Town of Carroll Planning Board
Meeting Minutes
June 6, 2024
5:00 PM

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**Planning Board Members Present:** Alex Foti, Jules Marquis, Austin Alvarez, Rena Vecchio, Paula Murphy, Don Jones, Ryan Peffer

**Zoning Board Members Present:** Andy Smith, Diane Rombalski, Bill Briggemen

**Public Present:**  Jonathan McNeal Industrial Tower Applicant, Kevin Delaney Industrial Tower Applicant, Rick Voci Industrial Tower, Steven Grill Industrial Tower Attorney, Steve Messina Abutter, Deb Caponette Abutter, Mike Caponette Abutter, Michael LePage Abutter, Carol Alvarez Resident, Tom Godfrey Resident, Joan Nicosia Resident, Geri Garneau Abutter, Bonnie Moroney Resident & Selectman, Kristen Walsh Industrial Tower Attorney, Drummond Mt. Shop, Cathy Conway Horizons Engineering, Scott McGrath Resident, Chris Elms Omni Abutter, Lois Pesman Resident, Lisa Miller Resident, Carl Brooks Resident, David Scalley Resident, Tom Godfrey Resident

**Minutes Taken By:**  Steffanie Apostle

**Item 1:  The meeting was called to order by Alex Foti at 5:00 p.m.**

**Item 2:  Pledge of Allegiance**

**Item 3: Attendance taken; Quorum Met**

Alex Foti introduced the members of the Zoning Board present which were Andy Smith, Diane Rombalski and William Briggeman

**Item 4: Approval of Minutes – May 2, 2024**

Confirm Alex present or not – Alex Foti was present at the last meeting May 2, 2024

Rena Vecchio made motion to approve with edits and Paula Murphy second the motion

Motion was approved

**Item 5: BWPOA – Update on concrete pad size and additional security fencing**

Austin Alvarez recused himself as he is part of BWPOA and would be presenting the changes.

Don Jones abstained from the vote as he is also part of BWPOA

Austin Alvarez thanked the Board for the past few times he has been here in front of them. Austin Alvarez explained he had some minor changes to the plan that came up at the last Board meeting and they decided to bring it forward to the Planning Board. Austin Alvarez presented a minor site plan to the Planning Board. Austin Alvarez explained that they were dealing with multiple possible hauling contractors and in order to accommodate them it was realized they needed to expand the concrete footprint 5’ and showed on the sketch the area that was a 5’x30’ addition to the concrete slab. Austin Alvarez said they had also realized they needed some additional security fencing and showed on the drawing both sides of the area which now showed additional security fencing. Austin Alvarez asked the Planning Board to approve these changes without resubmitting their application. There were no questions and Rena Vecchio made a motion to approve with the changes and Paula Murphy second the motion. Motion was approved. Alex Foti asked Austin Alvarez to drop the new plans off with Steffanie Apostle and he would sign them. Austin Alvarez said he had a requirement for the State that any changes has to be documented on a record plan and as soon as that was done, he would drop them off.

**Item 6: Industrial Towers Presentation – New cell tower on 40 Old Cherry Mountain Road**

Alex asked members of the Zoning Board to join them on this and Andy Smith thanked him.

Andy Smith appointed Diane Rombalski as a sitting member of the board so they would have a quorum. Andy Smith invited the applicant to understand that they have a 5-member board but only 3 were present so it would have to be a unanimous vote and gave the option to Industrial Towers if they wanted to continue the meeting or reschedule. Industrial Towers chose to proceed. Andy Smith invited the applicant to present to both Planning & Zoning Boards to avoid redundancy. Alex Foti clarified that was why they had a joint meeting because all the information was the same and there was no reason to have Industrial Towers come up twice. Andy Smith said from a process standpoint they can make the application they would be able to as a special exception board be able to ask questions the ZBA Board will open it to the public and the ZBA will make a recommendation one way or another to continue and vote on the application and then the Planning Board will take it from there.

Alex Foti said from the Planning Board perspective Standard procedure is for them to go through and discuss the plan in relation to our application requirements discuss any area where you are requesting a waiver and if its not applicable why you think its not applicable. Planning Board application is in tab 2.

Steve Grill said he was from Portsmouth NH and was council for the applicant. Steve Grill said it was nice to back as ITW has been here twice before for 2 other towers already in Carroll. Steve Grill said the company was based in Marshfield Massachusetts and they also had a facility in Dunbarton N.H which was where the crews were based and did most of their work and should the proposal be approved; they do the construction and the maintenance. Steve Grill introduced Kevin Delaney who is V.P of site acquisition & development; Kristen Walsh who is in-house council for the company; Rick Voci who is the engineer and Jonathan McNeil who active in the site acquisition and product knowledge.

