

HAMPSTEAD PLANNING BOARD

11 Main Street, Hampstead, New Hampshire 03841-2033

Approved Minutes of March 6, 2017

1 A meeting of the Planning Board was held on Monday, March 6, 2017 at the
2 Hampstead Town Hall, 11 Main Street, Hampstead, NH. The meeting was
3 broadcast live over HCTV 17.
4

5 **PRESENT:** Paul Carideo, (Chairman), Ben Schmitz, (Vice Chairman), Neil Emerson,
6 Dean Howard, Glen Emerson, Chad Bennett (Ex-Officio), Randy Clark (Alternate),
7 Chris Howard (Alternate), and Scott Bourcier (Dubois and King)
8

9 **Old Business**

10 *Continued Public Hearings (from 02.06.17)*

11 1. 09-060- Hastings Drive Subdivision, Maison Belle, LLC (Hastings Dr. /Kent Farm Rd)

12 Chairman Carideo stepped down from the Public hearing due to a conflict with
13 the developer. Vice Chairman Ben Schmitz took over and appointed Randy Clark,
14 Alternate, to take P. Carideo's spot.

15 D. Jordan, MHF Design represented Maison Belle and updated the Planning Board
16 on where the project currently stands. He stated that they reviewed the review
17 letter from Dubois and King and there was some minor disagreement but they
18 incorporated the changes requested regarding guardrails for lots 4 through 7
19 over the common driveway. He submitted a letter from Hampstead Area Water
20 Company (HAWC) stating that they will be supplying the water lines to the
21 development. The State of NH DES application for subdivision approval went out
22 and they anticipate an approval once the wetland permit is issued. Mr. Jordan
23 stated that Eben Lewis met on the site last week and they are anticipating his
24 report. The plans submitted tonight have no changes other than the guardrail.
25 Mr. Jordan stated that they are looking for conditional use waiver for 3 wetland
26 crossings (original was for 4) along with are looking for driveway site distance
27 waivers for the lots. The original request had 4 driveways requesting a waiver
28 and now it is only 3. The final waiver request is for the size of the turnaround of
29 the driveway that accesses lots 4 through 7. The Fire Department, Deputy Chief
30 Warnock submitted a letter stating that they were all set with the turnaround. It
31 was determined that a waiver would not be required because the Fire
32 Department was all set with the turnaround and that it is a driveway and private
33 and therefore the Town would not be doing any maintenance on it. B. Schmitz
34 went over items on the Dubois and King Review letter of February 27, 2017. He
35 noted that a wetland stamp nor owner signature is on plan. Mr. Jordan noted
36 that they will be on the final plan.

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37 The hearing was opened up to the public but there was no one with any
38 questions or comments.

39
40 Waiver Requests:

- 41 1. Land Subdivision Regulations Appendix C- Driveway Regulations, Section D.3
42 regarding Site Distance. Each of the three lots needs a waiver for the site
43 distance.

44 a. Lot 1 from the North 280 feet and from South less 400 feet

45 b. Lot 2/3 from the North > 400 feet and from the South 320 feet.

46 c. Lot 4-7 from the North is 340 feet and from the South 280 Feet.

47 **MOTION: D. Howard moved to grant the waiver for the site distance**
48 **for all three lots for Map 09-Lot 060, Hastings Drive Subdivision,**

49 **SECOND: G. Emerson**

50 **VOTE on motion: 7-0**

- 51
52 2. Section 11-2:9 of the Hampstead Zoning Ordinance to allow 3 Wetland
53 Crossings to access the 7 proposed lots. Tim Lovell, Chairman of the
54 Conservation Commission stated that he walked the lots with NH Dept. of
55 Environmental Services (NHDES) and that the Conservation Commission is
56 okay with the current presentation.

57 **MOTION: N. Emerson moved to grant the waiver for the Wetland**
58 **Crossings for all three lots for Map 09-Lot 060, Hastings Drive**
59 **Subdivision,**

60 **SECOND: R. Clark**

61 **VOTE on motion: 7-0**

- 62
63 3. Land Subdivision Regulations, Section VI 3.C Section VIII A.7 regarding the
64 turnaround on the driveway for lots 4 through 7.

65 **MOTION: N. Emerson moved to approve the Cul de Sac Dimensions as**
66 **drawn on the plan over lot 3 for Map 09-Lot 060, Hastings Drive**
67 **Subdivision.**

68 **SECOND: G. Emerson**

69 **VOTE on motion: 7-0**

70 B. Schmitz asked if there were any further questions, comments, or discussions.

71 N. Emerson questioned if they should wait for the NHDES approval, or grant a

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conditional approval. B. Schmitz noted that it is the NHDES Wetland approval and State Subdivision approval that they are waiting on.

MOTION: D. Howard motioned to grant conditional approval to Map 09-Lot 060, Hastings Drive Subdivision. Conditions stated were subject to NHDES Wetlands approval and State Subdivision Approval and to update the Town Engineer Review Comments of February 27, 2017 and the conditions expire in 90 days.

SECOND: R. Waldron

VOTE on motion: 7-0

New Business

1. 17-025- Central Street 3 Lot Subdivision, Belle Maison 1st Public Hearing

Chairman Carideo stayed off the Board for this hearing as well due to a conflict with the developer. C. Howard was appointed to sit in his seat for this hearing and R. Clark stepped down.

