

THE PLANNING BOARD
Town of Frankestown
Frankestown, New Hampshire 03043

March 17, 2009
APPROVED MINUTES

Planning Board Members Present: Ben Watson- Acting Chair, Bob Lindgren, Mike Tartalis, Lisa Stewart, Larry Johnson, Linda Kunhardt.

Members of the Public: Mary Frances Carey, H. Robert Carey, Kris Stewart, Betsy Hardwick, Helene Harbage, Roon Frost, Ed Frost, Francelle Carapetyan, Tania Grady, David Jonas, Sue Jonas, John Miller, Charles Bohnsack, Eileen Swanson, Mr. Robitaille, AT&T representatives Peter Marchant, Steve Anderson, & Roberto Elderado.

Melissa Stewart is taking the minutes.

Chairman Watson brought the meeting to order at 7:03pm

CASE #09-SP-02 New Cingular wireless (AT&T), Map 6, Lot 63-1

Final application for site development is being formally submitted to the board. The applicant is proposing to erect a wireless communications facility pursuant to sections 7.1.2(g) and 7.19 of the Frankestown Zoning Ordinance, and section V.P. of the town's Site Development Regulations. The property is located in the rural district and is located on Rte 136/New Boston Rd. The subject property comprises of 34.908 acres.

The CRC Committee met on January 17th @ 9:00am. Completeness review was conducted and deficiencies were provided to the applicant in a letter dated January 23, 2009. New plans were provided to board March 16, 2009.

The following deficiencies were satisfied:

A1, A3, A11, A14, A15, A27, A28, A29, C2, C3.

Correction Needed: A28 - Sheet 9 note 7 should be 274sq ft. vs. 574sq ft.

The following deficiencies still remain:

B8 - Snow Removal & Storage Plan. Statement needed on plan: AT&T does not plan to plow the access Road in the winter months. All access to the facility will be by means of snowmobile or snowshoes.

B9 - Fire Safety and prevention plan

C8 - Letter from Fire Chief regarding compliance with Life Safety Code.

C10 - Statement needed: All significant features have been properly marked on the ground and the site is ready for board inspection.

waiver requests are as follows:

B1- Topographical Information - USGS interpretations - Lindgren moves to waive requirement to show contours of the entire lot but will require contours for areas subject to development progressing according to plans presented. Tartalis seconds motion. Kunhardt, Johnson, Watson, Tartalis, Lindgren in favor, Stewart abstains.

B2 - Soils data - HIS maps - Lindgren moves to grant waiver in consideration of hearing the case, however if at any time HIS map is found relevant or useful it will be required. Johnson seconds, Tartalis, Watson, Lindgren, Johnson in favor, Kunhardt opposed, Stewart abstains.

B6 - Circulation Plan - Lindgren moves to waive on consideration of hearing application, however board reserves right to require at any time. Johnson seconds, Tartalis, Johnson, Lindgren, Watson in favor, Kunhardt in favor for purpose of hearing, Stewart abstains.

B7 - Utility Plan - Lindgren moves to approve waiver for purposes of consideration with understanding that board can require more detail if

deemed necessary. Johnson seconds. Kunhardt, Johnson, Watson, Tartalis, Lindgren in favor, Stewart abstains.

B9 – Fire Safety and prevention plan – Lingren moves to take no action on the waiver request as board considers it a deficiency and it will be a condition of approval. Kunhardt seconds. Kunhardt, Johnson, Watson, Tartalis, Lindgren in favor, Stewart abstains.

Lindgren moves to approve application with deficiencies and waivers noted for purposes of hearing the merits of the case. Johnson seconds. Kunhardt, Johnson, Watson, Tartalis, Lindgren in favor. Stewart abstains.

Stewart steps down and joins the members of the public.

Board plans site walk for Saturday April 18th at 10:00am. AT&T will notice the site walk in the Union Leader, Frankestown News, Monadnock Ledger, & New Boston Bulletin. AT&T will float a balloon at the site walk for approx 5 hrs. The alternative date for balloon float in case of high winds will be set for Sunday April 19th at 10:00am. Continuation hearing was set for Tuesday, April 21 at 7pm.

Peter Marchant along with Steve Anderson and Roberto Elderado present new plans for the tower site.

Elderado shows plan for 2600ft driveway. Applicant is proposing 50'x50' compound with a 100'x100' cleared area. The driveway will have 3 culverts with 25' x 3' level spreaders coming from outlet of culverts. Gabion Retaining walls are proposed along the driveway.

Proposed driveway will follow the existing grade of the land, not to exceed a 15% grade at any given point. It was also noted that the current pre-construction grade does not exceed a 15% grade at any given time.

