

The Planning Board for the Town of Derry held a public meeting on Wednesday, November 17, 2010, at 7:00 p.m. at the Derry Municipal Center (3<sup>rd</sup> Floor) located at 14 Manning Street in Derry, New Hampshire.

Members present: David Granese, Chairman; John O'Connor, Vice Chair; Jan Choiniere, Secretary; Randy Chase, Administrative Representative; Jim MacEachern (7:13 p.m.), Maureen Heard, Members; Frank Bartkiewicz, Alternate

Also present: George Sioras, Planning Director; Elizabeth Robidoux, Planning Clerk; John Anderson, Town Administrator; Mark L'Heureux, Engineering Coordinator

Absent: Darrell Park, Brian Chirichiello

Mr. Granese called the meeting to order at 7:00 p.m. The meeting began with a salute to the flag. He introduced the staff and Board members present, and noted the location of emergency exits, and agendas.

Mr. Bartkiewicz was seated for Mr. Park.

## **Escrow**

### **#10-37**

**Project Name: Lot Line Adjustment**

**Developer: Samuel Kershaw**

**Escrow Account: Kershaw Realty Associates**

**Escrow Type: Cash Escrow**

**Parcel ID/Location: 03087 & 03089, 185 Rockingham Road**

The request is to approve the final release of cash escrow held for the above noted project. The amount to release is \$777.60, plus accumulated interest.

Motion by O'Connor, seconded by Bartkiewicz to approve. The motion passed with all in favor.

### **#10-38**

**Project Name: Hampstead Road & Harvest Drive**

**Developer: Robert MacCormack**

**Escrow Account: Hampstead Road & Harvest Drive, LLC**

**Escrow Type: Letter of Credit**

**Parcel ID/Location: 10015, 10024, 10025, Hampstead Road/Harvest Drive**

The request is to approve the renewal of Letter of Credit #19959 (Enterprise Bank) in the amount of \$1,423,972.87. The new expiration date will be December 30, 2011.

Motion by O'Connor, seconded by Bartkiewicz. Discussion followed.

Mrs. Heard thanked Planning staff for adding the information from Finance regarding the credit worthiness of the bank so that the Board could make an informed decision.

The motion passed with all in favor.

**#10-39****Project Name: Hampstead Road & Harvest Drive****Developer: Robert MacCormack****Escrow Account: Hampstead Road & Harvest Drive, LLC****Escrow Type: Letter of Credit****Parcel ID/Location: 10015, 10024, 10025, Hampstead Road/Harvest Drive**

The request is to approve Release #1 in the amount of \$432,908.32 and request a replacement Letter of Credit in the amount of \$991,064.55 for the above noted project. Upon receipt of the replacement Letter of Credit, the Board will release Letter of Credit 19959 in the amount of \$1,423,972.87.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

**#10-40****Project Name: Medical Office Building****Developer: Tsienneto Fourteen Development, LLC****Escrow Account: Tsienneto Fourteen Development, LLC****Escrow Type: Letter of Credit (TD Bank)****Parcel ID/Location: 08079-005, 14 Tsienneto Road**

The request is to establish Letter of Credit #SB20004070 issued by TD Bank in the amount of \$187,470.29 for the above noted project. The expiration date will be November 15, 2011.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

**#10-41****Project Name: Medical Office Building****Developer: Tsienneto Fourteen Development, LLC****Escrow Account: Tsienneto Fourteen Development, LLC****Escrow Type: Cash Escrow****Parcel ID/Location: 08079-005, 14 Tsienneto Road**

The request is to accept cash escrow in the amount of \$46,000.00 for the Fair Share Contribution to be used toward the installation of a future traffic signal at this location on

Tsienneto Road. Pursuant to RSA 674:221,V(j), the funds shall be returned to the applicant, plus accumulated interest, if the contribution has not been utilized by the town by November 17, 2016.

Motion by O'Connor, seconded by Bartkiewicz to approve as presented. The motion passed with all in favor.

## Minutes

The Board reviewed the minutes of the October 18, 2010, meeting.

Motion by O'Connor seconded by Choiniere to accept the minutes of the October 18, 2010, meeting with a correction to the time the meeting adjourned. The motion passed in the affirmative with Bartkiewicz abstained.

## Correspondence

Mrs. Choiniere advised the Board is in receipt of the updated list for Change in Use applications, as well as copies of two escrow renewal reminder letters that were sent from the Department of Public Works. The Board approved one of those escrows this evening. The Board is also in receipt of the October and November/December issues of *Town and City*.

