

Franeestown Zoning Board
Proposed Minutes
January 15, 2009

Members Present: Silas Little (Chair), Sue Jonas, Mike Jones, Lois Leavitt and Charles Pyle

Mr. Little opens the meeting at 7:30 P.M and notes that the ZBA will first hear the continuation of the Palmer application, followed by the AT&T application.

Continuation of Public Hearing: Palmer Application for Variance and Special Exception

Mr. Little opens asking if the applicant has additional information.

Dennis McKinney, land surveyor, and Mike Palmer are in attendance. Mr. McKinney addresses the discussion with the Conservations Commission and their request for a 25' buffer between the proposed driveway and the wetlands. Mr. Pyle presents an e-mail he received from Betsy Hardwick, Conservation Commission Chair. The e-mail concurs that the ConCom proposes that (1) there be a 25' buffer from the edge of the wetland to the edge of the driveway and (2) appropriate erosion control measures be required and indicated on the plan.

Mr. Little Silas asks if a new plan has been developed. Mr. McKinney states, no, not at this time for the ZBA, but one can be prepared. Mr. Little asks whether road agent has approved new plan for driveway. Again, no the road agent had not been contacted.

Mr. Pyle asks if the proposed driveway would be moved up the hill towards the stone wall, indicated on the plan. Mr. Palmer replies that there is an existing access for a logging road that would be appropriate. Mr. Pyle notes that the Board needs a plan that shows the driveway access, apron and driveway that the Board could approve. Mr. Little adds that it would be useful to see plan and cross section.

Mr. McKinney will provide a plan and contact the Road Agent for the next meeting. Board unanimously agrees that we should see a plan before proceeding. Mr. Little proposes that public hearing be continued until the first Thursday in February.

Mr. McKinney asks for clarification on what the Board is requesting. Mr. Little state that the plan should show the area where the driveway cut will be and that the driveway is 25' from the wetlands. Once it crosses the stream it should be OK and no further information needed. He suggests that possibly road agent could sign plan.

Continued Public Hearing to February 5 at 7:30 P.M.

Mr. Little notes that two possible applications may be forthcoming from a Mr. Jackson and a Mr. Farrell. If applications are received he will consider hearing at the next meeting.

Continuation of Public Hearing: New Cingular Wireless Application for Variance and Special Exception

Mr. Jones steps down and Mr. Borbalado (sp) joins Board as an alternate member.

Board has just received new materials from AT&T

In attendance for applicant:

Peter Marchand

Steve Anderson, Anderson & Krieger

Kevin Breuer, AT&T Engineer

Roberto Alvarado, Engineer with Dewberry

Mr. Little states that one question from the last meeting the issue of the tower on Bible Hill. Mr. Anderson replies that in addition to Bible Hill another alternative site, Mills property in New Boston, has been suggested

Kevin Breuer, engineer with AT&T, addresses the question of the American Tower site on Bible Hill. They had looked at site. Coverage is not "horrible" but does not provide same coverage for Route 136 as the proposed Pettee land tower. Mr. Little questions whether the focus should be on Rte 136 with the recent National Safety Council concerns over driving and cell phone use. Mr. Breuer discusses the service gaps with a 130' tower. He provides several plans that show coverage for both the Bible Hill and Pettee property Towers. Same maps have been provided to members of the Board with examples include Towers at different heights. Board asks about the change in coverage between the two towers. Mr. Anderson states that one of the goals of the Communications Acts is for seamless coverage, which does not mean gaps. Mr. Little questions if goal is for traffic or house coverage. It is not known how many houses would be covered. Discussion on coverage by other carriers. Mr. Anderson cites a Pelham case as an example that each carrier must be allowed to provide coverage.

Mr. Anderson states that plan is for three towers in Francestown to provide coverage. Mr. Pyle states that problem is whether there are other options for a tower. The proposed tower on Pettee land is one of the most visible as you enter and leave Francestown. He questions whether there a better option to meet the requirements of what AT&T needs. Mr. Anderson notes that same issue came up at Planning Board meeting and one other option is Mills property in New Boston. The Pettee property is superior with the primary objective being road coverage. Mr. Breuer explains the difference in coverage with different maps and colors. Goal of plans is to show differences in coverage.