Tartalis asks about main perimeter tree line. The perimeter will be cut back to 100'x100' and the perimeter of the compound will be 50'x50'.

Watson asks how many antennae could be co-located on a 150' tower. Marchant states it is typically every 10'. However this tower is designed to co-locate a total of 3 antennae, if they were to increase that amount they would need to increase the footprint of the monopole to accommodate additional shelters/cabinets.

Watson questions lighting. He understands there is no security lighting or lighting at the facility. Marchant confirms that is correct.

Tartalis asks if there is a plan in place in the event of a power outage, or if there was damage to the diesel tank how would this be handled. Marchant states the tank is double lined and has a computer chip inside that would signal back to base and they would dispatch crews to the site for repairs.

Watson asks how they would get fuel to site in the winter. Marchant will get back to them with plan.

Watson asks if the antennae's needs to be maintained by engineers in the event of large storms, ice storms or severe weather. Marchant states they do not typically need to be maintained. When engineering the sites they try to anticipate and plan according to New England weather with design etc. However in the event there is a need for maintenance or repair due to a storm an engineer is dispatched out to the site.

Watson notes that AT&T has provided documents with a plan of coverage areas. He also states there are other towns that have plans in front of them for tower construction. Anderson states that they have applications in New Boston, Frankestown, Greenfield, Antrim, as well as others. All these facilities would inter-relate for stationary people as well as people in motion to provide optimal coverage.

Watson would like South West Regional to review the plan and provide an opinion on the plan, and if deemed necessary have someone qualified in this field to review and give opinion of site. If there is a fee associated with this the board will advise the applicant of the fee. Watson will request Sarah Pyle handle this.

Kunhardt asks if they have a certified erosion control specialist stamp on the plan. She does not see it and believes it is required. Kunhardt advises they need to run it by another specialist. AT&T makes note of this.

BJ Carbee notes the photo's from their last balloon float does not show the balloon at the actual site. Anderson states they did stand as close to the proposed site as they could, however the wind moves the balloon so it may not be exact, but it is in close proximity.

David Jonas asks applicant to define the monopole. Does it not have guide wires? Marchant states there are not.

The additional sites being looked at in New Boston are Wilson Hill Rd and Old Coach Rd.

Ron Cheaney asks about other sites in Frankestown - Anderson states they are currently looking for a site in and around the village area. Possible in the Oak Hill Rd vicinity as well as a co-location change on the SBA pole on Crotched Mtn. It was noted that AT&T does not currently have a negotiated site or plans for the site in or around the village at this time.

Mary Frances Carey states that she feels the building of the access road and proposed landscaping will be detrimental to the view shed.

Watson mentions Robitaille's concern about the height of tower and the close proximity to his home and potential that if it came down it would be very close possibly on his home. Robitaille states he is not completely opposed to the tower however he would like to see it moved back a little, and some landscaping put around the compound. Anderson shows detail of the compound and radius's around the compound and shows that they have kept more than 1 ½ times the length of the monopole away from any abutting land.

Eileen Swanson states that her property will be impacted due to the location of the tower and asked the board to come to her property during the site walk to view the tower location from her property. Swanson feels it will have a serious impact on the value of her property, and would like that to be considered.

Kris Stewart addresses the towns concerns and states he has built many tower sites for US Cellular, and he has reviewed this plan and feels this plan is well designed. He states the Gabion retaining wall is esthetically pleasing, it will be cutting down on the footprint. Normally when you construct a compound you cut vegetation back approx 10-15' but it is not as great of impact as you may think. Stewart feels you will only notice the first 250' of the driveway because they have designed the roadway to traverse the contours of the land. Because the compound is on the top of the hill you will not be able to see this

from the road and would be surprised if any abutters would be able to see the compound site as well. He also notes that the compounds are well engineered and designed to withstand strong winds and extreme weather. Stewart suggests the board visit the newest U.S. Cellular tower location on Rte 202 in Peterborough. The roadway to the tower is 250' from the main road and the tower site is 75'x 75'. The site would provide a good understanding of what the site would look like once constructed, and how much is actually disturbed.

A member of the public asks if additional sites were considered in place of this site. Marchant stated they did consider several options however none were able to provide adequate signal. Marchant also stated that the board had provided AT&T with additional sites they felt might be feasible and those sites did not work either.

Robitaille asks about generator and how often it is started. Marchant states it is started once a month. Board requests detail info of generator as well as the diesel tank. Robitaille asks about diesel drum and what containment options they have. Board requests that they provide containment options at next meeting. Kunhardt notes the site is near one of the towns natural aquifers.

Frost asks if other sites are not approved would this still move forward. Marchant states yes it will.