J. Lavelle of James Lavelle Surveyors, LLC represented the developer for property located at the corner of Central Street and Route 111, Map 17 lot 025. He noted they are looking to subdivide the lot into three lots and to move two small sections from the parcel. The property is primarily in the residential zone A and a small section in Commercial Zone 2 (C-2). The section in the southern portion would be going as an easement to the Conservation Commission in the area of the brook and the other to be added to the property Map 12 lot 130 (lies in the C-2 zone). He explained that the lots would range in size from 4.29 acres to 4.72 acres. He explained that the lots are sized to support duplexes. He noted that it didn't mean that is what would be on the lots, but that they would be sized to accommodate one if the developer chose to put them on.

Mr. Lavelle noted that they received the review letter (March 3, 2017) from Dubois & King and addressed the issue of how the lot sizes were calculated with Mr. Bourcier prior to the meeting. He noted that they can work out the differences. Mr. Lavelle noted that the Subdivision approval has been filed.

The Planning Board went over the 20 notes on the Dubois & King March 3rd review letter.

1. Item 1, noted that signature block was not completed and Mr. Lavelle stated that this would be done for the final plans

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2. Item 2- Added
3. Item 3- Labeled
4. Item 3 – renumbered
5. Item 5 and 6 will be revised
6. Item 7 to be added
7. Item 8 and 9 to be revised
8. Item 10 will be Note #11 on plan
9. Item 11 is addressed
10. Item 12 will be stamped
11. Item 13 and 14 will be noted on plan
12. Item 15 will be added
13. Item 16 will be stamped
14. Item 17 will be added
15. Item 18 will be revised
16. Item 19 it is on there
17. Item 20 is addressed on sheet 1

The Planning Board asked Mr. Bourcier if he felt the application was complete. He noted that it was complete and stated that the lot size calculations were still an issue but that the application could be accepted as complete, but that he would suggest not approving the plan until the issue is resolved.

MOTION: R. Waldron motioned to accept the application of Belle Maison for a 3 lot subdivision located at Map 17-025, Central Street/Route 111

SECOND by D. Howard.

VOTE ON MOTION: 7-0.

Mr. Lavelle mentioned that he expects all the State approvals to be in hand for the next meeting and that he hopes to resolve the other concerns.

The hearing was opened to the public.

T. Lovell, Chairman of the Conservation Commission stated that the only concern they had was the sloping of the property and the potential for any runoff during any construction to get into the stream bed. He also thanked the developer for the Conservation Easement.

V. Shelley- 1 Victoria Lane-, noted that she had a concern with the number of cars this will add to an already busy street. She noted that the road is crumbling in

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142 areas due to the heavy traffic and loosening up and breaking. She noted her
143 concern with damage construction equipment would do to the road and asked if
144 there were any provisions to repair the road when done.
145

146 S. Tessier- 5 Victoria Lane- noted her concern with water supply. She stated that
147 during the 2016 drought there were a few homes along Central Street that went
148 dry and has seen a dip in water pressure. She also noted her concern with the
149 noise along Route 111 that will come when the trees are gone.
150

151 M. Marawski- 15 Victoria Lane- Stated that he had concern with the noise levels as
152 well. He pointed out that there is a difference in the winter with the trees bare.
153 He also brought up a concern about future commercial construction with land
154 being added to the southern commercial abutter.
155

156 R. Lesure- 18 Central Street- Stated that he lives across from the proposed middle
157 lot. He stated that when zoning was first put in place there was to be a buffer
158 zone for the residents within 1000 feet from Route 111 to help with the noise.
159 With the loss of the trees and more lights shining on his house from Route 111,
160 his property will lose value. He also noted that there is an issue water runoff
161 where the it drops off around 6 feet from the grade in the road down where the
162 easterly lot is. He felt that this would need a lot of grading. He stated that the
163 flow from Gloria's Way and Central Street all run through that lot and doesn't see
164 how a driveway crossing could be on the spot.

165 J. Lavelle was asked to respond to the concerns. He stated that he understands
166 the concerns regarding the trees and noted that luckily it was a residential area
167 not commercial because more trees tend to stay on the properties. He
168 responded to the concern on the additional commercial growth by explaining
169 that the parcel that will have the piece added is the Water Energy Company (12-
170 130) and runs in the C-2 Zone along between the parcel and Route 111. He
171 responded to the water issues by stating that the wetlands are a legitimate
172 concern. On the map, it shows the building setbacks on the lot and noted that
173 there are different places to put the house and the whole site has a lot of
174 contour hills and holes, but it was mapped by a professional. N. Emerson asked
175 Mr. Lavelle if they have talked with Hampstead Area Water Company (HAWC) to
176 alleviate the need for wells. Mr. Lavelle responded that the applicant is aware of

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177 the ability to work with HAWC but economically it would be cheaper to have
178 wells dug.

179
180 P. Perrone- 8 Gloria's Way stated that he was concerned with duplexes being
181 proposed that will add about 12-15 cars and 20-30 additional people. He felt that
182 was a significant increase and the noise from Route 111 is a concern. He reported
183 that since the Ice Storm and the loss of trees, there has been an increase in the
184 noise from Route 111. He had an issue with leaching into the wetlands and that
185 putting 6 families in a small area. He asked if the developer would consider a
186 single house or two instead of duplexes.

