

**TOWN OF HOLDERNESS
PLANNING BOARD
Tuesday,
October 15, 2019 6:30PM**

MINUTES

CALL TO ORDER: R. Snelling called the meeting to order at 6:30.

ROLL CALL OF MEMBERS:

Members Present: Robert Snelling, Chairman; Carl Lehner, Vice Chairman; Donna Bunnell, Secretary; Angi Francesco, Member; Ronald Huntoon, Member; Janet Cocchiaro, Alternate; Peter Francesco, Ex-Officio

Members Not Present: Louis Pare, Member

Staff Present: Linda Levy, Land Use Board Assistant; Michael Capone, Town Administrator

Others Present: Philip Bennett, Alison Pascarelli, Lisa Bennett, Hilary Keefer, Patrick Keefer, Bob Maloney, Betsy Whitmore, Sandra Lehner, Fran Taylor, Michael Elberg, Marlou Depaz, Francis Parisi, Eleanor Mardin, Peter Webster, Joan Griffith, Craig Veasey, Cathy Denious, Deborah Adams, George Adams, Timothy Britain, Susan Webster, Kevin Barrett, Meagan Fontaine, Willis Holland, Oliver Fitz, Fifi Kampf, Peter Kampf, Anne Valentine, Gemini Meeh

APPROVAL OF MINUTES: The draft of the minutes of the September 17 was reviewed and edited.

Motion: "To accept the minutes as edited."

Motion: P. Francesco

Second: D. Bunnell

Discussion: None

Motion Passes: 7-yes 0-no 0-abstention 0-absent

R. Snelling: Asked that the audience identify themselves when they get up to speak.

CONTINUED APPLICATIONS: None

Case #19-08-15: Property owners James C. Sanford and Jean L. Doyle of Perkins Lane, tax maps 240-023-000 and 240-024-000, request a lot merger so that lot 240-023-000 (.19 acres) merges with lot 240-024-000 (12.14 acres) to create one lot equaling 12.33 acres.

The public hearing was opened at 6:02.

R. Snelling explained the application as neither land owner was going to be able to be present.

Motion: "To accept the application."

Motion: R. Snelling

Second: A. Francesco

Discussion: No further discussion

Motion Passes: 7-yes 0-no 0-abstention 0-absent

The public hearing was closed at 6:04.

Motion: "To approve the lot merger."

Motion: C. Lehner

Second: A. Francesco

Discussion: No further discussion

Motion Passes: 7-yes 0-no 0-abstention 0-absent

NEW APPLICATIONS:

Case #19-08-18: Application submitted by Fran Parisi as agent for Revocable Trustees Peter W. Harry, Harriet R. Harris and Henry Pratt Upham Harris III of Old Mountain Rd., tax map 220-004-000, request a site plan review to install a cell tower by Vertex Tower Assets, LLC, located in the Rural Residential District, in accordance with the Town of Holderness Site Plan Regulations.

Motion: "To accept the application."

Motion: R. Huntoon

Second: C. Lehner

Discussion: One question was asked; is the property in current use? Answer; yes, a small part of the property will come out of current use.

Motion Passes: 7-yes 0-no 0-abstention 0-absent

The public hearing was opened at 6:37.

- R. Snelling shared information about the Telecommunications Act of 1996, saying the purpose (to promote higher quality services and encourage telecommunications), that the company cannot discriminate against providers, that while concerns over the viewshed from land owners can be raised, the decision cannot be based on those concerns, and that decisions to deny must be supported by substantial evidence (i.e., supporting data).
- F. Parisi introduced the project, representing Vertex. He provided extensive explanation for each of the following points:
 - How Vertex works
 - Why another cell site is needed in the Town of Holderness
 - The selected site (Old Mountain Rd.) is the least intrusive and only available viable alternative
 - There is a significant gap coverage in Holderness
 - The site is of sufficient size to support the Town's setbacks
 - There is ample vegetative buffer
 - The plan is for a 60'x60' fenced in area with approx. 20'x20' foundation for the tower that is 6' deep
 - There will be no noise generated from the site
 - There will be a back-up generator for extended blackout periods of time
 - It will take 6 weeks to construct
 - The equipment will be monitored remotely
 - There will be no impact on the road
 - The tower will be camouflaged with pine branches

