

**TOWN OF TUFTONBORO
PLANNING BOARD
July 15, 2021
DRAFT MINUTES**

Members Present: Matt Young, Chairman, Gary Qua, Vice-Chairman, Bill Marcussen, Selectmen's Representative, Carol Bush, Laureen Hadley, Kate Nesbit, Tony Triolo, Members, George Maidhof, Alternate.

Staff Present: Lee Ann Hendrickson, Administrative Secretary, Roberta French, Administrative Secretary.

Chairman Young opened the meeting at 7:00 PM at the Tuftonboro Town House.

I. Public Comment

None.

II. Approval of Minutes

July 8, 2021

It was moved by Gary Qua and seconded by Carol Bush to table the July 8, 2021 Planning Board minutes. All members voted in favor. The motion passed.

III. Public Hearings

Verizon Wireless and Town of Tuftonboro

Tax Map #30-3-4; 69 Sodom Road

Site plan review; Installation of a new wireless telecommunications facility

Scott Anderson, Verizon Wireless, spoke. With him was Brian Ross and Oscar Swarez. He explained that it would be a 130 ft. monopole tower, at the bottom of the tower is a fenced area, gated and locked, with crushed stone surrounding, radio cabinets, a back-up battery, and a fan. It would be located behind the existing building on site, and it is to be 68 ft. from nearest property line, and must be less than 50 decibels. He also explained it could not be more than 20 ft. higher than the average canopy of the trees within 150 ft. of tower. The tree canopy at this site is 55 feet, so the ordinance allows it to go up to 75 feet. Provision allows planning board to go as high as 190 feet. So we have to show that it's necessary, and that it is in the interest of the town. He explained that towers under 100 feet don't usually work very well. Most are between 120 and 195 feet. He also explained about coverage and the balloon test.

Carol Bush asked if it was a monopole with no branches.

Scott Anderson said no.

Matt Young asked about the zoning for reducing the fall zone to 50%. There is an existing building outside of that fall zone (town garage). He also asked about Verizon Wireless' interpretation of institutional use.

Scott Anderson replied that institutional uses were generally a hospital, VFW halls, non-governmental, non-residential, non-commercial. The Planning Board members agreed it was a non-institutional use. He stated that he spoke with the immediate abutter, Diane Honeycutt, who is comfortable with us asking for this reduction.

Matt Young asked if there would be an easement.

Brian Ross said either an easement or a document stating that she is ok with that.

Scott Anderson said there is no document, and that abutter is okay with that.

Matt Young asked about retaining walls, and could they expand on that.

Scott Anderson replied that there are steep sections and topographical challenges. They need access that doesn't interfere with existing use and to minimize erosion.

Brian Ross: There will be some cutting and filling, and they will need occasional crane access.

Matt Young asked what the distance was from retaining wall to the property line.

Brian Ross answered 9 ft.

Matt Young said a 20 ft. green space is needed along the property line, grass or trees. Are you requesting a waiver? He also asked what are the storm water controls for the parking area.

Scott Anderson said there are no mitigation features, the crushed gravel will finish grade will be at a slope. The design of the final site is intended to manage stormwater.

Matt Young asked how big the area is.

Brian Ross said 36 x 50 (past salt shed), with crushed stone.

Matt Young said a waiver would be need for storm water control.

Gary Qua noted that storm water would run to abutter's property, and that there would be minimal storm water impact.

Scott Anderson said crushed gravel compound doesn't pool, water will go right into ground.

Gary Qua asked if VW would be leveling the area.

Scott Anderson replied yes.

Matt Young asked how are you bringing power in?

Scott Anderson said there will be an underground line by shed, a separate utility pole from access drive, then underground access drive to cabinets.

Bill Marcussen asked if it was overhead from street pole to the fuel shed.

Scott Anderson replied yes.

Gary Qua explained that Verizon Wireless was leasing an 80 x 80 square ft. area with access easement for roadway and a utility easement for the spur to the street pole, with a 50 x 50 tower inside a fenced area (fenced, locked, barbed wire).

