

HYDE PARK PLANNING COMMISSION
MEETING MINUTES

June 5, 2013

All minutes are draft until approved by the planning commission; please check future minutes for the approval of these minutes.

Members Present: Greg Paus, Chair (GP); Vicki Emerson (VE); Rebecca Dennis (RD); and Dan Young (DY)
Members Absent: Mark Isselhardt (MI)
Staff: Seth Jensen, LCPC Senior Planner
Guests: Jay and Anne Cooke; Maria H. Smith; James Allister; Mike Ryan; Suzanne Hudson; Vicki Grant; Richard Grogan; J Chalue; Kane Smart; Lisa Diamondstein; Beth HD Carrier; Ralph Larson

GP opened the meeting at 7:00 p.m.

1. **Welcome and Public Comment** – No public comment.
2. **Minutes** – May 1, 2013 Minutes; review deferred.
3. **VTel Telecommunications Tower** – Webster Road on Lanphear Farm. GP advised that the planning commission is seeking comments on a tower proposal submitted by VTel and represented by the law firm of Downs, Rachlin and Martin (DRM). Attorney Kane Smart provided an introduction to the Section 248a process which includes a 45-day initial review period for the town and neighbors to review the project and offer comments directly to the applicant (VTel/DRM). The tower is proposed at 108 ft, matte gray in color, steel single pole, serving VTEL only. Kane continued by explaining that VTEL is securing permits for a new statewide wireless broadband service – to reach 1700 homes in our area. Kane explained that VTel originally wanted to install the facilities on the Lanphear Farm silos, but they have been removed so an alternative site was found.

Public comments

A number of letters were submitted to the planning commission, most in objection to the tower. GP noted that the location violates most of the town's zoning bylaw standards. Additional concerns from those in attendance:

- o The proposed site is an open area – directly impacts adjacent property owners
- o Concerns about balloon & application notification process – there has been a lack of contacting all landowners with sufficient notice to allow participation in the balloon test or reviewing documents.
- o Appears to be better locations on the Lanphear Farm or surrounding property
- o Not evident that VTel has done best effort to find better site
- o What efforts taken to co-locate on existing towers? Smart advised that other towers in the area are not adequate
- o Wetland impacts? – GP advised that the State would address that question
- o Act 248a process – subverts town authority

Public comment closed at 8:10 pm

4. **Review of Zoning By-Laws and Unified Code Draft –Seth Jensen, LCPC**
 - Discussion of Garfield District – not really a village
 - Discussion of RR5 – VE concerned about 5 acre requirement – what land uses are we protecting
 - Discussion of Conservation 10 – not enough remaining lots to make it worth trying to transition to Conservation 27
5. **VTel Tower Discussion Continued** – The Commission reviewed a draft response to the proposed tower that were prepared for the LCPC review which included concerns about location ; other, more suitable areas should be explored first. GP offered to seek and then forward any names of landowners who may be willing to be evaluated for the tower location. The Commission feels, however, that this is the responsibility of VTEL to perform due diligence on alternative sites. The Commission would like to see Lanphear’s benefit from this – but a better, more forested, site on their property that would move the burden of the view away from the surrounding property owners. Overall, the Commission feels after this first review of the application that the proposed site will not result in the best project for the community. Motion by DY to reject the current proposal and work with VTEL to find a more suitable site. Seconded by Rebecca. Discussion: If the motion is passed, GP will write a letter to VTel detailing the Commission’s concerns. Voting: 4 in favor, 0 against, motion passed.
6. Adjourn - The meeting adjourned at 10:15 p.m.

Respectfully submitted by Vicki Emerson