



TOWN OF POWNAL

PH 802.823.0116 511 CENTER ST., POWNAL, VT 05261 www.townofpownal.org

March 5, 2025

Via ePUC
Vermont Public Utility Commission
112 State Street
Montpelier, Vermont 05620

Re: Petition of Rising Tide Towers II, LLC and Wireless Partners FN, LLC
Petition for a Certificate of Public Good, pursuant to 30
V.S.A. § 248a authorizing the construction of a wireless telecommunications facility in
Pownal, Vermont
Case No. 25-0257-PET

Dear Commissioners,

This letter is sent on behalf of the Selectboard of the Town of Pownal, Vermont, as the legislative body of the town, serves as a notice to the Vermont Public Utilities Commission pursuant to 30 V.S.A. § 248a(c)(2), that the Selectboard considered the proposed telecommunications tower facility described in the above-referenced docket at regular board meetings on February 13, 2025 and February 27, 2025 and reached the conclusion it does not comply with the Town's Land Use Bylaws.

- “Towers **shall not exceed** the height limitation for the district in which they are located or **20 feet above surrounding structures or trees**, whichever is greater; (Section 8.12b)
- “Towers shall be of a non-reflective, unobtrusive color with a non-reflective finish and may be required to be painted or otherwise camouflaged to **minimize the adverse visual impact**; (Section 8.12c)

The imposing 190-foot lattice framework is proposed to ascend 117 feet beyond the existing tree canopy creating a significant visual obstruction from all of Hart's primary southern and southeastern windows, as well as from their yard and outdoor recreational spaces. It would be impossible to camouflage this kind of structure so undue adverse visual impacts would not be able to be minimized.

- “The distance from the **base of the tower to the property line shall be a minimum of 10 feet longer than the height** of the commercial telecommunication tower;” (Section 8.12d)

The current proposal shows the base of the tower to be only 92 feet from the Hart property line on the west side, and only 179 feet from the property line on the north side. Both numbers should be 204 feet minimum as the tower is to be 194 feet tall. The proposed location raises significant safety issues as the Hart's driveway (only ingress/egress) lies within the tower's fall zone. In the event of structural failure due to severe weather or other unforeseen circumstances, this placement poses direct hazards to the family and emergency responders accessing the property.



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Recommendation as to the Town Land Use Bylaws:

The Selectboard will recommend that the Vermont Public Utilities Commission deny the petition for a telecommunications tower at 127 Crow Hill Road because it would violate provisions of the Land Use Bylaws.

The selectboard suggests that the applicant fund an engineering firm to conduct a study to find a suitable location for the telecommunications tower in Pownal, Vermont.

Respectfully,

Michael Gardner
Selectboard Chair
Pownal, Vermont