Carol Bush asked if they would be leasing areas to other carriers.

Scott Anderson said, in theory, three more carriers could lease space from them. The town is going to have a "whip" on top. Also, any new carrier has to see if existing cells work, but it's important to design the tower for co-location.

Gary Qua said it's a co-location tower, so other sources can jump on, as many as four, who would strike a deal with VW.

Matt Young asked what are the RF (radio frequency emission) percentages.

Brian Ross said just over 2% with one carrier.

Matt Young asked if he could calculate percentage with three carriers.

Brian Ross said no greater than 50 decibels.

Gary Qua asked if VW could explain about how the signal level drops from the tower, for health and safety purposes.

Scott Anderson said all towers are regulated by the FCC. The antenna is focused in three different directions, like a cone shape. The maximum energy level is where the bottom cones hits the ground at 100-125 feet. When operating a full power the facility is making only 2% of FCC requirements. Most are under 5%. When the technicians go up the poles the levels are at 100%; that's why they have to turn it off before they climb.

Gary Qua asked if the radiation waves are non-ionizing.

Scott Anderson said it's megahertz frequency/am-fm radio frequency. VW has rights for certain frequency.

Gary Qua said that the American Cancer Society states that non-ionizing towers does not damage cells.

Scott Anderson said the frequency goes a couple of miles.

Chairman Young opened the public hearing.

Lisa May, adjacent to site at 68 Sodom Road, said the tower will be 800 ft. from her house, which they just bought and just renovated. Asked if it would be visible or would it be blocked behind buildings. Why are we putting it here in a residential area rather than, like, say, the transfer station? It will affect their property value. She also asked how many miles coverage would be, and also stated that her and her husband did not want to look at barbed wire across from their driveway. I deliberately turned

down a house in Wolfeboro because it had a radio tower nearby. Why is it being put in a residential neighborhood? It will also affect my property value. I would ask you to please consider that.

Matt Young said that it would be behind the larger barn to the right, the sand barn. He showed May pictures, discussed the balloon test to look for gaps in coverage. The base of the tower would be blocked by the building, the top two-thirds would be visible. By law, the government says that towns must allow these towers. He stated the Planning Board would be getting a third-party engineer, Ivan Pagacik who evaluates all of the information that is provided by the applicant. His report would be available at the next meeting, after the report is finished. The next meeting is August 19th. VW will need to provide one consolidated list of waivers, a 20 ft. buffer, and explain why storm water control isn't needed.

Lisa May asked how many miles does this thing go?

Scott Anderson showed the different areas for coverage, and how they connect to surrounding towns.

Lisa May asked is this whole barbed wire enclosure? Is that going to be visible from my driveway?

Scott Anderson said it should be blocked out.

Matt Young Matt Young reviewed the following items requested by the Board;

1. Explanation as to why stormwater controls are not necessary
2. Consolidated waiver request
3. Third party RF Engineer review (cost to be borne by the applicant)

It was moved by Gary Qua and seconded by Tony Triolo to continue the application until a date certain of August 19, 2021. Tony Triolo seconded. All members voted in favor. The motion passed (7-0).

Verizon Wireless and Town of Tuftonboro

Tax Map 55-2-6; 189 Middle Road

Site plan review; Installation of a new wireless telecommunications facility

Scott Anderson explained that it is another 130 ft. monopole, same basic components, back-up equipment, but in this case the nearest property line is 300 ft. away, do sound id only 40 decibels at full power. It complies with the noise standard. The average tree canopy in this area is 42 feet, so that gives us 62 ft. Ivan Pagacik will also consult for this application. So, a waiver will be requested for storm water control, and a consolidated list will be provided on one page. Radio frequency levels will be at 2.9%.

Matt Young asked if they had talked to the Fire Dept. about both of these projects to get their sign-off on it.

Brian Ross said no, but they he connect with Adam Thompson.

Matt Young asked if they will construct a road in, a rather large one, would it seem simpler to me for them to go through the existing parking lot. People recreate on that land, there would be more green space that way.