## Other Business

Mr. Sioras advised Town Council will hold its public hearing on the proposed zoning changes in the area of the Robert Frost Farm on December 7. He asked Board members to attend to support the request.

## Public Hearing

### Center for Life Management

**PID 08079**

**10 Tsienneto Road**

**Acceptance/Review, Site Plan Amendment**

**Expansion of existing parking area**

Mr. Sioras provided the following staff report. The purpose of the plan is for an expansion of 47 additional parking spaces for the existing Center for Life Management office building. The total number of spaces will now be 164. All town departments have reviewed and signed the plan. This will alleviate the traffic congestion on the lot.

NHDES Wetlands Permit and Non-Site Specific Permit have been obtained and a copy is in the file. He would recommend approval of the site plan application.

Keith Coviello, Long Beach Development Associates, confirmed the Board members each had an 11 x 17 copy of the plan in front of them and offered a full size plan for review if required. Center for Life Management is located on Tsienneto Road between Overlook Medical Center and The Goddard School. The building was constructed by Opechee Construction about 3 years ago for a 27,000 SF ± medical office building. Per regulation, 208 parking spaces were required; 121 spaces were approved.

The history of the lot is as follows. CLM combined three to four locations into this one building and did not realize there was insufficient parking to meet the client demand. People are currently parking on the lawn, which is not an optimal situation. CLM would like to expand the parking lot. There is upland located to the rear of the property on the other side of the wetland. They do have a wetland permit to cross the wetland with a culvert. The original site plan called for a footbridge leading to the upland area, but it was not constructed as the developer could not come to agreement with the Town over the culvert. Today, CLM would like to expand the parking into the upland area, crossing the wetland in the area previously approved for the footbridge. They have obtained an amended wetland permit. They have minimized the impact down to 580 SF of disruption, and are adding 47 spaces. They are losing four spaces and will net 164 spaces for the entire lot. They will use a long span bridge to keep the wetland channel intact. There will be closed drainage leading to a treatment swale, the parking lot will be paved, and there will be lighting and landscaping.

*Mr. Granese noted Mr. MacEachern was now seated.*

Mr. Coviello said they are in receipt of the review letter from Keach-Nordstrom and will address the comments. Mr. Keach noted in his review that a conditional use permit is required for this application; although one was not required for the original application.

Mr. O'Connor asked if Mr. Coviello was in agreement with the comment regarding the 20 foot buffer zone? Mr. Coviello responded that the 20 foot buffer had been provided.

Mr. Granese asked with regard to the conditional use permit? Mr. Sioras suggested that Mr. Coviello read the request into the record. The conditional use permit will require a separate vote.

Mr. Coviello stated in accordance with the provisions of the Zoning Ordinance, Section 165-80.B.3, a conditional use permit may be granted to work in the wetland overlay district if all of the following conditions are met.

*The proposed construction is essential to the productive use of the land not within the Wetlands Conservation Overlay District:* The parking expansion is proposed on an undeveloped upland portion of the property. The wetland impact is limited to driveway access with the productive use entirely on upland soils.

*Design and construction methods will be such as to minimize detrimental impact upon the wetland, and the site will be restored as nearly as possible to its original condition:* The project minimizes impacts with use of an arch-culvert to preserve the thread of an existing stream channel. Design/construction will also follow NH Department of Environmental Services Best Management Practices for the control of erosion and permanent stormwater treatment. Items include silt fence, check dams, and grass swales with vegetation to stabilize all disturbed soils at the conclusion of the project.

*No alternative which does not cross a wetland, or has less detrimental impact on the wetland, is feasible:* The undeveloped upland outside of the overlay district is not accessible without crossing of the wetland, and the proposed crossing is designed to avoid wetlands to the maximum extent possible.

*Economic advantage alone is not reason for the imposed construction:* The proposed construction is necessary to provide additional parking for customers and will eliminate parking in unapproved areas along the frontage of the property.

Mr. Granese opened the floor to the public.

Christine Robb, Center for Life Management, advised they could use the parking.

Maureen Rose, Windham Road, read the following concerns into the record [additional comments made as she read the following into the record are noted in brackets].

"I am here tonight because of my concern about the wetlands impacts on a cumulative basis in the area of Tsienneto Road.

I work in this area and we often see wildlife outside our windows including Fox with babies, Turkey, Turtles that lay eggs in our flower beds. We used to see Deer but they have probably been killed along the high traffic roads in this area. Development is forcing them out but you need to be aware that they are there.

