

- 46 1) The application would not be contrary to the public interest, due to the increased cell
47 coverage in the area.
- 48 2) Would the spirit of the ordinance be observed.
- 49 a) J. Skewes questioned if the tower could be viewed from abutters land.
- 50 b) The representative was unsure where it will be visible from due to the topography
51 and tree height, as well as the foliage of the trees. The board accepted questions
52 from the public.
- 53 c) Lynne Monroe- 5 Hobbs Rd.- walked the site in the morning. She showed the
54 representative a picture of the tree line and they stated that the tower would not be
55 above that. (The picture was not shown to the board)
- 56 d) Mary Rezendes Brown-66 Moulton Ridge Rd- she is concerned about the
57 environment and that land is in conservation surrounding the project location.
58 She would like to work with the company so that less of the tower is seen from
59 her property.
- 60 e) M. Schwotzer asked if the land would be leased, and it was explained that it is and
61 that the lease is a private agreement and not viewable by the public.
- 62 f) c. Karen Martell- North Haverhill Road- she is an abutter and asked for a
63 balloon test so that everyone can see how high the tower will be.
- 64 3) The board continued the checklist and agreed that the spirit of the ordinance would be
65 observed. - no objections from the board members.
- 66 4) Substantial Justice- The proposed location is designed to mitigate the visual impact of
67 abutters. So substantial justice would be done if approved.
- 68 a) J. Skewes stated that they are trying to minimize the impact to the abutters. B.
69 Ford stated that they are trying to keep the tower as low as possible.
- 70 5) Value of surrounding properties - no evidence from the public to support that it would
71 diminish the surrounding properties values.
- 72 a) Not granting the variance would result in Unnecessary Hardship because-
- 73 b) This is a restrictive ordinance and due to the lack of other locations in the town,
74 this location was selected. The representative explained that they chose this
75 location for the need of service in the area.
- 76 i) Sarah Horn-268 North Haverhill Road- questions related to service and other
77 issues that would be something that the planning board will deal with.
- 78 (1) She asked if the commercial zone had been exhausted for areas to put the
79 tower. M. Schwotzer explained that the commercial zone is very limited
80 in Kensington. She asked about the coverage and if the tower that has
81 been approved for Rosencrantz could extend the coverage so that it will
82 work with Exeter instead of putting in another tower.
- 83 F. Parisi explained that you cannot turn up the coverage on one tower
84 because it is regulated.
- 85 She stated that the regulations are there for a reason. She was concerned
86 that this would set a precedence but it was explained that each application
87 is taken individually.
- 88 ii) Patricia DeCaprio-31 Osgood Road- Brought the board some information on
89 the safety issues surrounding towers. The board looked through the
90 information provided. J. Skewes stated that all phone users would be exposed

- 91 according to the information provided. M. Schwotzer stated that the board
92 will share with the planning board. No comments.
- 93 iii) Ami Delgado- 5 Hoosac Road-explained that she believes that the board
94 should take into consideration the health issues and environmental impact.
- 95 iv) K. Martel- 285 North Haverhill Road- believes that there are other spots that
96 the tower can be constructed.
- 97 v) A. Delgado- 5 Hoosac Road- she believes that Moulton Ridge already has
98 good service. M. Schwotzer stated that the question is should this be
99 constructed in a residential zone.
- 100 vi) Peter Sawyer- 50 Moulton Ridge Road-asked the size of the lot, and it was
101 explained that it was a approximately a 60x60 area.
- 102 vii) Peter Merrill- 275 North Haverhill Road- asked if the size of the leased area is
103 a small section or a large one does that matter with this application? M.
104 Schwotzer stated that the applicant has presented specific aspects of the
105 application and they are meeting the criteria.
- 106 viii) M. Craig asked about generators and the space, they are not planning to
107 use a generator.
- 108 ix) L. Monroe stated that the visual analysis will be part of the later information
109 to be supplied by the applicant.
- 110 x) A. Smith- 63 Moulton Ridge Road- was concerned with being able to sell her
111 property with a tower located on that lot.
- 112 xi) K. Martel- stated that she had an appraisal done because of another tower in
113 East Kingston that was put in and her value would go down with the tower in
114 the area. M. Schwotzer explained that for that criteria to fail there needs to be
115 specific evidence provided to the board on this particular application and the
116 reduction of value due to the tower.
- 117 xii) S. Horn-indicated that due to the fact that they only had 3 weeks to know
118 about this application would the board allow them to do their research about
119 values. J. Skewes stated that it is an issue that has been raised and the board
120 should consider it and continued that the board would need the information to
121 be from an appraiser. M. Schwotzer explained that the information would
122 need to be back to the board before the next planning board meeting in March.
123
- 124 J. Skewes stated that the public is asking for the opportunity to provide information and
125 they need to consider allowing that. B. Ford would like to determine the criteria that they
126 will be looking for. The board discussed that a qualified appraiser needs to review the
127 information and give written comments to the board. J. McLane, from the planning
128 board, asked if the other side of the situation is being evaluated and how might this
129 increase the values of the surrounding homes. How does the board determine what the
130 matrix is for how this will affect the community negatively or positively. (ex. If five
131 people are negatively affected would that negate the 100 people that are positively
132 affected.) M. Schwotzer explained that the applicant will probably provide the board
133 with the positives of the application as well.
- 134 a) P. DeCaprio- wanted to be sure that the board looked into the health effects.
- 135 b) P. Merrill- stated that he is in a deadzone but he has cable and the cell phone
136 works off of his WIFI.