Chuck Bonhnsack asks if balloon can stay up for more than 4-5hrs. Marchant states they can not due to the wind.

BJ Carbee asks if the board can wait until all plans for other site locations are submitted before moving forward with this application. Anderson notes that Federal law states a board can not delay hearing submittal of any plan. Watson states that the board has to rule on application within so many days, they can not postpone or hold an application.

Ron Cheaney asks about competitors, can they co-locate. Anderson states that each carrier has agreements with each other and it is based on first come first serve. They encourage co-location. Cheaney worries that if they can't co-locate what happens then. Lindgren states that this exact situation is before the ZBA now. There are currently two towers on Crotched Mtn. Both are at maximum capacity. AT&T wants to install new service there however there is no more room, so AT&T is proposing to replace the 40' tower with a 100' tower and this would allow for additional co-location. Watson reads Site Development Reg's under general provision VP-3C dealing with co-location.

Cheaney asks if there is alternative ways to provide cell service. What about a box that you put on telephone poles. Anderson states Cheaney is referring to distributed antennae systems which are generally used in corridor or tunnel type environments, such as tunnels like the Big Dig, they allow you to get through the tunnels. They are extremely expensive and not feasible for this rural area.

Jonas recalls ZBA meeting and different discussion of different towers and types of coverage. Anderson states AT&T is licensed for two types of coverage 800 MHz which is a higher power, lower frequency and 1900 MHz a lower power, higher frequency. In Mass AT&T has a license for both frequencies, in NH they only have a license for 1900 MHz. 800 MHz can go further however AT&T does not have rights to that at this time. Jonas is worried that if AT&T is 1900 MHz on this monopole could a company with 800 MHz come in and co-locate. Anderson states that yes they can. AT&T built this tower at 150' with the option to add 2 additional carriers. All carriers would need ground space, some carriers use shelters, others use cabinets. (However in the event the

carrier's technology is compatible with AT&T's that carrier would just roam on AT&T's network and there would be no need for an additional antennae, shelter/tower, if technology is not compatible then they would need their own antennae, shelter/cabinet) The plan shows enough ground space for the additional of 2 co-locators for a total of 3 carriers. Lindgren states it was represented at the last ZBA meeting that the 1900 MHz range will roughly cover 2-3 miles. The 800 MHz can cover 5-6 miles. Lindgren asks what do they anticipate the next type of cellular technology to be in 5 or 10yrs. Marchant states it would be speculation they have no idea.

Watson states that a performance bond or escrow account would need to be created. In the event that a tower is abandoned the town could call in the bond and have the tower dismantled.

Francelle Carapetyan asks if another carrier would like to co-locate do they come before the Planning Board or is it just between the carrier and the owner of the monopole. Lindgren states that they would need to come before the Planning Board. Watson states that they would come before the Planning Board however they would not need to receive a special exception from the ZBA. This was the Planning Boards intention to encourage co-location.

Carapetyan asks about mitigation or camouflage for the top of the tower, can the board request this. Watson states that yes, they can and will if the board feel it is necessary they will.

Carey re-visits the Bible Hill site and asks if AT&T is certain that they can not co-locate at that location. Anderson states that they are re-visiting the site to secure why it is not possible.

Betsy Hardwick requests that the Conservation Commission receive a copy of the plans for their review.

Robitaille asks about the subdivision approval that the applicant currently obtains. Watson states it is for one house and that the board needs to review this. Watson also notes that the applicant (Pettee's) have stated they have no intention of building and if they want to put a house up they would be willing to come before the board again. Watson would need to look into the possibility of rescinding the prior decision and if the applicant would be willing to do that.

With no additional questions or comments Watson continues the meeting to April 21, 2009 @ 7pm.

Stewart rejoins the board.

Review of Conditions of previous approval: regarding the recording of plats for an erosion control plan for Scott Jackson, Map 8, Lot 64 approved by the board on Feb 17, 2009 and notice of decision revised on March 3, 2009. Watson advises the board that the plat was returned from the registry of deeds with the check refusing the plat as being recordable. Kunhardt will contact the registry and find out how they can get this recorded.

Watson advises the board that the Pool lot line adjustment has been returned twice. The first time for needing a second notary and the second time for not having a 3" margin at the top of the document. Watson will prepare a document with a 3" margin and put it on the website for others to use. Watson to re-create Pool document and re-submit to the registry.

Announcements & Communications

Stewart notes that the Site Review application needs to be changed to reflect correct sections regarding C10 - statement that the site is ready for board inspection.

Next meeting is Tuesday, April 7th at 7pm. Only thing on the agenda at this time is the review of minutes.

Meeting is adjourned at 9:50pm.