



## TOWN OF CALAIS

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East Calais, Vermont 05650  
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**RECEIVED**

APR 22 2015

Downs Rachlin Martin PLLC

**This letter is being sent via email and will be followed up in hard copy with original signature page since we were not granted a time extension**

April 17, 2015

Elizabeth Kohler, Esq.  
Downs Rachlin Martin PLLC  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190Dec

Re: Proposed VTel Tower, Calais-01 at 1056 Bayne Comolli Rd., N. Calais  
Review of Section 248a(e) Pre-filing Notice

Dear Ms. Kohler:

The Calais Selectboard has reviewed the proposal to build a Telecommunications Tower on Parcel ID #101056 located at 1056 Bayne Comolli Rd. in North Calais, Vermont (also known as the Woodbury Tower).

After the public meeting with VTel representatives Gordon Matthews and Elizabeth Kohler on April 15, 2015, the Calais Selectboard met and determined that it cannot support the tower project as proposed because, at a minimum, it: 1) is inconsistent with the Calais Town Plan and the Town's zoning bylaw adopted under 24 V.S.A. chapter 117; 2) does not meet Town and statutory requirements for reasonable collocation of wireless facilities on existing facilities; 3) would create an undue adverse impact on the aesthetics and scenic beauty of the area; and 4) would compromise the public's understanding and appreciation of an historic site.

The following information supports the Town's position that the tower proposal does not comply with the requirements of 30 V.S.A. § 248a.

- 1) Calais's Town Plan and Zoning mandates that new telecommunication facilities be located either on existing towers or structures such as barns or silos. It became clear at the meeting that VTel has not adequately investigated these possibilities.
- 2) The Cloud Alliance Tower is located approximately 3.73 miles from the proposed VTel tower. Calais currently has DSL, cable and wireless broadband and at least one of these options is available to all Calais residents. The Selectboard believes that the Cloud Alliance tower at the Swenson quarry in Woodbury can adequately replace coverage by the proposed Calais site.

Elizabeth Kohler, Esq.  
Proposed VTel Tower Calais-01 at 1056 Bayne Comolli Rd. in Calais  
April 17, 2015  
Page 2

- 3) In Calais's case, there is not an underserved or unserved area that needs the capacity.
- 4) The proposed tower on Bayne Comolli Road would create an undue adverse impact on aesthetics and the scenic beauty of the area. Its visibility on a hillside would be inconsistent with the rural character of the area.
- 5) The need to preserve the Town's rural character is a significant and consistent theme of Calais's land conservation measures and is woven throughout the Calais Town Plan.

Nonetheless, based upon the discussion at the public meeting on Wednesday, April 15, 2015, and Mr. Mathews' and Ms. Kohler's expressions of readiness to cooperate with Calais, it appears that VTel's objectives and the Town's concerns may very well be met by a collaborative process to identify sites on which VTel could collocate its equipment to meet its coverage needs while maintaining consistency with Calais's land conservation measures and telecommunication facility zoning ordinance. To that end, we suggest that Calais and VTel establish a collaborative process that is fair and inclusive, starting with VTel's agreement to extend the date on which VTel will file its application for a CPG.

Since VTel would not commit in a cooperative effort at our informational meeting on Wednesday, April 15, 2015 to a later filing date of its application of Friday, April 17, 2015, the Calais Selectboard has rushed to get a preliminary letter of our concerns submitted.

Respectfully,



Denise Wheeler, Chair  
Calais Selectboard

Cc: Gordon Matthews, Vtel  
Dan Burke, Esq., DPS  
James Porter, Esq., DPS  
Gail Aloisio, CVRPC  
Senator Anthony Pollina  
Representative Janet Ancel