Cambridge Town Plan: Telecommunications Facilities

Approved by Town of Cambridge Selectboard on December 3, 2024.
Approved by Village of Cambridge Trustees on December 8, 2024.

Introduction

This portion of the Cambridge Town Plan (the "Plan") describes the plan for Telecommunications Facilities ("Facilities"). It establishes the Town's Objectives, Policies, and Actions regarding these Facilities, the role of Town Authorities (the Cambridge Selectboard and/or Cambridge Planning Commission) in overseeing development of the Facilities, and Community Standards and Plan Requirements that determine compliance of a proposed Facility with the Town Plan. It also discusses some relevant Federal and State regulations that establish certain boundaries in the jurisdiction of Town Authorities.

Background

Overview

In today's world, robust telecommunications capabilities, such as Internet access, data, and voice communications are essential to the vitality of the Town. Residents, emergency services, and businesses depend on these services. Thus, a robust telecommunications infrastructure is essential.

At the same time, development of Telecommunications Facilities can have adverse impacts on aesthetics, natural resources, and other aspects of quality of life. It is therefore critical that development of these resources be optimized to establish the best possible balance between provision of these important services and mitigation of any resulting adverse impacts. This section of the plan describes the Town's goals, policies, and planned actions for these services and the Community Standards and Plan Requirements that must be met by any proposed development of the Facilities intended to provide them.

Relevant Regulations

Vermont state statutes and Federal law establish some boundaries around the Town's authority to regulate Telecommunications Facilities developments. Vermont Act 79 of 2007 resulted in establishment of Vermont Title 30 § 248a (the "Statute"), which (including subsequent revisions) gives the authority to regulate these developments to

the State in the form of the Public Utilities Commission (PUC). Prior to this change, the Town had authority to establish ordinances to govern these developments. Cambridge enacted such an ordinance, entitled “Telecommunications Facilities Ordinance, Town of Cambridge, Lamoille County Vermont”, in 2001 (the “Ordinance”). While the Statute gives Town Authorities some influence in the PUC’s approval process for these Facilities (which the PUC grants in the form of a Certificate of Public Good for the proposed development), the Ordinance is no longer enforceable as such.

The role of the Town Authorities in the PUC process is established in the Statute which states, “Unless there is *good cause* to find otherwise, *substantial deference* has been given to the plans of the affected municipalities; to the recommendations of the municipal legislative bodies and the municipal planning commissions regarding the municipal plans; and to the recommendations of the regional planning commission concerning the regional plan.” (Italicized emphasis added). “Substantial Deference” means that the plans and recommendations referenced are presumed correct, valid, and reasonable. “Good Cause” means a showing of evidence that the substantial deference required would create a substantial shortcoming detrimental to the public good or the State’s interests as established in section 202c of Title 30. The Statute further permits ordinances such as the Cambridge Ordinance to form the basis of these recommendations, even though the Ordinance is not strictly enforceable.

The Federal Telecommunications Act of 1996 (the “Act”) further limits the authority of both the Town and the State. This Plan is compliant with Federal law and the Act specifically. As required by the Act, the Plan:

1. Does not prohibit or have the effect of prohibiting the provision of personal wireless services.

2. Is not intended to be used to unreasonably discriminate among providers of functionally equivalent services.

3. Does not regulate personal wireless services on the basis of the environmental effects of radio frequency emissions to the extent that the regulated services and facilities comply with the Federal Communication Commission’s (FCC's) regulations concerning such emissions.

To clarify, the term “environmental effects” referred to in #3 above has been widely interpreted to be inclusive of suspected health effects from radio frequency emissions. Note that this implies that any objections to a project based on health effects are outside of the Town (and State’s) jurisdiction, with the exception that compliance with FCC regulations can be required.

Town Authorities shall find that any recommendations made to the PUC process are consistent with the above requirements of the Act.

Overall Context

While this Telecommunications Facilities section of the Plan is intended to be consistent with other portions of the Plan, the content of this section as it relates to Telecommunications Facilities is notwithstanding any other conflicting content in the Plan. No language found elsewhere in the Plan or the Ordinance regarding Telecommunications Facilities which conflicts with this section may be construed to supersede this section in regard to Telecommunications Facilities standards and goals. However, non-conflicting language found elsewhere in the Plan or the Ordinance applies and is considered complimentary to this section.

