

Planning Board

Meeting Minutes

March 28<sup>th</sup>, 2023

Approved w/ edits on 4-25-23

**Members present in person:** Sue Lyman, Tom Delasco

**On Zoom:** Kate McNulty-Vaughan, Pam Kueber

**Absent:** Jim Harwood

**Staff Present:** Deanna Gardner

**Materials available at meeting:** agenda, early March meeting minutes, draft communications material, zoning bylaw language

Others present via Zoom: Ellen Jacobsen, Sonya Bykosfky, Clarence Fanto, Lucy Kennedy, Amy Judd, Diane Sheldon, Larry Lane

TD called the meeting to order and explained there would be no public comment at this meeting, but there would be opportunity for public comment at the public hearing on April 4<sup>th</sup>.

**Minutes of March 7 and March 14:**

Revised and approved both sets of minutes.

**Communications Material for Personal Wireless Services Facilities Zoning Bylaw:**

SL discussed the municipal lawyer vs a rep for an interest group, and advised it was better to get consultation and advice from Town Counsel who is experienced in municipal law and is not getting compensated by any one interest group or organization. She highlighted that Town Counsel is not paid for by the industry but is an independent attorney who is paid to represent the Town and advise based on municipal law. PK asked if SL could be the go-to expert on the Board relative to law related items, as she has nearly forty years of experience. Also discussed the wealth of knowledge and experience the Town is provided by KPLaw and Joel Bard.

The Board discussed the public safety issue of having no or poor wireless coverage and losing power during recent snowstorms—noting that power and land-lines were off, and people who didn't have wireless coverage at home had no way to communicate outside of their homes.

The group reiterated public safety as a reason that the wireless zoning bylaw needs to be adopted done. SL mentioned Francine Sorrentino having difficulty making calls for caring for the safety of family members, and there was a reference to an issue DPW had during a major rainstorm and a washed-out road and limited wireless coverage. The group agreed to highlight the public safety aspect at the Selectboard meeting the next evening.

The group moved on to the documents prepared by PK, and reviewed the high-level talking points:

Why adopt a new zoning bylaw?

SL to put together a handout to explain key-takeaways of the zoning bylaw.

It was noted that altering the bylaw triggers the thought that a tower will be in individual backyards. KMV reinforced this and addressed underlying fears.

There was some discussion about pointing to specific sites vs leaving it out of the discussion; the thought was that the board needs to have an idea of the general physical areas where they might go. The gist is that the densest neighborhoods are excluded in the Use Table in the proposed zoning bylaw, and that to meet setback requirements in the more rural neighborhoods, larger parcels would be needed.

The group discussed abutter notifications and public meetings as part of the Special Permit process.

PK reviewed new PB website layout, and wanted to make sure Kerry has a solid link to the bylaw details on her town meeting page.

There was discussion of letters and responses provided and keeping track of the most frequently asked questions.

SL mentioned the comments regarding the purportedly non-democratic behavior of the board mentioning that the board is not required to give an opportunity for the public to comment. She said it was irresponsible for people to keep saying so.

The group agreed it was helpful when KMV was at the BoS meetings in person and could respond to the claims being made about planning board meetings to the BoS.

PK talked about when the board should send response to information in the news, etc...particularly in response to repeated untruths that are being put out will necessitate a response.

They explained the group is trying to get work done and get the zoning bylaw adopted and needs to use committee time to discuss and develop the bylaw.

PK reiterated that the will of the people is to get cell service.

SL emphasized that the approval process within the zoning bylaw is rigorous and detailed.

PK said the next meeting would be the April 4 public hearing, then time to make any changes to the bylaw agreed to by the Board, and then start to get out the vote.

PK will send any other info to include on web to gwen to run by Tom

PK will draft a mailing pointing to get out the vote and website.

KMV feels the board has not missed anything critical in response to the webinars and forums and letters and ample materials shared over time by the SafeCell01240 group and others.

The key message is that we have the opportunity to improve cell service, people trust the Planning Board to do so, and the new zoning bylaw provides ample review and local control in decision-making.

The meeting adjourned at 7:24 p.m.

Submitted by,

Gwen Miller

4-21-23