

**MINUTES
CHARLESTOWN PLANNING BOARD
JANUARY 5, 2010**

Members Present: Robert Frizzell – Chair; Sharon Francis – Vice-Chair; Doug Ring – Ex-Officio; Eric Lutz, Ken Moore, Pat Royce

Alternates Present: Linda Stewart

Staff Present: David Edkins – Planning & Zoning Administrator
Regina Borden – Recording Secretary

CALL TO ORDER & SEATING OF ALTERNATES: Chairman Robert Frizzell called the meeting to order at 7:00 PM. The absences of regular member Andy Jellie and alternate member Herb Greenwood were noted. Mr. Frizzell called upon alternate member Linda Stewart to sit on the Board for regular member Andy Jellie.

APPROVAL OF MINUTES OF DECEMBER 15, 2009:

Mr. Lutz moved to approve the Minutes of the December 15, 2009 meeting, as printed. Mrs. Francis seconded the motion. With five members in favor, the minutes were approved. Pat Royce and Linda Stewart abstained as they were not present at this meeting.

RIVER VALLEY ANIMAL PROTECTION LEAGUE – Office and Shelter for Cats and Small Animals in Existing Building – 60 Cummings Avenue – Map 118, Lot 122 – Zone E (Mixed Use): Mr. Edkins noted that this is an existing building but it is a new use. Sandra Perron explained that they would like to use the office space in the Smith and Allen building for themselves and provide a shelter for cats and “pocket pets”. A narrative was submitted with the application. Mr. Edkins noted that the other space in this building is occupied by an auto repair business; a different owner but the same use as previously approved.

Phil Shaw, an abutter, questioned what measures are in place so in the summer he will not hear the cats when his windows are open. Mrs. Perron advised that as soon as the cats are cleared health-wise they are altered. If it is a cat coming from someone’s home then hopefully it is already spayed. With warmer weather they plan on installing air conditioning so the windows will be closed. No dogs will be sheltered at this location; they would go into foster care.

Mr. Lutz asked if there are any plans for signage. Mrs. Perron said not at this time. If they do it would be just a small sign on the door. They do not want to advertise.

Mr. Lutz moved that the application for the River Valley Animal Protection League be accepted as complete and granted final approval. Mr. Moore seconded the motion. With six members in favor, the motion was approved. Mrs. Francis abstained as she did not feel they should do completeness and final approval in one motion. It would be a bad precedent.

Mr. Ring stepped off the Board as Mr. Shaw had concerns about the other tenants at this property.

Mr. Shaw noted that the new business is an auto repair business but the last one was basically an auto towing business. Mr. Frizzell advised that he does not want to get into this too deep because the other tenants are not here. The new tenant already has over 12 cars there that are mostly older models. He would like to see enforcement on the number of vehicles. By the nature of the business Mr. Shaw feels they are doing some spray painting so he wants to make sure that the laws for that and ventilation are being followed. The individual in there now did speak to Mr. Edkins about the operation and he felt he could live with the same conditions as were imposed on the previous tenant. There is a requirement for the use of oil drip pans and parking on the paved area. Due to the complaint the PB members felt that Mr. Edkins should look into this and take appropriate steps to enforce the conditions.

Mr. Shaw noted that the third tenant is Doug Ring. Mr. Shaw asked Mr. Ring if he has a commercial composting permit. Mr. Ring responded that he does not have one. Mr. Shaw noted that the silt fence is not properly installed; he would like to see that done as there is a sensitive wetland there that should be protected. Mr. Ring stated that this is the same business that Smith and Allen did for years; it is a pile of leaves that will be composted and mixed with loam. He is not familiar with the rules for commercial composting. Mr. Edkins will research the rules for this. Mrs. Francis suggested that Mr. Ring come to the PB with a Site Plan to assure the neighbors that it is lawful and nothing to worry about.

Mr. Ring resumed his seat on the Board.