Objectives for Telecommunications Facilities

The following Objectives for Telecommunications Facilities for the Town of Cambridge are hereby established:

Highest Priority Objectives

1. High Speed Broadband Internet Service shall be available throughout Cambridge. Fiberoptic or other wire media is preferred, however wireless service may be substituted where implementation of wire access is not practically possible or clear plans for provision of wire line services do not exist in the near term.
2. Public Mobile Telephone and Data Service (defined below) shall be available throughout Cambridge. Note that this definition includes mobile wireless data/Internet access.
3. Emergency services (e.g., police, fire, and rescue services) shall have efficient and reliable two way radio service to aid in the provision of these services.
4. Services shall be established in such a manner as to minimize adverse impacts on the community while supporting services objectives.
5. Community Standards and Plan Requirements stated herein shall be met for all Telecommunications Facilities developments within the Town.
6. Town Authorities will proactively utilize rights granted to them under Vermont statutes to influence the State's approval process for Telecommunications Facilities in Cambridge.
7. Town Authorities will seek and promote public input when considering Telecommunications Facilities developments.
8. Existing facilities, such as existing Telecommunications Facilities and/or existing building structures shall be used to the maximum extent possible as opposed to construction of new Facilities and/or building structures solely for telecommunications purposes.

Other Objectives

1. Commercial radio services supporting private businesses shall be available throughout Cambridge. These services shall be based on demonstrated need and demand. Services constructed based on speculation are not permitted. Speculation means that the services are constructed on the supposition that they will be used, but no commitment to their use has been demonstrated.
2. Diversity in service providers to enhance consumer choice and provide pricing and service competition shall be encouraged.

Again it should be noted that although the above objectives are established, proposed developments must meet the Community Standards and Town Plan Requirements described herein to be consistent with the Plan, notwithstanding the fact that they could contribute to meeting the objectives.

Status

Gaps in meeting the above objectives currently exist, but significant progress is being made.

High Speed Broadband Internet Service utilizing wire line technologies is advancing and becoming more widely available. Current providers include Consolidated Communications, Mansfield Community Fiber, and Stowe Cable and these providers are continuously expanding coverage. VTel Wireless is also providing wireless broadband services to some areas of town.

Lamoille Fibernet has been established as the Communications Union District (CUD) covering Cambridge, and its service goals include to “Provide access to reliable internet access service for every residential and business e911 address in our district with initial speeds of 100/100 mbps or better, and the capability to keep apace over time with the evolving service needs of our community.“ Lamoille Fibernet was organized under Vermont Title 30 Chapter 82, which enabled the formation of CUDs in Vermont to provide high speed, symmetrical Internet access to all Vermont residents. Construction of this network has not yet begun.

In regard to Public Mobile Telephone and Data Service, The Vermont Department of Public Service is now conducting annual Mobile Wireless Drive Tests. The purpose is to get an objective, third-party view of mobile wireless network coverage and performance throughout the state. Personnel from the Vermont Agency of Transportation (VTrans) drive all state-maintained highways in the state. The VTrans drivers have a kit of handsets supplied by the six facilities-based providers operating in Vermont: AT&T, FirstNet, T-Mobile, US cellular, Verizon, and VTel Wireless. These devices are configured to continuously conduct internet tests and voice calls using the Ookla app as the driver navigates the road. This has begun to provide excellent objective information regarding

the current status of voice and data coverage. The annual report and detailed coverage maps are available here: https://publicservice.vermont.gov/telecommunications-and-connectivity/mobile-wireless-drive-test

The information includes detailed coverage maps for State-maintained roadways for voice and data for all six of the above providers, all of whom provide some coverage in Cambridge. It is noted, however, that coverage on State-maintained roadways does not constitute all the coverage areas that should be addressed. This effort does provide objective data to track progress, however.

Aesthetic Impacts

As noted above, it is possible in some cases for Telecommunications Facilities construction to have undesirable aesthetic impacts. Vermont has a well-established precedent methodology for judging the nature of aesthetic impacts known as the *Quechee Test*. This Test has been used in proceedings of the PUC as part of the assessment of proposed Telecommunications Facilities projects.