- The tower will be 140' high (6' higher with the branches attached)
- The antennas will have green socks on them to blend in with the pine color
- The tower will exceed all safety requirements under FCC regulations
- The coverage will include the Rt. 113 corridor between Sandwich and the Library/Science Center area (it will not include the Town Hall or the part of Holderness toward Ashland)
- The visibility study included a balloon test in September (he showed photos of various sites where the balloon was visible as well as not visible)
- The site meets all of the Town's criteria (no variances from the ZBA are needed)
- The project satisfies the company's purpose
- Studies show that there is no measurable impact on property values
- There is anecdotal evidence that property values are diminished with no cell service
- R. Snelling shared the targeted objectives, citing that the data is not accurate according to the MF2 Challenge program that authorized State and Local facilities to challenge the claims of coverage. He further stated that the area that is targeted already has cell coverage, the area that needs it cannot get it, and the other sites that were rejected would have covered downtown. He asked why there was no analysis of sites G & H?
- F. Parisi answered that he could provide that data, that there was no willing land owner, or that the land was deed restricted (i.e., conservation land)
- S. Kelleher agreed to provide that data
- D. Bunnell asked about photos from the lake and cited Ordinance 575.4 (Location) which states that the company needs to provide proof that other areas did not meet all ordinance requirements
- F. Parisi agreed to look into other areas and provide data for those sites, and agreed to go out on the lake with another balloon over the test site
- A. Francesco asked that the company inform the Town of the balloon test so that people will be around to view the balloon test as well
- P. Francesco reiterated the importance of notifying the group
- Other questions were raised:
 - How big will the buildings be at the base of the tower? (there will be 1-4 refrigerator-sized buildings)
 - How many antennas will there be? (4 sets for different telecommunication companies)
 - Will there be mobile app's? (there will only be commercial and safety app's)
 - Do you have commitments from any of the telecommunication companies? (no, not at this time, and we won't build until there is commitment)
 - Where is the existing power? (it is underground, but will need about 950' more to bury)
 - How did this project come about, was the cell phone company asking or was the land owner reaching out? (the company found that coverage was lacking and checked out sites and contacted residents)
 - What would be the best place to put a tower to serve the downtown area? (2 hills behind the Science Center)
 - Would you perform an analysis of the optimum network for Holderness? (yes)
 - Have the setbacks constrained you to put the tower elsewhere? (yes, the setback requirement is 1.5 times the height)
- P. Bennett read from his letter to the Board citing that the application is flawed
 - There was no consideration for existing facilities
 - The alternate location analysis

- The dense forest buffer (due to logging on the property, the tower will not meet the setback requirements)
- The visual simulation – he could see the tower from the lake especially at sunset
- The application ignores the historical legacy of the property and suggested that an architectural historian be brought in
- F. Parisi replied that the National Historic Preservation Act requires them to do an environmental impact before federal permitting
- Other comments and questions from the public included:
 - Rt. 113 corridor already has good cell service
 - Review of Mr. Bennett’s comments
 - Safety concerns
 - The hiring of an independent company to be in charge of the process
 - The coverage serves the least populous people in Holderness, it does not fulfill a need
 - Coverage is needed downtown
 - The application and statements by the company are inconsistent
 - We don’t need cell service in our homes to have home businesses as most homes have internet access
 - If this sets a precedent, the Town will be responsive, instead of proactive
- F. Parisi: The balloon test will be November 2 (alternate/bad weather date is November 3) from 8am-noon

The public hearing was closed at 8:40.

- R. Snelling identified a list of substantial evidence that would be required
 - Data/Modeling report for areas G & H as well as other potential sites and justification/data to support the reasoning for site rejection.
 - A geographically broader balloon visual study that includes the lake. The balloon is to be up from 8AM until 12 Noon on Saturday, November 2, 2019, with a rain date of Sunday, November 3, 2019.
 - A validation of the 150’ vegetative buffer from the enclosure fence.
 - To address the impact on the sites listed on the Natural Historic Registry list of historical sites.
 - Provide bond assurance if the tower has to be removed by Vertex.

Motion: “To continue the application to give Vertex the opportunity to provide additional information.”

Motion: R. Snelling

Second: A. Francesco

Discussion: No further discussion

Motion Passes: 7-yes 0-no 0-abstention 0-absent

Case # 19-09-19: Application submitted by David Driscoll as agent for Rockywold Deephaven of 18 Bacon Rd., tax map 219-009-000, request a site plan review to rebuild a septic system, enlarge and reconstruct tennis court, and enlarge the access drive to tennis court, located in the General Residential District, in accordance with the Town of Holderness Site Plan Regulations.

The public hearing opened at 9:05.

Motion: "To accept the application."

Motion: A. Francesco

Second: D. Bunnell

Discussion: None

Motion Passes: 7-yes 0-no 0-abstention 0-absent

- D. Driscoll described the scope of the project
- Discussion centered on the content of the water mains coming from the laundry (effluent waste and gray water); both the Town and the State have approved the septic; the lagoon (it is a mini-waste water treatment plant); the new building (approved in 2015, but never built); the wetlands (have variance from the ZBA)

The public hearing was closed at 9:26.

Motion: "To approve the application as presented."

Motion: P. Francesco

Second: R. Huntoon

Discussion: No further discussion

Motion Passes: 7-yes 0-no 0-abstention 0-absent

OTHER BUSINESS:

1. Discussion on the proposed changes to Zoning Ordinance Sections 550, 575, and 600 that were distributed at the September meeting

Motion: "To accept the proposed changes to Zoning Ordinance Sections 550, 575 and 600 with the recommended changes."

Motion: R. Snelling

Second: D. Bunnell

Discussion: None

Motion Passes: 7-yes 0-no 0-abstention 0-absent

2. Discussion of the Conservation Commission Master Plan (delayed)
3. Next Meeting - Tuesday, November 19, 2019 at 6:30PM

CORRESPONDENCE: None

ADJOURNMENT: At 9:28 the following motion was made.

Motion: "To adjourn."

Motion: R. Huntoon

Second: P. Francesco

Discussion: None

Motion Passes: 7-yes 0-no 0-absention 0-absent

Respectfully submitted,

Linda S. Levy
Land Use Boards Assistant