187
188 Mr. Lavelle responded stating that he really couldn't address Mr. Perrone's
189 concerns. He noted that the land has the buildable areas. He stated that the first
190 one closest to Route 111 will have the septic in the front and well in the back, the
191 second lot would be the reverse and the lot furthest east can go either way. He
192 noted that the trees will be cut down. The building areas will be staggered.

193 R. Clark asked if the three structures would have Central Street access via a single
194 driveway. The response would be each with a driveway in.

195 Mr. Lavelle reported that he spoke with Mr. Bourcier regarding the need for a
196 Department Head Review and the result was no, the project looked straight
197 forward. The Planning Board concluded that they would like to have one done
198 especially where there were concerns regarding the construction of Central
199 Street and its ability to handle the extra work.

200 J. Lavelle also noted that the public hearing notice states that it is a 3 lot
201 subdivision with duplexes. He said that there was no provision to exclude
202 duplexes and didn't know where the duplex was coming in. B. Schmitz noted
203 that on the plan it states "to show a subdivision of tax lot 17-25 into 3 duplex lots"
204 The zoning allows for the duplexes and it can't be limited. J. Lavelle said that it is
205 allowed in town based on lot size by soils.

206
207 R. Lesure- 18 Central Street stated that he was concerned that the 3 duplexes are
208 built and they are kept under a single ownership and become landlord properties
209 and that he is looking to protect the value of his property.

210 **MOTION: D. Howard motioned to continue the public hearing for Belle**
211 **Maison map 17 lot 025 to the April 3, 2017 meeting and to have any**

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revisions into the Town Engineer no later than 2 weeks prior to that meeting and for a department head review to be held.

SECOND by R. Waldron.

VOTE ON MOTION: 7-0.

Chairman Carideo returned to the Board at 7:50 p.m.

2. 10-004, Blue Sky Towers LLC - Public Hearing for a cell tower to be located at transfer station, 311 Kent Farm Road Map 10, lot 004

It was noted that this hearing was a continuation from the February 6, 2017 meeting. It was also noted that at the hearing of February 6th that not all the abutters had been properly notified. The residents within the Mobile Home Park of Granite Village all should have been notified. All abutters were properly notified for this hearing.

C. Bennett, Ex-Officio, stepped down from the hearing at 7:50 pm and no alternates were appointed.

Chairman Carideo asked E. Duval, spokesperson for Blue Sky Towers, LLC to give a brief overview of the project.

E. Duval explained that the application is for a communication facility and tower to be located at the Kent Farm Transfer Station located at 311 Kent Farm Road.

He noted that Blue Sky Towers, LLC were the co-applicants along with T-Mobile and the Town of Hampstead (on behalf of the Hampstead Fire Department). He noted that the preparations have been going on for some time. Part of the preparation work was presenting the voters with a warrant article (in 2015) that allowed cell towers on town property. There was also an article that allowed the Board of Selectmen to enter into a long-term lease agreement. Both of those articles passed in 2015. The facility is to be an 80 foot by 80 shelter for the equipment with a 5 year lease with renewable terms of 5 years each. The Town of Hampstead will receive ground rent and rent from the second and subsequent tenants. There is to be a lump sum payment to the Town of Hampstead to purchase equipment, which is going to be a generator for the Fire Department equipment, which will be moved from its current location to the new tower. There will also be an area on the ground for their needs. E. Duval went on to explain that there would be a fenced in 70 foot by 70-foot area with three strands of barbed wire on top of the fence. The proposed monopole is to be 180 feet high and the co-applicant T-Mobile is looking to place their antennae at the

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176-foot area. He noted that there would be up to nine radio heads and one dish. He also explained that all cabling would run down the inside of the pole to the ground based equipment area. The Fire Department would have a 6 foot Colinear Omni directional antennae on top and at 130 feet, a square waffle antennae. There would be a 7.5 KW propane generator for emergency backup purposes for T-Mobile. The Fire Department would have one cabinet on the concrete pad and one 10 KW propane backup generator. E. Duval pointed out that the application is very detailed and includes a number of exhibits, which he noted was put on the website. He noted some of the sections of the application such as the equipment specifications (T-Mobile and the Fire Department), lease agreement (redacted), Balloon Test results, Federal Aviation Administration (FAA) information and Radio Frequency (RF) information among other items. E. Duval explained that the Balloon Test was held in the fall and that pictures of the balloon were taken at various points in the area and then it was imposed with a tower to see the visual impact. He went on to note that the FAA will not require the tower to be lit. The location is not in a flight path and it is below the height limit requiring one. E. Duval also spoke about the Radio Frequency (RF) concerns. He stated that the RF is an issue that comes up. He stated that anyone that applies to the Federal Communications Commission (FCC) needs to show they are in the allowable range. There is a report that shows that with the tower at full capacity it will still be less than 10% of the allowable RF radiation. The applicants also need to show the FCC their current coverage and also what the potential coverage will be. There is a statement in the application from a RF Engineer.