The Quechee Test consists of two parts. For an aesthetic impact to be judged sufficient for the PUC to deny a Certificate of Public Good, the impact must be both *adverse* and *undue*.

In judging whether a proposed project will have adverse impact, the PUC judges whether the project will be in harmony with its surroundings or, in other words, whether it will "fit" *the context within which it will be located*. In making this evaluation, the Board examines a number of specific factors, including the nature of the project's surroundings, the compatibility of the project's design with those surroundings, the suitability for the project's context of the colors and materials selected for the project, the locations from which the project can be viewed, and the potential impact of the project on open space.

However, a finding that a project has adverse impact in itself is not sufficient to deny a Certificate of Public good based on aesthetics. The adverse aesthetic impact must also be *undue*.

Three questions inform the analysis of whether the impact is undue. They are as follows:

1. Does the project violate a clear, written community standard intended to preserve the aesthetics or scenic, natural beauty of the area?
2. Is the project out of character with its surroundings; does it offend the sensibilities of the average person?
3. Have the project applicants failed to take generally available mitigating steps that a reasonable person would take to improve the harmony of the proposed project with its surroundings?

If the answer to any (one or more) of the above questions is yes, the adverse impact is found to be *undue*.

The Cambridge Context

The Cambridge Town Plan hereby asserts the following in regard to the *context* within the Town of Cambridge for use in determining whether the aesthetic impact of a proposed Telecommunications Facilities project is adverse.

This Telecommunications Facilities section of the Town Plan hereby establishes that the aesthetic context within the town of Cambridge is of a rural Vermont landscape and small, non-urban village centers. As such, telecommunications facilities that extend beyond 20 feet above the average existing tree line within a 100 foot radius from the structure in a wooded area, or 20 feet above surrounding existing structures within a 100 foot radius, and are visible beyond the boundaries of the property on which they are established, have adverse aesthetic impact. In open areas where a tree line or surrounding structures do not exist within a 100 foot radius, any facilities above 50 feet in a cleared or existing open area that are visible beyond the boundaries of the property on which they are established have adverse aesthetic impact.

It is extremely important to note that adverse aesthetic impact *does not* by itself establish that a proposed development is inconsistent with the Town Plan or should be prohibited. The above assertion therefore does not violate the Telecommunications Act of 1996. Instead, it merely establishes that in each case whether or not the adverse impact is undue must be considered by the Town Authorities to determine whether the proposed development has *undue* adverse impact due to violation of Community Standards. It is the Town's position that the Public Utility Commission must also consider aesthetic impact and the Town's Community Standards in its evaluation of such proposed developments and extend *substantial deference* to the recommendations of Town Authorities, including but not limited to projects that violate the Community Standards.

Undue Aesthetic Impact – Community Standards

This section describes Community Standards regarding aesthetics for the construction of Telecommunications Facilities. These Standards are intended to be directly relevant to the first of the three questions cited above regarding a finding of undue adverse aesthetic impact under the Quechee Test. They are established in order to preserve the aesthetics or scenic, natural beauty of Cambridge. These standards apply to any relevant projects proposed following adoption of this plan. Proposed projects that do not comply with these Community Standards are non-compliant with the Town Plan and constitute an undue adverse aesthetic impact.

1. Proposed projects must demonstrate that the colocation criteria of Vermont Title 30 § 248a (c)(3) have been met. This requirement must be met for each

service to be provided by the proposed facility. A new telecommunications tower is not in compliance with these Community Standards unless it is found to the satisfaction of Town Authorities that the equipment planned for the proposed tower cannot be accommodated on an existing or approved tower, or other structure or building, based on acceptable evidence provided by the project applicant or by independent evaluation.

