

DEERFIELD PLANNING BOARD
DEERFIELD, NEW HAMPSHIRE
FEBRUARY 26, 2014

MINUTES OF MEETING

PRESENT: Board members Fred McGarry, Kate Hartnett, Lisa Wolford, Pater Schibbelhute, Selectmen's Representative Richard Pitman. Also present Planning Consultant Gerald Coogan and secretary Jane Boucher.

Chair Fred McGarry called the meeting to order at 7:07 PM.

APPROVAL OF MINUTES

Lisa Wolford moved to approve the minutes of January 22, 2014. Peter Schibbelhute seconded.

Lisa Wolford provided the following corrections to the minutes:
Page 3 : Replace Paragraph 3: "Attorney Hilbreth reviewed the "Noise Ordinance" in the Commercial Industrial Overlay and noted that Verizon will do whatever it must to comply. He said that Verizon would agree to a condition that the compound must comply with Paragraph 21. He noted that under RSA 12-K co-locators do not come before the Board for a site review, rather they only need to obtain a building permit."
Page 3; Add final sentence to paragraph 4: "This means that co-locators must bring their own HVAC and generator equipment."
Page 3: Replace Paragraphs 5 and 6: Lisa Wolford asked Ms. Samuels whether, if the applicant agrees to comply with the noise provision in the C1, she would still object. Ms. Samuels said that the applicant's promise to abide by the "noise ordinance" does not take care of her concern about the compressor, since the board and abutters need to know all of the relevant decibel levels in order to best address them via noise reduction methods. Thus, she felt that Allen Drake should go back and report on noise from compressors.
Page 4 Add final sentence to Paragraph 5 'She also noted that flush-mounting was more attractive and asked why it should not be required."
Page 4 Add final sentence to Paragraph 6 "Further, flush mounting reduces antenna effectiveness and co-location ability."
Page 4 Correct # 2 "Performance and removal bonds must be in place.

Chair McGarry called for a vote on the motion. Voted in favor with Kate Hartnett and Richard Pitman abstaining.

Lisa Wolford moved and Peter Schibbelhute seconded to approve the minutes of February 12, 2014.

The following correction were made to the minutes

Page 2 Paragraph 4: Add "Lisa Wolford volunteered to research and follow up with a memo."

Page 2 Last Paragraph Correct to read "Due to the nature of electrical line repair work, emergency weekend operations might occur."

Page 3 Paragraph 4" Correct to read"...helicopter model..."

Page 3 paragraph 5 Correct to read "...that no record of action..."

Page 3 Paragraph 6 Correct to read "..No aviation fuel storage..."

Page 3 Paragraph 10 Correct to read "..from Federal Aviation Administration (FFA)..."

Page 5 Last Paragraph Replace with "Kate Hartnett noted that she was impressed that the applicant selected a site that would minimize impact."

Page 6 paragraph 3:Correct to read "..lives in a remote area of Town and during the last few summers she had had aircraft doing air maneuvers over her house and she has had no ability to comment." "She said the Board was trying to strike a balance between the applicant and the Town".

Page 3 paragraph 5 Correct to read "..provide practices to minimize any mitigating impacts."

Chair McGarry called for a vote to approve the minutes of 2/12/14. Voted in favor.

APPROVAL OF MANIFEST

Peter Schibbelhute moved and Lisa Wolford seconded to approve the manifest in the amount of \$1,345.50 (Upton & Hatfield \$748.00, Avitar \$125.00 , KNA \$405.00 and \$67.50, time sheet for Jane Boucher 16 1/2 hours). Voted in favor.

MCCARRON PHASE III SUBDIVISION

Chair McGarry advised that he had received a call from Cathleen Perron advising that her Alteration of Terrain Permit is due to expire. This will be put on the agenda for the March 12, 2014 meeting.

TRAIL VOLUNTEER WORK

Lisa Wolford provided a copy of a memo to James Deely regarding the Trail Committee. A copy of Ms. Wolford's memo is attached to these minutes.