E. Duval backed up a little and gave some early history. He stated that carriers (such as T-Mobile, Verizon, Sprint or US Cellular) will start with asking technicians to check out areas of issues, or dead zones. The carriers are required to provide coverage in order to maintain their FCC license. They will then check for existing towers in the area and see if there are any they can get on. They would look at tall structures such as steeples etc. If there were none, they would then look into where cell towers would be allowed and whether or not there were zoning issues. E. Duval noted that they try to work with communities and public safety. When it was noted that there were coverage areas in Hampstead, a technician looked around to see what the alternatives were to increase the coverage and places a tower could be allowed. They approached the town when it was

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discovered that the transfer station was in the middle of the one of the areas with coverage issues. E. Duval explained that the Site Plan regulations allow it to be built on this site. He went on to state that what they have submitted complies with what is allowed and they have done their best they could and that this would be a benefit to the town itself and a benefit to the community.

P. Carideo thanked him for the update and went on to explain what has happened through the Planning Board process. P. Carideo stated that at the last meeting held there were a significant number of waivers that were requested by the applicant. He went on to explain that this it is common to grant waivers for items in the Site Plan regulations that don't apply to the applicant. He read the waivers and explained why they didn't apply to the application. He used the waiver requests that were submitted February 6, 2017.

The first waiver spoke to a difference in NAVD 88 and NGVD 29 datum. The applicant will provide the information for both on the plans. The second one is 5.02 (F) for Unsuitable land which doesn't apply for this application.

5.02(K) Utilities- Doesn't apply, there will be underground electricity to the site using the existing overhead electric lines, jumping over the driveway and then down under to the site.

5.02(O) Drainage/Grading Plan- A plan is not required.

5.02(P) Phasing Plan- Doesn't apply whereas it is being built in one phase.

5.02(R) Landscaping and Building Design-Due to the elevation of the tower, the trees will be a buffer for the storage area so no landscaping is required.

5.02(S) - Evacuation and Emergency Plan- The area will not be staffed so therefore it is not required.

5.02(T) -Water Supply for Firefighting Purposes- Not applicable- but there is a small pond on the site.

6.01-Traffic Impact Assessment- There is no traffic impact

6.02- Fiscal Impact Analysis- It doesn't fit this application

6.03- School Impact Analysis- There is no impact

6.05- Community Services Impact Assessment- There are no impacts on services

8.02 (I) Street Cross Sections- there is no street cross sections- only a driveway

8.02(N) Plan View of buildings- Only Equipment cabinets in a storage area,

8.02(R) Proposed Planting etc.- The excavated site sits back on property and would be blocked from the street by the rest of the site.

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8.02(U) Outdoor lighting- There will be none

8.02(V) Flood Zone- Not within flood zone

8.02(X) Statement of Center Lines and building locations being flagged-Doesn't apply- no street lines.

8.02(Y) - Certificates of approval from NH DES- Not applicable there are no septic systems

8.02(Z) Benchmarks for NGVD 29- This will be cross referenced with NAVD 88.

8.02(AA) - Final State of NH approvals- They are not required on this proposal.

The waivers were granted and the two that refer to the NGVD 29 and NAVD 88 will have both with cross references.

The Planning Board requested that the generators run every two weeks on a Wednesday from 11 am to noon. This will be noted on the plan as part of any approvals. R. Clark asked if the waivers need to be reconfirmed where this is a re-noticed hearing. P. Carideo stated that they did not because they continued the hearing from February 6th to the March 6th meeting along with noting that the abutters needed to be re-noticed.

P. Carideo opened up the public portion asking that abutters here for the first time be allowed to speak first and then any other abutter.

Mr. Gorton 110 Freedom Hill Road- He noted that he is concerned with radiation and has heard that it can travel up to 2 miles. He also complained about the noise from the gravel pit (Busby's pit) and that no one has addressed the concerns of the residents. P. Carideo told him to speak with the Code Enforcement Officer (CEO).

He also stated that there was a concern with the noise from the generators. P. Carideo informed him that the generators are quieter than a home generator and a lot quieter than listening to the trash packer at the transfer station. He noted that it is allowed in the zoning, but that he would note the concern on the decibels.

E. Duval responded that the generators are for emergency back up only which would be during power outages. He stated that the generators would be cycled every two weeks and take about 20 minutes to complete. They would be started remotely and don't go up to full power, just a test mode. He also mentioned that the RF sound expert has reported that the sound of the generator would be

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352 similar to that of a well-tuned sedan. There will be battery packs and when they
353 reach their reported levels, it would kick on the generator, as long as the tower
354 was staying on line. He pointed out as well that there would be other areas in
355 town with their generators going during a power outage.

356
357 E. Duval spoke to the RF report, Exhibit 9, in the application, and said that there
358 was a statement from an independent RF Engineer and he tested the RF with T-
359 Mobile on it first and ran a cumulative report with all 4 major carriers on the pole
360 at full deployment and that it was 9.69% of the allowable FCC limit. E. Duval
361 pointed out that hand held devices would give off more RF than they would ever
362 see from these tower-mounted sites.

363 E. Duval referred to the Memorandum Telecommunications Act of 1996 that
364 doesn't allow local boards to deny an application based on Radio Frequency as
365 long as the RF emissions are within the guidelines. For Mobile Carriers to
366 continue their FCC licenses they need to show they comply with the various
367 requirements on an annual basis.