2. Projects may only be constructed to the minimum height required to meet the intended and committed service(s) that they will provide. The applicant must provide the Town with appropriate engineering studies required to establish the minimum height required to the satisfaction of Town Authorities. The Town Authorities may also decide to solicit independent evaluation of these claims.
3. As established in the Town Plan under "Historic, Scenic, and Archaeological Resources: Objectives, Policies & Actions – Scenic Resources Policies", The Plan has a stated Objective to "Maintain the scenic character of Cambridge's landscape". It further states a policy that "Telecommunications towers, wind turbines, and other large obvious structures shall be designed and carefully sited to minimize impacts on scenic resources." and "Where ridgeline development occurs, it shall be designed and sited so as to maintain the natural scenic character of Cambridge." Compliance with these policies are required by all projects that have adverse impact as described in "The Cambridge Context" section above, regardless of location or elevation. Compliance with this requirement shall be established through the consideration and resulting judgment of Town Authorities. In so doing, Town Authorities shall consider the prominence and visibility of the project site and proposed structures from surrounding areas, including visibility from roadways, public, and private properties.
4. The lowest six (6) feet of the facility or tower must be visually screened by trees, large shrubs, stonewalls, or fences and/or nearby buildings.
5. Towers will not be illuminated by artificial means unless required by the Federal Aviation Administration (FAA) or other State or Federal agencies.
6. Lighting for safety or persons and property is allowed, but shall not be directed above the horizontal plane. The light source or lens shall not be visible from adjacent properties or roadways.
7. To comply with the Town Plan and meet these Community Standards, for all projects determined to have an adverse aesthetic impact as described in "The Cambridge Context" section above, the project applicant must provide a balloon test that allows assessment of the criterion in #3 above. The applicant must provide 60 days notice to the Town of such test to allow independent assessment of aesthetic impacts from various surrounding locations. The Town Administrator shall be responsible for conveying the information provided to public notice which complies with the following at least 15 days prior to the scheduled test:

(A) Publication of the date, place, and purpose of the balloon test in a newspaper of general circulation in the Town.

(B) Posting of the same information in three or more public places within the town, one of which may be the Town Website, including:

i. The Cambridge Town Clerk's Office; and

ii. A location in Cambridge Village designated by the Cambridge Village Board of Trustees. This location shall be the Cambridge Village Post Office unless an alternative location is so designated;

(C) Written notification to owners of all properties adjoining the property subject to development, including the owners of properties that would be contiguous to the property subject to development but for the interposition of a highway or other public right-of-way. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained. The project applicant must bear all costs to complete such notice requirements.

Town Plan Requirements

This section describes other Plan Requirements for Telecommunications Facilities in order to be compliant with the Town Plan. These requirements apply to any relevant projects proposed following adoption of this plan. Proposed projects that do not comply with these requirements are non-compliant with the Town Plan and the Town asserts that the Public Utilities Commission must provide Substantial Deference to these requirements as required by Vermont Title 30 § 248a (c)(2).

1. Construction of Telecommunications Facilities which are found by Town Authorities to have undue adverse aesthetic impact according to the criteria described in the sections above are not compliant with the Town Plan.

2. No Telecommunications Facilities ("Facilities") projects other than De minimis modifications (as defined in Vermont Title 30 §248a) shall be constructed in the following areas as designated in the "Future Land Use Map, Cambridge Vermont, 2018 Municipal Development Plan", contained in the Map Booklet of the Plan:

   - Cambridge Village
   - Rural Residential areas

   For the avoidance of doubt, De minimis modifications proposed for these areas are subject to the other relevant provisions and review processes of this Plan.

3. Facilities projects shall not be constructed in the following areas. Except as noted these are designated by the Vermont Agency of Natural Resources Natural Resources (ANR) Atlas (http://anrmaps.vermont.gov/websites/anra5/):

    - Rare Threatened and Endangered Species Areas
    - Deer Wintering Areas
    - Rare and Irreplaceable Natural Areas (RINAs)
        - This includes Rare, Threatened and Endangered Species areas and Significant Natural Communities.
    - State Natural Areas
    - State Fragile Areas
    - Wetlands
    - Vernal Pools (designated in the ANR Biofinder: https://anrmaps.vermont.gov/websites/BioFinder/)

    Some of these area types are also cited as criteria the ANR uses for review of Act 250 Criteria 8, 8A: Natural Areas, Wildlife Habitat, & Endangered Species. Further information describing these types is available on the ANR Website: https://anr.vermont.gov/planning-and-permitting/planning-tools/act-250/act-250-criteria-8-8a-natural-areas-wildlife-habitat