In her memo, Ms. Wolford notes that perhaps Attorney Raymond should be contacted regarding the question of liability.

Lisa Wolford moved and Peter Schibbelhute seconded that the Planning Board and the Deerfield Conservation Commission share the cost related to obtaining Attorney Raymond's opinion. Voted in favor.

PLANNING BOARD 2/26/14

NHEC REQUEST FOR PUBLIC HEARING

A request was received from N.H. Electric Cooperative to receive permission to cut trees on Candia Road. A list of trees was included in the request.

The Board will conduct a public hearing on March 26, 2014 at 7:15PM.

YEATON SUBDIVISION/ RITCHIE ROAD

Discussion regarding reduction of the required road bond for the Yeaton Subdivision will be put on the agenda for the March 12, 2014 Planning Board meeting.

7:40PM CONTINUATION; SITE PLAN REVIEW; VERIZON WIRELESS; SOUTH ROAD;

Attorney John Weaver, Douglas Sheadel and others representing Verizon Wireless were present.

Gerald Coogan provided a memo outlining issues discussed on January 22, 2014 as well as recommendations for conditional approval. A copy of the memo is attached to these minutes.

Chair McGarry read a letter from abutter Janet Samuels. A copy of Ms. Samuels letter is attached to these minutes.

Attorney Weaver noted that he has submitted copies of a Collocation Agreement as well as a Certificate of Liability Insurance.

Copies of revised site plans, Environmental South Assessment prepared by Doug Sheadel and copies of the technical specifications for the HVAC unit and emergency generator were available. Attorney Weaver also provided a letter addressing outstanding issues. A copy of the letter is attached to these minutes.

Attorney Weaver referred to the Driveway Page C 4. He said that they are in the process of application for a Driveway Permit from DOT 20 feet south which would be off of Map 423 Lot 26 and onto Lot 22.

Attorney Weaver said that Doug Sheadel will address the noise issue. Mr. Sheadel said he had an electronic projection system with him to better demonstrate what they are proposing to do. The Board had no objection.

Chair McGarry said that on Sheet A 1 of the plan they would like to see the centerline of the aphrodite off the fence and a statement as to the spacing of the trees, the size of the trees and the total number of trees involved.

Kate Hartnett questioned what the policy was in the event trees died. Attorney Weaver replied that the issue can be addressed.

Doug Sheadel, Modeling Specialties, who drafted the "Environmental Sound Assessment" for the project addressed the Board. A copy of Mr. Sheadel's letter regarding Environmental Sound dated November 26, 2013 is attached to these minutes.

Mr. Sheadel showed projections of the site and proposed compound referring to pictures of proposed generator and HVAC. He addressed noise reduction showing various solutions including hoods which provide sound reduction.

Mr. Sheadel felt that Allen Drakes comments did not introduce any concern that this would not work nor comply. He felt there was a substantial margin of compliance in this design.

Mr. Sheadel said he was trying to demonstrate that this is common practice, very effective, and it fits into much tighter constraints that is present in this installation.

Lisa Wolford asked if silencers were located on the plan. Attorney Weaver replied that "they should be".

Mr. Sheadel stressed that if additional mitigation for sound is needed, it is available by putting a surround, which he showed installed on fencing.

Mr. Sheadel that it was 43 decibels at the property line, which is 300 feet from the generator. He noted that includes both the HVAC sound and the generator.

Mr. Sheadel provided a sound demonstration. He said that most of the sound people are exposed to is going to be vehicles. In his demonstration he addressed start up sounds including the generator at 60 decibels at 23 feet.

Mr. Sheadel said the structure is very effective in blocking the sound.

Lisa Wolford suggested adding "Noise" as outlined in the Commercial Industrial Overlay to the plan.

Kate Hartnett would like to see building specs on the plan.

Lisa Wolford referred to # 10 on the memo provided by Gerald Coogan; noting that she did not like b"the landscaping trees shown in this plan do not provide sufficient screening". She felt that the term "sufficient screening" was suggestive.