Have there been changes to the plan since 2006, if so is there an amendment to the des permit or did a new one get submitted? Has the amendment or new permit been approved – has the cumulative effect been taken into consideration for flooding by the Conservation Commission and DES? Overlooks extension was not done in 2006 when this permit was initially submitted.

The Overlook parcel is 6 Tsienneto Road PID 08079-001 and they recently added 24 parking spaces The new parking request is to add 51 new spaces [now 47], to be built at 10 Tsienneto Road PID0879 note 10 Tsienneto Road is 2.5 acres and Overlook is 3.61 Acres the wetland permit description says " Reduce the impacts from 1,100 square feet to 580 square feet for the construction of bridge footings and a bridge for access to a parking area on a commercial lot of 3.61 acres." so is this parking actually for the larger or smaller lot? Don't you need something in writing from Overlook to allow this?

I submitted in writing my concerns about Overlooks expansion in writing on 3-23-10 to Craig Durette and George Sioris – not sure if it was forwarded to you for consideration at that time. [I was concerned at that time and included pictures.]

Overlook Medical Park recently expanded their parking lot. I thought this was going to be a bridge over the wetlands – it looks like a parking lot over the wetlands where cars are currently parked – is this a bridge? It holds about the length of 10+ cars times two rows. As of last nite one end is left open with a shear drop of about 15 feet or so..... there is no barrier or markers only a sign that says dead end... is this being left open for a future expansion?

This is currently a safety hazard. It does not look from a lay persons view that there is much opportunity for wildlife to pass under this parking area.... Certainly the Snapping turtles we see could not fit through there. So is the wildlife supposed to walk up the top of the parking lot and fall off the cliff to have safe passage?

I bring this up because this new expansion is abutting this parcel and will have a cumulative impact to the wetlands in the area and the wildlife habitat. The existing drainage swale (which was just done with this construction plan) will be relocated to another parcel at Overlook Medicals lot. Overlook moved their existing swale so they now have a relocated swale of their own – will this be the same existing one or a new one and how will you handle this easement with new owners should that change in the future? What about setbacks from wetlands for parking lots? I know the conservation commission was going to change this and if they did current regulations should stand not those back in 2006 when this application was put in which shows this was planned all along.

Now is the time to stop this pattern of adding parking over and in wetland areas.

Will the parking lot be the same permeable pavement and who will monitor it and be sure it is working as it should be – and if it is not maintained what ramifications will there be from the town? Will it be tested on a regular basis at the owners expense?

Much more development will be coming in our wetland areas and this board needs to be sure that these wetlands are protected as much as possible and someone needs to be monitoring and reviewing this construction for compliance. Wetlands serve a purpose they hold a lot of water and prevent flooding in addition to being wildlife habitat.

Can the existing parking be reconfigured to not go into the wetlands – maybe take some of the islands away to allow more parking without impacting wetlands.

I am asking that you do a site visit to see the existing conditions from one end of Tsienneto Road to the other so you can see how the water flows and what is currently left. Once a construction plan is submitted and approved that should be it..... Another option would be a 2 level parking structure be suggested for this area to handle this overflow which will continue to expand. Maybe some of the businesses that bring all this parking could relocate to an empty building..... surely we have enough in Derry.

While I understand we want to support jobs and business there needs to be a balance. Please review your maps and wetlands and consider the wildlife and their habitat in your decisions.

Thank you.”

Ms. Rose felt the town needed to be thinking about construction in wetland areas because it will all go away. The town should look at its regulations. The Board has a job to do, and she would like them to look at what is approved and how it relates. She spoke of the existing drainage pattern in the area and added that the apartments also cause a lot of runoff.

Mr. Granese confirmed the wetland permit that Ms. Rose had seen was dated July 7, 2010. Mr. O'Connor spoke to the apartment buildings she referenced. Those are on Linlew and are at least 20 years old; he did not want the public to believe they were new.

There was no further public comment and the plan came back to the Board.