Steve Grill gave an overview of the project. The proposal is to the build the tower on what they refer to as the Brooks property which is 166 acres to the East of Twin Mountain. The tower is designed to service that part of the area a little bit further East to Bretton Woods the Resort area and a little to the West to the Zealand Campground where at this time there is insufficient service. When Steve Grill started doing these years ago, he used to have to explain some of the technical stuff but these days people are so used to cell phones and all their different functionalities so what they are trying to do is to improve that service They need to be able to add antennas or more accurately the clients of ITW (Industrial Tower Wireless) such as Verizon, T-Mobile which is joining in this application although they are not present they have submitted a letter explaining their need for coverage. The carriers need additional antennas because when you get further East service is inadequate. The location was picked because it works from a technological standpoint but also because it is remote from the center of town and the closest residents are over 1,000 feet away. There are other commercial uses in the general vicinity including Resort Waste Services. Also Mr. Brooks himself uses the property for a campground and a gravel pit, and a wood cutting business that provides a lot of the wood for Bretton Woods. The property itself is accessed through what’s known as Mount Deception Road. The tower would be built quite a way in from Old Cherry Mountain Road. You would go up Mount Deception Road, to the North is Mount Deception itself which would act as a screen so when you’re looking at the tower from the South or the West the Mountain would be behind it and that would mitigate visual impact. They are not looking to provide service up the mountain but there would be some for the hikers which is an added benefit but the main goal is to get the Valley area along 302 and the places he had identified. One thing he wanted to mention was Mount Deception was a private road and when Kristen was doing the title work for this proposal, she realized that a small portion (200 ft) actually lies within the old railroad way that is now owned by the State. Mount Deception Road has been there for decades and was used while the railroad was still active into the mid 80’s. The portion of the right of way doesn’t impact the railroad use and it wont impact any future uses such as rails to trails or other recreational uses. They still need Mount Deception Road they’ve been talking to the State but it’s a long process and initially they got favorable feedback from the State. They recognized the continued use of the road in the way it’s been used for decades won’t be a problem and they don’t see a reason to not grant them property rights. There are some ongoing discussions that will eventually, if it hasn’t already move back to the Town whether its selectboard or not he just wanted to put that out there. Its basically preserving status quo and clearing up a title issue.

Beyond that to the Zoning, under the ordinances they need a special exception from the ZBA for a special use permit which is an innovative land use control from the Planning Board and they need Site plan approval as well. They have gone into some considerable detail and written material that they are not going to go through but among their team they will answer any questions. They believe they meet all the dimensional requirements as well as the more subjective requirements and also all the usual site plan things that are discussed in the application such as access. They are not proposing a facility with a demand of water or anything like that as it is an unmanned facility. One waiver they are requesting is for a storm water management plan which is article 6 \_Section 6.02. The reason is that they are using an existing road, there will be some upgrading to it as part of the project. They are only leasing a 10,000 square foot area, less than a quarter of an acre that will be graded except for the concrete pads and the foundation for the structure; everything else will be gravel so they don’t see the need for Storm Water Management. They feel they have met all the requirements laid out in detail and are happy to address any of them in more detail if needed.

Alex Foti asked to start with review of the application and thanked them for explaining the waiver. Alex asked if anyone on the Board had any questions before they move for the completion of the application. Rena Vecchio made a motion and Autin Alvarez seconded. No one opposed nobody abstained. Application was accepted.

Andy Smith asked the Land Use Secretary Steffanie Apostle if the application was received with the applicable funds and abutter notices have gone out

Steffanie Apostle responded yes.

Rick Voci gave a quick overview. In 2018 Industrial Wireless built the tower behind the Town Hall building which has Verizon, AT&T, and T-Mobile. In January of 2022 they constructed the tower on Route 3 North which has T-Mobile on it now and Verizon just went on it but is not on the air yet. As mentioned, they are looking for approval on a 170’ cell phone tower located at 40 Old Cherry Mountain Road at Map 419 Lot 15. The site is on the south eastern part of town. Access to the site will be off of Old Cherry Mountain Road. They have secured an access utility easement for a 25’ wide access road. Travel down Mount Deception Road approximately 1,600 feet. There are existing utilities on Old Cherry Mountain Road and they are proposing to add 2 more utility poles. From that point they will go underground to the site. Once at the site the driveway is about 90’. The lease area is about 100’x100’. Within that area they are proposing to construct 80’x80’ communications compound which will be fenced with an 8’ high chain link fence that will surround the facility with a 12’ wide gate to enter the area. There will be a hammerhead turn to allow their vehicles to turn around. Within the facility there is 6” of ¾” crushed stone. The tower itself is in the center of the facility and the communication shelters will be located around the tower. The Style is a 170” lattice style tower. One requirement was that they had 125% height of the tower to the closest property line and they do meet that. Because of the height of the tower, they would need to be 219’ from the closest property line. They have 650’ to the closest property line from the South, 691’ to the closest property line to the North and 2,472’ from the East. They will only clear the minimum number of trees as possible and leave maximum vegetation. Shelters vary depending on what carrier, some have walk in shelters but most carriers have an equipment pad with a small cabinet on top about the size of a small refrigerator. As technology improves equipment gets smaller. This tower will not require any type of lighting, they have received FAA Approval so there will be no beacon or lighting on top. The tower is capable of carrying 5 major wireless carriers, right now they have T-Mobile on board and can take on 4 more wireless carriers.

Propagation studies show towers are not chosen at random. It’s used to identify gaps in service and they take into account ground elevation, antenna height, frequency, the terrain and the trees. Industrial Towers provides 900megahertz two-way radio systems also but not for this tower, this is specifically for cell phone carriers. Closest facility is Twin Mountain and is 4 miles, next closest facility is to the North West 6.6 miles. T-Mobile is looking to cover 302 and Bretton Woods. Provides a lot more coverage to Bretton woods hiking area and ski area and will be a huge benefit to public safety.

Industrial Tower have been in business for 50 years and they are different from other tower companies as they are all in house. They have their own electrical crew, foundation crew, excavation crew and they do not allow anyone else to climb the tower. They have their own special crew if needed as in West Bridgewater Massachusetts they have a 460’ guide tower they had to helicopter in a TV transmitter on top. They really care about how their sites look, they have landscapers and maintain the sites.

