

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 26-0574-PET

Petition of Industrial Tower and Wireless, LLC requesting a certificate of public good, pursuant to 30 V.S.A. § 248a, authorizing the installation of wireless telecommunications equipment at Bordoville, Vermont	
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PRE-FILED TESTIMONY OF Peter Chris Bruhn

on behalf of Intervenor Philipa Dorfman, Victor Tirrito, Bordoville SDA Church, Derek J. Jones,
Colleen Sheppard, Sandra Bruhn, Peter C. Bruhn for case 26-0574-PET -

October 9, 2026

Summary: Peter Chris Bruhn presents testimony about the aesthetics of the area and whether the project would have an undue adverse aesthetic effect.

**Pre-filed Direct Testimony
Of Peter Chris Bruhn**

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

2 A.1 Peter Chris Bruhn. Sales. I live at 12 Greenwoods Road, Granby CT 06060. My property
3 is located at 6913 Chester Arthur Road. Enosburgh, VT 05450. Approximately 1,700 feet away
4 from this proposed tower.

5 **Q.2 What is the purpose of your testimony?**

6 A.2 The purpose of my testimony is to shed perspective on the proposed tower and that
7 the current location is not acceptable to the Bordoville community. I also believe that the PUC
8 can take a stronger leadership role to help find common ground and solutions to this challenge.
9 I care deeply about Bordoville area. Everyone wants better emergency services. Part of my
10 purpose of testimony is to help point out solutions that will work for everyone. Another part of
11 my purpose is to bring perspective on common sense. Living within the proposed site gives me
12 an unusual position of perspective and intimacy of the area. With such an important issue that
13 has taken an inordinate amount of time and resourcing, I would challenge the PUC commission
14 to physically visit the Bordoville area. I am convinced that a visit will give the PUC members a
15 completely different perspective.

16 **Q.3 How has your background informed your testimony in this case?**

17 A.3 As stated above. Living within the proposed site area gives me an unusual position of
18 perspective and intimacy of the area. We spend a lot of time outside within the area, hiking,
19 biking, fishing, gardening, dog walking, just enjoying the beauty and quietness of the area. As a

1 salesman working from the road, I see towers, other man-made creations and traffic littering
2 the landscape across New England. Vermont and Bordoville is such an unusual unicorn among
3 unicorns. It's a spot Norman Rockwell might have stopped and decided to paint a picture.
4 Having been involved in this process for 4-years saddens me that profits dictate over common
5 sense. I have sat through zoom calls, hearing proceedings and higher courts of appeal. The
6 applicant has stated numerous times that a 120-foot tower would not work and they are now
7 coming forward saying that it will. The tower has been misrepresented within the community
8 as a "cell-tower" when in fact there are no cell providers signed on. I have also followed a
9 number of the other tower projects across Vermont and am wondering if there is such a
10 defense that holds up to "undue adverse aesthetic impact"? Has there ever been a tower
11 project in Vermont that has been denied for undue adverse aesthetic impact? If not here in
12 Bordoville, then where?

13 **Q.4 Have you previously provided testimony before the Vermont Public Utility**
14 **Commission or in other judicial or administrative proceedings?**

15 A.4 No.

16 **Q.5 When did you first learn about this proposal to construct a lattice tower for a radio**
17 **antenna on Bordoville rd. in Enosburgh?**

18 A.5 May 27th, 2022.

19 **Q.6 What information have you reviewed to prepare your testimony?**

20 A.6 I have reviewed the ITW Enosburgh Tower Proposal Case No. 26-0574-PET filed with the

1 PUC including testimony, public comments, discovery responses and other filings. I have
2 reviewed the Town of Enosburgh's Zoning Bylaws, Tower Ordinance, and Town Plan. I have also
3 reviewed the Regional Plan for the NWRPC.