Mr. Granese asked with regard to the wetland permit (2006-00763), the permit is for the plan submitted to DES on June 1, 2010. Is that going to be a problem? Mr. Coviello stated the plan DES received was drafted prior to submission to the Planning Board as Derry requires state permits in hand before submission to the Planning Board. He would like to address some of Ms. Rose's issues. The acreage for the entire parcel is 3.6 ± acres. The parking lot is on a portion of that acreage. There is no connection between the parking lot at Overlook and the parking lot at CLM as they are two different entities. There will be a relocated treatment swale that will be constructed on Overlook's property for this project. He has spoken with Tom Buchannan and has verbal permission for this. They will of course obtain a written easement, recorded at the registry, before this plan is signed by the Planning Board. The relocation of the treatment swale at Overlook for its parking lot is a separate issue. Regarding wetland impacts, the cumulative impact for this project was to be 1100 feet of disturbance originally. That construction did not take place for that permit. They changed the culvert to a bridge and the cumulative impact decreased to 580 feet. They thought they would need a new permit for this project and put together a plan that demonstrated the bridge and impacts as shown on the plan before the Board. DES elected to amend the original permit for this design. The plan submitted to DES is not this exact plan because they were not sure what direction DES wanted to go at that time. The permit for 580 feet of disturbance is what is being proposed on the plan before the Board. Mr. Granese said he understood the difference in square feet but questions the plan date. Mr. Sioras said is it not unusual to get a follow up letter from DES. Mr. Coviello said typically what is done is a final plan is sent to DES for their record. He can ask for correspondence back from DES that acknowledges the plan dates. DES will not amend the permit, but he could ask for a letter. Mr. Granese did not want DES to think the Board had approved the wrong plan.

Mrs. Choiniere inquired how high is the bridge off the wetland? Mr. Coviello said there is 4.2' from the top of the footing to the underside of the bridge. The channel is lower than that by 1 to 1 ½ feet. Therefore, there will be 4 to 6 feet from the wetland channel to the underside of the bridge as depicted on Sheet C2. He noted they will provide stamped, shop drawings to DPW for the bridge. At this time, they are not sure if concrete abutments will be used, or if they will extend the guardrail. Mrs. Choiniere asked what Ms. Rose felt would not fit under the bridge? Ms. Rose said she thought that Overlook was doing a bridge but it is a parking lot, and she thought this might be the same thing and was concerned because there is a big drop off at Overlook and someone will get hurt. She felt this might be similar to Overlook and was concerned. Mr. Coviello showed Ms. Rose the plan and explained the access to the second parking lot. She expressed dismay that the trees would be removed for the parking lot area. Mr. Coviello advised they were leaving the trees for the 20 foot buffer to the rear.

Motion by O'Connor to accept jurisdiction for Center for Life Management, 10 Tsienneto Road, PID 08079, owned by Mental Health Center for Southern New Hampshire, seconded by Choiniere. All voted in favor and the motion passed.

Motion by O'Connor to approve the amended site plan pursuant to RSA 676:4,I, Completed Application, subject to the following conditions: the Conditional Use Permit allowed under Section 165-80-B.3 is granted pursuant to the letter from Long Beach Development dated November 17, 2010, to George Sioras; comply with the KNA report dated November 11, 2010; there is a correction made to the wetland permit #2006-00763 in that it references the current plan dated October 26, 2010 for CLM as drawn by Long Beach Development, LLC; subject to the owners signature, subject to on site inspection by the town's engineer, establish appropriate escrow as required to complete the project; obtain written approval from Dough Rathburn that the GIS disk is received and is operable, that the above conditions be met within 6 months, obtain an extension of the wetland permit if construction is not complete prior to expiration of the permit; the applicant shall submit culvert shop drawings and manufacturer specifications to a peer review firm of the Town's choice. The submission shall be provided at least three weeks in advance of the fabrication date. The applicant shall incur the expense of this review pursuant to RSA 674:44,V. Heard seconded the motion and discussion followed.

Mr. MacEachern asked if anyone has reviewed that strip of lots with regard to parking and wetlands? Has anyone looked at the impact of the whole strip? Mr. O'Connor noted the Conservation Commission has taken many site walks and also did one for the medical office building. They walked from the duck pond on Merrimack Tile's property all the way down Tsienneto. Mr. MacEachern noted that Merrimack Tile was constructed before these buildings and knows that wetlands can be filled if there is mitigation elsewhere. Has this whole thing been looked at to see the effect of all of these parcels together? Mr. Sioras said Conservation Commission is working on an ordinance to look at the setbacks from parking lots. They will look at that and hope to bring it before the Board in a few months. It raised the issue of cumulative impacts. Mr. MacEachern felt that the cumulative impacts should be looked at as areas in town are developed. Mr. Sioras said the overall drainage in this area will be reviewed when Walmart comes in.

Mr. Coviello spoke to the condition regarding the wetland permit. DES may not want to re-write the permit; this is a state permit. Mrs. Robidoux confirmed the motion had been to "correct" the DES permit.