Fred McGarry noted that the plan shows a 50 x 50 foot leased area. Attorney Weaver said it was 100 x 100 feet. Chair McGarry

said that Sheet C 2 should reflect that dimension.

Mr. McGarry said that they should revise Sheet C 4 to show what the limited clearing outside the fence line.

Attorney Weaver noted that the Brigg's have agreed to expand the protected landscape area 150 x 150 feet

Kate Hartnett questioned whose best management practices are they going to abide by. Attorney Weaver asked what management practice would the board like to see. Ms. Hartnett recommended "Good Forestry in Granite State".

Lisa Wolford suggested that "sufficient screening" be replaced with "landscaping trees shown in this plan do not effectively screen the compound from the adjacent property."

Peter Schibbelhute moved to grant a waiver for Verizon Wireless from Section 329.5 of the ordinance, governing camouflaging. Lisa Wolford seconded. Voted in favor.

Peter Schibbelhute moved and Richard Pitman seconded to grant a waiver for Verizon Wireless from Section III.3.E.3(a)(4) and (5), which address boundary survey information. Voted in favor.

Peter Schibbelhute moved and Richard Pitman moved to grant conditional approval to Verizon Wireless Communication for a Site Plan Review on South Road with the following conditions;

- 1.State specifically the number of trees, spacing of trees, height of trees, and the space of the trees from the fence.
2. Show the sound mitigation devices that will be incorporated into the shelter on sheets A 1 and A 2.
3. Show the radius of 50 feet around the compound fence where trees will be protected per best forestry management practices that are specified in "Good Forestry in the Granite State"
4. Submit technical specification for the shelter .
5. Revision on Sheet C 2 with regards to the lease area (50 x 50 compound, 100 x 100 lease and 50 x 50 feet around compound to protect trees)
6. Reference DOT Highway Permit on C 4
7. Based on maximum generator not to exceed 50 kw.
- 8 Noise level at boundary shall be in compliance with Section 202 # 21
9. Performance removal bond in place.
10. Generator start up; Wednesdays at 12 Noon.
11. Start up of facility following inspection of Building Inspector

The Board then discussed the Conditional Use Permit (CUP) for three years and the applicant shall apply for renewal of the permit 90 days prior to expiration.

PLANNING BOARD 2/26/14

1. Specify that inspections by structural engineer within 90 days of expiration.
2. Inspection of landscaping, noise.

Chair McGarry called for a vote on the motion. Voted in favor with approval to lapse in 60 days (April 26, 2014)

Richard Pitman left the meeting at this time.

10:PM Lisa Wolford moved to enter into non public session under RSA 91 A:3IIa and c. Kate Hartnett seconded.

Peter Schibbelhute	yes
Lisa Wolford	yes
Kate Hartnett	yes
Fred McGarry	yes

10:30PM Lisa Wolford moved and Peter Schibbelhute seconded to end the non public session.

Peter Schibbelhute	yes
Lisa Wolford	yes
Kate Hartnett	yes
Fred McGarry	yes

Lisa Wolford moved to seal the minutes of the non public session. Peter Schibbelhute seconded.

Peter Schibbelhute	yes
Lisa Wolford	yes
Kate Hartnett	no
Fred McGarry	yes

No action was taken at the non public session.

The meeting was adjourned at 10:35 PM.

Recorded and transcribed by Jane Boucher
Pending Approval by the Planning Board

February 13, 2014

To: Jim Deely
From: Lisa Wolford
Cc: Fred McGarry, Kate Hartnett, Serita Frey
Re: *Trail Volunteer Work*

Hi Jim,

I did some research and my conclusion is that most towns' trails committees come under the aegis of the town's Conservation Commission. At least one town attributes the authority of the Conservation Commission to establish its trail committee to RSA 36-A:4. Based on the language of RSA 36-A:4, I, that seems correct to me. RSA 36-A:1, which defines a conservation commission's overall purpose as being "the proper utilization and protection of the natural resources and for the protection of watershed resources" the town, also seems on-point.