Kristen Walsh went through the special exceptions. There are 3 criteria for a special exception. First one being the impact on community facility. This is an unmanned facility no water no sewer so there will be a very minimal impact on community facilities. Benefit will be providing space for up to 5 wireless carriers. Second criteria are things like noise, vibrations, odor omitted from tower. There will be none of that and only possible noise would come from the tower and with the location of the tower you wouldn’t be able to hear it. There is no lighting and is over 1,000 feet away from residents. Carriers do put generators which could cause potential noise but because of location and today’s technology it won’t be heard. The third is traffic but this is an unmanned facility and the only people to access their site is their company for routine maintenance or a new carrier install. For the planning Board they took the findings to reduce adverse impact on the facility to the town. Due to the tower location, there will be very minimal impact to the town visual Mountain Scenery. It will be a lattice style tower that is easier on the eyes and located over 1,000’ away from residents and the mountain terrain will serve as a back drop. Next finding was to minimize the number of towers in the town so they chose 170’ tower so they can locate multiple carriers onto 1 tower. Finding 3 is about conserving and enhancing property values and the nearest home is over 1,000 feet away and because of the height of the tower, the location of the tower and the backdrop it likely will not be visible from Cherry Mountain Rd but on 302 which is a well-traveled high tourism area with over 4,000 cars per day. It will be visible but will blend in to the backdrop. Ensuring optimum location, they have worked for years to find a property to serve coverage gap.

Alex Foti asked if they had done a ballon test and they have not but said they would.

Andy Smith asked how tall the 2 towers were that were already in town they are all 170’

Alex Foti asked if it is exclusively T-Mobile and as of now it is the only one but more will follow

Alex opened it up to the public and read residential letters.

Letter From Steve Messina

To the Twon of Carroll Planning Board & Zoning Board: I am an abutter to 40 Old Cherry Mountain Road and request this letter be read aloud at the joint public hearing on June 2, 2024. I request that the application for special exception and/or special use permit to construct a 170’ cell tower in Bretton Woods area be denied for the reasons listed below. 1.) The application does not meet the criteria requirements set forth by the Town of Carroll Zoning & Planning Board Ordinances 2.) The construction of a cell tower in this area will adversely affect the character of the surrounding areas. 3.) Article VII, Section 701.4 (d) 1 of the Town of Carroll Zoning Ordinances clearly states “Towers shall be located and designed as to preserve the ability of the public to enjoy the mountain scenery surrounding the Town, including particularly views of the Presidential Mountain Range of the White Mountains. Contrary to the applicants claim on the application, the tower will impact many, many homes located on the South side of Route 302 including but not limited to the Ski Resort and Mountain Top Restaurant guests. 4.) In the applicant’s supplement to application, Section 3 page 2 it states that “Advanced wireless services such as in home wireless internet are presently not available” This is not true, fiber optic service is available to hundreds of homes and condos including the Mount Washinton Hotel and their guests. There is no need for a tower. 5.) the 170ft cell tower will be located and visible on one of New Hampshire’s three registered National Scenic Byway’s. I request that members of the Board contact Lucy St. John of NHDOT, head projects that oversee NH Scenic Byway’s rules and regulations 603-271-8732 6.) The applicant states that there is only a single home on the property. There are also over 30 trailers parked on the property year-round. Thank you to all board members for their time and effort in preserving the beauty of our scenic tourist Town of Carroll, a decision of denial to construct this not needed eyesore will allow our tourists businesses to be successful for years to come. Sincerely Steve Messina

Alex Foti clarified wireless service and fiber optics are two different things and thanked Steve Messina

Letter from Alexander & Nora Falk

Ladies and Gentlemen, my wife and I own property at 29 Slopeside Ln, Bretton Woods, NH 03575 and are taxpayers in the Town of Carroll. We are unable to attend the Public Hearing on June 6 and ask that you kindly read the following comments into the record at that hearing on our behalf: We applaud Industrial Tower & Wireless for their plans to build a 170' communications facility, also known as a "cell tower", at 40 Old Cherry Mountain Road, and we wholeheartedly support their application for the required permits from the Planning and Zoning Boards. Cell phone reception in the Mount Washington Valley and in Bretton Woods has been tenuous at best in the past - depending on which cell phone carrier your plan was with - and having a new state-of-the-art communications facility in this area will be extremely beneficial not just for property owners, but especially for visitors to the Bretton Woods resort in both summer and winter times, as well as for all hikers in the White Mountains that visit this beautiful area in the summer. Being able to call for help using your cell phone is a major factor in preventing deaths on the mountains, and thus far cell phones were simply not reliable in our area. This will not only make things more convenient for people - I am convinced it will actually save several lives each year! We, therefore, ask the Planning and Zoning Boards to kindly approve the necessary permits so this facility can be built. Thank you! Respectfully, Nora and Alexander Falk

Letter from Mike Caponette

To the Planning Board and Zoning Board, I am an abutter to 40 Old Cherry Mountain Road. Please read this letter at the hearing on June 6, 2024. The application for a special use permit to construct a cell tower in Bretton Woods should be denied for several reasons. This construction project is a big negative for the beauty & character of this area. Route 302 is a registered National Scenic Byway. The applicants say there are no advanced services in the area. The Mount Washington Hotel has cell antennas. Fiber optics cable is deployed out to 99% in this area. Several studies show the proximity to a cell tower lowers home values. Deny this construction project. Nobody wants this eyesore! Sincerely Michael Caponette

Letter from Michael Twohig

Unfortunately, I cannot be in attendance at the June 6th meeting related to a proposed cell phone tower but I would like to provide my opinion to this proposal. In a nutshell….”NO! NO! NO!”   We do not need such a monstrosity ruining the views. There is no good reason to detract from the beauty of why so many people love this area. We can do without more environmental and visual pollution. Michael Twohig

Letter from Jason & Ty Phelps

Good morning,

This is Jason and Ty Phelps, owners of the land and property located at 224/226 Old Cherry Mountain Road SO (Map/lot 414-001-000-000), which is in close proximity to the proposed development site. We would like the opportunity to join this meeting via zoom or phone. Please provide details for us to join. In addition, and if joining via conference is not available, please see our written comments below. We appreciate the opportunity to speak today. We are writing to express our strong opposition to the proposed communication facility due to the following non-exhaustive list of concerns. As of now, we are not fully aware of how the proposed changes might impact our property, but we have several concerns that we would like to have addressed.

