stated that in theory, the array could be swapped out and would be unlikely to need more height or additional arrays. A conversion would be subject to another public input process.

Jan Bodendorf – neighbor – asked if the Planning Commission could request an extension of the advance notice by 30 days (permissible under current state of emergency statutes).

Jennifer Royer – neighbor – also requested the extension to grant neighbor more time to review.

Ran Lahav – neighbor – asked about the visibility impact. He understands that the height will be 10 more feet but what about the width? Attorney Dodge responded that there will be larger panel antennas but not much wider than what currently exists. The panels will be at the same height as the tower – not above. Full site plans are needed to verify the exact addition (roughly 7 feet on each side). Each array will include 2 panels on each side.

Matthew Best – neighbor – inquired about the timing of the construction. Jeff Dellicolli responded that if the construction occurs in the May to October months, then generally it will take 2-3 months to complete. This includes a week of crane work. The work typically occurs during normal business hours on weekdays but occasionally will occur on weekends. If the work occurs during the winter months, then the time frame expands to 3-4 months depending on the snow totals.

AT&T is hoping to have the survey completed in the next 2 weeks.

Matthew Best – neighbor – asked about the power to the tower. Attorney Dodge responded that they would like to finalize that aspect. There is reportedly enough space in the same conduit for the fibers/lines. He will reach out to the Best's attorney with the finalized information.

Frank Sauer and Jan Bodendorf – neighbors – reiterated that they would like to see the 60-day advance notice extended by 30 days.

May 15, 2021 would be the end of the 60-day notice.

The Planning Commission did not make a formal motion regarding the request to extend the 60-day advance notice. The stated preference was to wait for the additional information (survey, etc) and to request an extension of the 30 day comment period after the submittal of the petition for a certificate of public good. This was requested and granted in the Buffalo Mountain AT&T tower proposal. Attorney Dodge verified that this approach has been utilized by multiple towns.

The Planning Commission also received a letter from neighbor Jim Kelty which was emailed to the members prior to the meeting. Mr. Kelty expressed his concern about the AT&T proposal.

There was a virtual meeting with Gary Holloway, who is the State of Vermont's Downtown Program manager. Mr. Holloway will be presenting to the Select Board on April 15, 2021. Shari has been recruiting business owners who have expressed interest in participating (Galaxy Bookstore owners, Front Seat Coffee for example). A downtown commission or an affiliated non-profit (501C3) will need to be created and will serve as a conduit to the efforts. A vision statement, goals, and strategic plans of this entity will be required for the application.

Prior to the meeting, Kristen checked with Geoff Sewake and no new requests for review or support were necessary for any upcoming grants. The HPC did not receive the Better Connections Grant. Geoff Sewake will keep the HPC apprised of any tasks, reports, etc that would assist with the receipt of this grant in the next funding cycle.

The state of Vermont is seeking a vendor to install EV charging stations in 6 Vermont towns. Hardwick is one of the six towns. Gary Holloway will be reporting on the program at the Select Board meeting. The HPC collectively decided to wait on providing potential sites to the process.

The Select Board has an agenda item for parking spaces and walkways in the downtown area. Dave Gross provided the recommendation list to Shari Cornish and the board members. A list of what has been accomplished is also included.

Board members were encouraged to attend the SB meeting on 4/15/21.

The next meeting will be conducted by Zoom due to the potential for additional information on the AT&T tower. The meeting will be changed to the 3rd Tuesday in May to accommodate for the Zoning Administrator's request (family emergency). May 18, 2021 will be the date of the next meeting.

Ken Davis moved to close the meeting at 8:15. Joyce Mandeville seconded. All members were in favor.

The next HPC meeting will be on May 18, 2021 by Zoom.

~ Respectfully submitted, Kristen Leahy, ZA