4 **Q.7 The applicant is proposing to erect a lattice tower in a specific location on private**
5 **property on Bordoville Rd., to support an antenna for a radio network. Please describe the**
6 **area where this tower is proposed, and explain whether the applicant's descriptions are**
7 **accurate.**

8 A.7 As stated within the question above "*The applicant is proposing to erect a lattice tower*
9 *in a specific location on private property on Bordoville Rd., to support an antenna for a radio*
10 *network*" -- to support an antenna for a radio tower. A private opt-in radio tower for public
11 good? The proposed tower location is on private land near many residences, and very close to
12 homes. The area is surrounded by forest, farmland, and an historic rural neighborhood. The
13 area is designated "scenic" with a historic town, historic church and historic past president's
14 homestead. The lands surrounding the proposed tower location are undeveloped, residential,
15 and/or agricultural, which all add to the natural beauty within the Bordoville hamlet. The area
16 has direct views of the Cold Hollow Mountains. The applicant's description does not
17 encompass the impact that the proposed tower would have on the neighbors for the
18 surrounding area, nor does it acknowledge its admittance from the previous application that a
19 tower of this size would be unsuitable to their project plan and instead fall short with any
20 feasible explanation of that previous testimony.

21 **Q.8 Did you observe any balloon tests?**

1 A.8 No. We were never contacted or asked to participate in any balloon test. To the best
2 of my knowledge, none of the public, no citizens, no community members were ever notified or
3 asked to participate. As a matter of fact, we, the intervenors, have requested multiple times to
4 be included. We have asked the applicant as well as the commission multiple times if they
5 would conduct additional balloon tests with an advanced invitation to the public to participate.
6 No such requests were granted. Additionally, we asked the applicant if they would allow the
7 neighbors access to the property to conduct our own balloon test, and we were denied. It is my
8 understanding that there were multiple balloon tests conducted by the applicant over the past
9 3-4 years (3 tests, possibly more as stated by attorney Alexander J. LaRosa. MSK Attorneys on
10 one of the recent Zoom calls) and not once was there notification or an invitation. It is also my
11 understanding that the results from one of the applicant's balloon tests, of which the applicant
12 came forward with, did not include any views from private landowner's properties, only from
13 roads/county roads. This application is deficient because it does not provide evidence of the
14 current proposal, but is relying on evidence from the prior case that was denied.

15 **Q.9 If you did not observe a balloon test, have you seen the applicant's photos, the**
16 **applicant's discovery response photo sets, and/or the drone photos taken by a company**
17 **hired by Intervenor, and what did you learn about the visibility of the proposed tower?**

18 A.9 I have seen the applicant's photos and Exhibits. I learned that at least 1 of the balloon
19 tests was an "actual physical balloon float". It is my understanding that a number of the
20 Exhibits/Photo Sets were conducted as "simulated images". Additional learning from the
21 Exhibits/Photo Sets call into question the accuracy of the data-results in comparison with the

1 Exhibits/Photo Sets. Additional learning that there were multiple balloon tests conducted – this
2 time or last time is unclear -- and at no time was there advanced notice or an invitation for
3 public participation. Additional learning included no data of any views from private
4 landowner's properties, only from roads/county roads. I believe in the results from the first
5 physical balloon test: of the X locations where view data was collected of the proposed tower,
6 the data impact came back that the tower could be seen from 40% of those view-sites. 40%
7 does not sound like a good number.

8 I do not believe I have seen evidence, that I am aware of, that there has been more than one
9 physical balloon test, or if there has been even one for this case. Additional learning seems that
10 the data and exhibits that the applicant has brought forward on the 120-foot tower, regarding
11 "view sheds" is the same as the previous "view sheds" from the 140-foot tower. If this is the
12 case, then moving to 120 feet from 140 feet would not mitigate any adverse view impact. From
13 this data – exhibits, it seems to be the exact same aesthetic impact that was previously denied.
14 LH7-7FIG.5.2-1 page 28.

15 **Q.10 Where is your residence in relation to the proposed tower?**

16 A.10 My residence is located at 6913 Chester Arthur Road. Enosburgh, VT 05450. Directly
17 next to the Seventh-day Adventist Church. This church has the distinction as the first ever
18 church building purposely built as a Seventh-day Adventist Church

19 **Q.11 Do you own any other properties in the area of the proposed tower?**

20 A.11 6913 Chester Arthur Road. Enosburgh, VT 05450. and adjacent lot. Approx 1,700 feet

1 away from the proposed tower.