368
369 Mr. Russell- 131 Freedom Hill Road, Granite Village-He noted his concern with the
370 interruption of one of the most beautiful skylines in New Hampshire. He stated
371 that the skies are beautiful day and night and he asked that the Planning Board
372 reconsider the interruption of the skyline. He also asked how many other
373 carriers will interrupt that view.

374
375 Ms. Raymond- 23 Stonegate Lane, Granite Village- Reported that he saw the
376 balloon test, stated that she was at eye level with it, and wondered to know how
377 much higher it would go. She also asked if this will take away from the value of
378 her house with looking at the tower in her back yard looking out her window.

379
380 Mr. Dery- 29 Stonegate Lane, Granite Village- He reported that it took him a year
381 to find his home and had a gorgeous view from their home (called it a million
382 dollar view) and a great neighborhood. He presented a few pictures of the view
383 to the Planning Board. He also stated that he saw the balloon and thought it was
384 a publicity stunt and then found out about it. He said it is a shame to destroy his
385 view. He also pointed out that this project looks like a done deal and that they
386 were wasting time coming before the Planning Board.

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387
388 Mr. Charest- 15 Willow Lane, Granite Village- He stated that he has been looking at
389 the topography maps and said that there are higher points than this site. It is 240
390 feet above sea level. The water tower in Granite Village is at 400 feet above sea
391 level and a ¼ of a mile from the proposed tower. The people here tonight are
392 concerned about their view. The water tower sitting at 400 feet, why wasn't this
393 addressed as a site instead of the transfer station? It doesn't impact any homes
394 around it and is already at the highest point.

395
396 Mr. Papia- 4 Brooklyn's Way Granite Village- Has a great view of Pawtuckaway
397 Mountain. He is at one of the highest points of Granite Village. He did not see
398 the balloon test and wondered if he could see the pictures of the balloon test.
399 He was told that it was on the website, but there were copies available that were
400 handed to him to review. The pictures show the balloon and then the
401 superimposed tower.

402
403 Mr. Charest- 15 Willow Lane, Granite Village- Wife questioned the Planning Board
404 members what they would do if this was visible from their home. Chairman
405 Carideo noted that he will see it from his property but it can't be held personal
406 to them but needs to apply the zoning ordinance to what the application is
407 asking for and the presentation given. Mr. Charest asked what happens when
408 these meetings are held and the Planning Board ask for their opinion what is the
409 point. Chairman Carideo noted that it is the law and that abutters will sometimes
410 bring forth concerns that the Planning Board doesn't think of.

411 N. Emerson noted that the request for the cell tower on town land was on the
412 warrant article a few years ago and the vote passed by majority vote. Mr. Charest
413 asked if that was on a ballot. The response was yes and that the same ballot
414 allowed the change in zoning to allow it on town land. The property is in
415 Commercial 3 Zone, which does allow cell towers but it needed town approval to
416 allow it on town owned land.

417
418 C. Hess- The warrant article did not state the property that would have a cell
419 tower on it and it is very misleading. She stated that she may have voted on
420 article and may have been naïve. She believed that the town officials would look
421 out for the best interest of the residents and would never consider putting

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something there such as this. The view is unbelievable in Granite Village and they want their view. This is not a good site for a cell tower. She noted that Route 111 would be a better use of land. The warrant article said on any town land and if there was a map there, the people probably wouldn't have voted for it. The Selectmen reached out for this and the abutters are only notified when it is before the Planning Board. She stated that she feels that they are not all on the same playing field. She then read from the Master Plan Vision Statement pointing out they want to preserve the small quaintness of the community. She noted that she would be looking out her back yard looking at this tower. She went on to state that she felt betrayed that the Selectmen are only concerned with this proposal because the town would receive revenue from it. She doesn't like the fact that this was all done "smartly". She stated that if the Selectmen were going to do something that effects people's property they should have notified the residents. She stated that it is a sham that people are now finding out about the site coming to the Planning Board to voice their concerns when most of the process is done. She asked that they stop using the words heavy industrial and dump because they are not visible from the road and that doesn't affect their view. Even though her home will see the tower, she noted her concern was the people in Granite Village. She also mentioned that her home on Kent Farm Road was built in the time frame of 1726-1729 and is an important piece of Hampstead history and she will be looking at the tower. She also noted her concerns regarding the health issues and reported that there are new studies from California that may change the way people think about these.

P. Carideo noted one of the questions asked was how much taller can the tower go. The current zoning states that it couldn't exceed 199 feet. He also said that he couldn't respond if another tower could be built on that site because it would be up to the Selectmen, but the zoning requires that a tower be fully occupied before an additional tower could be considered.

P. Carideo explained that the bottom of the balloon was at 170 feet and the diameter of the balloon was 7 feet. The issue with house values- no evidence was supported or presented to the Planning Board that it would diminish the property values and that they could only discuss it during deliberations. The Water Tower is in a residential area, which isn't zoned for cell towers, and, on

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private land. The Water Tower is 400 feet above sea level, but not even above the tree lines so a tower couldn't go on it.

One of the other concerns noted was the view of the residents. Evidence given shows that there are views, but has no knowledge of if the view is part of the property values and have no value to give. They could discuss this during deliberations. Regarding the warrant article, throughout the discussions at various meetings, there were two sites only talked about and that was the Transfer Station and the Central Fire Station. The warrant article had to speak of town land as a whole and couldn't be specific. N. Emerson also noted that the Selectmen also held various meetings and noted the two sites.

