

**Kensington Planning Board
Minutes
July 20, 2022**

Place: Kensington Town Hall

Members Present: Vanessa Rozier- Chair, Michael Schwotzer, Marty Silvia, Bob Solomon- Ex-officio, Glenn Greenwood- Town Planner

Members Absent: Mary Smith- Vice Chair, Josh Preneta, Justin McLane, Christian Smith- Town Engineer

Opening:

Mrs. Rozier opened the meeting at 6:30 p.m.

Driveway permit:

Mr. Schwotzer was unsure as to why the Planning Board was reviewing the application and asked if the Road Agent could take over full authority over the permits. Mr. Solomon noted that it was because the Road Agent was new, he noted that Mr. Armstrong has been in the position for a while and he has confidence that Mr. Armstrong is able to approve the permits.

MOTION:

Mr. Schwotzer made a motion to approve the driveway permit submitted for 3 Dow Lane. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

MOTION

Mr. Schwotzer made a motion to give the authority back to the Town Road Agent to approve driveway permits. Mr. Solomon seconded. All in favor, the motion passed 4-0-0.

Continued Public Hearing for Linda Buxton Trust c/o Buxton Family Realty Trust with a physical location of 194 Drinkwater Road, Kensington, NH further identified as Map 12 Lot 39 has submitted a Subdivision Application for a 2-lot subdivision in accordance with Article III Subdivision Regulations for the Town of Kensington.

Mrs. Rozier noted that this public hearing was continued from the May 18, 2022 meeting.

MOTION:

Mr. Schwotzer made a motion to open the public hearing. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

Mrs. Rozier ran over the application checklist and accepted it as a complete application.

Mrs. Rozier asked if the board had any questions. The board did not have any questions. Mrs. Rozier asked if anyone from the public had questions or concerns. No members of the public had questions or concerns.

MOTION:

Mr. Schwotzer made a motion to approve the 2-lot subdivision application submitted for Linda Buxton Trust c/o Buxton Family Realty Trust with a physical location of 194 Drinkwater Road, Kensington, NH further identified as Map 12 Lot 39. The following condition applies:

1. Amended deed to reflect the subdivision

Mr. Silvia seconded. All in favor, the motion passed 4-0-0.

Arthur Bonnevie with a physical location of 10 French's Lane, Kensington, NH further identified as Map 11 Lot 40-8 have submitted a Conditional Use Permit Application for an Accessory Dwelling Unit in accordance with Article III, Section 3.2.3 of the Zoning Ordinance for the Town of Kensington.

The applicant requested a continuation until the August 17, 2022 meeting.

MOTION:

Mr. Schwotzer made a motion to allow the continuation for the Conditional Use Permit Application submitted by Arthur Bonnevie. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

Gregory Loyd, on Wild Pasture Road, Map 9 Lot 13-2 to remove and trim trees on Kensington's Scenic Road Wild Pasture Road to obtain utilities for his property; Pursuant to RSA Chapter 231:157 and RSA 231:158

Ms. Olsen read aloud an email she received from Mr. Loyd requesting a continuation of this meeting due to sickness.

MOTION:

Mr. Schwotzer made a motion to allow the continuation of Mr. Loyd's public hearing until August 17, 2022. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

Continued Public Hearing for Vertex Towers LLC on behalf of Kevin M. Rosencrantz, with a physical location of 184 South Road, Kensington, NH 03833 further identified as Tax Map 2, Lot 2 is requesting a Site Plan Review for a telecommunication tower in accordance with Article IV Site Plan Review Regulations for the Town of Kensington as well as a Conditional Use Permit in accordance with Article V Special Use Regulations for the Town of Kensington for the same purpose.

Mrs. Rozier noted that this was a continued public hearing from the June 15, 2022 meeting.

Francis Parisi from Vertzex Towers LLC was present at tonight's meeting representing Mr. Rosencrantz.

MOTION:

Mr. Schwotzer made a motion to reopen the public hearing. Mr. Silvia seconded. All in favor, the motion passed 4-0-0.

Mr. Greenwood wrote a review letter for the application and it was handed out to the board at the start of tonight's meeting. There was also a review letter from the Town Engineer provided in the board packets.

Mr. Schwotzer noted that there were several waivers requests and that each needed to be addressed tonight. Mr. Greenwood noted that three were requested and only two need to be addressed after he believed that the first waiver did not apply.

Mrs. Rozier noted that the second waiver request is for Section 5.1.7.D.1.b relates to the tower location being within one quarter mile of an existing tower.

MOTION:

Mr. Schwotzer made a motion to grant the waiver to Section 5.1.7.D.1.d due to circumstances of property as the towers proposed location is the only viable location that it can be in, Mr. Silvia second the motion. All in favor, the motion passed 4-0-0.

Mrs. Rozier noted that the third waiver request is for Section 5.1.8.C.2 which related to the reporting of findings from the National Environmental Policy Act.

Mr. Parisi noted that they agree to submit the required documents at time of building permit.

