



# Town of Woodstock

## Planning Board Meeting Minutes

June 12, 2023 Time: 6:00 pm

Woodstock Town Office Building, Lost River Road

**Board:** Lee Freeman, Kathryn Cordeiro, Margaret LaBarge, Scott Rice -Select Board Rep  
Bonnie Ham, Christina Payne -arrived after roll call

**Alternate:** Igor Bily

**Absent:** Dianne Tardif

**Staff:** Cathy Riley

**Public:** Francis Parisi -Vertex Towers LLC, Dan Adams, Kyle Caulder, Aaron Fadden, Nicole Tewksbury, Mary Albrecht, Nancy Ingalls, Lisa Viveiros, Barbara Conn, Robert Viveiros, Steve Welch, Jay Palomino, Tom Lemon, Brenden Ingalls, Cheri Caulder, Lisa Mancini, John Mancini, Damian Schloming, Maureen Palomino

**Zoom:** Kevin, Tom Johnson

### Call to Order

Bonnie called the meeting to order at 6:00 pm

### Roll Call and Alternate Vote

Present were Lee Freeman, Kathryn Cordeiro, Margaret LaBarge, Scott Rice, and Bonnie Ham. Christina and Dianne were absent.

*Bonnie made a request for an alternate, Igor Bily, to join the Quorum.  
Lee made the motion, Kathryn seconded and the vote was affirmative.*

### Continuation of the Vertex Towers, LLC Public Hearing

Location Map208-007-002, continued from May 8, 2023

Bonnie introduced Vertex Towers, LLC Representative Francis Parisi. After handing out supplements to the waivers requested, he presented along with a PowerPoint presentation for a Application for Special Use Permit and Waivers for a Personal Wireless Service Facility.

Mr. Parisi stated why they were there and the reasons for the three waiver requests for the Telecommunications Ordinance.

1. He stated that the town of Woodstock requires that towers be no more than 20' above the tree line, and no more than 100' in height. He stated that it was technically impossible, so that reason why they are asking for a waiver for that provision.
2. Mr. Parisi also stated that there is also a requirement for the facility to be set back from property lines both 2x the height of the tower from all abutting property lines, and 5x the height of the towers from all residential dwellings. He stated that while they are more than the 5x the height from residential dwellings, they are less than 2x the height from abutting property lines, and seeking a waiver for that.
3. The bylaw requires the site after abandonment, to be returned pre-built conditions. He stated that while they would remove the facility to ground level, they would not be able to remove the foundation and underground facilities, or replace the trees that would be taken down, so they are seeking a waiver for that also.

2.

Mr. Parisi then went over the questions asked by the board regarding access to the property.

1. He explained that the deed that shows access from the Lost River Campground property to the Ingalls property.
2. Question about FAA clearance. The info was sent to consultants that have the same database as the FAA. One issue that had been raised about the closest private airport which is in Woodstock. The airport is only 4.9 miles away, and only have to be less than 3 nautical miles away.
3. Military operations, Yankee 1 and Yankee 2, was determined that all of NH is in a military zone, but there are no flight paths that go along the 112 corridor.
4. Alternatives- no other viable alternative. Many experts looked into, and they maintain that this is their only option pointing out the following needed: a willing landowner, business deal, civil engineer analysis, radio frequency engineer approval, topography.

Brought up how they were there here 4 years ago, was proposed to the lost river campground owners, COVID, permits expired, business deal expired, when they approached the new owners, they were unable to strike a deal from the owners, so they moved on to the Ingalls property.

Other areas were not accessible because of topography and slopes, as well as wetlands, blocked signals because of ridges.

No effect on abutting property values and no data to support it. No abatements requested or granted per the Woodstock Town Clerk.

Visual demonstration showed very little visibility and would have even less as the leaves filled in since the photos were taken in early spring.

Brought up the Telecommunications Act of 1996 and the importance of public safety and tourism access. Towers also have room on the tower for the local safety antennae.

After presentation, the board was asked to present any questions.

Lee Freeman, thanked Mr. Parisi, and then proceeded to ask what the term "large parcel" referred to.

Not sure on the exact size, but usually what meets requirement.

After more discussion on the tower height and location issue, Lee pointed out that he was trying to keep in spirit with the town's ordinance.

Lee is concerned that if there is an unforeseen event and the tower should fall that it could be an issue with adjoining property.

Mr. Parisi noted that Tom Johnson, the Engineer used for Vertex Towers, was on zoom and could answer any questions, but he stated that the tower does meet the 1X but not the 2X safety aspect for the tower.

