

LPB - Public Meeting of the Lisbon Planning Board and Zoning Board

Thursday January 9, 2020 at the Railroad Train Depot in Lisbon, NH.

Meeting opened at 6:00 PM by chair Rosalind Page

Present: Rosalind Page "RP"
 Sandra Butson "SB"
 Scott Champagne "SC"
 Bob Adams "BA"

Quorum present: yes

Planning Consultant Tara Bamford also present

Agenda items:

- 1) First item on the agenda was the Roll Call, quorum present.
 Chair noted that MaryLou Forsyth resigned on Tuesday January 7th, due to work load at her new job. Her commitment to the work of the Planning Board was noted and much appreciated.
- 2) approval of minutes of December 12, 2019. SC motion, SB seconded. All voted in favor of the motion and none opposed.
 The board signed the minutes.
- 3) Public Input – The public was asked if there were any matters to be brought forward that may not appear on the meeting agenda, there were no items brought up.
- 4) A continuation of design review on the Moore property 37 lot subdivision. Chair read into the record an email from the applicant's Engineer, Jenn McCourt, withdrawing application for design review. The town's consultants have submitted their draft findings which will go into the file and their final invoices will be paid from the escrow account. Any residual monies will be returned to the Applicant.
- 5) Final Review of proposed Zoning amendments (7) prior to submitting to Town for voting at Town Meeting in March 2020. Tara Bamford reviewed the final drafts with the Board. One typo was found on amendment #6. SC motion to accept these 7 with typo corrected and send to Town. SB second. All in favor. None opposed.
 Tara Bamford presented the draft language for the 7 articles/ballots for the Town meeting.
 Board suggested revisions to the description for amendment #3. Tara will make these revisions and resend to the chair. SC motion to accept these descriptions with the revision. BA second. All in favor, none opposed.
- 6) Building Permit Log: None
- 7) North Country Council Commissioner's Report: Nothing to report
- 8) North Country Council Transportation Committee Report: Nothing to report
- 9) Any Other Business: None.
- 10) Date of next meeting: Thursday February 13th, 2020.

7 PM: Zoning Board joined the Planning Board. Zoning Board members as follows for a Joint Hearing:

Stanley Sudol "SS"

Jan Marshall "JM"

Tucker Clark, Chair "TC"

Steve Toutant "ST"

Deborah DeSantos "DS"

Skip DeRosia, Alternate "SD"

RP welcomed all and explained the process of a joint hearing both boards. The applicant will make a joint presentation on both applications, Boards will ask questions on each application. The public will ask questions on each application. If appropriate the public hearings will be closed. Then the ZBA will vote on Sanborn Lane, and the Planning Board on Sanborn Lane. Then the same will happen with Streeter Pond.

SB recused herself from the meeting being an owner of the land for the Sanborn Lane application and sat with the public.

RP read into the record a signed waiver of rights to written notice to the public hearing on the Sanborn Lane cell tower application, which had been received from Arthur and Andrea Fitzgerald who are abutters to this property and who did not receive a notice by certified mail.

- 1) **Planning Board and Zoning Board of Adjustment:** a public hearing on the applications submitted by Vertex Tower Assets, LLC for Site Plan Approval and a Special Use Permit from the Planning Board pursuant to Section 6.7 of the Town of Lisbon Zoning Ordinance, and a Special Exception from the Zoning Board of Adjustment pursuant to Sections 5.7.7 and 8.3 of the Town of Lisbon Zoning Ordinance. The applicant proposes to construct a Personal/Commercial Wireless Communications Facility including a 141 foot tall lattice style tower (147' to top of highest appurtenance) at 126 Sanborn Lane, Tax Assessors Parcel U01-042-000.
- 2) **Planning Board and Zoning Board of Adjustment:** a public hearing on the applications submitted by Vertex Tower Assets, LLC for Site Plan Approval and a Special Use Permit from the Planning Board pursuant to Section 6.7 of the Town of Lisbon Zoning Ordinance, and a Special Exception from the Zoning Board of Adjustment pursuant to Sections 5.7.7 and 8.3 of the Town of Lisbon

Zoning Ordinance. The applicant proposes to construct a Personal/Commercial Wireless Communications Facility including a 141 foot tall lattice style tower (147' to top of highest appurtenance) off of Streeter Pond Road, Tax Assessors Parcel R48-012-000.

RP noted correspondence received from North Country Council, the Fire Chief and the Road agent on the application, for the record, for both applications.

Applicants Atty Parisi and Mr Johnson PE presented the joint application. Atty Parisi gave an overview of the process by which they select locations for the towers, the goal being to improve cell phone coverage along the Rte 302 corridor. He discussed the proposed emissions from the towers will be well below the federal thresholds. He noted that all their applications have to review each site for endangered species, Native American artifacts and do environmental due diligence. Atty Parisi then presented maps that depict the location of the towers and the expected coverage. He also presented photographs that were taken at various locations around town of the balloon demonstration on Dec 5th to show the proposed height of the towers at each proposed location to determine the visibility of the towers. All these materials have been submitted as part of the application.

He described the proposed construction of a 12 ft wide driveway to access the 60x60ft pad on which the cell towers will be built. He explained that the tower sites will be fenced in, with access made available to the Fire Dept. Within the fenced area the tower and several concrete pads for utility cabinets will be located. Up to four carriers can be accommodated on each tower along with local emergency services antenna. He described how lattice style towers are preferable to build in rural hilly areas than other types of towers since the components are smaller and easier to transport. No lighting on the towers is needed due to the low height and no proximity to airport/air traffic.