P. Carideo also noted that the area was determined to be an area of need for coverage. G. Emerson noted that this area was of concern for the fire department and this would enhance their ability to respond to calls.

P. Carideo noted that they need to hear the concerns of the abutters and apply it to the zoning and regulations.

Back to public:

Mr. Charest- 15 Willow Lane, Granite Village- He asked if the maximum on the towers is 5 antennas for customers. P. Carideo stated that the most there could be is five cell phone companies plus the fire department antennae (which is a ribbon style).

Mr. Dery -29 Stonegate Lane, Granite Village- He asked why they needed to rezone the area to allow the tower. Mr. Carideo said that it has always been zoned C-3, the article just allowed the tower on town land. Mr. Papia stated that he had been told that the zone was changed for this purpose. Mr. Carideo noted that he had the 2011 zoning book in front of him and the area in question was zoned C-3. He then read the warrant article from 2015. Mr. Papia said that maybe he was given incorrect information.

Ms. Papia- 4 Brooklyn's Way, Granite Village- if they are to be stuck with the cell tower, is there anyway to disguise it. She said she had pictures of some that weren't as ugly or that stand out so much. Mr. Carideo stated that they spoke

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491 about this at the last meeting and spoke about the one in Windham that stands
492 out that is disguised as a pine tree, West of Route 111 near Shaw's. It stands
493 about 100 feet above everything and is very visible. Ms. Papia responded that she
494 was a resident of Windham and probably voted for that type of disguise. Mr.
495 Carideo also noted that our zoning encourages monopoles.

496
497 Mr. Bourgoin-105 Freedom Hill Road- this is going to happen and are there other
498 carriers involved yet. Mr. Carideo responded that the applicant probably hopes
499 that this will happen. Mr. Belchair stated that he was 200 yards from Mr. Charest
500 and didn't yet know what the impact to his view would be. It was noted that
501 there are already four or five along Route 111 and the design would be similar to
502 them. Mr. Charest stated that he has driven up Route 89 and Route 202 and sees
503 some that are decorated very nicely even though they stick out 50 feet above
504 everything.

505
506 P. Stoltz- 265 Kent Farm Road- She started with the comment about seeing what
507 happens when all abutters are notified. She asked if the Fire Department
508 currently has their equipment on the Water Tower. Mr. Carideo stated that they
509 do but are inadequate. Ms. Stoltz responded that Mr. Carideo had just stated that
510 the Water Tower was not zoned for a cell tower. Mr. Carideo corrected her by
511 stating the area where the water tower is located is not zoned for cell towers,
512 but the fire department is allowed as communications equipment.

513 Ms. Stoltz asked about the antennae and stated that she understood that they
514 were 10 feet in diameter and 50 feet high for each one that will get added for
515 the five carriers. Mr. Duval asked if he could respond to her comment. Mr. Duval
516 said that he had shown the residents the elevation drawing on D1, which is the
517 elevation of the proposed monopole. The Towns' Omni directional antennae sits
518 on top and then arrays, which should accommodate the other three antennae.
519 There are panel antennae on sheet CA 1 and the dimensions are 81 inches high (7
520 feet), almost 15 inches wide and 5 inches deep with 10 feet of separation
521 between centerlines of the antennae. The elevation is to the center of the
522 antennae. The carriers' antennae are generally 7 feet across. The response to
523 the question regarding the other equipment, the remote radio heads are
524 installed behind the panel antennae and Mr. Duval stated that he has heard them

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described as the size of a milk jug. Dimensions for these are on the exhibits as well.

P. Stoltz said that zoning allows for a monopoly but other things could be allowed and that the monopoly is becoming passé. She then stated she was going to talk about the Master Plan and read something regarding a master plans purpose- such as to aid a community etc. She then noted that Hampstead has one written by the citizens of Hampstead and that the Planning Boards job was to be in alignment with the vision statement and she didn't know why they were not following it when doing their job which was to be in line with the vision statement. RSA 674.2 states that the Master Plan must include two sections, a vision statement and land use chapter. She asked the members if they knew what the Vision Statement was. She read from the Vision Statement and noted people retire to Granite Village because it is a beautiful view and the Planning Board has to listen to the people and that the law states that they must listen to the residents and that there was case history to support this. She said that their job was to listen to the residents and hear what they have to say and presented them with a petition signed by residents.