Tom Johnson, with ProTerra Design Group engineer added that the tower currently meets the 189' as proposed, and in the spirit of the ordinance, he added that in an unforeseen event that it

failed at the base of the tower, it would fall on the adjoining property line. He also added that the likelihood of that happening was not likely and is site specific.

Mr. Parisi added that the towers have cabling and a foundation that also helps to stabilize the facilities, and has never seen any literature showing that a tower would fall.

Mr. Johnson then noted that the Mt. Washington tower endures the extreme weather on the summit, and it follows the same codes as what is being talked about.

Lee asked about other viable alternatives such as the White Mountain National Forest area, which was not in the updated packet.

Mr. Parisi stated that an issue with the WMNF is whether it is constructable. The utility infrastructure stops right after the campground.

Lee noted that he had a map with two locations in the WMNF. He stated that there are two towers, one in Lincoln, and one on Mt. Tecumseh approved in 2007. Lee read from information of the WMNF website. He read that the forest service allows forest service land for special uses occupancy for communication facilities, buildings and towers, and fiber optic lines that provide critical communication services that include television, radio, cellular, emergency services and broadband to rural and urban areas. Lee also noted that there is an area on the website that you can easily get the application which is a four-page document.

Lee also was wondering whether Vertex Towers, LLC was thorough in looking at WMNF sites, and whether there would be better coverage higher on the hill, and why it would not reach all the way to Easton.

Mr. Parisi noted that because of ridges and the topography of the area, it would be hard to get that far of a range. He noted that Mt. Tecumseh has utility infrastructure and roads. He also noted that it is important to be as close to a road as possible for access and he had given data to show that it was a site-specific location.

Lee asked whether the waiver wording was corrected regarding the minimum setback requirements. Mr. Parisi stated that it was not fixed yet.

Lee asked about the clean-up bond offered part of the waiver. Mr. Parisi assured the board that an engineer will provide what it would cost to remove it, and will provide a bond to secure it, and the bond is one year renewable.

Lee asked about the map not provided of coverage at the location if it was within the Town's ordinance. Lee then presented the map from 2018 that showed 167' does cover more area.

Mr. Parisi answered that it is because of the curve in the road and topography that there would be less coverage.

Lee asked why it is 60' higher than 2018, and why the height of the tower could not be brought down. Lee stated with staying with the spirit of the ordinance, why the height could not be reduced.

4.

Mr. Parisi stated that they had a commitment from Verizon and they don't want to be short-sighted for other carriers, and 10' of the tower is for emergency communications.

Lee stated that his concern was that Kinsman Notch is very scenic, and wants to keep it as pristine as possible.

Mr. Parisi stated that it is only a 175' tower, and is very location specific and Verizon committed to them at that tower height.

Lee wanted to remind the attendees that this was a different company than previously, so that all of the environmental, archaeological and historic studies need to be completed. Mr. Parisi assured the Board that that 4–5-month process has begun.

After all the questions from the board were answered, there were comments from the surrounding property owners.

Jay Palomino, who resides on Lost River Road wanted to state that he appreciated all of the due diligence by the company and the Planning Board, and implored that they are reasonable with looking at some of the variances because of the need for safety in the area.

Lisa Mancini, Lost River Campground owner, asked why didn't the company go directly to the Ingalls's property instead of the campground property the last time. She stated that the reason why that they didn't agree to it was because they were told that it was the only spot for the tower, and because being a campground, they think people would not want to see, and stated that the balloon demonstration was clearly seen, and that only the good photos were sent in. She stated that they do want the Wi-Fi and cell, but people see the tower.

Mr. Parisi stated that everything was presented and all people in the community was invited to view the demonstration, and they did not receive any communication from people stating that they could see it clearly, and even had to point it out to the campground owners.

Nicole Tewksbury who owns the All Jammed Up business and home at the bottom of Russell Farm Road where the service ends, stated that the tower is very needed for her business to thrive and for emergencies, and requests the approval of the tower.

Lisa Viveiros stated that she lives on Russel Farm Road and rides her bike in the area not covered and is concerned for her safety and others on the road and requests that the board approves the tower.

John Mancini, owner of the Lost River Campground, stated that he agrees that the cell service is needed, but had suggested that it could go a couple of hundred feet higher on his property where it will be completely out of the site of the seasonals, but never given a secondary location, and now is only 200 yards from the original spot proposed. He wants the service but they have a problem with the location.