2 **Q.13 As a local resident who is familiar with the character of the area, how would the tower**
3 **change the aesthetics of the area?**

4 A.13 My opinion the tower would have undue adverse effects on the immediate Bordoville
5 neighborhood as well as the surrounding area. Physical view impact for residents and
6 neighbors as well as all the visitors to the area who come to see the Fall leaves, the Seventh-day
7 Adventist Church & Cemetery, and the Chester Arthur homestead. Interruption of views of the
8 Cold Hollow Mountains. Imagine an older couple traveling all the way from South Carolina or
9 the mid-west to spend a week or two in Vermont during the fall, spending all that time, energy
10 and money, only to be disappointed when a tower stands in the middle of their expectations.
11 This could be a one-time trip of a lifetime. Additional impact would be the Bordoville Road. I
12 am a bit unclear on what the applicant plans are for changes and construction of this road,
13 trees to be removed and how this will further affect the visuals of the tower. Noise from the
14 tower and the energy-generator (if an antenna company chooses to lease space) in an
15 otherwise very quiet area. Also unclear as to the impact of any light or fencing or security
16 devices of the facility. Surely all of the above will have added negative impact on a very scenic
17 area. The application is deficient and lacking details that are necessary for the PUC to approve
18 this tower.

19 **Q. 14 Has the applicant taken steps to mitigate the aesthetic effect of the proposed tower?**

20 A. 14 I do not believe they have. Under their stated goal of “public good”. I do not believe
21 they have been transparent and invited the public into this process. The Enosburgh Town plan

1 dictates that Enosburgh must act to **protect the community's historic character, rural nature,**
2 **and aesthetic beauty.** During the first proposal the tower was to be 140 feet high with 13 feet
3 of whip antennas. That proposal was denied when brought forward to the federal district court
4 /circuit court of appeals. The fact that they are now coming back proposing a 120-foot tower
5 plus 13 feet of whip antennas, was not a proactive step to mitigate. I would not consider this
6 working with the public in a mitigation effort. Additionally, we the intervenors have asked for
7 consideration if the tower was granted that a monopole Vs a lattice tower be used. No such
8 steps were considered that I am aware of. The applicant's opinion is that a lattice tower is less
9 invasive than a monopole. I do not agree. It was asked by the intervenors if the applicant
10 would approach the landowner to see if he would consider different locations on his property. I
11 believe the landowner to be a solid neighbor and community member in the area, and he might
12 consider a different location on his property in the spirit of "working with the community and
13 public" and to "minimize the aesthetic impact and stress on the AREA, neighbors and
14 community". I am still unclear on if the applicant approached the landowner with this request.
15 To me if they choose not to approach the landowner, that was another missed step to try and
16 mitigate the aesthetic effects of the area. There have been multiple conflicts of what capacity
17 the 120-foot tower can hold/represent. Is it 1 cell provider or 2, is it more? How many
18 emergency services providers will the 120-foot tower hold? Deep concerns that excessive tree
19 removal may take place in order to gain more spots for providers on the tower. The more trees
20 removed the greater the aesthetic impact. If the project is greenlighted, will there be strict
21 requirements and limitations on how many trees can be removed prior to the start of the

1 project? Who will oversee the compliance of the applicant to stay within the strict
2 requirements and limitations? How will the process work if the applicant requests the
3 requirements/limitations be adjusted to allow “additional tree and site enhancements”? How
4 will the community be protected against the applicant taking liberties with the property related
5 to tree removal in order for them to gain better/great coverage in order to solicit additional cell
6 providers?

7 The intervenors had asked the applicants to consider moving the proposed tower away from
8 the current view shed. In a number of the responses on “why other locations” would not work,
9 the applicant stated “costs”. In the spirit of “public good” I do not believe that costs should be
10 used as a reason not to seriously consider other locations in the spirit of mitigation.

11 What new mitigating steps has the applicant provided at the new 120-foot height? Is any of the
12 data, facts and reports new or are they just recycled from the proposed 140-foot tower? If this
13 120-foot tower is a completely separate/different project than the 140-foot project, then how
14 can the old data, facts and reports be used?

15 **Q. 15 In your opinion as an average person, would the tower be in character with the area or**
16 **would it create an undue adverse aesthetic impact on the area?**

17 In my opinion, the tower certainly would not be in character with the area or the stated town
18 bylaws. I would highly recommend that folks on the board-commission physically visit the area
19 for perspective. After 4 years of a lot of working through this process, time, money and
20 emotions, I would think that this specific project is important enough for the members of the