Gary Qua asked what was to the left.

Matt Young answered hiking trails.

Gary Qua asked if they had looked at coming from the other side.

Matt Young replied that it goes straight up.

Brian Ross said there is an existing pathway there, and a drainage swale at the edge of the asphalt. Utilities would need to be different than they are currently proposed.

Matt Young asked what about utilities.

Scott Anderson they would be coming off an existing utility pole to right of access drive, then go underground right away.

Gary Qua said that is parking area for hikers.

Bill Marcussen said that is to the right of the access road.

Matt Young asked if it would be gated. People access this area.

Brian Ross said they could put a gate at the wood line.

Matt Young said they may park on the access road, and asked if VW would provide an area wide enough for two or three cars on the side?

Brian Ross replied it is a 20 ft. wide easement, they should be able to get by. An SUV would come by once a month to check on the site.

Carol Bush suggested they could put up a sign for hikers to show where to park.

Matt Young said that one of the existing hiking trails would need to be relocated, and asked if VW was doing that, or the town. We also need to make sure the fall zone is out of the public recreation area.

Laureen Hadley asked how long the construction process was, and could we camouflage the tower?

Scott Anderson said usually five to six months. It would be a flat gray, non-reflective. It could be disguised as a water tower or a flagpole (a ground stick), but the antennae would have to be mounted inside the pole. It would also have to be taller, which limits equipment for other carriers. They also have to count each tree within a 150 ft. area and take an average for size of pole.

Gary Qua asked if they could provide pictures of other possibilities.

Matt Young stated they would hire a third-party engineer.

Bill Marcussen the sound level which is right at the limit now, one of the conditions would have to be imposed as an "as built" verification, as there is no wiggle room. Is there an alternative equipment selection?

Scott Anderson replied that it is VW's obligation to operate it at less than 50 decibels. This assumes maximum output.

Matt Young asked if they could do a post installation test, and said that it would be a larger problem with additional carriers.

Scott Anderson said it's over 300 ft. to the closest property line. Does the Planning Board deny an application because there MAY be additional carriers?

Chairman Young opened the public hearing.

Peter Solleski, 6 Henry's Way, asked about lighting, and whether the tower would be freestanding or require cabling.

Scott Anderson said there would be no lighting except a motion light for workers, very seldom, and it is freestanding with no cabling.

Nicole Bailey, 4 Henry's Way, asked if the site was on conservation land, and that it is used for community events like Old Home Days, etc.

Matt Young asked if the fire station was part of conservation easement.

Scott Anderson can get the answer to that tomorrow.

Ed Bailey said the road is going to cut right through the recreation area, and mentioned that the school used that area for snowshoeing, and asked about radio frequency percentages, and asked if it would prevent volunteer firefighters from having parking space. It is his understanding that the town bought that land for conservation use.

Matt Young stated there is no building, just two equipment cabinets. He didn't believe it was a conservation easement, but we should double-check.

Nicole Bailey said when they bought their property, they were told it was abutting 75 acres of conservation area, and that was a big selling point. She was also concerned with noise.

Scott Anderson said the back-up generator only comes on if the power is out for over six hours, and the fan is very quiet.

Scott Thompson, 820 North Line Road. Can you see the base from the road, or will it be up around the corner? And if you heard any noise it would be from the Fire Dept. generator.

Nicole Bailey asked if it could be placed to the left of the uninhabitable building.

Bill Marcussen said it follows the line of the existing driveway.

Scott Thompson stated there is a cemetery up to the left.

Matt Young said this will require a DOT driveway use change.

Scott Anderson will check on that.

Matt Young said get Fire Dept. sign off, ask them about parking lot.

Larry Phelps, 8 Tupeck Lane, asked about overlapping cell coverage, and had we ever thought of putting one at Abenaki Tower, on a higher point of land.

Scott Anderson said there is one on County Road, one of Tuftonboro Neck, and that they have to be placed where people are and where people are traveling.