Mr. Pyle asks and Mr. Breuer agrees that Pettee provides better coverage at town line, but has a problem on Bible Hill. Bible Hill's coverage has problem closer to town line. Mr. Breuer explains that this is shadowing and Campbell Hill would block coverage. Gaps would mean no service or dropped call or one-way audio. Mr. Anderson notes that the Federal Communications Act of 1991 with amendments states that every wireless communications provider should provide seamless coverage.

Mr. Anderson states that fire chief has requested the possibility of locating communications equipment on the tower. Mr. Marchand spoke with the Fire Chief about accommodating additional equipment that is currently located on Crotched Mt.

Mr. Anderson notes that the tower can be reduced to 130' from 150' but this reduces ability to co-locate. Ten foot gaps are necessary.

Discussion of balloon test. Mr. Marchand suggests coordinating so people can see it. Issue of winter weather. Would also like to do it once and coordinate with other boards.

Silas says that the current plans for driveway do not agree with proposed plan. He references the previous Todd plan that was approved by the ZBA. Configuration on Route 136 is different. Todd plan based on USGS plan. Dewberry plan based on actual survey. Board informed that NH Dot has sent out its approval for the driveway access based on the Dewberry plan.

Mr. Alvarado from Dewberry discusses the different plans: Todd and Dewberry. Dewberry plan goes farther inside the property and does not follow the Todd plans. Mr. Pyle notes that the ZBA has previously approved the Todd plan. At the prior hearing it had been stated that because no changes were to be made from that plan it was not addressed. Mr. Pyle had noted that the prior plan should be acknowledged and if differences from the current plan noted. Issues considered in the earlier case were an impermeable service access near wetlands, a wetlands crossing and the slope of the driveway. Dewberry was having problems reconciling the Dewberry and Todd plans. Mr. Little states that the ZBA needs to see plan that indicates the slopes.

Mr. Pyle asks whether the entrance would change. Current plan would still be within 65' of wetlands and meet the requirements of the prior case. Mr., Pyle discusses issue of driveway slope and states that doesn't matter which plan is used. But slopes need to be addressed on both the upper and lower sections. If the Todd plan is not to be used, those slopes need to be identified. It does not matter which plan is better. Board needs to know where they need to consider slopes per the Franconia Zoning Ordinances.

General discussion on identification of slopes and where they need to be addressed by Board.

Mr. Alvarado from Dewberry states that if they stick to the 10% slope requirement more turns and an increased erosion plan will be necessary. Silas asks how water will be handled coming off the hill. Mr. Alvarado notes that guardrails will be added on two turns. Discussion of erosion control and explanation of plans, culverts and level spreaders. Concern that more water will come down the hill than can be handled. Level spreaders should handle increase in water. There will be overhead power lines; underground power lines would be very expensive. Mr. Alvarado offer and explanation of retaining walls, gabions, road and cross sections.

Mr. Jonas asks for clarification on location of the proposed towers and if the current tower would be erected if any of the other towers were not successful. Yes, they will try to get the best coverage possible.

Ron Baptiste mentions a recent Peterborough Ledger-Transcript article about cell towers in other local towns, mentioning Hancock. He suggests that Board may want to investigate further.

A letter from the Francestown Fire Chief is read by Mr. Little. Letter was also received by Mr. Marchand and Mr. Anderson and sent to the Francestown Planning Board. Letter states that:

- 1) An emergency turn around outside the fenced area at site
- 2) NOXX box outside the fenced area with keys to property
- 3) Permission for location of emergency communications systems
- 4) Francestown Volunteer Fire Dept. cannot guarantee year-round fire coverage.

Mr. Pyle states his concern over the difference between the plans. Need to address where slopes are. Lower section differences from earlier Todd plan. Upper section where road is. During the earlier site walk the road was not flagged. Pyle discussed prior case where Todd showed where the slopes needed relief. Mr. Anderson will instruct that the driveway plans try to conform to the Todd plan and to identify where slopes differ and are the same.

Discussion of additional site walk and flagging of road. Mr. Pyle asks if the Planning Board has been contacted about a site walk. Mr. Little notes that road should be staked out, where culverts are going identified and the roads relationship to the property boundary shown.

Mr. Pyle asks about letter from Pettees' addressing use of road and property as discussed in the last meeting. Mr. Anderson discusses information contained in package that the Board received.

Discussion of whether the road would be visible from Route 136.

Continued Public Hearing to February 5 at 7:30 P.M.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Charles M. Pyle III
Vice Chairman