The proposed construction time is about 6 weeks. After all work is completed, there will be monthly visits by staff to check on equipment and the site. There will be no machinery/air conditioner units running, so no noise will be generated and no gases/air pollution discharged.

Atty Parisi and his Engineer, Mr. Johnson met with Lisbon Road Agent Charlie Hampson at the site to discuss his request to replace an existing 13" culvert with a new 15" culvert at the hammerhead turnaround at the end of Sanborn lane, and to regrade same hammerhead. The Applicant has agreed to do this work if the application is approved.

Board members then asked questions to the applicant.

JM: had questions about the surrounding tree cover for both sites. The applicant explained they have no control over that, they lease the minimal area they need. Both sites are stable in terms of tree cover, Streeter Pond was logged in the last few years and is unlikely to be logged again.

ST: had questions about the length of the lease, length of construction period and whether alternative technology would be more appropriate. Atty Parisi replied that they sign a 50 year lease, construction should take about 6 weeks, and that other technologies, such as satellite are decades away from becoming a reality.

TC: asked about commitments from carriers. Applicant replied that typically ATT and Verizon will not sign up until Vertex has all their approvals in place.

SC: asked about local town emergency service antenna access. Applicant explained that typically they do encourage this and have space on the tower for this to happen. It is part of a system of public safety networks that ATT is involved with. Federal policy is now geared towards geography based models in terms of coverage, rather than population density based models.

RP: had questions regarding fill needed for Streeter Pond site, whether this would extend the construction time period. Mr. Johnson explained there would be about 6 ft of fill needed to create a level pad on half of this site. This would extend the construction time by less than one week.

ST: questioned if towers were higher, could they be farther apart. Applicant explained that this would not necessarily be the case due to the way the cell phone technology works.

Public input was invited in the **Sanborn Lane tower:**

Dave Combs: in favor. His work on the Life Squad requires good cell service and this will be very helpful.

Matt Champagne: in favor for public safety.

Michelle Combs: in favor

Mark Humphries: in favor, no issues with visibility of towers. Lisbon needs better cell phone service.

Chris Humphries: in favor. She has been advocating for this for many years now. No concern about visibility even though they will see the Sanborn lane tower from their home.

Scott Peterson: in favor. Towers will have minimal visual impact. Thanked the applicant for a thorough presentation.

Nicholas Combs: in favor. Lisbon needs better cell coverage for work and personal uses.

No one spoke in opposition.

No one spoke as a general comment.

SANBORN LANE: Motion made to close the public hearing for Sanborn Lane TC/SC. All in favor, none opposed.

Public input was invited for **Streeter Pond:**

Dave Combs: in favor. His work on the Life Squad requires good cell service and this will be very helpful.

Matt Champagne: in favor for public safety.

Michelle Combs: in favor

Mark Humphries: in favor, no issues with visibility of towers. Lisbon needs better cell phone service.

Chris Humphries: in favor. She has been advocating for this for many years now.

Scott Peterson: in favor. Towers will have minimal visual impact.

Nicholas Combs: in favor. Lisbon needs better cell coverage for work and personal uses.

No one spoke in opposition.

Becky Lockwood offered a general comment that she had been concerned about possible lighting on the tower and visibility from her home, but based upon the applicant's testimony she was reassured.

STREETER POND: Motion made to close the public hearing SC/ST. All in favor, none opposed.

SANBORN LANE:

ZBA then discussed the criteria required for a Special Exception. (see ZBA minutes for details). Special Exception was approved.

Planning Board then reviewed the Site Plan regulations and the Zoning Ordinance provisions that pertain to wireless towers, specifically Section 6.7.2 (d) 1-10.

1. Finding that this location did not negatively impact the ability of the town residents to enjoy the scenery.
2. Alternative technologies are not feasible at this time and that co-location is part of the plan for this tower. No existing tall buildings exist in the area to be used.
3. The tower will not extend more than 80 ft above surrounding trees.
4. The applicant plans to use a neutral finish on the tower.
5. Tower will not be lighted.
6. No signs planned.
7. Tower will be more that 125% from the nearest lot line and offsite structures
8. No setback issues.
9. Tower pad will be fenced in with 6 ft high fence.
10. Proposed driveway will be built to access tower site and maintained by applicant.

Tara Bamford suggested a list of Conditions of Approval:

1. Fire Protection: access must be made available to fire Dept.
2. Storm Water Management Plan needs some modification
3. Note the source of the boundary of the subject parcel on the final map
4. Bond paperwork to be reviewed and approved by the Town Attorney.
And to include estimate to remove carrier`s equipment.
5. Applicant to apply for a driveway permit from the Town.
6. Applicant to provide proof of liability insurance annually.
7. Applicant to work with Road Agent on culvert replacement and hammerhead regrading.

Planning Board requested that Tara draft the Conditions for the Board to vote on at the next meeting on February 13th,2020 for Site Plan Review and Special Use Permit.

STREETER POND:

ZBA then discussed the criteria required for a Special Exception. (see ZBA minutes for details) Special Exception was approved.

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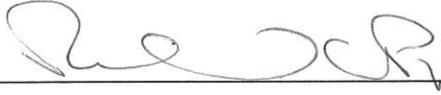
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- 3) A motion to adjourn the joint meeting of both boards was made by SC, ST second the motion, all voted in favor, none opposed.

Respectfully submitted.

Rosalind Page.

Approved



Rosalind Page. Chair



Sandra Butson. Vice Chair



Robert Adams



Scott Champagne. Ex officio for SelectBoard