NH #1 RURAL CELLULAR, INC. d/b/a US CELLULAR (KJK WIRELESS, Agent) Extend Existing “Brown Stick” Cellular Antenna from 80’ to 100’ to Accommodate Additional Carriers – 259 Birch Drive – Map 233, Lot 53 – Zone E (Mixed Use): Brian Allen with KJK Wireless explained that US Cellular is looking to provide expanded coverage in Charlestown. In order to do this they would like to extend the height on the existing “brown stick” tower on Birch Drive. Currently it is an 80’ tower that looks like a telephone pole in the middle of no-where; it is difficult to see. It has a 50’ foundation base. They are proposing to take off the top 30’ and put a 50’ piece on to put their antennas in. At the top of the hill there is a compound that is 60’ x 60’ with power, telephone lines and an existing road. Currently Sprint/Nextel provides coverage from that location at about 70’ on this tower; they have a shelter building there. US Cellular is looking to put up a similar 11’ x 24’ shelter building for their equipment inside the fenced area. There is plenty of space for co-locators. They need an additional 20’ of height to provide adequate coverage.

Keith Valenti, engineer, provided the coverage maps and report in the packets. The first map gives a general view of the area; the series of stars indicate where US Cellular has facilities in this area; the two sites in Springfield, VT and Claremont, NH (a 295’ tower) are working now. They are now focused on the central area of Charlestown (a significant area of Route 12 and the downtown area) that is deficient in coverage as well as an area to the north for about a mile. This expansion is designed to provide additional coverage to these areas that include a significant

stretch on Int. 91 and Route 11. It will cover the populated area of Charlestown and provide continuous service in this area. Other maps were explained.

Mr. Ring advised that Charlestown has dead zones on West Street and south to Putnam Farms and also from this building toward the river. Mr. Valenti explained what coverage there is today and what it will provide in the future; it will extend coverage to the south. Nextel will remain at the same level; this will not impact their coverage. There should not be any interference issues. They are working to do additional sites in the area; they are currently working with Alstead. Mr. Ring questioned emergency service in that area. Mr. Allen said they would have to contact the tower owner to work that out.

Mr. Lutz complimented them for the completeness of the application. Responding to a question from Mr. Lutz, Mr. Valenti explained that this expansion is designed so everything is concealed; with some towers tee arms with antenna on them are readily visible.

Mrs. Francis asked if Nextel was informed of this. Mr. Allen said the tower is owned by the SBA Towers Company so they will keep Nextel informed. The FCC penalties for them interfering with Nextel are so high that they would not even think of going there; the homework has been done. They work together.

Roger Thibodeau lives on Birch Drive near the facility. He asked if they are going to expand that. Mr. Allen said when they build these compounds they usually put in power for four companies; the existing infrastructure, power and phone are adequate. Mr. Thibodeau questioned if these towers give off harmful radiation. Mr. Valenti responded that the FCC has maximum permissible limits. At the base of this compound it will be 7% of the allowable maximum and it will decrease further out. Engineers measure this in their labs.

Mr. Frizzell stated that one of the concerns with the original tower was the height. Mr. Allen said the procedural issue is addressed in two sections of the by-law; Section V.I refers to the existing towers and Section V.II that refers to the reconstruction of the tower with a maximum of 20-feet additional height not to exceed 200-feet so with this they survive the burden of proof. The next time it shows up is in Section 7.III – the dimensional measurements – such as a flag pole, chimney, etc.; this tower would be considered a flag pole. They aren't sure this applies. Section 7-IV says they should not project more than 20-feet above the average tree canopy. The trees are 65-to-70' tall. They hope that the PB will refer to Section 5.II for a reconstruction of a tower and allow them the 20'. They hope to get it done this summer.

There was discussion pertaining to requiring a Bond as the original owner did. Mr. Allen noted that they do not own the facility but would be responsible for their own equipment and would be willing to post a bond. In place their building is worth about \$75,000. In the packet he included a letter of authorization from the owner. Mr. Frizzell recommended that the PB vote for completeness and in the next two weeks Mr. Edkins can investigate the bond issue.

Mrs. Francis moved to accept this application from US Cellular (KJK Wireless, Agent) as complete and asked Mr. Edkins to look into the question of whether an

additional bond is needed and, if so, for what aspects of the facility. Mrs. Stewart seconded the motion. With seven members in favor, the motion was approved.