1. **Aesthetic Impact**:
	* **Visual Intrusion**: A large cell phone tower can be considered an eyesore, potentially impacting the view of Crawford's Notch, directly seen from our kitchen window.  This is an added bonus for many of the family members and guests that stay in our home.  A view that is unmatched which we have enjoyed for years.
2. **Property Value Decrease**:
	* **Negative Perception**: The presence of a cell phone tower can deter potential buyers, leading to a decrease in property values for some buyers concerned about aesthetics, health risks, or other factors.
	* Has any assessment been done on this matter?
3. **Health Concerns**:
	* **Electromagnetic Radiation**: What are the potential health effects of long-term exposure to electromagnetic fields emitted by cell towers, despite the fact that regulatory bodies generally consider them safe at regulated exposure levels?
4. **Noise and Disturbance**:
	* **Construction Noise**: The construction phase can be noisy and disruptive to our family and potential guests.
	* **Maintenance**: Ongoing maintenance of the tower may result in occasional disturbances as well.
5. **Environmental Impact**:
	* **Wildlife Disruption**:  We often enjoy the pleather of forestry, moose, cubs, bears and other wildlife roaming freely in our area.  The construction and presence of a large structure can potentially disrupt local wildlife and ecosystems.
	* **Deforestation**. We strongly oppose deforestation near our property for the construction of a 170-foot cell phone tower. The trees in this area are vital for maintaining the local ecosystem, supporting wildlife, and ensuring air quality. Removing them would not only disrupt the natural habitat but also diminish the beauty and environmental health of our community. We urge the decision-makers to consider alternative locations or solutions that do not involve the destruction of our precious forested area near our property.

**Additional questions:**

1. What details can you provide us regarding any planned measures put in place to mitigate the above concerns?
2. How involved has the community been in planning and discussing the location and design of the tower and to address any concerns? The letter we received a few days ago is the first notice we have received about a potential cell tower.
3. How much is Mr. Brooke's or the current owner where the tower may be built being paid to have this tower built on his land without considering the negative impacts of the land, animals, ecosystem and the other properties around him?

We would appreciate having more detailed studies conducted and shared with the community before any final decisions are made. Additionally, we request that any further information or reports be sent to us at this email address (original copy mailed), so that we can stay informed and involved in this process. Lastly, please send us the application for review as well as the requirements for issuance. Thank you for your time and consideration. & Mrs. Jason Phelps

Alex Foti said that by law we are not allowed to consider electromagnetic radiation in the application and review

Industrial Wireless said no matter where they put the tower someone will see it; they have not found a way to make them invisible. What they try to do in every community is to balance that need and that’s a federally protected situation to try to balance that with the impacts with abutters raised concerns about. This particular site has the advantage of having the mountains behind it to screen the view and it is heavily wooded. Structures like this are funny because the closer you get to it in a wooded area typically the less visible it becomes. Its unlikely the folks on Old Cherry Road will see it. Multiple factors went into selecting this location. As a federally licensed facility they have to do something for Federal Approval called National Environmental Policy Review Act Section 106. FCC Mandates and they check for impacts on historic properties, endangered species and all things of that nature. If they don’t pass that review, they do not get Federal commission and it won’t get built. They are confident they have a location that none of those impacts will rise to a level of concern. Not saying there will be no impact they are big structures. They are not invisible but not as impactful as some of these letters suggest. There is limited wireless service if not in a building wired for it. If you’re hiking or in your car in your car this presents an alternative. As for property values this used to be a prior concern. Over the years town assessors have not reduced property values because of cell towers. There will be some people who don’t want a property by a cell tower than you have ones that work from home and think it is great. Its very subjective, what turns one buyer off may be a bonus to another buyer. They recognize concerns but they feel they are exaggerated. The tower has to go somewhere and they believe they found the best spot.

Bill Briggeman says in Section 674.33 paragraph 14 is Daniels vs. Town of Londonderry there was substantial evidence that there was no loss of value to properties

Industrial Wireless has been working on this for several years they have walked several properties and talked to several residents

Alex Foti said we can’t ask about payment to Mr. Brooks and continued with more letters from the public.

Letter from David Hart

Dear Land use, my wife and I find the White Mountains, Carroll and Bretton Woods to be one of the most beautiful, pristine and visually untouched areas of New England. We have camped at Sugarloaf II for over twenty-five years and have owned our home in Bretton Woods for 17 years. This area provides an escape from the crazy, tech driven. plugged in world that we live in and that so many people look to unplug from, when up in this region. More importantly, as you know the Presidential Range is visually one of the most beautiful areas in the country, with very little unnatural visual impact. A 170 tower would be an eyesore that would forever change the pristine, natural beauty of this area. The idea of skiing down the slopes of Bretton Woods with a looming 170-foot tower across 302 would forever change the enjoyment of this area for thousands of people. My wife, kids and I are so against the placement of this tower on this location, or for that matter anywhere in or around (private land) the white mountains. I would rather see a taxpayer fund set up to compensate private landowners for a substitute of income than the development of a cell tower. Please reject the proposal of this tower thereby protecting the natural surroundings of the wonderful White Mountain National Forest and the visual beauty that so many people enjoy and appreciate. Sincerely, Dave and Sarah Hart

Letter from Diana Bell

Thank you for reading this feedback. Cell towers can be built with shielding or outside of it painted green to blend in more. lights can be activated when airplanes go over so we do not have constant blinking light in otherwise dark night sky. the Dark Night Sky is a tourist attraction so should be preserved

Alex Foti reiterated that there would be no lighting

Letter from Craig & Kara Swanson

My name is Kara Swanson. I am the daughter of Craig Swanson who is the property owner of 140 Old Cherry Mountain Road South. My father’s property is one of the parcels abutting the proposed cell tower.

