

# **Stoddard Zoning Board of Adjustment Meeting Minutes 1-5-2011**

Submitted by stoddard on Wed, 01/05/2011 - 11:58pm.

TOWN OF STODDARD

ZONING BOARD OF ADJUSTMENT

MINUTES OF THE MEETING HELD January 5, 2011

MEETING CONVENED AT 7:35 PM

Members Attending: Beverly Power, Fred Ward, Richard Betz, Maureen Meyer & Ruth Ward.

Correspondence: Various emails and letters from Charlie Donahue; Emails from Board Members; 1 huge box of information received 1/5 and a smaller FedEx envelope received 1/4 from Anderson & Krieger; letter handed to secretary from John & Anne Cucchi re: historical properties within 1/2 mile radius of proposed cell tower location.

Minutes of previous meeting: Beverly Power moved and Fred Ward seconded to accept the minutes of the December 15, 2010 meeting as corrected, the board approved. Corrections: page 3 toward bottom of page - correct the heights of Melville Hill (1952') and Morrison Hill (1548'). Add Fred Ward gave a list of questions to Anderson & Kreiger's representative, Ann Robins and Charlie Donahue for consideration. Also add that Beverly Power informed the counsels that all paperwork must

be submitted to the board secretary 2 weeks prior to the next scheduled meeting to allow adequate time for the board to receive and absorb the information presented. She noted that Charlie Donahue complied and Anderson & Kreiger did not.

Old Business: None

New Business: None

Application for Variance: None

Application for Special Exception: 7:35 PM reconvened AT&T Public Hearing.

Beverly Power thanked Charlie Donahue for respecting the 2 weeks advance notice for submitting information to the board. She also scolded Steve Anderson for not respecting the request.

Fred Ward said he was disappointed with the answers AT&T had given to his list of questions. He referred to the idea of several, shorter towers in lieu of one 150' tall one and suggested that the power line Rows allow collocating cell towers to avoid most of the sight problems as the ROW runs virtually in outlying areas where most would never be seen. He also inquired of a tower, proposed in Antrim and was told that the tower isn't approved yet.

Steve Anderson said the targeted coverage area is Route 9, Route 123 and the Village center. He explained that AT&T uses a search ring to choose a cell tower site.

Ken Kozyra of KJK Wireless explained that the search ring is based on a 150' tower. The site search ringed is called Stoddard 2778 and is approximately 1 mile wide in all directions. They found no structure, in existence, to meet their requirements. They hope to cover cars, residences along Route 123 & Route 9 to allow calls to be made and received within structures (houses, etc). He said it is impossible to cover all areas of town with one 150' tower.

Steve Anderson said they thought they had a site and has commissioned their engineers to research the other suggested site. That work has not been completed, as of now. He also suggested setting up a working meeting with town officials, residents and AT&T representatives to explore alternate sites.

Fred Ward requested that the engineers come up with alternative sites with shorter towers and consider collocating on power line towers.

Ken Kozyra said they would consider sites on power lines.

Ruth Ward spoke in favor of multiple, smaller towers.

Ted Crisman - objected to the presentation and dialog presented took much more than most of the hour allotted for public input, leaving the remaining public little time to present their case. He wishes to see an independent consultant to work on alternative sites.

Buzz McLaughlin said it is critical to bring in an independent consultant to get truly objective alternate sites.

Fred Ward said that if AT&T comes in with 2 site alternatives, then that is when the shot clock should start.

Charlie Donahue called on Steve Anderson to suspend the

shot clock.

Fred Ward hoped to restart the shot clock when all the information is presented and if it isn't extended, the board will have to vote on the current application on the table.

John Keating, Aten Road, is in the telecommunication business and related that trees eat up cell power and height is supreme to give the expected coverage.

Richard Nicoletti thanked the board for all the work invested in the application. He also called for an independent consultant to work out coverage that will be acceptable to all.

Richard Betz said he wants an independent consultant to review AT&T's alternative sites at the 2-15-2011 meeting.

Ted Crisman said David Maxon could do the work but Beverly Power reported that she had sent him a letter with no response. Beverly Power addressed the escrow funds for the independent consultant.

Steve Anderson objected to Mr. Comi and Mr. Maxon being used because they are not RF engineers.

Charlie Donahue said that the board is entitled to independent consultation without pressure from Steve Anderson's people to object to any applicant.

Mr. Hutchins presented an estimate of \$5000.00 so that is the amount needed for an escrow fund.

Ken Kozyra said he would send a check for the escrow amount of \$5000.00.

The secretary will consult with Town Administrator, Jim Coffey, on the way to handle the escrow fund.

Geoffrey Jones, chairman of the Conservation Commission,

presented a slide show where many sites were considered. He noted that the Conservation Commission is charged with advising the town for conservation situations.

He noted that the proposed site is about 1000 feet from the Monadnock-Sunapee trail, which entertains hikers that enjoy the peace, beauty and quiet of the area and the Conservation Commission is opposed to the site proposed.

He presented graphics that showed many sites and their supposed possible coverages. He noted that Shedd Hill and Pitcher Mountain have towers in existence with power and access roads all ready in place. Melville Hill is accessed in an area of 66% conserved property. The presentation was very well thought out and explained, with pictured examples, what each site presented could be reached for cell phone coverage. He supplied a thumb drive of his presentation to Steve Anderson.

Richard Betz asked if the new proposal of a 100' tower would change the coverage map. He asked for new coverage maps. He also wanted to know about the proposed Antrim tower and Ken Kozyra said the signal would not even leave Antrim as it is on the northeast side of town.

Steve Anderson noted that their engineers use the same kind of program that Geoffrey Jones used in making his presentation.

Fred Ward asked if it is permissible to use emails to ask and receive answers on the proposal.

Steve Anderson said no, any emails would constitute a public meeting and must be noticed. It was decided that emails will be passed via Patricia Putnam.

Richard Betz moved and Fred Ward seconded to recess the public hearing to February 15, 2011 @ 7:00 PM at the Town Hall, the board approved.

Beverly Power consulted with the board on prospective independent consultants and the board chose Mark Hutchins, who has consulted with many municipalities on towers, including Greenfield, NH.

The board decided to meet with Mr. Hutchins for an interview on 1/17 between 1:00 PM and 3:00 PM or 1/18 at 1:00 PM at the Town Hall, the board agreed. Richard Betz will consult with Mr. Hutchins on his availability on one of those dates.

Fred Ward asked Steve Anderson to indicate if an agreement to extend the shot clock was acceptable with the applicant.

Steve Anderson said he is happy to extend the shot clock to the end of May 2011.

Geoffrey Jones will supply the board with a thumb drive copy of his presentation.

Adjourned: Fred Ward moved and Maureen Meyer seconded to adjourn at 9:35 PM, the board agreed.

Respectfully submitted,

Patricia E. Putnam, Secretary