

Case No. 25-0257-PET

Petition of Rising Tide Towers II, LLC pursuant to 30 V.S.A. § 248a requesting a Certificate of Public Good for an installation of a wireless telecommunications facility in Pownal, Vermont

**Reply to Petitioner's Response to Motion to Intervene Submitted March 28, 2025**

We, The Harts, respectfully request intervention on compliance with the Town Plan and the Telecommunications By-Law, as well as public health and safety, in addition to aesthetics.

Petitioner incorrectly stated the following in their response: "...visibility of the Tower from a window of their residence whereby the view is on the same "plain of vision" as the top of the tower". The view is from **eight** of our main windows in the kitchen, dining area, living room, and two bedrooms as well as from our deck and everywhere in our outdoor lounging and recreational area. The top of the tower is not the only part that would be visible; 117' of tower would fully dominate our view and experience of the current natural and rural character we find peaceful and enjoyable. In addition, due to our elevation, the entire "Facility" would be visible from our home and driveway during the time of year when the leaves are not on the trees.

Safety concerns remain unresolved. The self-collapsing tower design, previously suggested by Petitioner on page 6 of the 60 Day Advance Notice, cannot guarantee that no part of the structure would fall onto the driveway or road. Even if it could be guaranteed to collapse in place, a reduction in tower height to 110' would still violate the setback and height restrictions outlined in the telecom bylaws.

Petitioner's exploration of alternative properties is irrelevant to this project site which does not conform to the Town Plan or Telecom ByLaws and poses safety and aesthetic issues.

We recommend exploring locations on the other 49 acres of 127 Crow Hill Road near the southeast corner, which lacks forest, high-priority habitat blocks, driveways, or roadways and is closer to the target service area. This alternative would distribute the burden more equitably among the landowner and several neighbors instead of primarily impacting our family.

Respectfully submitted this 4th day of April, 2025 by

*/s/ Tanya Hart*

Tanya and Jesse Hart  
316 Crow Hill Road  
Pownal VT 05261  
(415) 722-2834  
tanya.j.hart@gmail.com