

TOWN OF WEST RUTLAND DEVELOPMENT REVIEW BOARD (DRB)

NOTICE: The Development Review Board will convene its regular Meeting & Hold a Public Hearing for Applications 21-12 from New Cingular Wireless (aka AT&T) for modifications to the existing cell tower at 156 Roberts lane on August 18, 2021 at 7:00 pm, at Town Offices, 35 Marble St.

THIS IS A PUBLIC MEETING and HEARING to be held In-Person at the Town Office Auditorium.

Attending Participants are to follow Covid19 preventative recommendations.

Remote Participation Options via ZOOM include:

Via computer/video:

<https://Zoom.us/j/97991715548?pwd=bTk0TWZUQUlMcY95V3kvNk5Zelp5Zz09>

Meeting ID: 979 9171 5548 Passcode: 623067

Via Telephone/audio (only):

Dial: 1 646 876 9923 Meeting ID: 979 9171 5548 Passcode: 623067

If unable to connect by Zoom contact the Zoning Administrator at 1-802 770-0380

DRAFT AGENDA

Call to Order & Pledge of Allegiance

Agenda: Amend or approve draft Meeting Agenda

Minutes: Review, amend or approve DRB Minutes of March 17, 2021

Open Public Hearing on Application 21--12

1. Swear in any Interested Parties to the Public Hearing.
2. Following testimony, Close the Hearing or recess to a later time and date, set.
 - a) Discuss or vote to go Deliberative Session later in the Meeting.

Public Concerns & Input (time may be limited by Chair)

Enter Deliberative Session: Invite any non-members to attend, as necessary.

- a. Discuss application 21-12.
- b. Exit Deliberative Session and issue any instructions to the Zoning Administrator.

Discuss Miscellaneous and Other business, including but not limited to:

1. Review of Ethics Policy: As rescheduled from 3/17/21
2. Regional Planning Commission report.
3. Zoning Administrator report.
 - a) E- Court Judgement Order on Harrington Appeal of DRB Decision 20-27
 - b) Pending transfer of Rosen & Berger to CoPart Asset Services
 - c) Recent Act 250 Hearing on Request by Casella Construction to expand its Clarendon Quarry operations, and extend operating permit for 25+ years.

Discussion: on any DRB member concerns & updates.

Schedule the next Meeting for 7:00 pm, September 15, 2021 at Town Offices, if there is business for the Board and a quorum is available.

Adjourn



TOWN OF WEST RUTLAND
ZONING
PERMIT APPLICATION

Permit # 21-12
Parcel 7-4020011

Name of Applicant: New Cingular Wireless PCS, LLC d/b/a AT&T
Address: 550 Cochituate Road, Suites 13 & 14
Framingham, MA 01701 Phone # via Will Dodge, Esq., DRM (802) 324-2114

Name of Property Owner: Christopher and Steven Flynn
(if different) _____
Address: 92 Pleasant Street
West Rutland, VT 05777

Locatable Address: 154 Robert Lane
Size of Property: 62.2 acres Book _____ Page _____
Present Use of Property: Telecommunications facility
Zoning District: Res. II Ag.

Description of proposed project, Include structures, demolitions or change of use: _____
No change in use - please see attached Eligible Facilities Request

Number of stories: (Include basement) n/a Building Height: Please see attached Construction Drawings
Total Square Footage: Please see attached Estimated Cost of Construction: _____
Type of water system: n/a Type of Sewage System: n/a
Additional Comments: _____

Roads or waterways adjoining property: Pleasant Street, Rutland Road, Robert Lane
Is the property owner the owner of the adjoining property? Yes
If the answer is yes, describe the adjoining property: Steven Flynn owns adjoining property with Patricia Flynn
Is the property in a flood hazard area? No Wellhead Protection area? No Wetland area? No

Attach a scaled drawing of the property on a separate sheet that shows the dimensions of the property, the location of any structures (existing or proposed) on the property, the distance between such structures and property lines and the location of driveways and parking areas. Include floor plans / elevations of the proposed building when applicable. Please see attached Construction Drawings

CERTIFICATION OF APPLICANT

The undersigned applicant hereby certifies that all information submitted on this application is accurate and that the information provided is complete.

Date Applicants signature 06/16/2021

PROPERTY OWNER'S AUTHORIZATION

The undersigned applicant hereby certifies that all information submitted on this application is accurate and that the information provided is complete.

Date Applicants signature Please see attached Letter of Authorization

21-12

FOR COMPLETION BY ADMINISTRATIVE OFFICER

Date of Receipt: BY ZA 6/21/21
Zoning District: R2A

Fee Paid: *250 PERM CK #261427
Type of Use: COMMERCIAL / CONDITIONAL

Action by Administrative Officer:

Approved: _____ *This approval shall not become effective until: _____

Denial: * REFERRED TO DEVELOPMENT REVIEW BOARD (REFERENCE 24VSA SEC 2297 (19), 24VSA SEC. 4414 (12), ZONING REGULATIONS (2008) - ARTICLE III - CONDITIONAL USE

Date of Administration Officer Action: _____

Administrative Officer's Signature

Permits will be void if the applicant fails to undertake the permitted development within 6 months of the date of issue of the zoning permit or fails to complete the permitted development within 2 years of the date of issue of the zoning permit

Any decision of the Administrative Officer may be appealed to the Development Review Board by filing a written notice of appeal with the clerk of the Board within 15 days of the Administrative Officer's Decision.

