

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 25-1543-PET

Limited Size and Scope Application of Bell Atlantic Mobile Systems, LLC d/b/a Verizon Wireless and The Towers, LLC d/b/a Vertical Bridge, for a Certificate of Public Good, pursuant to 30 V.S.A. § 248a, authorizing the construction of a telecommunications facility in Marshfield, Vermont	
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PRE-FILED TESTIMONY OF ALICE PEAL

On behalf of Intervenors Robert Buchanan, Weston Cate, Robin Gomez, Pam Quinn, and
Michael Xenakis

January 30, 2026

Exhibits:

Exhibit AP-1 Marshfield Town Plan
Exhibit AP-2 Marshfield Telecommunication Bylaws
Exhibit AP-3 Central Vermont Planning District Regional Plan 2016
Exhibit AP-4 Marshfield Zoning Regulations

Summary: Alice Peal presents testimony about compliance with the Marshfield Town Plan, Marshfield Telecommunication Bylaw, the Central Vermont Planning District Regional Plan, and other planning and regulatory documents.

1 **Q.1 Please identify yourself by full legal name, occupation, and business address.**

2 A.1 Alice T. Peal; Retired IT Professional; 741 Spring Hill Road, Waitsfield, Vermont 05673.

3 **Q.2 Please state your professional background.**

4 A.2 IT Network Engineer 20 years; IT Consultant 5 years; Waitsfield Planning Commission

5 10 years, former Chair Waitsfield Emergency Management - Wrote Local Hazard

6 Mitigation Plan (LHMP); Central Vermont Planning Commission (CVRPC)

7 Board of Commissioners, Regional Plan, Project Review, Transportation Advisory

8 Committees; Clean Water Advisory Committee, Chair, Winooski Basin Water Quality

9 **Q.3 Have you ever testified before the Public Utility Commission?**

10 A.3 No.

11 **Q.4 What materials have you reviewed in arriving at your opinion?**

12 A.4 Marshfield Town Plan Adopted August 21, 2018;

13 Marshfield Zoning Bylaws Adopted March 3, 2007;

14 Minor amendments approved March 1, 2016 Fees Amended July 1, 2019;

15 Marshfield Wireless Telecommunications Bylaws Adopted March 4, 2003;

16 Marshfield Zoning Maps;

17 Agency of Natural Resources Wetlands Map (GIS);

18 Act 248 and 30 V.S.A. § 248a;

19 DuBois & King Cell Tower Siting and Engineering Plans and drawings as submitted by

20 Louis Hodgetts and others;

21 DuBois & King Wetlands, Water, Habitat Memo as submitted by Louis Hodgetts;

22 Central Vermont Planning District Regional Plan 2016;

1 **Q.5 Do you have concerns about the proposed tower?**

2 A.5 Yes. There are at least three areas of concern regarding the site selected for the Verizon
3 Cell Phone Tower in Marshfield, Vermont:

4 1 - Application Process, PU Review and Substantial Deference

5 2 - Marshfield Town Plan emphasis on Rural Character and Scenic Beauty

6 3 - Wetlands, Water, Habitat and Siting

7 Each area of concern has issues that should be reviewed for the appropriateness of the
8 siting choice for the Cell Tower as they relate to the Town Plan, the Telecommunications
9 Bylaws, the Regional Plan, other clear-, written community standard.

10 **Q.6 Has the Town of Marshfield adopted planning documents that should be afforded**
11 **“substantial deference” under 30 V.S.A. § 248a?**

12 A.6 Yes. The Town of Marshfield has a Town Plan, last revised in 2018. The Town of
13 Marshfield has adopted Zoning Regulations pursuant to the Vermont Planning and
14 Development Act, 24 V.S.A. Chapter 117. The Town also has a Marshfield Wireless
15 Telecommunications Bylaw adopted March 4, 2003. Each one of these documents
16 contains provisions directly bearing on the proposed tower.

17 **Q.7 Can you elaborate?**

18 A.7 Local town governments in Vermont create “Town Plans,” ordinarily written by the
19 Planning Commission and accepted by the residents and the Selectboard. Town Plans
20 contain the principles that guide decisions about town land use, desired town character
21 and town growth. Throughout the Marshfield Town Plan, there is a strong emphasis about
22 maintaining the rural scenic character of Marshfield.

1 The Town Plan contains the following goal: VI. LAND RESOURCE GOALS,
2 OBJECTIVES, AND STRATEGIES - #13. *To preserve Marshfield's scenic beauty.*"
3 Siting the Verizon Cell Tower along Route 2, the major road into Marshfield from the
4 east, is not consistent with this goal of the Town Plan. The Tower's visibility will spoil
5 an otherwise scenic view along the road to the Village. This cell tower siting will also
6 create adverse viewing in other Town scenic areas. It will be seen in the Village Center
7 and at recreation areas.

8 The Town Plan contains a different goal to protect its rural character: "RURAL
9 CHARACTER - The rural character exists due to the scenic vistas, large uninterrupted
10 forested areas, open fields, agricultural uses, and limited and scattered development along
11 back roads." The Plan further provides: "A core goal is maintaining Marshfield's small,
12 rural, residential feel, minimizing visual impact of new buildings, and protecting open
13 fields and natural buffers."

14 Marshfield is one of the more rural towns in the Central Vermont Region. The
15 Marshfield Town Plan cites that this rural character and scenic viewshed be evaluated
16 from Route 2, Marshfield Village and back roads. Route 2 is the main east/west access to
17 Marshfield, and has views of open areas along the Winooski River and views of forested
18 ridge lines. Route 2 is used by local residents, tourists, and those traveling to other parts
19 of the state.