This does not mean that the Conservation Commission must be the trails committee's home. The Conservation Commission does, though, seem to be the most logical overseer. Also, just in terms of authority, I know that the Selectboard is authorized by statute to establish various committees. I have not had time to locate that statute, but you can do so online. I think it is less likely that the Planning Board has the authority to oversee the committee, but it seems possible. See RSA 674:1, for example.

After reviewing other towns' trail committee set-ups, it appears to me that what would work best for you is to be a volunteer (with a group of other volunteers) for a Trails Committee that is established by the Deerfield Conservation Commission. (I hope that this conclusion doesn't contradict what the DCC has said to you.) The problem, of course, is that we don't have a Trails Committee and it we don't have a group of volunteers who want to become the Trails Committee. So you're kind of stuck.

I'm not sure why, as you basically suggest, you can't simply organize a group of volunteers supervised by a town board (probably the Conservation Commission). I do think, though, that this is a question for town counsel. I imagine that the issues faced by the DCC, PB, and BOS in authorizing volunteer efforts are not just questions of statutory authority, but also of liability. (I believe, by the way, that there is a statute that absolves property owners from liability when the public is allowed on their land for recreational purposes.)

Maybe the CC and PB could split the tab for a call to Jim Raymond? No use in bouncing over to the BOS if they're also not going to know the answer to your question.

In the meantime, I would put your proposal in writing. Henniker's Trail Committee has a one-page document that explains its goals, activities, and membership make-up. Their gist is a little more administrative than is your conception of the work, but it's a good example. I think it makes sense to draft something like that for whichever board you end up being "sponsored" by.

Thank you very much for being willing and eager to take this on. I'm sorry that no one has been able to give you an immediate answer, since what you propose is a really important project for Deerfield. As Kate mentioned last night, we're all volunteers, so we don't necessarily have answers without doing some digging.

But I don't doubt that we can make this happen. I hope that this memo helps to move things forward.

Some of the towns and statutes I have referred to are below.

Milford

- Conservation Commission established a Conservation Lands Management Committee to manage public uses on conservation lands. The town's website suggests that its Trails Committee is part of the Conservation Lands Management Committee.
- Authority for the establishment of the Conservation Lands Management Committee comes from RSA 36-A:4.

Hanover

- Hanover's Trails Committee is under the aegis of the Hanover Conservation Commission.
- The Trails committee manages the Town's trails, which includes routine maintenance, improvement of treadways, construction of new or relocated trails, and maintaining contact with landowners.
- The Committee cooperates with other trail managers including the Hanover Conservation Council, Dartmouth College, the National Park Service, Upper Valley Trails Alliance, and the Upper Valley Mountain Bike Association.

Hampstead

- "Trails and property maintenance" is listed under the aegis of the Conservation Commission.

Henniker

- Henniker's Trails Committee was authorized by the town's Selectboard.
- The Trails Committee consists of: a Conservation Commission member, one hiker enthusiast, one snowmobile enthusiast, one ATV enthusiast, one mountain bike enthusiast and two at large.

RSA 36-A:2 Conservation Commission. – A city or town which accepts the provisions of this chapter may establish a conservation commission, hereinafter called the commission, for the **proper utilization** and protection of the natural resources and for the protection of watershed resources of said city or town. Such commission shall conduct researches into its local land and water areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work. It shall keep an index of all open space and natural, aesthetic or ecological areas within the city or town, as the case may be, with the plan of obtaining information pertinent to proper utilization of such areas, including lands owned by the state or lands owned by a town or city. It shall keep an index of all marshlands, swamps and all other wet lands in a like manner, and may recommend to the city council or selectmen or to the department of resources and economic development a program for the protection, development or better utilization of all such areas. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town or municipal report. The commission may appoint such clerks and other employees or subcommittees as it may from time to time require.