She noted that the coverage map showing the T-Mobile coverage shows only their area and doesn't understand why the Planning Board would allow a vendor to come in and monopolize the area. Ms. Stoltz noted that it states in the lease that they are to be the only provider. The gap they are filling was an issue, she asked who had T-Mobile and that the map should show how many people in the area have T-Mobile. She said that they weren't taking care of the citizens. She then talked about a Supreme Court case regarding loss of value and towns taking property and giving just compensation. She stated that it refers to providing something that benefits a small group at the peril of the rest. She submitted a letter from a realtor stating that there will be value lost. She also presented a blown up picture of her back yard and showed a pasture with a horse grazing and looking at the cell tower. She noted that people looking at homes pull into driveways and check for service, she looks for water. She noted that this was a blight. It was for profit and not providing people a service. The Planning Board weren't doing the voters any good and not even providing them cell service unless they had T-Mobile. Their Engineer letter was referred to regarding the lack

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560 of service. She questions who has T-Mobile in the area and who they are going to
561 get this for the future and how was this benefiting the population. She also
562 provided other expert papers. She stated that someone has to pay the cost of
563 depreciation. She bought her house two years ago and put \$60,000 into it and
564 depreciation now would make her lose \$60,000. The people that moved into
565 Granite Village went there to retire. P. Carideo noted that these people moved
566 into property that abutted a C-3 Zone and anything could be built there. He also
567 questioned her on the dimensions of the picture she was showing. She stated
568 that the pictures of the balloon test were taken only at one abutting property
569 and not all of them. She said that she smells a rat and doesn't want to have it all
570 come out in court and fight for the property values. She said that she will push
571 this until she gets it torn down if it is built and that she knows that it is right and
572 that she has judges and lawyers in her family. She thanked Mr. Clark for standing
573 up at the last meeting to request they check into the proper notification of
574 abutters and that people care about their properties.

575 R. Clark thanked her, but he had a conflict of what she said about carriers. He
576 stated that zoning requires that other carriers must be allowed to go onto the
577 pole. She stated that the lease said there can be no other poles in the area for
578 other carriers. R. Clark stated that we are only talking about one pole and that is
579 this one. Each carrier will be allowed on the pole, but at lower spots. P. Stoltz
580 stated that if they don't allow them to go onto the pole then they won't be able
581 to build a pole in that area. R. Clark stated that our zoning states that the poles
582 must be full before anyother one could come forward. E. Duval said that Blue Sky
583 Towers has the lease with the Town and the co-locator, T-Mobile. They also have
584 master leases with the other carriers. The carriers know that they can't go 200
585 feet down the road and ask for a tower. P. Carideo read the zoning article. P.
586 Stoltz asked why our town has not been progressive in their zoning ordinances
587 before people come in with cell tower proposals. She said to keep it out of
588 school areas and now you have Mrs. Hess who home schools her kids. There is a
589 reason why there is a 1000-foot buffer. She works from home and the people in
590 Granite Village are home and at risk. Mr. Carideo asked her to sit down. She
591 asked why the Planning Board was not in compliance with the Master Plan in
592 regards to zoning and stated other communities have restrictions such as
593 Rochester. P. Carideo stated that Rochester has a City Planner and that this board

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594 was a volunteer board. She responded that she was sorry that was the case but
595 stated the zoning should match the Master Plan.

596
597 P. Godfrey- 255 Kent Farm Road- Provided the Planning Board with some
598 information from research he has found on how the towers affect their lives,
599 their world. He noted that included microwaves etc. He stated that he bought
600 his property for the view and it had five horses. He has horses, and then he
601 stated that he didn't now, but would again. He noted that there are examples of
602 cows dropping milk production near towers, but picking back up when moved to
603 fields further back.

604
605 Public Session Closed at 9:27 pm

606 N. Emerson stated that looking at the pictures he had not seen one that was
607 objectionable.

608 B. Schmitz stated that it may be time to look into the Master Plan and how zoning
609 supports it and as they continue to look at the Zoning allow people to have
610 input. P. Carideo noted that they are all public meetings and they are always
611 welcome. The Planning Board can look into updating the Master Plan but it won't
612 help with this application. N. Emerson asked if it was every 5 years and if we
613 were in compliance.

614 R. Clark stated that the Master Plan was a guideline and the zoning was more in
615 detail to meet the aspirations of the Master Plan.

616 D. Howard-asked if as a board, if they are required to pass the application if it
617 meets the zoning. He then asked if he votes no, what he would need to supply.

618 P. Carideo stated that if he votes no he would need to supply the section of
619 zoning that he is using.

620 G. Emerson, no comment.

621 R. Waldron stated that he was up in the air and hoped that they weren't voting
622 tonight.

623 B. Schmitz- appreciates all the comments and concerns but doesn't see anything
624 in the zoning that doesn't apply and feels that he is on predetermined course.

625 N. Emerson was all set to vote.

626 There was a question if Town Counsel had reviewed the information. P. Carideo
627 responded that she has looked at things for the Selectmen and some of the
628 concerns brought by the abutters.

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R. Waldron noted that if they are not allowed to look at potential health concerns, based on the Federal Telecommunications Act then he would be ready to vote tonight.

MOTION: N. Emerson motioned to grant a 90 day conditional approval for the application for Blue Sky Towers, LLC map 10 lot 004, 311 Kent Farm Road, with the co-applicants of T-Mobile and Hampstead Fire Department. P. Carideo stated that they should include the generator run time, the waivers noted on the plan and the complete list of abutters. N. Emerson noted to be upon final review by Dubois & King. Generator would be 11 am to noon every other Wednesday.

SECOND by B Schmitz.

VOTE ON MOTION: 6-0.

E. Duval asked for copies of the information passed out and was given them. After the vote, P. Stoltz asked the Chairman why they told the members that if they voted no they would need to provide a reason. P. Carideo responded that it is required. She then questioned why they didn't consider the property values and the letter that was submitted by their Real Estate person. P. Carideo stated that the letter didn't go into issues such as the C-3 zone.