137 c) Paul Bonani- 75 Moulton Ridge Road- he agrees that there is a benefit that is not
138 being discussed. He would caution the board about reviewing health data that has
139 not been researched and to make sure that they know the source of the data. The
140 WIFI is great but the cellular is not and he works from home and that would give
141 him another avenue for his teaching from home.
142

143 F. Parisi stated that the Fire Chief has given them a letter stating that the cellular service
144 in that area is a safety concern. He cautioned the board before reviewing health issues
145 that the board may want to consult their legal counsel. He stated that the law is very clear
146 that they cannot make their decision on health-related issues.

147 M. Schwotzer asked if the board wanted to continue the hearing until March 15, 2023, at
148 6:30pm. J. Skewes stated it would be a qualified appraiser to evaluate the application
149 and specific properties to see if the values would be diminished.
150

151 **MOTION:**

152 **B. Ford made a motion to continue the public hearing for Vertex until March 15,**
153 **2023, at 6:30pm, J. Skewes seconded, all in favor.**
154

155 The board asked the public to turn any real estate values to Kathleen before the meeting.
156 B. Ford asked if there was anything else that this board would be dealing with at the next
157 meeting. The board agreed that they are not dealing with anything health related, they
158 are only dealing with the values. All other criteria has been discussed.
159

160 M. Schwotzer reiterated that the Zoning Board of Adjustment hearing will be continued
161 until March 15, 2023, at 6:30pm.
162

163 The Planning Board Chair V. Rozier stated that since the zoning board has not made a
164 motion, they will not be hearing the application tonight. F. Parisi stated that his
165 application is complete and would like the board to hear his presentation tonight.

166 G. Greenwood stated that they cannot hear an application that is not in compliance with
167 the zoning ordinance. The variance is needed before the planning board can state that the
168 application is complete.
169

170 V. Rozier explained that the board has decided that the board will not be holding the
171 hearing tonight.
172

173 The applicant stated that he would like to do the balloon test and the date and times
174 below would be what works best for the representative and the planning board.

175 **Saturday March 4, 2023 or Sunday March 5th, 2023 from 9:00am to 12:00pm.**

176 The second weekend if the first two dates do not work will be on

177 **Saturday March 11, 2023 or Sunday March 12, 2023 from 9:00am to 12:00pm.**
178

179 **MOTION:**

180 **B. Ford made a motion to adjourn at 8:29pm, seconded by J. Skewes, all in favor.**
181

182 V. Rozier explained that they would continue with the remaining planning board
183 business.

184

185 **MOTION:**

186 **J. McLane made a motion to continue the application for Vertex Tower LLC to**
187 **March 15, 2023 at 6:30pm, seconded by M. Smith, all in favor.**

188

189 V. Rozier explained that their next workshop is March 1, 2023 and wanted to know what
190 the board wanted to do about the workshop. The board decided to cancel the workshop
191 on the 1st of March.

192

193 Next regular meeting will be March 15, 2023. J. McLane will miss that meeting.
194 Kathleen and V. Rozier will make sure of a quorum before the meeting.

195

196 No updates on prior business or the Master Plan.

197

198 Minutes from January 18, 2023, were reviewed.

199

200 **MOTION:**

201 **J. McLane motioned to approve the meeting minutes from January 18, 2023,**
202 **seconded by M. Smith, all in favor.**

203

204 Kathleen informed the board that the zoning board just approved an application for
205 Stacey Tree Service LLC on 149 South Road, she just wanted to let them know about the
206 upcoming application. She will post the Unitil notice of the public hearing in the paper
207 and send out post cards to the residents on the roads. There will also be a lot merger for
208 Map 4 Lot 7-1 and Map 4 Lot 5 both with the same ownership at the March meeting.

209

210 The board decided to start the meeting early at 6:00pm on March 15, 2023, in order to
211 incorporate the two applications waiting to be heard by the board. The Vertex
212 application will be heard at 6:30pm.

213

214 M. Smith asked if there were any updates on the 152 Drinkwater Road project and there
215 was not anything outstanding on that project for the board to discuss.

216

217 **V. Rozier motioned to adjourn the meeting at 8:43pm, seconded by M. Silvia, all in**
218 **favor.**

219

220 Respectfully Submitted,

221

222 Kathleen T Felch, Town Administrator