Matt Young said Abenaki Tower was ruled out as a site when they did a previous one. The transfer station was also ruled out.

Bill Marcussen said no one has suggested we put one at the transfer station.

Scott Anderson explained that the Planning Board has the ordinance with all rules and regulations for these issues.

Gary Qua asked if VW could provide a map of Tuftonboro with coverage, and if more towers would be needed.

Brian Ross showed a map of coverage in Tuftonboro to audience.

Larry Phelps asked if we could go with just one, or two, maybe, first and see how they work.

Matt Young said he would agree with that if that is what the consulting engineer said.

Oscar Swarez explained data usage, and said that the closer subscribers are to a tower, or the tower is to the subscriber, data usage is less, and the cell doesn't have to expend as much power.

Ed Bailey asked if there were any big businesses in town that needed this.

Matt Young explained that there are more people in town now, more people are working from home, etc.

Scott Anderson: VW is going into locations because they have an obligation to serve. The FCC has an obligation to serve everywhere. There is a huge issue right now in the U.S. and certainly in New England, for more data access and technology access in more rural areas. There is a high demand in town, and more so in the summer.

Suzanne Kelly, 198 Middle Road. I live right across from the site, and want to know why didn't anyone talk to Chief Thompson about this, and why do we need a road when they could walk to the site. Also did anyone speak to the road agent Jim Bean?

Matt Young said virtually every application we have the fire department is consulted.

Bill Marcussen stated that Chief Thompson and the road agent have been involved in the conversations from the beginning.

Matt Young Matt Young reviewed the following items requested by the Board;

4. Fire Department signoff

5. Third party RF Engineer review (cost to be borne by the applicant)
6. Consolidated waiver request
7. Gate to be constructed at the wood line be depicted on the plan
8. Photographs of the towers (pine tree simulation) and examples of the water tanks
9. Conservation Easement review
10. NHDOT Change of Use Driveway Permit
11. Determination of whether the hiking trails constitute a recreational area in relation to fall zone

Kate Nesbitt moved to continue to a date certain of August 19th meeting, seconded by Gary Qua. All members voted in favor. The motion passed (7-0).

V. Action Item

Lot Merger: Brian Daly, TM #43-2-41 & 43-2-42

Matt Young stated they would like to do a voluntary merger, and there were no mortgages discharged.

Tony Triolo moved to approve the merger as requested, seconded by Carol Bush. All members voted in favor. The motion passed (7-0).

Farm Island

Lee Ann Hendrickson noted that at the last meeting it was stated that they requested an extension from the applicable date with the condition of payment for third-party engineer.

Bill Marcussen moved to approve the Farm Island Subdivision one-year extension contingent upon the payment of the third party engineer, Horizons Engineering, in the amount of \$10,169.44 and Gary Qua seconded the motion. All members voted in favor. The motion passed (7-0).

Master Plan Steering Committee Update

Gary Qua stated that the committee's vision process was well underway, and that the next meeting would be on August 4. The committee will also be at Old Home Days Saturday Aug. 23 or 28. There will be a public session in October. The committee is not taking any more surveys, and the Master Plan should be done by the end of the year. It will come back to the Planning Board, and the Planning Board will either adopt it or reject it.

VI. Other Business

The Board previously voted to release the \$864.08 from escrow for the Farm Pond Subdivision (Greymont) project, but there was an outstanding invoice of \$3,000 to HEB Engineers that the Board was not aware of. Staff recommended the Board rescind the motion to release until and use the funds to put towards the outstanding balance.

Tony Triolo moved to rescind the release of financial security in the amount of \$864.08 for the Farm Pond Subdivision project and it was seconded by Kate Nesbit. All members voted in favor. The motion passed (7-0).

VII. Adjournment

Matt Young made a motion to adjourn the July 15, 2021 Planning Board meeting and Laureen Hadley seconded it. All members voted in favor. The motion passed (7-0).

There being no further business before the Board, the meeting adjourned at 9:00 PM.

Respectfully Submitted,

Roberta French

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