1 commission to visit the area to gain their own perspective. Simulations and “paid for outside
2 experts” should not drive the conversation. Friendly reminder on the definition of undue
3 adverse aesthetic impact broken down in two-step evaluation: 1) *Regulators determine if the*
4 *project fits harmoniously into its surroundings. An impact is considered adverse if the project*
5 *stands out in a negative way by violating the existing scenic context.* The simple concept of a
6 lattice tower within the historic Bordoville community, is in itself an adverse impact. 2) *Is the*
7 *adverse impact “Undue”? If the project looks out of place (adverse), regulators then look at*
8 *whether that impact is undue (excessive or legally unacceptable). An adverse aesthetic impact*
9 *becomes “undue” if the answer to any of the following three questions is YES:*

10 1A) *Violation of Community Standards:* The project does not fit within the town of Enosburgh,
11 VT stated community standards as in the town plan. The Enosburgh Town municipal plan
12 dictates that Enosburgh must act to **protect the community’s historic character, rural nature,**
13 **and aesthetic beauty.** The answer is YES this would be a Violation of Community Standards.

14 2A) *Failure to Mitigate:* I am unaware of any meaningful mitigating steps that the applicant has
15 taken in this process. If so, what are those steps taken in the 120-foot project proposal? Not
16 the 140-foot project.

17 3A) *Shocking or Offensive:* I personally know many “average persons” that would consider this
18 project shocking and/or offense. At minimum 8 intervenors deem this shocking and offensive.

19 A solution could be: That there have been other community members that actually live in the
20 surrounding area that are “ok” with the tower and have stated their support for the tower.

1 They live in the area of the proposed tower. This would tell me that they do not deem the
2 tower shocking or offensive. Simply move the tower away from the current location, closer to
3 those community members that are “ok” with the tower and have endorsed the tower. We
4 should not overlook this mitigation step when you have willing participants actively
5 endorsing the tower and willing to live with it in their view shed. The answer is YES this project
6 and the site/location of the project would be a Shocking and Offensive.

7 **Q.16 Is there anything else you would like to say?**

8 A.16. The PUC *should* deny the proposed ITW tower project Case No. 26-0574-PET. The PUC
9 should take into consideration the negative impact the proposed tower would have on the
10 natural aesthetics of the area. The PUC should observe the previous case applied for the same
11 structure in the same spot with the same parties involved and respect the proactive actions the
12 Neighbor Intervenors took to conserve and **protect the community’s historic character, rural**
13 **nature, and aesthetic beauty as stated in the town bylaws.** The PUC should recognize that the
14 natural landscape that is so visually appealing. The PUC should recognize that the application is
15 deficient in numerous ways described above. The PUC should take the leadership role to
16 protect the community and push for “the best solution” under the spirit of “public good” and
17 not take the easy solution or the least path of resistance. The PUC should push/require the
18 applicant for mitigation steps. There is an opportunity within the community as stated above,
19 with willing community members that have actively endorsing the tower and are willing to live
20 with it in their view shed. The PUC *should* deny the proposed ITW tower project Case No. 26-
21 0574-PET at the current site proposed. There are alternative locations that could work for all

1 parties. The applicant just needs to be willing to take the extra steps to be a good partner

2 within the community. I personally do not believe that they have taken these steps.

3 Additional comments/questions:

4 – In the event the tower project is given the green light, who and how (what steps) will be
5 taken to hold the applicant accountable to the specifics and requirements of the
6 project? How will the height of the tower be measured to ensure it is not 1-inch taller
7 than what is authorized? Where does the base of the tower start? From the ground or
8 from the concrete base that could possibly be 4-5 feet above the ground?

9 – How will the community be updated and ensured the applicants follow all requirements
10 of the project?

11 – In the event the applicant abuses or misrepresents the requirements of the project
12 installation, how and who will hold them accountable?

13 – If the tower goes up, and it is clear that it is not what the applicant represented in this
14 process, then what?

15 – What happens if the tower never gains a cell partner, would the tower then be
16 decommissioned? Is there a timeline in which the applicate must produce signed up
17 and committed cell partners or is it an endless timeline?

18 **Q.17 Does this conclude your testimony?**

19 A.17. Yes.

AFFIDAVIT OF Peter C. Bruhn

1. I have provided pre-filed testimony and exhibits in the above-captioned matter.
2. I have personal knowledge of the information provided in my pre-filed testimony.
3. I am able to testify as to the validity of the information contained in my pre-filed testimony and exhibits.
4. I declare that the foregoing statements are 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.

Dated at Enosburgh, Vermont this 9th day of October 2026.

/s/ PETER C. BRUHN

Peter Chris Bruhn