4. To comply with the Town Plan any Certificate of Public Good issued by the Public Utilities Commission for a proposed development must require that the Facility comply on an ongoing basis with current FCC regulations and that this compliance be certified by the project applicant to the Town annually. For the avoidance of doubt, this condition requires that compliance with FCC regulations including regulations regarding radio frequency emissions must be maintained on an ongoing basis as the FCC regulations may change from time to time, not just that the project is in compliance with the FCC regulations as they exist at the time it is established.
5. Speculative developments are prohibited. Projects must be evaluated based on demonstrated need and evidence of commitment for each service proposed. Construction of facilities based on a supposition or potential that they will be used as opposed to an actual commitment for use is not permitted, and facilities may only be constructed to the minimum extent and height required to meet committed uses. Each service must be in compliance with the colocation criterion described in the Community Standards for aesthetics.
6. Projects shall not be constructed in Groundwater Source Protection Areas as designated in the “Water Resources Map, Cambridge Vermont, 2018 Municipal Development Plan”, contained in the Map Booklet of the Plan.
7. There shall be a security fence around the facility or tower. The distance of the fence from the facility or tower will be at least two and one half times (2 ½) the height of the tallest structure in the facility or tower.

8. For projects other than De minimis modifications (as defined in Vermont Title 30 §248a) no associated structure, including any guy-wire anchors or protective fencing, shall be located closer than 300 feet horizontally to any boundary of the site on which the facility is located, or one and one half times (1 ½) the height of the facility, whichever is greater.
9. No advertising may be placed on any facility or tower, within the land enclosed by the security fence, or on the security fence.
10. To comply with the Town Plan and meet these Town Plan Requirements, any Certificate of Public Good issued by the Public Utilities Commission for a proposed development must require that project applicant provide an annual declaration to the Town of the continuing operation of each service provided, and any structures or components which are not in continuing operation must be removed within 180 days of the cessation of operations.
11. To comply with the Town Plan and meet these Town Plan Requirements, any Certificate of Public Good issued by the Public Utilities Commission for a proposed development must require that the project applicant monitor the structural safety of the Facility on an annual basis and an annual declaration to the Town that structural safety has been maintained.
12. Electrical power used to power the Facility must be provided underground unless the Facility (e.g., an antenna) is installed on existing power poles.
13. Project applicant must supply sufficient information in a timely fashion regarding the project to Town Authorities to evaluate the project against the Community Standards and Town Plan Requirements. An applicant's failure or refusal to comply with this requirement shall result in a negative recommendation by Town Authorities to the Public Utility Commission under 30 V.S.A. §248a(c)(2).
14. The project must comply with any municipal zoning bylaws, subdivision regulations, and any other applicable State, local, or Federal regulations.

The Role of Town Authorities

Despite the fact that the establishment of the current Vermont statute (Title 30 § 248a) no longer permits town regulation of proposed telecommunications facilities projects, the Statute does provide Cambridge Town Authorities (the Selectboard and/or Planning Commission) with several important opportunities to influence the PUC's project approval process. These rights vary depending on project types delineated in the Statute, described below.

Project Types

This section will describe at a high level the various project types as they are relevant to the Town Authorities' role. However, the reader is referred to the text of the Statute for full details. The Statute defines the following project types:

De minimis Modifications: "means the addition, modification, or replacement of telecommunications equipment, antennas, or ancillary improvements on a telecommunications facility or existing support structure, whether or not the structure was constructed as a telecommunications facility, or the reconstruction of such a facility or support structure…" (further provisions and definition in the Statute).

Limited Size and Scope: This category includes facilities including any ancillary improvements that do not exceed 140 feet in height, or additions or modifications to existing facilities that do not exceed 200 feet in height. There are also limitations to the amount of earth that can be disturbed in construction of the facility.

Other Projects: These are not referred to by a specific term in the Statute, but for the purposes of this Plan the term "Large Scale" projects is used, since they encompass larger projects that do not fit into the two categories above.

The Town's rights and requirements for notification of proposed projects in the Statute vary based on the above classification.