RSA 36-A:4 Powers. –

I. Said commission may receive gifts of money, personal property, real property, and water rights, either within or outside the boundaries of the municipality, by gift, grant, bequest, or devise, subject to the approval of the local governing body, such **gifts to be managed and controlled by the commission for the purposes of this section**. Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

II. No commission, its members, or designee shall enter private property to gather data about the property for use in a wetlands designation, prime wetlands designation, natural resource inventory report or map, or natural heritage map without first obtaining permission of the property owner or agent, or a lawfully

issued warrant. Such permission may be oral or written, provided that record is made of oral authorization. If consent for entry is denied, the conservation commission, or designee, may obtain an administrative inspection warrant under RSA 595-B.

III. Prior to requesting permission, the commission, its members, or designee shall notify the landowner of the purpose of the data gathering, the specific features that will be evaluated, the manner in which the data collected will be recorded and distributed, and possible known consequences of the data collection.

IV. No data gathered by entering property without the permission of the landowner or an administrative warrant shall be used for any purpose other than law enforcement purposes authorized by statute.

V. The conservation commission, in reviewing an application to provide input to any other municipal board, shall not require submission of an application for or receipt of a permit or permits from other state or federal governmental bodies prior to accepting a submission for its review or providing such input.

MEMORANDUM (Rev)

February 25, 2014

TO: Deerfield Planning Board
FR: Gerald Coogan
RE: Outstanding issues for Verizon site plan application

The Board identified the following issues on January 22, 2014.

- Extension beyond 65 days: 65 days elapsed on January 24, 2014. Unsure if the Board approval of an extension will be necessary. The application is well within the federally allowed time frame. Atty. Weaver will note this in his transmittal letter formally delivering the materials to the Board at the next February hearing.
- Performance bond: Verizon will have a removal bond for \$25,000, which is greater than the original quote of \$17,000; the additional amount reflects site restoration issues discussed by Atty. Raymond and Atty. Weaver. At the time of the CUP renewal (2017), the Board can review and adjust the amount for inflation. Unlike a road in a subdivision, Atty. Raymond thought a bond for site improvements was not necessary as the Town would not make any improvements.
- Conditional Use Permit (CUP): Verizon will comply with this provision, and this will be a condition of approval. The CUP can include the conditions of approval for this application.
- Inspections of base by a structural engineer: This will occur after construction and before commencement of operations and can be a condition of approval. The CUP will require the inspection of the tower foundation three months prior to the expiration of the permit
- Colocation agreement: Atty. Weaver submitted a short document that will comply with the requirement in the ordinance.
- Proof of liability insurance: A Certificate of Insurance (CoI) listing the

Town as the insured has been submitted. Atty. Raymond informs us that the Col is preferred to the Indemnification Agreement mentioned in the ordinance.

- Waiver request eliminating requirement of camouflaging: Atty. Weaver's transmittal letter includes a request for this waiver, as well as the waivers from Section 329.8 and 329.9 recommended by Steve Keach.
- Escrow account: Verizon provided \$4,500 in a check delivered by letter dated January 28, 2014.
- Revised plans to be reviewed by KNA: Steve Keach commented on the revised plans. Verizon's engineers are incorporating his last note regarding the drive apron during construction. Steve will receive a copy of that plan for his files.
- Manufacturer to provide information on nose level: Atty. Weaver and Verizon representatives will present the technical specifications at the at the Feb 26th public hearing.
- Agreement with the landowner regarding retention of existing trees: The revised plans include the following language regarding the retention and replacement of trees to ensure the ordinance provision is satisfied

"Applicant shall plant landscaping trees around the compound as shown on pages C-4, A-1, and A-2. Except for the exercise of best forest management practices, after construction no trees shall be removed from the area that is within 50 feet from the proposed compound fence, as shown on page C-4. If: a) trees are removed from that area beyond what is required for best forest practices for any reason, including but not limited to weather related damage; and b) the landscaping trees shown in this plan do not provide sufficient screening, Applicant shall replant sufficient trees such that the proposed compound is effectively screened from adjacent property as contemplated in Section 329.5 of the Deerfield Zoning Ordinance."

- Additional acoustical work: Dr. Drake will review the report entitled Environmental Sound Assessment Wireless Communications Facility, 48

South Road, Deerfield, NH, January 29, 2014 and have a report prior to the public hearing. He recently experienced computer problems.