20 The Petitioner must consider an alternate location for the cell tower, one that does
21 not spoil scenic areas or detract from the Town's goal of scenic vistas and recreation areas
22 meant to attract residents and visitors.

1 **Q.8 Do you have concerns regarding any other clear, written community standards?**

2 A.8 Yes. The Petitioner identified three presumptive Class II wetlands that were unmapped
3 by the Vermont Agency of Natural Resources. More specifically, none of the wetlands
4 appears in the Vermont Wetland Inventory maps. The Marshfield Town Plan provides:

5 Marshfield contains numerous wetlands, totaling approximately 844 acres,
6 which are listed on the National Wetlands Inventory (NWI). The State of
7 Vermont regulates all wetlands that are on the NWI maps and the Vermont
8 Wetland Inventory (VWI) maps. Marshfield Town Plan adopted August 21,
9 2018. In addition, legislation passed by the Vermont Legislature in 2009,
10 and regulations adopted by the ANR in 2010, will allow the Vermont
11 Agency of Natural Resources (ANR) to determine in the field if a wetland
12 should be regulated by the state, and utilize information gathered by
13 municipalities to add wetlands to the VWI maps. Accordingly, if the Town
14 of Marshfield maps wetlands in the town, and ANR approves the Town's
15 information, these wetlands will be protected by the State of Vermont. In
16 addition, as part of the Marshfield DRB review of a project, the DRB can
17 request that an applicant confirm with ANR whether wetlands that may be
18 affected require a permit from ANR.

19 Petitioner did not submit mapped polygons of the three presumptive Class II
20 wetlands to the ANR wetlands manager as required by ANR's wetland rules, and
21 therefore appeared to fail to comply, at minimum, with the spirit of the Town Plan. The
22 proper procedure is to alert ANR to the presence of the wetlands.

1 **Q.9 Do you have any concerns about the petitioner's compliance with the regional plan?**

2 A.9 Yes. There are three areas from the Central Vermont Regional Commission Regional
3 Plan that reference important considerations about the Marshfield Tower Project. The
4 Marshfield Town Plan is in compliance with the Regional Plan. The first issue involves
5 scenic area. The CVRPC Regional Plan Provides:

6 **Scenic Areas**

7 Special scenic and wildlife habitat values are connected to high elevation
8 areas as well. At some elevations, climatic conditions are just right for
9 supporting certain species that are rare at lower elevations. Vermont has
10 long identified with the scenery of its mountains, and ridgeline vistas are
11 inherently formed by lands at highest elevation.

12 It further provides:

13 Central Vermont is a place of celebrated natural beauty. Its scenic
14 landscapes not only enrich lives and spirits and attract new businesses and
15 residents, they also provide the basic ingredient for one of the Region's
16 most important industries - tourism. Each year thousands of visitors travel
17 here to see the mountain vistas, pastoral scenes, fertile valleys, historic
18 villages, Interstate 89 (which has received awards for its scenery), remote
19 back roads, and woodlands ablaze with autumn color. Thus, it is in our
20 best interest, both psychologically and economically, to preserve the best
21 of Central Vermont's visual splendor.

1 It is not clear that petitioner took any measures to comply with the Regional Plan's
2 command to preserve scenic views or supporting habitat. It is not clear that screening
3 will be used to mitigate the appearance of the project area and the proposed tower.

4 The Regional Plan provides the following relating to groundwater:

5 The State of Vermont has adopted an aggressive groundwater management
6 strategy designed to promote a proactive approach to the protection of
7 subterranean water supplies. This strategy includes the delineation of
8 critical recharge zones (known as Wellhead Protection Areas or WHPA's)
9 for public water supply systems and the establishment of land use
10 guidelines to reduce contamination potential on these sites. Al- though
11 WHPA's have no individual regulations attached to them, existing State
12 regulatory programs will regard them as "red flags" indicating the need for
13 special consideration of proposed development activities. In addition, the
14 Department of Environmental Conservation requires that a "source
15 protection plan" that minimizes the contamination risk within WHPA's be
16 developed. Once contaminated, groundwater supplies are difficult and
17 expensive to rehabilitate. New sources may be hard to find, costly to
18 develop.

19 It is not clear from the petition whether the Petitioner took any affirmative measures
20 to identify any groundwater sources or aquifers under or near the site. It is not clear
21 if Petitioner consulted with ANR to determine whether a permit was needed for
22 water sources in the area.

1 Finally, the Regional Plan contains the following with respect to wetlands:

2 Although wetlands can sometimes present significant and costly obstacles
3 to development, over the past century or so more than one half of the
4 original wetland acreage in New England has been destroyed. Now that
5 we are beginning to understand the important ecological functions that
6 wetlands perform, these special areas are receiving greater protection.

7 It is not clear whether the Petitioner reported or consulted with ANR with respect
8 to the three unmapped, presumptive class II wetlands in the area.

9 **Q.10 Does this conclude your testimony?**

10 A.10 Yes.

AFFIDAVIT

1. I declare that the above statement is true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.
2. I have personal knowledge of the information and exhibits provided in my pre-filed testimony.
3. I am able to testify as to the validity of the information contained in my prefiled testimony and exhibits.

Dated at Waitsfield, Vermont on the 30th day of January, 2026.

/s/Alice Peal

Alice T. Peal