C. Bennett rejoined the board at 9:40 pm.

OTHER PUBLIC MATTERS

18-133- 21 Danville Road Conceptual Discussion- Peter Stoddard of SNH Land Services and Charles Grieco, owner/developer of property.

It is an existing 4.2-acre property completely in the C-1 zone. It is residential use all around this property even though it is all in C-1 except for where Hampstead Health and Fitness is. They know they need to get a variance for residential in a commercial zone. He stated that there are two existing structures on the lot now. He labeled one a barn but historically it was used as a house and it has a fireplace and plumbing in it. They are both tear down structures. He hired wetland scientist to map the soils and during that process found out they would need to go for a soil variance. They want to subdivide the lot in to two buildable lots but won't meet the setbacks for two buildable lots. He spoke with K. Emerson and he wasn't sure that the barn would meet a lived in property. There

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is 310 feet of frontage. P. Carideo said that they are here tonight because they are 50 feet from the wetland and need a variance and the residential in a commercial zone will require a variance. N. Emerson asked if these were poorly drained soils. Mr. Stoddard explained that property and that there is drainage across the property. They talked about the wetlands and the soils. Mr. Stoddard stated that if they were doing a commercial area, there would be less requirements on the soils. N. Emerson stated that he had an issue with losing commercial property in town. The owner stated that all the property abutting it has houses on it. P. Carideo stated that there isn't much available commercial property that comes through. Mr. Stoddard stated that it would be unlikely that a commercial entity would build back there. There was a question as to whether or not the property was lived in recently to have preexisting use and Mr. Stoddard stated per the neighbors, there has been. The Planning Board discussed that there was a potential of both properties needing upwards of four and five variances.

Mr. Stoddard stated that with the soil base he was getting two lots. P. Carideo said that they should be able to prove both lots meet it at this time one meets it and one doesn't. N. Emerson said that it would be creating a non-conforming lot. He stated that the lots have been there, but he is creating new uses for them and that each lot needs to meet the soil type. P. Carideo said that they would also need to ask for wetland setbacks.

T. Lovell said that Conservation Commission would like to look at the site. The Planning Board stated that they will need to go to the ZBA whereas they are looking to build a residential home in a commercial zone and will put it in the decision notice.

Rockingham Planning Commission- The members would like to have Mr. Davis come back in on a workshop night to talk with him again. They noted it was late at the last meeting and televised. They would like to emphasize that they would like to get regular reports or updates from the RPC and noted that they lost an opportunity to apply for a GIS grant. He will be asked to come to the March 20th meeting. It was noted that J. Mesa-Tejada submitted a letter to the Selectmen requesting consideration to be appointed for Susan Hastings' seat on the RPC. There is an email from Susan stating that she would like to stay on the

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commission. The request for appointment is on the agenda for the Selectmen on March 13th. The Planning Board was happy that there were interested applicants.

Planning Board Matters and Correspondence

1. Engineering Comments- Mr. Bourcier said that Dubois & King would be able to help them do some rewriting of the subdivision regulations and site plan regulations and reorganize it if needed. P. Carideo said that they have been working on getting them updated. S. Bourcier noticed some reference back from site plan to subdivision don't match up while working on 17-025, Central Street plan. P. Carideo told S. Bourcier that his review letters are good and they are working as a checklist for the applicants. P. Carideo stated that the committee working on the Subdivision Regulations and Site Plan Regulations, would try to meet soon. The current version of the Subdivision Regulations they have updated is the 9/16 version and should be sent to the committee.

P. Carideo did state that he would like to see a Department Head review on all projects so that they hear the same thing at the same time and talk together rather than each department contacted individually.

2. Job Description for Planning Board Secretary- There were no updates from what was mailed. Everyone agreed that it was an improvement. There was an upgrade in the grade once the job description was completed (from 4 to a 6). The verbal okay was given to advertise the job.
3. Dubois and King review letter regarding 10-004
4. Dubois and King review letter regarding 09-060
5. Notice of application DES Subsurface Systems 09-060.
6. Office of Energy and Planning Conference- The classes are scheduled for Saturday, April 29th in Concord.

Review of Minutes: (02/06/17)

MOTION: C. Bennett moved to approve the minutes of February 6, 2017 as amended.

SECOND by: G. Emerson

VOTE on Motion: 7-0-2 (RW & NE abstained)

Review of Minutes: (02/20/17)

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733 Line 14 change he to D. Jutton
734 C. Bennett asked if a "cheat sheet" was created. Mrs. Harrington noted that in the
735 everyone's packet there was a copy of the usual conditions. The notation of
736 submitting 2 weeks prior to next meeting needs to be added to cheat sheet for
737 any revisions to plans.
738 **MOTION: C. Bennett moved to approve the workshop minutes of February**
739 **20, 2017 as amended.**
740 **SECOND by: G. Emerson**
741 **VOTE on Motion: 7-0-2** (RC & CB abstained)
742
743 **MOTION: D. Howard motioned to adjourn at 10:48 pm**
744 **SECOND by: R. Waldron**
745 **VOTE on Motion: 7-0**
746 *Minutes by: Tina Harrington, Planning Board Secretary*
747 Approved
748 Date: May 1, 2017