Recommended conditions of approval:

- Performance bond, that is satisfactory to Town Counsel, be in place prior to final approval of the plan;
- Submission of evidence every three years that the bond remains in effect;
- Execution of a CUP with a three year renewal;
- Satisfactory report of the base construction by a structural engineer prior to start of operations;
- Execution of a colocation agreement;
- Receipt of a Certificate of Insurance with the Town of Deerfield as the insured;
- Compliance inspection by KNA prior to the issuance of the Certificate of Occupancy by the building inspector;
- The planting landscaping trees around the compound as shown on pages C-4, A-1 of the plans will be a condition and will be noted in the CUP; and
- Consideration of appropriate recommendations by Dr. Drake.

Cc: Atty. John Weaver
Atty. James Raymond
Steve Keach, P.E.

February 25, 2014

Dear Chairman McGarry,

Please read the following into the Planning Board minutes of the Feb. 26 meeting regarding the Verizon tower, and please consider the points included in this note. I am out of state tonight and am unable to attend.

1. At the close of the last meeting on this topic, Chairman McGarry asked Verizon to determine if the noise level produced by the start-up of one HVAC unit, plus that of one generator, would exceed 45 dBA (the maximum noise allowed at night) as measured at the Rte 43 property line closest to the tower. Prof. Drake, our independent licensed acoustical engineer, has since determined that the noise will likely be above that level at that location.

Since there is approximately one month left to finalize negotiations on the tower, I suggest accepting Prof. Drake's findings and moving on to determine how the noise will be lowered. This may seem unnecessary to state, but something unusual has happened: Prof. Drake of course based his analysis on the make and model of the HVAC unit and generator, as well as the proposed location of these units, that Verizon's meteorologist (noise analyst) sent him recently. However, the make and model of the generator is different in this second Verizon noise report than in the first, and these machines in Verizon's recent noise report are outside the structure, instead of inside as had been the case in Verizon's first noise report.

If Verizon's attorney says that the recent information from their noise analyst was incorrect, and asks for another report from their meteorologist and our acoustical engineer, I would strongly disagree, as this would be time consuming, and slow down the process so time would elapse without finalizing noise abatement plans.

2. Verizon's attorneys have told us that two or three other companies will attach to their tower, requiring their own generators and possibly their own HVAC units. I believe it is important to specifically write into the requirements for Verizon that "this tower and its total site (50x50 foot area) will at *no time* produce noise levels above 45 dBA at night (specific hours of noise ordinance), nor above 55 dBA during daytime (specific hours of noise ordinance), as measured at the Rte 43 property line closest to the tower."

This provision will ensure that any modifications, additions or changes of any kind at the site will not change the noise impact on the community.

Can Verizon now be given the task of producing noise abatement plans to address this, and for acoustical engineer Alan Drake to determine if these plans are adequate? How will the Planning Board ensure that the noise abatement measures have been followed? Will the Board require that Verizon posts a bond? Can the Board require that Verizon set up an account that the Board can use to pay an acoustical engineer to measure noise levels, over a period of some years, every few months?

3. Prof. Drake is interested in analyzing Verizon's plans for noise abatement. Perhaps those will include plans for noise absorptive fencing as the attorney at the January meeting mentioned.

However, if for some reason Prof. Drake is unavailable to do this work within the necessary time frame, I suggest the use of another acoustical engineer who is independent of Verizon (i.e. not recommended by Verizon's attorney, not recommended by those who have given information here for Verizon, and not employed by the same firm as Verizon's RF engineer Dan Goulet, or by their noise analyst). I recently spoke to another engineer at UNH, who is now gathering the names of acoustical engineers who would be available in the area if Prof. Drake becomes unavailable. I will pass these names on to the board.