I am writing on behalf of my father and myself, in opposition to the proposed cell tower. The cell tower would be a visual detriment to this scenic part of New Hampshire and it is being proposed where the service is not needed.

Letter from Nadere Garcia

This tower will be visible to not only the skiers but to also our summer visitors taking in the views from the gondola and enjoying a meal at Rosebrook Lodge.  The construction and the presence of a cell tower will disrupt wildlife habitat.  There's no need of this eyesore on such a beautiful and scenic road especially where there are already towers on top of the Mt Wash barely a mile from the proposed site.

Please take my thoughts into consideration, sincerely, Nadere Garcia

Alex Foti said this is the most letters we have ever received. Alex Foti jotted down the concerns and the major one is clearly the views and we will have more information once we have a balloon test. The other concerns were lights, wildlife, disruption of trees, telecommunication, Alex Foti said as a resident in Bretton Woods there is no service or very minimal service. What little service they have tanks when there are a lot of people there trying to use it. This is the number 1 complaint for people arriving trying to find where they are going and they have to use the hotel for service.

Bill Briggeman did call Lucy St. John from NHDOT, she was completely neutral and said it was up to the Town. She refereed Bill to Nick Altega from North Country Council and he said unless there was some sort of Reginal Impact they didn’t get involved.

Jules Marquis said other towers look like a tree or painted military camo, is that something they can do?

Kevin Delaney said we have done that before and the sky color in New England is gray which is why we went with gray. When you paint a tower that is 170’ it draws more attention because it sticks out. All the trees around it are 70-80’ then you have this at 170’. People question why we would do that; it will stick out

Don Jones said in Colorado they did that and it looked ridiculous

Andy Smith asked about the mountain being the backdrop and not the sky

Kevin Delaney clarified that was from the South & from the East at ground level. Lattice tower is difficult to paint but could be done. They would do it if requested but they would not suggest it.

Kristen Walsh said a neutral finish is required on the tower so they do go with the gray and it does tend to trick the eye. We do have the greenery but we will also have foliage and winter so at some point we would see it

Joan Nicosia - Clarifying with the airport it does not need a light

Austin Alvarez asked about the depiction on sheet 4 of package and asked if there was a way to photoshop that with different angles. The balloon test will help with that

Alex Foti says with most of the concerns the balloon test will help a lot and will be a good way to show impact

Chris Elms asked if there was a specific reason they chose 170’ height, was it the number of tenants you can get on it is it for coverage

Jonathan McNeal said there were 2 reasons. The 170’ height is what is required to get service into the Bretton Woods area and each co-locating carrier will also have to go below that first antenna on the tower but be above the terrain

Chris Elms asked if there was an issue if someone found a different location for less money

Jonathan McNeal said once Industrial Tower is up, they would have to prove that

Alex Foti said once a tower was built, they would to use every effort to use the current one including other towns like Bethlehem.

Rena Vecchio asked if we were in a nice flat area would we need 3 towers in 1 town

Jonathan McNeal said if we were flat, it would be geographic distance not a terrain issue and the problem is our phones only have so much capacity to communicate with towers. Distance prevents the phones from communicating with the Tower. Analog phones were better for that

Jeff Duncan asked about the coverage he believed the first antennas approved for this town were Mount Washington. Why is this coverage different than that? There are 2 existing cell tower antennas with his understanding they are not 170”

Jonathan McNeal said the towers they are proposing has what they call arrays. There are 3 arrays on each tower looking 360 degrees. On 1 array there can be as many as 3 antennas looking at 1 direction. 3 antennas looking in one direction 3 antennas looking in another direction and 3 antennas looking in another direction for 360 degrees. What’s on top of Mount Washington Hotel only has room for 1 universal antenna going around looking at 360 degrees and because it is so small you can’t fit additional antennas there because it does not have capacity so when there are not a lot of people in town you may get some coverage but it’s a vacation area where there are people in the town and the more people in town that use that service it brings the coverage down to almost nonexistent. It could provide coverage under perfect circumstances

Chris Elms asked what the Tower would look like with 5 services on the Tower

Bill Briggeman asked if the top carrier takes more material sort of say

Jonathan McNeal said they wont all be at the top they will sort of work their way down. Carriers have to separate the distance at least 10’ apart

Dave Scalley said the service between Whitefield and Twin is worse than before the towers

Jonathan McNeal said In Whitefield Verizon is on that tower and for tower #2 Verizon just put their antenna up but they are not on the air yet so there won’t be any service improvement until they do. If your losing coverage between Whitefield and here its only because Verizon isn’t activated yet.

Scott McGrath said he was flattered they thought he could understand the map. That map was just for -Mobile can you speculate future Verizon coming online.

Jonathan McNeal said can’t speculate but Verizon is active in this market and going on the other tower so he speculates they will join this tower

Scott McGrath said knowing the future benefit of that and the decision of putting the tower up depends on the benefit.