Responsibilities of Town Authorities

This Plan defines the following responsibilities and expectations of Town Authorities:

- The Selectboard and/or Planning Commission may act as individual groups or act together in a combined response to fulfill these responsibilities.
- The statutory requirement for notice of proposed De minimis projects is limited to the landowner of record of the property on which the facility is located; the legislative body of the municipality in which the applicant proposes to undertake such limited modifications to the facility; and the Commissioner of Public Service and his or her Director for Public Advocacy. The requirement for notification of larger projects is more broad. Once notification has occurred, there are deadlines within the Statute for Town Authorities or other parties to intervene. Any Town official receiving notice of any category of proposed project is required to notify both the Selectboard and the Planning Commission in a timely manner to ensure that consideration to follow up may occur before the relevant deadlines.
- In the case of proposed De minimis projects, The Town Administrator shall provide written notification to owners of all properties adjoining the property subject to development, including the owners of properties that would be contiguous to the property subject to development but for the interposition of a highway or other public right-of-way. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained. Note that the Statute already

requires that the project applicant notify adjacent landowners for Limited Size and Scope and Large Scale projects unless the Public Utility Commission waives this requirement for a project of Limited Size and Scope as described in Title 30 § 248a (j) 2(B).

- Town Authorities may consider whether or not to act further in regard to De minimis projects. They may use discretion as to whether the nature of the project requires any follow up.
- In case of Limited Size and Scope projects or Large Scale projects, Town Authorities are expected to follow up, taking advantage of the Town's rights under the Statute, and providing opportunity for public comment. Town Authorities are expected to take advantage of independent review rights in all cases, at a minimum to the extent these are supported by the Statute. The following rights for Town Authorities are supported by the Statute:

    - Town Authorities can require that the project applicant present their project to the Selectboard and/or Planning Commission, that the Department of Public Service attend, and that the Department consider the resulting discussion in its recommendations to the PUC. The public can be included in such a meeting and be allowed to comment. (30 VSA § 248a (d)(2)).
    - They can require that the Public Service Department hire an independent expert, at the applicant's expense, to evaluate any claims made by the applicant regarding the feasibility of collocating on existing telecommunications facilities to satisfy the need for the project. (30 VSA § 248a (d)(3)).
    - They can request that the Public Service Department hire an independent expert, at the expense of the applicant, evaluate the project in regard to the criteria which the PUC must consider under the Statute in the approval process (e.g., aesthetics, environmental impacts, public health and safety (not including health effects), etc.). (30 VSA § 248a (o)).
    - Town Authorities have the right to appear and participate on any application seeking a certificate of public good for the facility. (30 VSA § 248a (m)).
    - They can provide a written evaluation and comments regarding project proposals to the PUC. The PUC must provide a written response regarding these comments to the Town. (30 VSA § 248a (n)).

Town Authorities are responsible to be proactive in exercising these rights. While they may use discretion, they are encouraged to take advantage of these rights in all cases of Limited Size and Scope and Large Scale projects. They are further encouraged to take a position on these projects either in favor or against a proposed project as opposed to abstaining, and to express this position and their position regarding compliance of a project with the Town Plan to the PUC as described in the last bullet above. In many cases, Town Authorities may be the only parties able to advocate for the Town in these matters.

As cited elsewhere in the Plan, "Telecommunications towers, wind turbines, and other

large obvious structures shall be designed and carefully sited to minimize impacts on scenic resources. Community input shall be sought and considered through all phases of the permitting and development process for such structures." This section asserts that this requirement applies to all Limited Size and Scope and Large Scale projects. Public input may also be sought at the discretion of Town Authorities for De minimis projects.

- The Town Administrator is responsible to:
    - Ensure that if required by a project's Certificate of Public Good, the following annual certifications/declarations are received by the Town:
        - Certification that compliance with FCC regulations has been maintained.
        - Declaration of the continuing operation of each service provided.
        - Declaration that the structural integrity of the facility has been maintained.
    - Follow up with the project applicant to request the above certifications/declarations if they are not received.
    - Raise a concern with the Selectboard for its consideration of further action if the certifications/declarations are not received after reasonable reminders, or if the Town Administrator has any other concerns with compliance.

The Town Administrator is not responsible for assessing the validity of any certification/declaration, but he/she may raise any concern that is noted to the Selectboard.

Telecommunications Policies and Actions

Note: Objectives for Telecommunications Facilities are described in the corresponding section above.

