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H.527

Senator Hardy Proposal

Sec. 1. 30 V.S.A. § 248a is amended to read:

§ 248a. Certificate Of Public Good For Communications Facilities

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(e) Notice. No less than 60 days prior to filing an application for a certificate of public good under this section, the applicant shall serve written notice of an application to be filed with the Commission pursuant to this section to the legislative bodies and municipal and regional planning commissions in the communities in which the applicant proposes to construct or install facilities; the Secretary of Natural Resources; the Secretary of Transportation; the Division for Historic Preservation; the Commissioner of Public Service and its Director for Public Advocacy; the Land Use Review Board if the application concerns a telecommunications facility for which a permit previously has been issued under 10 V.S.A. chapter 151; and the landowners of record of property adjoining the project sites. In addition, at least one copy of each application shall be filed with each of these municipal and regional planning commissions. The notices to the legislative body and planning commission of the municipality shall attach a statement that itemizes the rights and opportunities available to those bodies under subdivisions (c)(2) and (e)(2) of this section and under subsections (m), (n), and (o) of this section

1 and informs them of the guide published under subsection (p) of this section
2 and how to obtain a copy of that guide.

3 * * *

4 (2) ~~On the request of~~ For any application other than a de minimis
5 modification, as defined in subsection (b)(2), the municipal legislative body or
6 the planning commission; shall hold and the applicant shall attend a duly
7 warned public meeting with the municipal legislative body or planning
8 commission, or both, within the 60-day notice period before filing an
9 application for a certificate of public good. The Department of Public Service
10 shall attend the public meeting ~~on the request of the municipality~~. The
11 Department shall consider the comments made and information obtained at the
12 meeting in making recommendations to the Commission on the application and
13 in determining whether to retain additional personnel under subsection (o) of
14 this section.

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