



April 29th, 2026

Members' Present: Richard Heilemann (Chair), Nick Parks (Vice-chair), Donna Cauley, Anthony McLauren, Eric Dorsch

Others Present: Curan VanDerWielen (Village Manager)

Call to Order: 11:00 AM by Heilemann.

Approval of the Regular Meeting Agenda

Motion: To approve of the regular meeting agenda.

Motion made by Parks. Motion seconded by Cauley

Motion approved unanimously.

Approval of the Meeting Minutes

Motion: To approve of the draft regular meeting minutes.

Motion made by Parks. Motion seconded by Cauley.

Motion approved unanimously.

Agenda Item No. 3. Review of AT&T Case#25-3009-PET proposed alternate location

3.1 Cell Tower Placement Negotiations

Current Status with AT&T

AT&T must provide the Village with a mockup showing equipment placement on the proposed West Union Street pole location and verify with their engineers whether the requested **45-foot height** (versus the current 25 feet) is truly necessary rather than simply preferred. The last meeting with AT&T occurred over a month ago with no follow-up, and the ball remains in AT&T's court with no established timeline.

3.2 Preferred Location Analysis

The West Union Street location sits on the trail from the hotel parking lot to the pond, within a right-of-way where the Village could widen access for truck entry. This location is considered ideal because it's removed from residential areas and not in close proximity to residents. However, the **45-foot height requirement** raises concerns about visual impact when viewed from the football field looking southeast, though trees behind the pole (taller than 45 feet) would screen views from the parking lot looking toward the mountain.

3.2 Alternative Locations Rejected

AT&T identified four possible pole locations total. The Village rejected poles along Franklin Avenue and 7th Avenue despite their simplicity for AT&T, as these would be highly visible and problematic for nearby residents. AT&T also declined Village suggestions for private property locations (Equinox parking lot, behind the hotel) that



would be more centrally located for signal coverage, citing reluctance to navigate legal agreements with other entities.

3.3 Potential Public Opposition

The Commission anticipates possible opposition from BBA (Burr and Burton Academy) families concerned about cell tower proximity to where children recreate, with opposition intensity increasing with pole visibility and height. One West Road resident (Steve Berry) is known to oppose cell towers based on health concerns about wavelengths, though the PUC cannot consider such objections in their approval process.

3.4 Village Leverage and Next Steps

AT&T could ultimately force placement through the PUC process if negotiations become adversarial, likely reverting to their original Main Street location. The Village currently benefits from AT&T's cooperative stance and willingness to hold meetings. If AT&T cannot accommodate the West Union Street location without 45-foot height, the Commission must decide whether to accept that or choose a lower-height Franklin Avenue location. The Commission agreed not to sign off on any location until reviewing the mockup and will canvas Franklin Avenue residents if those locations become the only options.

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Agenda Item No. 4. Village Master Plan Conceptual Introduction

4.1 Purpose and Scope

The Village is developing a master plan for the Historic Main Street Corridor to establish consistent streetscape standards rather than handling projects piecemeal (rotary here, sidewalk there). The plan emerged partly from the PUC cell tower case, which exposed the lack of policy documents defining streetscape elements like street lighting, screening requirements, and cross-sections that would strengthen the Village's negotiating position.



4.2 Streetscape Elements to Be Defined

Geographic Focus

The plan primarily focuses on the Historic Main Street Corridor, though it could include elements of Seminary, West Road, or Taconic streets if desired. The scope covers a relatively small "postage stamp size" area compared to reference examples like Montpelier and Springfield, Vermont. The historic nature of the corridor makes preservation a priority, and having the plan would encourage further residential and commercial investment, including helping hotels invest in more historic appearances.

4.3 Implementation Timeline and Funding

Roundabout Consideration

A roundabout at the intersection of Seminary, West Road and Main Street is being considered for a **5-8 year timeframe**, entirely dependent on budgetary constraints. Transportation infrastructure surveying in 2022 identified the roundabout as the top priority for that intersection. The project alone would cost twice the Village's annual budget, requiring significant planning. The Village is working with BCRC transportation planner Mark Anders on light background research, planning a feasibility study next fiscal year (not this year) to understand all requirements. While the roundabout is separate from the Main Street Master Plan, it would impact how Main Street is viewed and must meet VTRANS specifications since it's technically a state highway, though the Village would control aesthetic design.

Agenda Item No. 5. Property Maintenance Ordinance Revision

5.1 Key Changes Incorporated

The ordinance was revised to apply to **all buildings and properties** rather than parsing out subsets like public buildings versus single-family and duplex structures. The language shifted from focusing on "vacant or dangerous buildings" to "**derelict buildings**," which encompasses occupied and vacant buildings that are dangerous, unsafe, unkept, abandoned, or not properly maintained. A formal definition was added: "a building as determined to be in violation of this ordinance."

5.2 Scope and Application

The ordinance requires maintenance of exterior walls and roofs, and peeling paint at certain levels can constitute a fire hazard (potentially containing lead). However, the Commission acknowledged application must be careful to determine actual public hazards versus aesthetic preferences, as ordinances based purely on aesthetics will fail in court. Examples of clearly derelict properties include the Riga property and Pabst property, while cases like Marion Haynes' house (with items stored outside) fall



into grayer aesthetic territory.

5.3 Review Process

The Commission accepted Nick's comments and will have Terry incorporate the revisions, then send the document to the Village attorney for legal review before bringing it to the trustees. The earliest trustee consideration would be the first week of June, allowing for Planning Commission review again in May. The Commission agreed the document length is appropriate because complexity provides more options when cases arise, even though the ordinance is used infrequently.

Agenda Item No. 6. Sign Ordinance Enforcement

6.1 Open Flag Policy Reaffirmed

The Commission unanimously reaffirmed the prohibition on open flags, despite recent requests from the Wallace family and Mari's restaurant (new Ecuadorian breakfast place, formerly Dina's). The prohibition aligns with the Village's identity and historic character goals, which ultimately benefit businesses. Businesses can hang **open placards** of approved size underneath their main signs, which was the negotiated middle ground and looks acceptable.

6.2 Sign Approval Concerns

The Ecuadorian restaurant received DRB (Development Review Board) approval for their sign, though some Commission members questioned whether it met regulations. The approval is likely too late to appeal, but the Commission will ask Terry to review it. The proliferation of signs, flags, sandwich boards (including those with marijuana plants), and other distractions create pedestrian safety concerns and visual clutter, particularly noticeable when entering the village.

Other Business

A. Short-Term Rental Registration

Registration compliance improved significantly following delayed notice letters, with the due date extended from April 1st to approximately April 15th due to February and March workload limitations. The Village collected **thousands of dollars** in registration fees, with several recognized properties now registered plus additional unrecognized properties.

B. Commission Membership

The Commission unanimously decided to retain Dorsch as a member despite his scheduling limitations and work schedule constraints. Members value his contributions, legal conceptual thinking without being overly legalistic, and his virtual participation when possible.



Next Regular Planning Commission Meeting

- The next Regularly Scheduled meeting is May 20th, 2026

Motion: To adjourn.

Motion made by McLauren. Motion seconded by Cauley.

Motion approved unanimously.

Motion unanimously approved at 11:45 pm.

NOTE:

The preceding meeting minutes utilized the recorded Zoom meeting, VanDerWielen's notes and Zoom AI.

Respectfully submitted,

A handwritten signature in blue ink that reads "Terry Findeisen". The signature is fluid and cursive, with the first name "Terry" and last name "Findeisen" clearly legible.

Terry Findeisen,
Zoning Administrative Office