Jonathan McNeal said what we saw was based on T-Mobile but the coverage would be very similar

Alex Foti said There is no internet and nobody goes out to them so this gives an option for a hotspot

Don Jones brought up the truck that hit a pole in Bethlehem and took the service totally down and where he and his wife work from home the only thing that saved them was his wife Mifi. Even though they have fiber Optic it was down and it was good to have a backup.

Alex Foti asked for the balloon test so the residents who were on Cherry Mountain Road concerned how it would look and this would be fantastic to do for them

Bill Briggeman said he had never really been down to Bretton Woods so he took a drive over to knock on doors to get a sense of what people were saying and they said the cell service was terrible and the internet was fine. He asked about views and the people that were down by the river were blocked by trees and half of them face away from 302 while the other half were really high, they wouldn’t see the tower

Alex Foti said there is really nothing blocking the Presidential Mountain View it would be more towards Jefferson which was all good stuff to look at with the Balloon test.

Balloon test was scheduled at the meeting. Industrial prefers morning because winds are lighter and then people going to work can see them. First test was scheduled for 6/12/24 from 7:00am – 11:00am with a rain date of 6/18/24 from 7:00am – 11:00am. At the request of Dave Scalley, they will fly the ballons at 2 different elevations; one at 175’ and one at 85’ and start at 7:00am for the heaviest traffic flow according to the Master Plan.

Alex Foti asked if there was a motion to move the public hearing to the next

Paula Murphy made a motion Rena Vecchio seconded the motion, all were in favor

Andy Smith said from a procedural standpoint the ZBA could vote to approve this special exception. They could vote to deny it or vote to parallel the continuation for the balloon test and the next meeting. He thinks it would make sense to parallel it because the second criteria are the character of the neighborhood and most concerning. Motion for ZBA to continue as well. Bill made a motion Diane seconded it.

Steffanie Apostle brought up the next meeting was on July 4th, and it was in her notes to discuss a new meeting day. July 25th was picked as Alex Foti will be here for that week.

Dave Scalley brought up that is a week before the next meeting.

Alex Foti said we can move the August 1st date later

Andy Smith clarified we have continued the meeting and will keep the public comment open

**Item 7: Echo Lake Presentation – Drainage & Access Easement Changes**

Cathy Conway said at the last meeting due to some minor changes they were asked to get a new Site Plan approval for Phase I. Cathy Conway presented the revised Site Plan to the group. The road layout & the lot layout has not changed. What has changed was they needed to meet AOT drainage requirements so they had to add more drainage structures and bioretention areas. What is different from the first plan to today is on Lot #1 they added some bioretention areas and the underground electric will need to be moved due to the bioretention areas. Lot #9 has another bioretention area and there will be some more added into Phase II. They also widened some road areas which needed some slope easements on the front of some properties. Biggest changes were easements for new drainage slopes and widened roads. New Site Plan was reviewed Don Jones made a motion to approve Austin Alvarez seconded motion passed for new Phase I Site Plan.

Cathy Conway said she still didn’t have AOT approval for drainage. They have had conversations with Kevin and they are still finalizing.

Rena Vecchio asked if 2 lots changed bedrooms counts

Cathy Conway said that was on Phase II.

Rena Vecchio asked about the septic line

Cathy Conway said that is Phase II

Cathy Conway reviewed Kevin’s letter comments that were Back of Lot #7 needed an easement for infiltration easement and she needed an easement along the back of Lot #10 and if DES requires more stormwater infrastructure it would be appropriate to show it on Phase I plans.

Paula Murphy asked abut the 4k area being septic

Cathy Conway said when they do a state subdivision, they have to show a 4k area for a leech field. They also added a paved apron at entrance that was required by Phase II and DOT wanted done now. Cathy Conway has had conversations with Kevin Leonard in regards to addressing his comments

Alex read the assessment from Kevin. 1.) All required legal documents be prepared and submitted to the Towns legal council for review and all final legal documents must be recorded before lots are sold in development. 2.) Secure the following state permits and comply with all associated conditions during implementation of work; NHDOT driveway permit NHDES Alteration of Terrain permit 3.) The road construction notes overview the proposed scope of work on Sheet 1, please revise notes to mirror the final determination from NHDES Alteration of Terrain regarding stormwater infrastructure construction required oh Phase I 4.) Applicant shall pay all professional fees associated with Towns engineering and legal reviews 5.) Applicant shall maintain bond for required performance guarantee (Section 15.01 subdivision regulations) for all outstanding work 6.) Applicant shall pay for Town’s third-party engineering construction observation administration fees. Construction observation escrow shall be replenished to balance determined by Town engineer based on expanded scope of work before developer commences new stormwater pond construction.

Cathy Conway said they had their driveway permit and the Alteration of Terrain is in progress. Cathy Conway said they had put up a $250,000 bond which she needs to reduce but was hesitant because of additional work but she would have to go to the Board of Selectman for that.

Alex Foti agreed with all of Kevin Leonard’s conditions

Joan Nicosia was looking for an update because things get passed then they start over

Alex Foti said we were back to Phase I with changes, Phase II was approved last meeting but because of some of those changes it affected Phase I so it no longer matched plan.

Joan Nicosia asked if technically anything was fully approved

Alex Foti said Phase II was totally approved and we have to review these changes to Phase I

Joan Nicosia asked about the water because she lives next door and was concerned about her water pressure. She also asked who is going to maintain the water because she knows the town is not maintaining the road for Echo Lake which she feels was a bad idea, but the stormwater management programs have to be maintained and how will we make sure that’s is done

Cathy Conway said that the Homeowners Association had requirements for maintenance, water, road and any infrastructure with this development. In addition, the Alteration of Terrain permit has a sign off where the property owner in this case the Homeowners Association agrees to maintain storm water features on this property. They have easements to the stormwater drains so this can be done. In terms of enforcement DES does not come up and check. They will respond to a complaint so its on the Homeowners Association.

