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3 KENSINGTON, NEW HAMPSHIRE
4 KENSINGTON ZONING BOARD OF ADJUSTMENT

5 TUESDAY, MAY 2, 2023, 7:30 P.M.

6 At Kensington Town Hall 95 Amesbury Road, Kensington, NH

7 Meeting – Minutes APPROVED
8

9 In Attendance: Michael Schwotzer, Chair, Bill Ford, Mark Craig, Janet Bunnell, Aaron Fenton, Alternate
10 sitting for Joan Skewes
11

12 M. Schwotzer opened the meeting at 7:30 pm.
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14 All board members introduced themselves. M. Schwotzer explained that one of the full board
15 members was absent. **B. Ford moved the motion for Aaron Fenton to sit as a full member in place of**
16 **Joan Skewes. M. Craig seconded all in favor.** M. Schwotzer explained that gave A. Fenton the right to
17 sit as a full board member and the right to question and vote in the meeting tonight. They have a full
18 board for this meeting as they are a five-member board.
19

20 M. Schwotzer explained that he will work off of the procedure document in the back of the room. He
21 read the following into the notes.

22 **91-A:2 Meetings Open to Public.** – II. Subject to the provisions of RSA 91-A:3, all meetings, ... shall be
23 open to the public. Any person shall be permitted to use recording devices, including, but not limited
24 to, tape recorders, cameras, and videotape equipment, at such meetings.

25 M. Schwotzer explained that this is not a public hearing, so the board was not going to accept public
26 comment except if needed by the ZBA from an applicant.

27 The board received a request:

28 ***“Will those filing the appeal be able to make a brief statement at the opening of the hearing***
29 ***to summarize the reasons for our request framing the issues before the zoning board as succinctly as***
30 ***possible?”*** M. Schwotzer opened the question up to the board members.

31 B. Ford asked if there would be one specific spokesperson to speak on behalf of a group or would each
32 one of them have something to say. M. Schwotzer explained that it was written for each person but
33 the board can restrict that. J. Bunnell is in agreement with people speaking as well as M. Craig.

34 **J. Bunnell made a motion to have public comment, seconded by M. Craig, all in favor.**

35 The board is hoping to hold this for 2-3 minutes for each commenter.

36 The public was having difficulty hearing the board members unless they were speaking through
37 microphones.

38 M. Schwotzer will go through the agenda and ask each person if they would like to speak.
39

40 First M. Schwotzer asked if Ami or Manuel Delgado was in attendance and if they wished to speak.
41

42 **Ami Delgado spoke to her application.**

43 Ami Delgado gave testimony that she lived at 5 Hoosac Road for 18 years and that when she
44 walked up Moulton Ridge Road recently, she noticed that there was a lot of watersheds to the south
45 side of Moulton Ridge Road. She believes that if the multiple arrays go up it will change the
46 frequencies in all the areas, she believes that it will be artificial frequency. That can disturb human
47 health and disturb the habitat and the watershed. She believes that this will affect pollinators and
48 wildlife and it is not something that you can turn off, she believes that it will be compounded with each
49 array, and it is not like you can turn it off like the WI-FI. She is concerned about this and she hopes that
50 the board would take into consideration that they not put it into a residential zone where conservation
51 land exists.

52
53 **William or Dale King-** were not present at the meeting.

54
55 **Sarah Batterson-**

56 She lives at 268 N Haverhill Road. She has an appeal and she feels as though the process has
57 been rushed. She understands that the board has to go by law and the Telecommunications Act of
58 1996 and feels that the process has been pushed. She is concerned with the process and says that it
59 needs more deliberation. She would like to see Rosencrantz up and running before putting this tower
60 in. This needs more time to research.
61 She thanked the board for hearing their appeals.

62
63 **Trish or Mike DeCaprio**

64 31 Osgood Road- he thinks that the process has been rushed, it was said somewhere that
65 Vertex has had 10 years to prepare for this and he feels that the process has been rushed. He asked
66 the board to allow more time for the abutters to get appraisals, he continued that people have not had
67 enough time to get the appraisals and that people are still working on it. A survey was done by the
68 National Institute of Science and Public Health found that 94% of home buyers we're less interested in
69 would pay less for property located near a cell tower and he thinks that should be taken into account.
70 He would like to see what the cell service is with 184 South Road first. There are towns around the
71 country that have voted to stop 5G from coming into their town and there is a lot of research out there
72 that he thinks that the board should take a look at.