Thank you for considering these comments,

Janet Samuels
33 Old Candia Rd.
Deerfield, NH 03037



November 26, 2013

The Town of Deerfield, NH

RE: Environmental Sound – Personal Wireless Service Facility

Modeling Specialties has conducted an abbreviated assessment of the sound that may result from the installation of personal Wireless Service equipment at #48 South Road (the "Site") in Deerfield. The noise assessment was commissioned by Verizon Wireless, who provided their plans for the site which form the basis of this analysis.

There are two primary sources expected at the facility that will produce sound that has the potential to be heard beyond the Site boundary. Most of the proposed equipment will produce no sound such as the 150 ft monopole tower, cable tray and utility service connections. The supporting electronics will produce no sound, but are environmentally sensitive, requiring HVAC units to control the shelter environment. The sound expected from the environmental control units is based on vendor data and verified by field measurements at similar operating installations. Two units will be installed, but only one will operate at a time, allowing redundancy. The results of the study indicate that the sound from the proposed wall mount HVAC unit will produce 26 dBA or less at the nearest residences. This is well below the level that would be noticed even in a quiet rural community.

An emergency generator will also support the proposed facility. The generator will only be routinely operated for short tests of about one half hour during daytime hours. Combined with all other facility sources the generator will produce sound levels of 41 dBA or less at the nearest residences during its infrequent operation. As a point of reference, a typical car traveling down South Road produces sound well into the 50's dBA at residential setback. A truck or loud motorcycle, on the other hand, produces sound up to 70 dBA at the same distance.

The reason that a comprehensive analysis of facility sound was not requested for this site is that the equipment design and layout allows facilities like this to be sited within 100 feet of the nearest residences. Since this site is over 500 feet from the nearest residence, it will produce sound levels that have little potential to affect the community. A graphic that overviews the site and surrounding community is provided in Figure 1.

I certify that the analysis of sound levels for this project is accurate and consistent with prediction methods that are common to the acoustic analysis of such sources. I am qualified to make this statement based on training and experience in conducting analyses of environmental sounds. I am a Certified Consulting Meteorologist with more than 25 years experience conducting numerical analysis (modeling) studies in the technical areas of air quality, noise, and visual aesthetics. I am a technical expert on the noise committee of Air & Waste Management Association headquartered in Pittsburgh, Pennsylvania. I have published many refereed papers on various aspects of environmental noise. I have analyzed the sound

emissions of major industrial projects such as power plants and compressor stations, major infrastructure projects and heavy manufacturing plants. I've also conducted analyses for more than 200 wireless communication facilities on behalf of all primary carriers and various tower developers. Related to these analyses, I have testified as a technical expert before the Energy Facility Siting Boards of Massachusetts, Connecticut and Rhode Island. I have also testified before many regional and municipal approval boards in Massachusetts, Rhode Island, New Hampshire, Maine, New York, Michigan, Illinois, and California. I request that my statement for this project also be accepted for your review.

Thank you for your attention.

Respectfully,

Modeling Specialties

A handwritten signature in cursive script that reads "Douglas L. Sheadel".

Douglas L. Sheadel, CCM
Principal



McLane, Graf,
Raulerson & Middleton
Professional Association

900 Elm Street | P.O. Box 326 | Manchester, NH 03105-0326
Tel: 603.625.6464 | Fax: 603.625.5650 | www.mclane.com

OFFICES IN:
MANCHESTER
CONCORD
PORTSMOUTH
WOBURN, MA

JOHN F. WEAVER
Direct Dial: (603) 628-1442
Email: john.weaver@mclane.com

February 26, 2014

Hand Delivery

Planning Board
Town of Deerfield
8 Raymond Road
Deerfield, NH 03037-0159

Re: Supplemental Materials in Support of Application for Conditional Use Permit and Site Plan Review
Applicant: Cellco Partnership d/b/a Verizon Wireless ("VzW")
Tax Map: Map 423, Lot 22
Street Address: 48 South Road
Zone: Agricultural-Residential
Proposed Use: Commercial Wireless Telecommunication Facility
Ordinance: Zoning Ordinance (the "Ordinance"); and Site Plan Review Regulation (the "Regulations")

Dear Ladies and Gentlemen:

The purpose of this letter is to deliver information and materials that were requested by the Planning Board at its hearing on January 22, 2014 (the "Hearing"). The intent is to resolve all the remaining issues in VzW's application for conditional use permit and site plan review that the Board had identified at the Hearing.