Motion by MacEachern to amend the motion to say the DES permit will be amended to reflect the proper plan, either through a permit or letter. O'Connor confirmed he would agree to the friendly amendment. Heard seconded the friendly amendment.

Heard, O'Connor, Chase, Bartkiewicz, Choiniere and Granese voted to approve; MacEachern abstained and the motion passed.



**T-Mobile Northeast, LLC  
PID 03116, 8 Lawrence Road  
Acceptance/Review, Site Plan Application  
Construction of a 140 foot monopole telecommunication tower**

Mr. Sioras read his staff report into the record. The purpose of this plan is to construct a 140 foot monopole telecommunications tower. This tower will be located 8 Lawrence Road which is the existing location of four AM radio towers, each of which are 300 feet tall (WDER Radio). All town departments have reviewed and signed the plan. There are waiver requests and he would refer the Board to the letter dated December 10, 2010, from Devine, Millimet & Branch. There are no state permits required. The Zoning Board of Adjustment granted a variance for the tower on August 19, 2010. Revisions to the plan that was submitted with the application have been made in response to the Jones & Beach review, and the Board would need to accept the revised plan. He would also like to compliment Attorney Grill on the application submittal. It is one of the most thorough in terms of what was submitted in accord with the various regulations. He would recommend approval of the site plan application.

Attorney Steven Grill of Devine, Millimet & Branch presented for the applicant. The proposal is for a 140 foot monopole telecommunications tower. T-Mobile will construct and own the tower, as well as occupy the top slot on the tower. There is room for three more competitors. A variance was obtained. They have also gone before the TRC and the Conservation Commission. The Conservation Commission held a site walk and identified no issues. This is a large lot with four existing 300 foot radio towers which are more than two times the height of the proposed tower. They feel this proposal has less impact than a site with no existing towers. They will change the grade on the existing path to the tower and add approximately 50 feet of gravel road which will lead to a 100 x 100 fenced compound for the tower and associated components. There is room at the base for four carriers. There has been no opposition to date that he is aware of for this proposal, and it will accomplish T-Mobile's commercial purposes for its mobile and broadband clients. This proposal enables T-Mobile an opportunity to service a broader area and to connect to other sites and communities.

They submitted the application package on November 1<sup>st</sup>. Jones and Beach had 24 items to be addressed. Today they submitted via pdf a response to those comments and addressed the majority of them. He has available this evening, signed and stamped revised plans. They are aware of the removal bond requirement and are awaiting an estimate from the engineer. Typically, those bonds range between \$25,000.00 and 35,000.00. They will work with the town to make sure the terms of the bond are acceptable.

Regarding the metes and bounds description of the access drive – this is a five year lease with five renewal options; it is not permanent. It is part of a lease, not a permanent easement. They will record a memorandum of lease at the registry. The metes and bounds are not called out as they would be for a permanent easement. Regarding Item 9, the plans do not meet two corners to tie into the geodetic network;

they tie into one in the southwest corner. They are asking for a waiver from the requirement to tie into the second point. This is a 10.36 acre parcel and they are affecting a 100 x 100 foot area; the compound will not be near a property line.

In addition to the waiver just mentioned, there are 11 initial waivers. The waivers requested are in the nature of submittal requirements because of the limited nature of the impact of the project on the parcel and drainage. This site is visited one to two times per month by the carrier's technician/engineers. There may be 8 visits per month total.

They have revised the plans that are in front of the Board this evening.

Motion by O'Connor to accept the revised plans prepared for T-Mobile Northeast, LLC, by and through Maxton Technology and its legal counsel, Devine, Millimet & Branch; property owner is Blount Communications, located on PID 03116, 8 Lawrence Road, seconded by Heard. The motion passed in favor.

Mr. Granese asked what happens when the power goes out? Attorney Grill advised that typically there is a generator and there is always a battery back up. There is an extra pad to bring in a generator and have battery back up for a certain number of hours. The concrete pad shown on the plan is for equipment (Sheet Z2). The tower will have a concrete foundation; the concrete pad is for equipment and a generator. There will be additional pads for each carrier. Each has its own setup and they vary. T-Mobile has refrigerator size cabinets; other carriers use a full size shelter.

Mrs. Choiniere asked why they can't co-locate on the radio towers? Attorney Grill said the tower guys are too thin and are not made for that. Occasionally, there is interference with AM radio waves.

There was no public comment and the plan came back to the Board.

