

**Fracestown Zoning Board**  
***Proposed Minutes***  
**March 18, 2010**

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

*Meetings opens at 7:35 p.m.*

Mr. Little opens the meeting. Purpose of the public hearing is:

**Continuation of Public Hearing: New Cingular Wireless Application for Variance (slope) and Special Exception (Cell Tower), property located on New Boston Road, Map 6, Lot 63-2 and Application for Variance (slope) and Special Exception (Cell Tower), property located on Dennison Pond Road, Map 6, Lot 61-2.**

Following Board introductions, Mr., Little states that he has received: a letter from Mr. Pagacik indicating he has used the same 30 meter sq mapping as Mr. Goulet, a letter from Robert Carey, regarding listing of the Nutt/Kingsbury Farm on the NH State Register of Historic Places, and communication from Pamela Bixby Avery about the recent balloon test Feels and her concerns over “threat to the rural character and scenic quality of Dennison Pond”. *Copies of the Carey letters and Avery e-mail passed out to Board members, Mr. Anderson, Mr. Ratigan and Mr. Carey.*

Steve Anderson, attorney representing AT&T, reviews the balloon test with a picture display. *Copies have been handed out to the Board at the start of the hearing.* Pictures are from the recent balloon test. Two sets (one red, the other yellow) of balloons were set at heights of 100’ and 110’ on alternative Dennison Pond roads sites. Pictures are from various locations similar to the ones taken for the earlier balloon test: Cathy Roehrig’s property, Pam Avery’s field, the Jones’ Great View property, et. al. Additional pictures show renderings of monopole and monopines for each location. Mr. Anderson identifies locations and setbacks of proposed sites on plans,

Mr. Little asks if the Board has any questions. Mr. Barbalato asks about potential tree growth. Will they go on anyone’s property to cut trees down? Mr. Anderson shows a photograph with the location of the proposed monopole and states that it would be location 40 acres site in trees with the tallest trees are about 70’ with the average heights 60’ to 65’. Does not expect a great deal of tree clearing, but maybe within the immediate area of the tower.

John Ratigan, representing Jones/Simakova, discusses maps he displayed at the last meeting. Discusses AT&T maps #40 and #41. Asked Dave Maxson to look at coverage. *Copy of letter from Mr. Maxson to John Ratigan handed out to Board at start of hearing.* Analyzed “white pixels” and road coverage. Better coverage from ATC site than Dennison Pond Road site. Also provided (*handout*) letter from Louis Manias, an appraiser, on diminishing of value of Jones/Simakova property with an updated letter regarding new location. Believes it has a negative impact on property and that application cannot adversely affect property values. Pictures of balloon test are attached and notes that there is not a lot of difference between first tests and recent ones. Also notes that Mr. Anderson had previously provided a table of items that needed relief from Zoning Ordinance for a tower on the TAC site to be considered. Mr. Ratigan provides list of applications in town’s where variances and PB site plan waivers have been granted. He notes that Fracestown’s

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ordinance encourages co-location. He encourages Board to deny application for Dennison Pond Road and direct applicant towards co-location on Bible Hill (ATC) Tower.

Mr. Robert Carey, representing Mary Frances and Bob Carey of New Boston Road speaks to: 1) the ordinance and the law, 2) ATC tower, 3) value of Francestown and why it is an importance place. #1 Ordinance and law favors and stresses co-location under section 7.19 and discusses preserving Francestown's character and scenic vistas. He refers to court cases from Epping and Hopkinton. Epping does not entitle cell company to fill gaps as cell tower company wishes – tradeoffs. Notes in prior meeting board member stated that 3 to 5 homes might not have coverage with ATC tower. Also Mr. Pagacik noted that gap along Rte 136 would be about 14 seconds. Hopkinton case involved coverage by one town to another town; town is not required to provide coverage to another town. #2) ATC tower favors co-location. Why not use ATC site? Does not take care of New Boston, but takes care of Francestown. May not cover everything they want, but does provide coverage. #3) Values of Francestown, special place, scenic vistas, view sheds, historic places, etc.

Catherine Roehrig, abutter on Dennison Pond Road, states that she could see balloons from first site, barely see them from new sites. Notes that ordinance encourages co-location and is concerned that additional companies may come later on for additional height and towers. Over the past few years trees have grown up around area blocking view during certain times of the year. She is concerned over two old trees that may die and provide view. Trees may not always be there.

Lee Robinson, Dennison Pond Road, expresses concern about rural character. Mr. Pyle asks what she could see from balloon tests. Can see red balloon from front porch at 110', but not yellow balloons. Mr. Pyle asks what she could see from first test. Couldn't see much with leaves on trees. Mr. Pyle adds that he was in Catherine Roehrig's front yard during balloon test with official photographer. He could not understand why he was there until Mr. Pyle showed pictures of earlier test. Ms. Robinson concludes issue is not just view from her house, but also about the neighborhood and view from Avery's field.

Kenneth Campbell, Dennison Pond Road, objects to site. Believes it would be wise for Board to ask AT&T to apply for tower at ATC site. Question for rural community such as Francestown is how many cell towers. Agrees with comments from Mr. Ratigan and Mr. Carey.

Ron Baptiste asks about noise studies and generators. Mr. Anderson replies that report has previously been submitted with noise levels. Testing will be weekly for about 30 minutes.