Telecommunication Facilities Policies

1. Town Authorities will fulfill the duties described in the section, "Role of Town Authorities" for all Telecommunications Facilities projects proposed within the Town.
2. Town Authorities will seek and promote public input for any Limited Size and Scope and Large Scale telecommunications projects, and at their discretion for De minimis projects.
3. Town Authorities will follow changes and developments in State statutes relevant to Telecommunications Facilities and accordingly update, in a timely fashion, this section of the Town Plan.
4. Town Authorities will seek to promote the accomplishment of the Telecommunications Facilities objectives, while proactively utilizing their rights under the State Statute to attempt to ensure that all telecommunications facilities

projects within the town adhere to the Community Standards and Town Plan compliance requirements. The policy is hereby established that contributing to the objectives in itself is not sufficient; all projects must also adhere to the Community Standards and Town Plan Requirements described herein to be consistent with this Town Plan.

5. As required by the Federal Telecommunications Act of 1996, Town Authorities will not unreasonably discriminate among providers of functionally equivalent services.

Telecommunication Facilities Actions

1. Town Authorities will work with wire line service providers, including but not limited to the Lamoille Fibernet Communications Union District, to foster complete coverage of High Speed Broadband Internet Service throughout the Town in a manner they deem appropriate and in compliance with the Telecommunications Facilities Policies.
2. Town Authorities should consider detailed mapping of ridgelines within the Town to serve as the standard for policies regarding ridgeline development. An example of such mapping is the Monkton Scenic Viewshed Study, 2015-2016, prepared by the Addison County Regional Planning Commission (ACRPC) (https://acrpc.org/wp-content/uploads/2021/04/Monkton-Scenic-Viewshed-Study-2015-2016.pdf). Town Authorities should consider a dialogue with the Lamoille Regional Planning Commission to determine whether a similar project could be undertaken with the LRPC and what funding sources might be available and required to complete this.
3. Consider formation of a volunteer subcommittee of the Planning Commission to track status and progress toward Telecommunications Facilities Objectives. The purposes of this Subcommittee would include:

    - Use existing available data sources and dialog with service providers to compile an annual report to the Town Authorities on the status of meeting the Objectives. Availability of the best possible objective data on current status is essential to making good decisions about whether additional Telecommunications Facilities construction is warranted.
    - As part of the annual report, identify the highest priority gaps to address in meeting the Objectives.
    - As part of the annual report, identify service providers that provide High Speed Broadband Internet Service and Public Mobile Telephone and Data Service within the Town and post this information on the Town's Web site as a resource to Town residents seeking services.
    - In all activities, seek first to identify existing data sources and avoid duplicate work. Utilize the Town's Web site to make reputable data sources conveniently available to Town residents.

4. Actively monitor compliance of telecommunications facilities with conditions of their Certificate of Public Good.

5. Execute careful diligence in meeting standards described herein for public notice of proposed projects and associated balloon tests.

Definitions

"Community Standard" means a clear, written requirement intended to preserve the aesthetics or scenic, natural beauty of the area. The Community Standards for Cambridge are defined in the corresponding section herein and are intended to serve as the standards to apply to the Quechee Test used by the PUC to determine whether an *adverse aesthetic impact* is *undue*.

"High Speed Broadband Internet Service" means Internet service of sufficient minimum speed to meet the objectives of Vermont Title 30 §202c #10, consisting of a minimum (symmetrical) upload and download speed of 100 megabits per second (Mbps).

"Public Mobile Telephone and Data Service" means a wireless communication service which enables users to make and receive calls, send and receive text messages, and access the Internet, using commonly available mobile telephone devices. It is distinct from other forms of radio communication, such as Specialized Mobile Radio services (SMR), Enhanced Specialized Mobile Radio services (ESMR), and Commercial Mobile Radio Services (CMRS), as it is intended and available for use by the general public through generally available individual subscription plans, and utilizes commonly available mobile telephone devices.

"Telecommunications Facility" means a communications facility that transmits and receives signals to and from a local, State, national, or international network used primarily for two-way communications for commercial, industrial, municipal, county, or State purposes and any associated support structure that is proposed for construction or installation which is primarily for communications purposes, and any ancillary improvements that are proposed for construction or installation and are primarily intended to serve the communications facilities or support structure. An applicant may seek approval of construction or installation of a telecommunications facility whether or not the telecommunications facility is attached to an existing structure. (source: Vermont Title 30 § 248a).

"**Town Authorities**" means the Planning Commission and Selectboard, acting either together or individually.