Mrs. Choiniere asked if the Board wanted the pole to be painted or not painted? Attorney Grill advised the applicant has supplied a facsimile of Envirogreen. They can paint it, but typically, they find the galvanized steel weathers to a battleship gray color that works and blends well with the environment. Mr. O'Connor noted the plan shows Marine gray flat or Envirogreen on Sheet Z2. Attorney Grill said this question should be addressed in the conditions. Paint is noted on the plan because the question came up. Most carriers leave the monopoles as galvanized steel. The Board discussed and Mr. Granese advised paint does not weather well. Mrs. Choiniere would rather leave it unpainted; Mr. Chase would rather have no paint. He also directed the Board to Note 7 of Sheet C2 which states there will be portable power in the event of a power outage. Mrs. Heard felt if the paint was going to improve the performance of the tower, then it should be painted; otherwise it should be left alone.

Motion by O'Connor to accept jurisdiction; Choiniere seconded the motion and the motion passed unanimously.

Motion by O'Connor to approve the waivers as presented in the letter dated November 10, 2010, and as requested for Section 170-61.A.34, seconded by Bartkiewicz. The motion passed with all in favor.

Motion by O'Connor to approve the application pursuant to RSA 676:4, I as presented with the following conditions: comply with the Jones and Beach letter dated November 10, 2010; subject to owner's signature; subject to on site inspection by the town's engineer; establish appropriate escrow as required to complete the project; obtain written approval from Doug Rathburn that the GIS disk is received and is operable; the applicant will not be required to paint the tower; wetlands mapping shall be sealed by a Certified Wetland Scientist; change the TRC signature block such that "Zoning Board" becomes "Code Enforcement"; note approved waivers on the plan; per RSA 12:K, provide a copy of this application to the State of New Hampshire, Office of Energy and Planning; per Section 165-28.6 of the Derry Zoning Ordinance, the applicant shall post a removal bond in a form and amount acceptable to Town Counsel that represents the cost for removal and disposal of the tower in the event the tower becomes abandoned and the tower owner is incapable or unwilling to remove the tower; the above conditions to be met within 6 months; a \$25.00 check, payable to RCRD should be submitted with the mylar in accordance with the LCHIP requirement. Choiniere seconded the motion. Discussion followed.

Mr. MacEachern asked if there was a master plan for the facilities in town; this appears to be the same as the applicant that was at Dollar Bill's. Attorney Grill advised that issue came up during the variance hearing. The carrier looks for opportunities to deploy and does not always build once it has approval for a site. After the Dollar Bill's site was approved, the plan was put on hold for financial reasons. In the mean time, T-Mobile co-located on the [Warner Hill] tower to the northeast and this option became a better alternative for the carrier because the coverage footprint changed. As a condition of the variance approval, T-Mobile has withdrawn its Dollar Bill variance. This site is a better location because of the SBA tower.

Mr. MacEachern asked if the height of this tower replaces the signal strength had the Dollar Bill's tower been erected? The town wants to minimize towers but provide adequate service. He would rather add a few feet to a tower and expand coverage than have a carrier come back and say they have a coverage gap.

Attorney Grill advised with the additional demand for data service, the footprint of towers are shrinking and going lower than what they would have in the past. Because of the antenna on the SBA site, the Dollar Bills site would have been a duplication of that to a degree. This site covers weak areas and more than.

Attorney Grill advised the outline of existing coverage versus new coverage was part of the ZBA application. There will be coverage all up and down Route 28 with the addition of the tower on Lawrence Road. He imagines another facility will likely go up in Windham and perhaps in Derry to the east nearer to Salem. He can't answer if that will

add to the in-building discrepancy if the tower is higher. The engineers would have asked for more height if they felt it would provide service.

Mr. MacEachern noted the Berry Road area does not have good service. A taller tower would have solved that issue. Attorney Grill said the decision on where to put the towers is driven by the customer base. Mr. MacEachern felt the tower at Dollar Bills would have filled that gap. Mr. Granese noted when towers go too high, it is omnidirectional and there could be interference. Attorney Grill said the Dollar Bills site did not cover the exact area that this site covers.

Mr. Sioras advised the Police Department indicated they would like to add equipment to this tower to assist them for emergency purposes.

There was no further discussion.

MacEachern, Heard, O'Connor, Chase, Bartkiewicz, Choiniere, and Granese all voted in favor and the motion passed.

Motion by Choiniere, seconded by Heard to adjourn; the motion passed in favor and the meeting stood adjourned at 8:25 p.m.