Cathy Burn, Candlewood Road, cannot see tower from her property. Abuts Jones property and looks down at woods covered hills, beautiful site. Does not want to see an "ugly cell tower".

Dan Goulet, representing AT&T, wants to clear up statements made about his testify at New Boston ZBA meeting by Mr. Carey. Provides copies of minutes for the record. He said three proposed sites in Francestown. Also has a problem with Mr. Maxson and the counting of pixels. ATC leaves a .43 miles gap on road they are trying to cover. A .046 miles gap from New Boston Road site and a small gap from Dennison Pond Road site. Discusses gaps and reviews maps. Does not believe opposition has provided any engineering studies. Believes significant gap on Francestown Road. Signal strength was not measured by pixels or white space. Mr. Pyle asks for clarification on gap.

.43 miles gap on New Boston Road. He looked at maps #41, #40 and #25. Difficult time finding similar maps to compare. Looked at basic coverage. Dennison Pond and New Boston cover same areas and have same gaps on Bible Hill, Ferson Road and southern section of town. ATC has more coverage on Bible Hill and Ferson Road, but drop in coverage on east side of Dennison Pond Road.

Mr. Goulet says ATC at 195' rather than current height of 165' will still have significant gaps. Mr. Pyle notes gap covers few houses. Mr. Goulet says important coverage. Two objectives: as much in-home coverage and vehicle coverage along important corridor.

Mr. Goulet notes that ATC has been abandoned for many years. Drive test was conducted. Mr. Pyle says that data shows it should be considered. Mr. Little adds that they cannot do drive test from other test to compare. Mr. Goulet responds that drive test was to validate information. Mr. Little notes that Mr. Pagacik told him he used same 20 meter sq that Mr. Goulet used.

Mr. Goulet states that if go on ATC will need another tower on Dennison Pond Road to cover gaps. all over new Boston Road. Fictitious third site in center of Francestown fills in gaps. Mr. Pyle asks if proposed site in center of Francestown would cover a good deal of New Boston Road. Mr. Goulet shows exhibit #5 with TAC at 165'. Mr. Little notes not at 190'. Mr. Goulet adds that topography of hills and terrain will mean gaps on Ferson Road and New Boston Road and review coverage on maps. Because of hills ATC site at 190' would not really improve. Discussion on isolation plots follows: exhibits #4, #3, #6, #7 and #8. Discussion of aggregate vs isolation plots. Mr. Goulet believes they did provide isolation plots. Mr. Pyle notes that ATC has been there for years. Community comments are why is site not being looked at more deeply. Mr. Pyle compared maps and both have gaps. ATC more in-home and less in-vehicle. Others sites reversed. Mr., Goulet says not necessarily true. Other sites closer to targeted area. Mr. Pyle asks if target area is covering Francestown. Mr. Goulet target area is as much coverage for in home, along corridor and interconnectivity to network. Mr., Goulet says that everyone is looking at coverage, but need to look at interference issues and call quality. Mr. Pyle asks if 195' ATC would be less likely for co-location. Mr. says yes. Other carriers may not be able to use it for co-location; cannot get connectivity for what they intend to do. Will need other towers. Mr. Pyle asks who would or would not be able to co-locate. Mr. Goulet cannot speak directly, but other carriers would not build a raw land site. They would co-locate.

Mr. presents a summation. States that no one has co-located in the 16 or so years since the TAC site was last used and they examined site extensively. If it were a valid site why would they not look at it? Significance gap on Rte 136. Believes that they have presented a good set of alternatives. Dennison Pond Road meets the concerns of the community over the New Boston Road site. Connectivity to network is very important and key to their analysis. Hope that would approve one of the two sites and one of the heights. They would then move on to Planning Board. Would come back to work with Town Officials and neighbors to find best site for the third tower.

Mr. Carey corrects comments made about New Boston minutes, which were not in reference to anything Dan Goulet said. Concludes by referring to Epping case that discusses filling of gaps.

Matt Lewis asks about the third site. Suggests Board shelve Dennison Pond site look at center of Town and see what site does; then move to other end of Town.

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Mr. Little asks if it is the sense of the Board to close the evidence portion of the hearing. All agree. Continue this evening or start fresh; Mr. Pyle suggests starting fresh. All agree. Mrs. Leavitt proposes continuing to next regular meeting on April 8. All agree. Public meeting only will not be receiving evidence or taking testimony

*Public hearing is closed at approximately 9:30 p.m.*

**Public Hearing – Continuation of AT&T Dennison Pond Road and New Boston Road applications – April 8, 2010 at 7:30 p.m.**

**BOARD BUSINESS**

Election of Chairman and Vice Chairman. Mr. Barbalato nominates Mr. Little. Mr. Pyle seconds. All agree. Mr. Pyle agrees that he will continue as Vice Chairman. All agree.

Mr. Little asks if Mrs. Leavitt would consider being a regular member; she agrees. Mr. Little will suggest to the Selectmen that they appointed her a regular member. Will also need to select an alternate. Asks for Board OKJ to proceed; all agree.

Mr. Pyle moves that meeting be adjourned; Mrs. Jonas second. All agree

*Meeting adjourned at approximately 9:45 p.m.*

Respectfully submitted,

Charles M. Pyle  
Vice Chairman, Francestown Zoning Board of Adjustment

March 23, 2010