I. Enclosures

- a. Collocation agreement;
- b. Certificate of insurance;
- c. 10 copies of the revised site plans;
- d. 10 copies of the Environmental Sound Assessment prepared by Doug Sheadel; and
- e. 10 copies of the technical specifications for the HVAC unit and emergency generator.

II. Outstanding Issues

Per the minutes of the Hearing, the following is a list of the outstanding matters identified by the Board and VzW's response to each.

1. Request for extension

To the extent it has not already done so, VzW requests an extension of the time period mandated by RSA 676:4, which requires that planning boards act within 65 days of accepting a site plan to reach a decision.

2. Performance Bond

I originally proposed a \$17,000 removal bond based on an estimate from Green Mountain that I submitted to the Board. Having spoken with Jim Raymond, town counsel, about the possibility of a construction bond in addition to the removal bond, we agreed to increase the removal bond amount to \$25,000 to cover both issues. Jim has also approved a proposed bond document. VzW is arranging for the issuance of that bond in the amount of \$25,000 and will submit it to the Town in the near future. We request that the Board grant the conditional use permit and approve the site plan subject to the receipt of the removal bond.

3. Every three years VzW will need to approach the Board to renew the conditional use permit

VzW will comply with this requirement and we expect it to be a condition of approval.

4. The tower will be inspected and approved by a structural engineer

VzW will comply with this requirement and we expect it to be a condition of approval..

5. Collocation Agreement

The enclosed Collocation Agreement satisfies this requirement.

6. Proof of insurance

Certificate of insurance is enclosed.

7. Agreement holding town harmless

Jim Raymond has confirmed that in light of the certificate of insurance naming the Town as an additional insured, there is no need for this agreement.

8. Waiver requests

Consistent with the minutes of the Hearing, and pursuant to Section 329.7 of the Ordinance, VzW requests a waiver from Section 329.5 governing camouflaging.

Additionally, consistent with the letter from Steven Keach dated February 10, 2014, and pursuant to Section I-6 of the Regulations, VzW requests a waiver from Section III-3.E.3(a)(4) & (5), which address boundary survey information.

9. \$4500 in escrow account

VzW submitted this to the Town by letter dated January 28, 2014.

10. Submit revised plans to KNA for review

The enclosed revised plans incorporate the comments from Mr. Keach in his letter dated February 10, 2014. He has a copy of the revised document.

11. Information on noise level

The enclosed noise study confirms that the proposed equipment will not exceed 45 dBA at the property lines, as agreed to at the Hearing. The manufacturers' technical sheets are enclosed as well.

12. Screening landscaping

The plan includes the following note on Page C4:

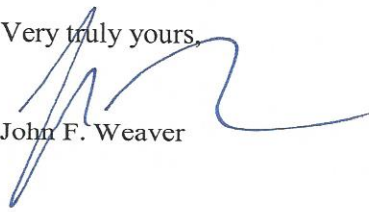
Applicant shall plant landscaping trees around the compound as shown on pages C-4, A-1, and A-2. Except for the exercise of best forest management practices, after construction no trees shall be removed from the area that is within 50 feet from the proposed compound fence, as shown on page C-4. If: a) trees are removed from that area beyond what is required for best forest practices for any reason, including but not limited to weather related damage; and b) the landscaping trees shown in this plan do not provide sufficient screening, Applicant shall replant sufficient trees such that the proposed compound is effectively screened from adjacent property as contemplated in Section 329.5 of the Deerfield Zoning Ordinance.

This language has been reviewed and approved by Jerry Coogan and town counsel.

III. Conclusion

I hope that the contents of this letter and its enclosures satisfactorily address the remaining issues and questions the Board had following the Hearing. I am happy to answer any further questions you may have.

Very truly yours,


John F. Weaver

JFW/jw
Enclosures