Joan Nicosia asked if the town was going to establish assurance this will be maintained

Alex Foti said the Town shouldn’t treat this any different than the other applications they received to date and they don’t do that for other

Rena Vecchio said Kevin Leonard mentioned the storm water ponds and how we have to make sure they are taken care of and they have to hand those papers in ahead

Alex Foti said that was correct it was part of the requirements and if it not a complaint can be filed with the board or the state and see if there is anything legal that can be done

Joan Nicosia then asked if there was a common open space area ever been discussed in regards to this development

Alex Foti said that was for Phase II and not what we are here for

Rena Vecchio asked to clarify we approved Phase II but with conditions

Alex Foti said yes

Michael LePage a resident said he had comments to make. He is an abutter and sits at the entrance to Solar Spring Road and he is going to make this presentation to various organizations. Before Christmas there was damage done to his lawn due to a faulty underground water coupling located in the Northeast corner of his property. In one are of his property the damage consisted of a huge amount of sand which rose to the lawn surface by a great amount of water that was unleashed at his property. He was told the situation would be addressed and his property restored. The person who told him that from the Town was someone he really respected and he is now retired. There was a line being put in for the Echo Lake project and this was the second time his property had to be dug into. This one was different because it was a coupling that apparently was not the proper one and it exploded underneath and created this massive water. First the sand came up and then a massive sinkhole. The sinkhole was filled with dirt but no attempt was made to level it out. He waited for communication from the town as to what was going to happen in that specific area and he expected it to be rolled and seeded but that wasn’t done so he went out and purchased his own seed to seed it himself. He never received any communication that the Town would be doing anything further. He has been watering that area of the sinkhole regularly and is sure his June water bill will have a significant increase. He called the town hoping for an adjustment and was told no adjustment would be made and he was told if he wanted to see grass in that spot again it was totally up to him that the Town would not be taking any responsibility. He wants to know the Towns position on situations like this and if it affects other abutters down the line is it the Town position, we will be out there hanging by ourselves? The damage was done by the town

Alex Foti – wanted to clarify that was outside of this board and recommended getting on the Selectboard Agenda. We just approve applications

Bonnie Moroney asked why was that road not moved 10 feet away from his line when started. He had a 10 foot right away between property lines and driveway. That should have never gone right next to where it was. In our regulations it’s a 10-foot easement between properties

Cathy Conway said the subdivision was approved back then and she wasn’t sure what year but they did not change the subdivision just the use from single family to two family and from onsite wells to municipal water connection.

Bonnie Moroney said it should have been something Michael LePage should have addressed when he got his abutters notification when it first started legally, they would have had to move that driveway forward from his lawn and secondly, she is a Selectman and will be discussing the situation on the 11th and we will address it then but we will not have an answer right away but you are on the agenda.

Alex closed the public hearing and asked the board for any questions. We have our long list of conditions from Kevin. Are we in agreement with all the conditions, modifications to the conditions

Rena Vecchio said one of the things Kevin asked was that all of the conditions should be finished in Phase I such as the grass before Phase II starts. Has any lots been sold

Cathy Conway said it was made very clear they wouldn’t get their certificate of occupancy until all of that was done

Rena Vecchio asked her if any lots were sold

Cathy Conway said No, not to her knowledge but she did know they were out there doing the hydroseeding and cleaning up lose ends and they survey crew would be out in the next week

Alex Foti asked if anyone wanted to make a motion with the conditions stated in this letter

Don Jones made a motion and Austin Alvarez seconded

Cathy Conway asked if she could do mylars for Phase I & Phase II for recording

Alex Foti said yes but to wait until all permits were approved so she didn’t have to so multiple mylars

**Item 8: Boulder Mountain View Presentation**

Alex Foti recused himself because Mr. Phillips was a client of his

Mr. Phillips said he was a little premature because some new information came up and this may not be necessary. One of the issues he had when they were in the process of putting in the new barn was egress to property. They have 2 areas where you can enter the property and they found that when they put the barn up because of the topography and proximity of the road to the barn they were a little worried when they put the boulder wall up with having enough space and width of the road being too tight for emergency vehicles so they decided to see if they could bring the road further west which is what was proposed. One of the issues they encountered was the septic pipes being somewhat shallow so to get the expectable grade for the road would have been difficult. Fortunately, what happened earlier this week was they were able to put up the boulder wall while they maintained the width of that road. They may be able to maintain that road like originally planned and not switch things around so I think we are a little premature as we just got this information this week.

Austin Alvarez asked if this was a consultation

Mr. Phillips said originally, they were going to proceed with redirecting the road because of the complexity and needs and the septic system in addition to the wall being put up and it works. The original plan seems to work and they didn’t think it was going to work as it was very close but this will allow the emergency vehicles room to turn around so they are going to hold off on the request to move the road. They are going to postpone this to next month and once they make a final decision, they will retract the request and let the board know

Austin Alvarez asked if Mr. Phillips had spoken to the fire chief

Mr. Phillips said he just did but not beforehand

Austin Alvarez clarified that it may turn out that they don’t have to change the site

Mr. Phillips said yes

Austin Alvarez reminded him he needed 21-day notice

Joan Nicosia gave a point of information that any work done within ¼ mile of the Ammonoosuc River DES has to be notified because it’s a designated River

**Item 9: Review Selectboard Minutes – Discuss Warrant Article Status and Review Definitions**

Bonnie Moroney said that warrant article #2 in regards to building permits is done for this year. It needs to be sent to and approved by the NH State building Code Review Board. The lawyer was supposed to be working on that because this was his mistake and he didn’t send that through like he was supposed to. The other warrant article is for short-term rentals and she was working with Chief Duncan to write up something but her concern was to have it as all rentals not just short-term rentals. She has done research through Conway and was talking to the lawyer as well to see if that could be used for all rentals or if the way it was put it would have to be held off until next year and made more complete for all rentals.