MOTION:

Mr. Schwotzer made a motion to grant the waiver to Section 5.1.8.C.2 due to the circumstances of the property and the request cant be done due to time. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

Mr. Parisi noted that Fire Chief True submitted a letter to the board which he read aloud to the board. Fire Chief True letter noted that he was in support of the new cell tower as it would increase the ability of people being able to call for help in an emergency. Chief True requested that the following information be added/considered:

1. *The Fire Rescue would like to have access to the site via a Knox key box (ordered through FR) and have training from the companies using the site on fire-related emergencies relative to their specific equipment.*
2. *Any hazardous items (batteries for example) that require Tier II reporting shall be reported to the Fire Rescue and EMD. Any SDS/MSDS sheets shall be provided as well.*
3. *Any propane/NG tanks and equipment (including generators and heaters) will require permits from the FD and Building Inspector.*

- 137 4. *The Town of Kensington public safety (including FD, EM and PD) would like to*
138 *have a reserved spot on the tower- either at the top or just under all cellular*
139 *arrays for a VHF and/or UHF repeater and antenna system at no cost to the*
140 *Town (in other words-no lease costs. We would purchase, install, and maintain*
141 *our own equipment and work with Vertex Towers for safe installation).*
142

143 Mr. Schwotzer asked Mr. Parisi if he would agree to conditions of what Fire Chief has
144 asked. Mr. Parisi does agree to what the Fire Chief has asked.

145
146 **MOTION:**

147 Mr. Schwotzer made a motion to waive Section 4.6.F which addressed the need for a
148 drainage analysis.

149 Board Discussion: Mrs. Rozier sked if the board would review the section that they
150 would be waiving. The board reviewed and had no further comment.

151 Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.
152

153 Mr. Solomon asked if there was any lighting issues that needed to be addressed. Mr.
154 Parisi noted that the FAA doesn't have issue with it as its below the requirement for
155 lighting needs. He added that there is also no noise issues as the generators only run for a
156 short period of time when the power is off. He noted that they would be small generators
157 that each cell company has and not one large one.
158

159 Mrs. Rozier read aloud the Town Engineers comment letter which had two comments:

- 160 1. Add trees to plan
161 2. A cross-section of the access drive to the tower should be provided including base
162 gravels, finish grade materials and width of the drive, etc. for the short section
163 that extends beyond the existing pavement
164

165 Mr. Parisi noted that there are no proposed site improvements as the site is well
166 maintained and drivable as it is.
167

168 Mr. Greenwood noted that per his letter that the applicant would agree to allow co-
169 location upon the new tower. Mr. Parisi agreed as there are several cellular companies
170 that are interested in placing antennas on this tower.
171

172 Mr. Greenwood noted that per his letter, the applicant should provide proof of financial
173 ability to remove an abandoned tower and the applicant should also provide proof of
174 adequate insurance to cover accidents and or damage. Mr. Parisi noted that they had
175 submitted a cost estimate to remove tower if tower becomes abandoned as well as proof
176 of insurance. Ms. Olsen shared the document on the screen with everyone.
177

178 Mr. Solomon asked what the life of tower is. Mr. Parisi said that it is about 50 years.
179

180 Mrs. Rozier added that per Mr. Greenwoods letter a note should be added to the site plan
181 regarding Kensington's Zoning ordinance section 5.1.11 which related to abandonment
182 procedures. This will be a condition of approval.

There was no further questions from the board or from the public.

Mrs. Rozier closed the public comment section of hearing

MOTION:

Mr. Schwotzer made a motion to approve the conditional use permit in accordance with Article V submitted by Vertex Towers LLC on behalf of Kevin M. Rosencrantz, with a physical location of 184 South Road, Kensington, NH 03833. The following conditions apply:

1. Fire department conditions are met of 6/19/22 will be met
2. Part of approval agreement of applicant to allow co-location at reasonable rate
3. Proof of financial ability to remove abandoned tower and applicant should provide proof of adequate insurance as in letter of May 26,2022
4. Applicant should add note to site plan that addresses Zoning Ordinance 5.1.11

Mr. Silvia second the motion. All in favor, the motion passed 4-0-0.

Mrs. Rozier noted that this portion of the public hearing is for the Site Plan Review:

The board did not agree with Town Engineers comment regarding the addition of trees to sheet C1. The board reviewed the checklist and found the site plan to be sufficient for what is being asked.

MOTION:

Mr. Schwotzer made a motion to approve the site plan application in accordance with Article IV submitted by Vertex Towers LLC on behalf of Kevin M. Rosencrantz, with a physical location of 184 South Road, Kensington, NH 03833. Mr. Silvia seconded the motion, all in favor, the motion passed 4-0-0.

MOTION:

Mr. Schwotzer made a motion to close the public hearing. Mr. Silvia seconded the motion, all in favor, the motion passed 4-0-0.

New Business:

Mr. Greenwoods contract is up for renewal. Mrs. Rozier noted that herself, Mrs. Felch and Ms. Olsen had reviewed the contract and it is the same as last year.

MOTION:

Mr. Schwotzer made a motion to approve the 2-tier contract. Mr. Silvia seconded the motion. All in favor, the motion passed 4-0-0.

Mrs. Rozier asked the board if they would be willing to do two meetings per month instead of just one to allow for a workshop meeting. Mrs. Rozier noted that she would like to limit the meetings to 1 ½ hours and there would be no applicants present at these meetings. The members present had no issue with the suggestion and would just like to

228 know what day the meetings would be. Mrs. Rozier asked Ms. Olsen to find a date that is
229 available for the second meeting.

230
231 **Review of Minutes:**

232 No corrections were found for the June 15, 2022 meeting minutes.

233
234 **MOTION:**

235 Mr. Schwotzer made a motion to approve the meeting minutes of June 15, as presented.

236 Mr. Silvia seconded the motion, all in favor, the motion passed 4-0-0.

237
238 **MOTION**

239 Mr. Schwotzer made a motion to adjourn the meeting. Mr. Silvia seconded the motion, all
240 in favor, the motion passed 4-0-0. Meeting ADJOURNED at 7:40 p.m.

241
242
243 Respectfully Submitted,

244
245 Colleen Olsen