Permit referred to:

Development Review Board: 6/21/21 Reason: * CONDITIONAL USE - INCREASE IN TOWER HEIGHT
HEARING WARNED FOR WED AUG. 18, 2021, IN PERSON & BY TELEPHONE CONFERENCE; TOWN OFFICE 35 MARBLE ST W. RUTLAND QMB/ZA

VT State Environmental Office: Call the state permit specialist at 802-786-5900 to see if state permits are required

Board Action:

Development Review Board: _____

CERTIFICATION OF OCCUPANCY OR USE

Before there is any use or occupancy of any structure or addition above, it must be inspected upon completion by the Administrative Officer. This certificate certifies that the building or use conforms to the approved plans heretofore filed with the Administrative Officer and with all applicable provisions of the West Rutland Zoning Ordinance.

Certificate Granted _____ Denied _____ Date _____

Administrative Officer's signature _____

Sewer Inspection _____ On-Site Sewage Inspection _____
Department of Labor and Industry Occupancy Approval _____
Access/Right of Way Permit Inspection _____ Bond Submittal _____
Water Meter Installation _____ Private Water Supply Tested _____
Locatable Address No. _____

I. PROJECT DESCRIPTION

AT&T proposes to collocate new transmission equipment (as described below) on and at the existing tower and compound at 154 Robert Lane. The existing American Tower facility was approved by the Public Utility Commission in Docket No. 8219 under 30 V.S.A. §248a, evidenced by the Final Order and Certificate of Public Good dated March 26, 2014 (copy attached).³ The existing facility consists of a 110' monopole support structure (the "Tower"), a Verizon Wireless antenna array, and a 12'-2" x 30'-4" equipment shelter, all situated within the existing fenced-in gravel communications compound (the "Compound"). AT&T does not presently have any antennas and equipment at the Compound or on the Tower.

AT&T's Collocation project will consist of the following installations:

- a. Six (6) panel antennas—three (3) measuring 96" x 21" and three (3) measuring 96" x 20.7" (total surface area = 83.4 sq. ft)—all to be mounted on the Tower at a centerline height of 120' aboveground level ("AGL") using a standard antenna platform mounting apparatus;
- b. Nine (9) remote radiohead units ("RRUs") behind the panel antennas;
- c. One (1) new surge arrester behind the panel antennas;
- d. One (1) walk-in equipment cabinet measuring approximately 6' 8" x 6' 8" x 9' 6" on a new 8' 8" x 8' 8" concrete pad within the Compound for housing antenna operating equipment ("WIC");
- e. One (1) 15-kW Generac diesel generator with self-contained fuel tank on a 4' x 5' concrete pad within the Compound to provide emergency backup power;
- f. One (1) ice bridge to house cabling and appurtenances from the WIC to the Tower, mounted with a GPS antenna, all within the Compound; and
- g. Utility conduits for power and fiber, run underground from the existing meter bank to the WIC, all within the Compound.

The Project involves a 15-foot increase to the height of the Tower. The Project requires no increase in the dimensions of the Compound, nor any disturbance to the existing access road. All of the proposed work associated with the Collocation will take place within a 10' x 20' lease area within the Compound, as well as on and within the Tower.

³ Normally, the tower facility would have been required to obtain authorization from the West Rutland Board of Adjustment as a conditional use in the Res. II Ag. pursuant to Section 401 of the Zoning Regulations. However, approval was obtained through the 248a process at the Public Utility Commission, which expressly preempts application of planning and zoning requirements for the original project (see generally 30 V.S.A. §248a(h)(1) and (2); 24 V.S.A. §4412(8)(C)).



Town of West Rutland

35 Marble Street, West Rutland VT 05777 (802) 438-2204 Fax 438-5133
Zoning Administrator: Phone Ext. 16 Zoning@WestRutlandVT.org

August 3, 2020

RE: NOTICE OF PUBLIC HEARING by the WEST RUTLAND DEVELOPMENT REVIEW BOARD (DRB)
Application 21-12 from New Cingular Wireless PCS, LLC (d.b.a. AT&T),
156 Roberts Lane (Parcel #7-4020011), West Rutland VT

Dear Abutting Property Owner,

You are receiving this Notice as Town records indicate that you are an adjacent property owner to lands of Christopher & Steven Flynn, who own 62+/- acres north of Rutland Road. Part of this land is leased to AT&T for an (existing) cellular communications tower

This is your Notice that, on WEDNESDAY, August 18, 2021, starting at 7:00 pm, at Town Offices, 35 Marble St. W. Rutland Village; the DRB will convene a Public Hearing to review Application 21-12 from New Cingular Wireless PCS, LLC (d.b.a. AT&T), for a fifteen (15) foot increase in the height of the existing monopole cell tower at 156 Roberts Lane (the VT E-911 address for the tower), addition of new antenna arrays and ground based equipment cabinets.

I enclose a concise copy of Application 21-12, referred to the DRB as telecommunication facilities are a conditional use (Article III – Table of Uses – 2008 Zoning Regulations).

This will be an in-person Public Hearing and un-vaccinated participants will be required to wear masks and social distance. A Zoom remote conference option will be available. The abridged version of the Application and log-on instructions will be posted in Town Office and at www.WestRutlandVT.org and a full copy of the Application will be available for review in the Town Clerk's Office.

Interested Parties (or their designated Agents) are to be present to offer Testimony, or have submitted written Testimony, by 7:15 pm on day of the Hearings; or may forfeit their right to appeal any decision of the DRB in VT Environmental Court.

Yours,

Jeffrey Biasuzzi, Zoning Administrator

Enc.

Cc: za file

Abutters AT&T Cell Tower

West Rutland, VT

1 inch = 1091 Feet



www.cai-tech.com