Alex Foti said he thought it was a good idea to do all rentals because we care about all the people. His concern was this came up at a meeting where people were specifically told there would be no inspection so it’s a bit of a bait and switch.

Bonnie Moroney said this may have to be held off until next year and, in the meantime, they are putting it together to be ready and show people what we want to do and how to handle it. It basically would be once every 3 years and not yearly. Getting in the door seeing how things are and finding out who the contact is.

Alex Foti – There is long term rental there is short term rental which kind of overlaps that vs. the motels or hotel industry

Bonnie Moroney said Sunapee does not do Motels but it was something to think about and decide on. The other one was the definitions and Mr. Smith gave her clear definitions of each of these things that she thinks should be written out now and not in November so we are ready to put them in for warrant articles.

Alex Foti said that warrants a broader discussion because quality has changed drastically

Bonnie Moroney thinks we need to think into 2025 and what is being built and how its being built

Alex Foti asked if the town or the representative still opposed to manufactured homes

Rena Vecchio asked what a manufactured home was

Alex Foti said according to our definition it’s a mobile home. Modular homes are panels they bring over and prefabricated

Rena Vecchio asked if there was something that addresses regulations. She knows someone who bought a manufactured home from Canada and when it got here it did not meet our regulations

Jeff Duncan said that both manufactured and mobile homes use a chassis the difference is the inspection process. Manufactured homes inspected through the State of New Hampshire comes in without a state seal on it but under an inspection guideline a modular home comes in sections but the State of New Hampshire put a NH sticker on it. Every manufactured home has a sticker from outside of NH stating it is safe for use and it meets the requirements of NH. It’s not the chassis because a lot of manufactured homes are generally built on a metal chassis doesn’t mean there are wheels under it; a modular home is generally built on a wood chassis. We need definitions of both but the bigger question is why is that there and do we still want it

Bonnie Moroney brought up the tiny homes as another one and those are currently on the zoning ordinance to only be put in certain places as well so that’s another definition we need

Alex Foti said definitely something to look at thinking of housing and tiny homes being great for people starting up or older people

Jeff Duncan said the thing about the definitions that Bonnie was talking about is that our Boards need to come up with defining what you want to use as occupancy. I can look at a code and I can see a bedroom is 2 plus 1. What we list on GIS is listed as a 2-bedroom home but you got the Airbnb advertising it for 12 people. One thing we should do as a group for when we go and inspect these is come up with a set of guidelines of what we want the occupancy to be and where we want to pull that from. You could look at 4 different codes and come up with 4 different occupancies. Are you allowed to consider living on a couch if you put 4 couches in is that 4 more occupancies; by building codes its not by other codes it is. If I put 8 bunk beds in a room is that proper occupancy by building codes its not by other codes it is. We need to come up with a guideline

Paula Murphy asked if the septic has to correspond

Jeff Duncan said they should really look at what the septic is designed for. Once upon a time we got all the septic but we don’t always get that without asking. There are DES websites you can look at but you really have to search for that. Dealing with DES on some of the most recent projects they are about as great as you can be. If you are building a 1-bedroom home they will say you need a septic for a 1-building home and if your occupancy is 23, they don’t care. As long as what you put in is correct.

Alex Foti asked how are babies counted

Jeff Duncan said if you are 10 and sleep in a bed its only considered ½ a person a baby doesn’t really count

Joan Nicosia has a question on the warrant articles that got passed in this last election in regards to buffers, does that have an effect on the development of Echo Lake

Alex Foti said that wouldn’t impact Echo Lake because they already had their application in before it was passed

**Item 10: Master Planning – Vote on a subcommittee / Identify key members and a time**

Alex Foti suggested we have a subcommittee with town input and we nominate a sub-committee that spearheads the effort with North Country Council to review and revise the Master Plan. Phase II was approved by Selectboard. North Country Council would like to come in and kick off Phase II when we kick off the sub-committee. Members of the public always welcome to join members from the planning are welcome to join and he would like there to be 1-2 members from this board that can spearhead the effort that are present at all the meeting and can come back and report on progress and questions so we can progress towards the finish line

Joan Nicosia said that as chair of the conservation committee she would like to be on this

Alex Foti asked who on the board was interested in joining

Paula Murphy said she was interested and asked if summer time was the time to do that, would people be around to do that?

Alex Foti said North Country Council said it was a good time because you have more gatherings that you can get data from

Joan Nicosia asked if they were going to put together a questionnaire

Alex Foti said yes that was part of their Phase II along with gatherings

Bonnie Moroney asked if they looked at any backup looking into how many homes we have built since 2020

Steffanie Apostle said she sent them information for our town with the building permits

Rena Vecchio offered to be on it and Alex asked her to Chair it and he would assist her

Paula Murphy asked if they had to be at night

Austin Alvarez said they can be whenever we want

Alex Foti said to put something on the website and Facebook looking for volunteers

Bonnie Moroney volunteered

Joan Nicosia asked if this was requested or did the state come in and ask

Alex Foti said nobody came in it is supposed to be revised every 5 years

Motion to adjourn was made by Don Jones Rena Vecchio seconded it meeting was adjourned at 7:45