JEFF McCAFFREY – DIXIE DOODLE FARM – Preliminary Consultation on Proposed Two Lot Subdivision: Travis Royce from Landmark Land Surveying and Permitting and Jeff McCaffrey were present. Mr. Royce explained that Mr. McCaffrey owns two lots on Old Claremont Road, one has an existing house. Mr. McCaffrey displayed the map. Since he purchased the property he worked with Mr. Royce and the DES to gain access into the second lot as it required crossing Beaver Brook. He had a bridge built along the edge of the property. He is looking to sell Map 103, Lot 46 (5 acres with house). In the meantime he is looking to create another lot of 25 acres for himself for future use however there is no frontage on any town road but there is a deeded right-of-way. The DES permit requires shared use of the bridge. Mr. McCaffrey would like to retain ownership of the bridge. Mr. Royce advised that there is about 400' of frontage. After a lengthy discussion of several options, Mr. Edkins suggested that there could be two 25' access strips but the Deeds would have to reflect that each owner would have the right-of-way over the entire two 25' strips.

NORMAN BEAUDRY – Preliminary Consultation on Proposed Four Lot Subdivision – Old Claremont Road: Mr. Royce advised that Norm Beaudry has a house under construction on the Old Claremont Road across from the Red Robin Motel. The property is almost 20 acres; he wants to do a four lot subdivision. Three lots would be over five acres and one lot would be less than four acres. There is a back lot. He asked how the PB prefers to handle this– one driveway down the center or two driveways or putting a driveway down one lot with rights-of-ways and each owner would have their own driveway. Mr. Frizzell felt they could have two Driveway Permits but only put one in for now.

Mr. Edkins explained that Norm Beaudry has offered to install a 6" water line beginning at Hidden Valley Road at no charge to the Town if the Town will pay for the materials. There will be three fire hydrants. The Selectboard would like to see this happen for a number of reasons. The water line is grossly under-sized and water pressure is awful. That section of Old Claremont Road is in terrible condition but the Selectboard is reluctant to repair it as they want the water line up-graded first. Mr. Beaudry is not committed to fixing the road. Salsi owns the last property on the line. It would give the ability for people to hook on. The Selectboard has endorsed this as a benefit to the Town and to expedite getting the road repaired.

MICHAEL LEMIEUX & TOWN OF CHARLESTOWN – Preliminary Consultation on Proposed Two Lot Subdivision – Old Claremont Road – Map 101, Lot 21 – Zone E (Mixed Use): Mr. Edkins said in 2004 Mr. Lemieux subdivided his property into two lots; he sold one lot but still owns the second one. After talking with Mr. Duquette (Water Department) and the Selectboard he is willing to continue extending the water line beyond the Beaudry property to the Salsi property if he would be granted permission to subdivide his lot into a back lot and a front lot. He has 211' of frontage so it would need a waiver of the frontage requirement. The regulations would require 200' for the front lot and 50' for the back lot.

Mr. Lutz would like to see some numbers as to what it would cost the Town to extend beyond Beaudry. Mr. Edkins asked for a consensus of the PB members. Three members were undecided, two members would like to see some numbers first, one member was in favor, and one member was in the middle. Mr. Duquette could come up with numbers.

There was discussion pertaining to the eventual connection of the town's water system with the North Charlestown water system at some point. This option could eventually be mandated by the state as a means of providing a back-up water supply to North Charlestown.

PLANNING & POLICY ISSUES:

Zoning Amendment – Lot Size Averaging – Vote on Final Form to be Submitted to Voters:

Mr. Edkins made the changes to the one sentence in Section 8.5.10 as discussed at the last meeting.

Mrs. Stewart moved to approve this Lot Size Averaging Amendment in its final form for presentation to the voters at Town Meeting. Mrs. Francis seconded the motion. With seven members in favor, the motion was approved.

ADMINISTRATION & CORRESPONDENCE:

Wetlands Permit: Mr. Edkins is in receipt of a Wetlands Permit application for Christopher Hemingway's property on the Hackett Swamp Road and Meany Road to put in a culvert over the brook. The Conservation Commission signed off but there is one abutter who does not want to see anything happen on the property behind him.

ADJOURNMENT:

There being no other business, Mr. Moore moved for adjournment. Mr. Lutz seconded the motion, with all in favor, the meeting adjourned at 9:32 PM.

Respectfully submitted,
Regina Borden, Recording Secretary

Minutes Filed: 1-13-2010

(**Note:** These are unapproved minutes. Correction, if necessary, may be found in the minutes of the January 19, 2010, Planning Board meeting.)