73
74 **Karen Parker Feld-Peter Freeman**

75 Karen Parker Feld stated that the town has been working on this for around 10 years and
76 people have only been working on this for a few months. Irene Greenburg only heard about this a little
77 while ago and submitted a letter for the board, she is not sure was recorded in the record. She does
78 not believe that the abutters have had appropriate time to get their appraisals because they take 6-8
79 weeks they would have had to receive the notice in early January. On that ground alone she believes
80 that they need to slow down the process. To allow time for people to get their appraisals. Those
81 appraisals were supposed to be submitted a week before the March meeting and the abutters would
82 have had to start the appraisal process around January to have it in for that time. She doesn't like to

83 think of this as for this or against this, she would like people to think of it for the Town or against
84 industry. She believes that this is not just a routine procedural matter, it is something that should take
85 some time because it is important. She believes that everyone that has been involved in the process
86 and has taken the time to come out today does not need to be reminded of the telecommunications
87 act of 1996, she believes that they have all schooled themselves in that.
88 Kensington zoning ordinance which says that before the tower is approved in a residential agricultural
89 zone all reasonable alternatives should have been exhausted.
90 This means to her is to see how cell coverage is improved with the addition of the cell tower at 184
91 South Road. She continued that she is not here to have conversations with lawyers they are there to
92 have conversations with the town. She expressed to the board to ask themselves about the limitation
93 on the conversation is that the town can't even talk about issues to its residents. She wants them to
94 ask themselves why there is that limitation and why they would consider that to be valid. She is
95 concerned with the board not being able to review the science or additional research provided stating
96 that limitation would make her want to review all of that information. She stated that if everyone in
97 Kensington had done their own evaluations and came to their own conclusions and said yes we want
98 this in an agricultural zone we can't wait and we know we need it and if everyone in town agreed to
99 that then she would be fine with that because that would be democracy. She does not believe that
100 that is the way that this has happened and she is not fine with that. She believes that the board needs
101 to allow time to see if the tower addresses the coverage issues with real coverage maps, not
102 projections. She wants to let everyone in town have the experience of seeing the tower in place and
103 then if it is still a problem and everyone agrees to this then that is what we should do.

104
105 Mary Rezendes Brown

106 She thanked the board for allowing her to have this time to address them. She owns 66
107 Moulton Ridge Road and she has received this property from her brother who put 2/3rds of the
108 property into conservation so this property means a lot to her. She received a letter in February to
109 come to a meeting and she came not knowing what she was going to be dealing with. At that time, she
110 learned about telecommunications and tower and proposal and believes that it is an impact for all of
111 us, but especially for her property. Her property will be 1250 feet from the base of the tower, not the
112 1640 feet which she stated is recommended. She learned that Mr. Parisi had been working for over 10
113 years on this and they learned that last week at the planning board. She thought about it and 10 years
114 he has been working on this and she doesn't know if he was working with the zoning board or with
115 what committees, but she has only had 2 months to learn and understand the proposal. I ask you is
116 that fair? She stated that we feel rushed and that she was the only one that could see the balloon.
117 She continued that Lynne Monroe reported from the Heritage Committee that she evaluated and she
118 could see the balloon and it was really visible. She has that to claim that she will have the vision of it.
119 She is not excited about it because the property owner that is going to have the tower will not have
120 any vision of it, but will be compensated to have the tower. She would like the board to think about 2
121 months vs 10 years, 1250 feet and 1640, a view and no view, is that really in the best interest of all
122 residents.

123

124 Peter Sawyer-
125 He had nothing to add.
126

127 Ann Smith

128 When she got the registered letter and she explained that at 83 she would now have to deal
129 with a cell tower. She is very unhappy with what is happening. She explained that there are 3 of them
130 that are going to get appraisals. She has something set up by someone in Concord and do all three of
131 them at the same time. She stated that it will take 6-8 weeks for them to complete the appraisal, and
132 she is unsure of what the outcome will be, but she does know that Mary Brown has the most physical
133 aspect of the cell tower. She was on her porch and she took four pictures with her cell phone and it
134 was very visible. And someone the other night said that there are branches and the trees have foliage
135 and she continued that there is not foliage all year long. She offered a copy of the contract with the
136 appraiser to the board. They did not take it, there was no comment from the board.
137

138 Peter Merrill asked to have time to address the board. He stated that it was a procedural question.

139 M. Schwotzer allowed the comment on a procedural issue.

140 P. Merrill continued that there was at least one name that he is aware of that is an abutter that was
141 not notified, and they are not on the abutters list. So procedurally you have not sought to notify all the
142 people that you should have notified. M. Schwotzer stated that he is not going to approach that
143 question because he has received abutters list multiple times and that was covered by the letters of
144 notification. P. Merrill stated that if an abutter is not on the list, then it is tough luck? M. Schwotzer
145 commented to P. Merrill that he has no control over that and that he was sorry. He appreciated the
146 comment but if the abutter has a legitimate issue then they have other avenues. P. Merrill responded
147 that you can't object to what you don't know. M. Schwotzer stated that was a very good point.
148

149 M. Schwotzer read a note into the record.