

## Stockbridge Board of Selectmen - Draft

May 21, 2020 7:00 PM

### Zoom Meeting Info

+1 929 205 6099

**Meeting ID:** 871 3247 2637

**Password:** 338758

**Present:** Lee Ann Isaacson, Jim Shands, Mark Pelletier, Regina Toolin, Rob Green, Laurie Novatny, Corey Novatny, Bev Adams, Joe Havelka, and Lori Scott.

The meeting came to order at 7:14 PM remotely via Zoom Meeting.

Jim read the minutes from the last meeting. Lee Ann moved to approve, Jim seconded, and the minutes were approved.

### Road Report

**Blackmer Boulevard:** The area that continues to slide and develop holes in the road was repaired again for now. I think that the biggest problem was the culvert going across the road separated allowing most of the water to saturate the road. After digging it up and seeing the problem I elected to bypass the culvert and send the water down to the next culvert. We then cleaned out the ditch down in that area giving the water clear sailing.

**River Road:** We spent most of this past week improving the road down towards the town line. We cleared the berms off the side of the road and put a ditch in to allow water to get off the road instead of all of it staying right in the road. We removed a lot of material while doing this project, but I believe it will help with the pothole problem and the fact the road gets so muddy.

Lenny DeForge called me to report his concerns with the four wheelers driving too fast on the Town Roads. He said the speed limit is 25 MPH and there probably driving 60 MPH. I know that looking at the marks in the road at times they must be going faster than the speed limit. At any case I told him I would pass the information onto the Board. In some places the roads are being torn up by four wheelers Davis Hill, Taggart Hill area just to name a couple.

**Roadside mowing Status:** Jason Mitchell called to ask if we wanted to push the mowing back in to June. His thoughts were Chervil and other related vegetation will be farther along and he would not be mowing just 4 inches. I told him I thought that would be fine but would run it by the Board. I am thinking the week June 8<sup>th</sup>.

Richard Veilleux will begin cutting the trees for our project the week of June 1<sup>st</sup>.

**FEMA Paperwork:** I will be working with Bill Doyle next week part of the time to get information together to satisfy FEMA on quantities for job sites. I want to get them all taken care of before the end of the week.

### Public Communications

248a 60 Day Advance Notice: AT&T Cell Tower Stockbridge

The Stockbridge property owners impacted by this notice attended the Selectboard meeting to voice their concerns. Regina Toolin put together a summary document that addresses 60 Day Notice Procedural issues and Land use, Environmental, Aesthetic and Health Issues.

### **Procedural Issues related to the 60-Day Advance Notice**

1. A number of impacted landowners and residents never received the original 60-Day Advance Notice dated May 1, 2020. In addition, a number of impacted landowners and residents did not receive notification of the balloon launch originally scheduled for 5/16 and then rescheduled to 5/17.

**Action:** We have requested that a revised list with current addresses be verified.

2. Significant changes were made to the original 60-Day Advance Notice (5/1/20) namely the access road described and drawn on the map in the supplementary documents is no longer the road being considered (per phone conversation with Jennille Smith on 5/16). Instead, the road directly behind Begin's sugarhouse as well as Beverly Adam's, Cory and Megan Novotny, Laurie and Dan Novotny and my property are currently being considered as an access road to the proposed cell tower compound.

**Action:** In separate emails, we have requested that a new 60-Day Notice with a new advance notice period (not a supplement as Jennille Smith has suggested in her recent email) be sent via certified mail to all impacted landowners and residents so that they can be properly informed and have the appropriate amount of time to respond to the notice.

3. In an email dated 5/19/20, Jennille Smith stated *"I've reached out to our engineer so that we can go out there and look at access options and get a set of plans drawn up for a supplement."* We were wondering if this meant that other access roads were now being considered.

**Action:** We requested a clarification about whether other access roads were being considered in an email to Jennille Smith dated 5/20.

**Status:** 3 separate emails have been sent to Jennille Smith to request that a new 60-Day Advance Notice be composed, that a landowner list be revised, and that a new 60-Day Notice with a new notice period be sent via registered mail to all impacted landowners and residents. Jennille has completely avoided this request in 2 email responses and has not responded to a third email from 5/19 that specifically requests that she respond (YES or NO) to these inquiries.

### **Land use, Environmental, Aesthetic and Health Issues**

**1. Flooding** – A number of the impacted landowners have experienced flooding to their property or homes from run-off from the land behind our properties (private and National Forest). For me, this includes flooding of my entire downstairs (not a basement) that needed to be gutted and rebuilt at a cost of over \$50K. Other property owners will share their flooding experiences from the land behind their properties

**2. Road Construction** – As it exists now the private and NF road behind our land is about 8 feet wide. The cell tower plan calls for expansion of the road to 20 feet wide to allow for trucks and other heavy machinery to bring equipment to the compound and for ongoing servicing of the tower. There are a number of concerns related to the disruption that this expanded road will cause to both the land and increased flooding as well as the noise disruption that this will cause during the construction and thereafter for trucks to conduct regular servicing of the tower. In addition, monthly tests of the generator can be expected.

### **3. Habitat Loss/Destruction and Impact on Plant and Animal Species**

The expansion of this road will require the destruction of trees, plants, and habitats to a number of animal species in the forest. This could also impact deer yards known to exist in this area as well as endangered or threatened species such as the Bicknell Thrush, Little Brown Bats and possibly Timber Rattlesnakes. Agency of Natural Resources, National Forest and/or EPA studies will need to be conducted to determine the impact of the road and construction of the tower on these species and habitats.

#### **4. Aesthetics**

The construction of a 180 foot cell tower in the GMNF will clearly impact the aesthetics of the ridgeline up and down Route 100. The balloon launch on 5/17 demonstrated that the tower will be visible from most of our properties and it is well above the tree line. In addition, in an article shared with landowners and Lori Scott today, communication companies to increase the height of cell towers by 20 feet after construction without consent of town municipalities.

#### **5. Cell Tower Issues and Concerns**

There is a great deal of research and controversy related to radiation emitted from cell towers. When I asked Jennille Smith in our phone conversation on 5/16 whether the tower would carry 4G or 5G, she stated 4G but that with advances in technology that we could expect the tower would carry a 5G capacity in the future. There is much controversy about 5G and it is banned in certain communities and countries.

#### **6. Property Values**

Research indicates that over 90% of home buyers and renters are less interested in properties near cell towers *and* would pay less for a property in close vicinity to cellular antennas. Documentation of a price drop up to 20% is found in multiple surveys and published articles as listed below. The US Department of Housing and Urban Development (HUD) considers cell towers as “Hazards and Nuisances.”

<https://ehtrust.org/cell-phone-towers-lower-property-values-documentation-research/>

**Next Steps:** Town Clerk will forward the summary of issues and questions to Jennille Smith and Elizabeth Kohler. Jennille has been invited to the 6/4 Selectboard meeting to address each of the items with the impacted property owners. Additionally the board wanted to know when a full public hearing would be held.

#### **Correspondence**

**FEMA Planning Risk Map Discovery meeting.** Someone from the Selectboard needs to attend this meeting on Tuesday 5/26/2020 at 11:00am. **Action Item:** Selectboard members will add to their calendars and plan to attend.

**ATV Speeding on Davis Hill and Stony Brook.** Further discussion on the issue reported in the road report. **Action Item:** Jim to reach out Chuck Lyman and Ken Carter to see if they can assist in managing ATV behavior on the town roads.

#### **Prior Business:**

**Reappraisal Update/Property Tax Process Update** – Official Change of Appraisal Notices have gone to the printer and the booklets will be mailed to all property owners by the end of May. The booklet outlines the appraisal and hearing processes and includes the grievance appeal form. Due to the COVID-19 social distancing guidelines, all hearings will be held remotely either by phone or using Google Meet. Informal hearings will be held remotely on: June 3-5, 2020 9 am – 12 noon and 1 pm – 4 pm. Formal grievance hearings will be held remotely on: June 10-12, 2020 9 am – 12 noon and 1 pm – 4 pm. Complete detailed instructions and contact information on how to schedule an appointment and deadlines for requesting an appeal are in the booklet that property owners will receive.

Governor Scott signed S.344 and it went into effect 5/15/2020. This bill allows select boards and city councils to abate late penalties and interest charges on property taxes rather than calling a Board of Abatement meeting. The law only applies during the COVID state of emergency. The Selectboard had made a motion to waive interest and penalties for the 8/15 property tax payment and asked the Board of Adjustment to approve. That approval is no longer needed and the Selectboard has approved waiving the penalty and interest on the payment due on 8/15/2020.

**COVID-19 Update** – Jim Shands is the Town’s Safety Officer and will coordinate the town’s COVID plan and will ensure that all mandatory training is completed. The town continues to follow the Governor’s orders opening road work and construction and allowing some land record searches by appointment only. Townspeople should continue to follow the Governor’s orders and use the [Healthvermont.gov](http://Healthvermont.gov), and [CDC.gov](http://CDC.gov) for all up to date information on COVID-19. Call 211 for any COVID-19 questions. This line is staffed by the state. Please see the town website for additional information or call the town office.

**School Meeting Update:** The school is working to set the meeting and election dates. The Town Office can be used for the election. Lindy is looking into whether the Board of Civil Authority need to officially meet to approve using the town office. Jim also recommended that we have a cleaning company come in and disinfect the building afterwards.

**Orders were sent electronically to the board members and will be signed and scanned back to the town office.**

Lee Ann moved to adjourn, Mark seconded, and the meeting was adjourned at 8:51pm.

Lori Scott, Town Clerk

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