Tom Lemon, direct abutter and year-round resident to the property, wanted to state that he felt that it was very important for cell phone service. He was not available for the balloon test, but he wanted to say that the 175' tower that is proposed that if it was shorter, there would be a better chance of not seeing it out of his kitchen window. He does want to have the safety of the cell coverage in the area, but requests that the tower be shortened by 30' if possible, and should be further researched.

Board member Kathryn stated that one item talked about earlier that was not in the packet was a map showing the delta between the coverage area of the tower at the current proposed height versus the coverage area if the height was reduced to the town ordinance. Kathryn asked if it was possible to get the visual of the coverage with the tower if lower.

Scott suggested that maybe it was something that we could get for another meeting to see if the tower could be lower, but Mr. Parisi stated that the issue is timing due to winter and the time needed to construct.

Mr. Parisi stated that he believes that the town has enough data to proceed. His concern is it would be delayed another year.

Lee stated that the correct information could have been presented a month ago, so they are within reason to request the information that should have been shown with the ordinance height.

Bonnie asked for any other comments and none were presented. She suggested that the Board move ahead to either have another hearing in two weeks, or move forward with a vote on the various waivers.

Igor Bily wanted to ask if there were comparison photos of what was seen from the 2018 balloon demonstration photos to the ones currently presented.

Lee presented photos from the other balloon demonstration, and it was noted that the previous demonstration balloon was more visible than the current photos.

Board member Christine wanted to state that the cell tower fits in with the Master Plan of the town to improve infrastructure.

Nicole wanted to add that the hikers on the Appalachian Trail might actually see the tower as a comfort that they can communicate with emergency services if they need it.

Margaret added that when the 2018 application was approved that the company had made some concession to make the tower less noticeable, and was moved a little.

Mr. Parisi stated that because of the lot size, they are not able to move the tower because then they would not be within the at least a 1x height for setback from the neighboring property lines.

Bonnie wanted to ask if there is space for other telecommunication providers if the tower is too short.

Fran stated that a tower of 100' would not work because of the trees, so it would not be ideal to add more tenants since they lease in 10' increments, so again it is important to not be short-sighted.

*Scott made a motion to vote on the waivers one at a time. Kathryn seconded the motion, and the vote was affirmative.*

**1. Waiver Facility design minimum setback criteria with language correction provided within seven days.**

Bonnie went through each criteria for granting a waiver

*Lee made a motion to approve the waiver based upon getting the corrected language within seven days, Kathryn seconded, and the vote was affirmative.*

**2. Waiver for height limitation on ordinance:**

Bonnie went through each criteria for granting the waiver.

*Scott made the motion; Igor seconded the motion. Margaret abstained from the vote. All were in favor except a "no" from Lee. Majority vote was affirmative.*

**3. Removal of facility conditions, prior to issuance, with a condition that a cost estimation will be submitted from the engineer and agreed upon before going to Bond.**

Bonnie went through each criterion for granting the waiver.

*Lee motioned, Kathryn seconded and the vote was affirmative.*

**4. Accept the Application for a Special Use Permit waivers with conditions:**

Bonnie went through each criterion for granting a waiver.

*Scott motioned, Margaret seconded and the vote was affirmative.*

**5. In condition of granting the building permit, a NEPA Analysis will be provided:**

*Lee motioned, Kathryn seconded and the vote was affirmative.*

One other member of the public wanted to comment that the sight of towers has not affected his lifestyle at all.

**Other Business:**

Roger Boyer, acting Ranger with the WMNF, along with Scott Hall, made a brief overview to the Planning Board regarding the Lost River Project. He informed the Board that the project is in the very early stages of the project development, and that the main area of the project is in Woodstock. Similar to other projects looking to implement their Forest Plan that manage the National Forest. Looking at current conditions and looking at future conditions. Objectives include: Providing wood products to the community at large, providing wildlife habitat and diversifying, providing accessible recreation, and looking at infrastructure for upgrades and improvements.

Bonnie mention that the timing was perfect since the town is looking at the Master Plan vision for the next 5-10 years, and that forest is a major part of our community. She stated that it is important for the community to give input.

Mr. Boyer told the board that they are looking forward from hearing from the board for input from the Planning Board and the public.

Margaret asked about invasive species, and Mr. Boyer filled in the group about the current studies where Botanists will be looking at invasive species.

Bonnie asked about the tree damage in the area, where Mr. Boyer informed the board that it was due to the late frost event, but they should recover.

Scott Hall, WMNF Forestry Planner, provided the board with the NEPA (National Environmental Policy Act) process and public involvement process and timeline. He stated that all agencies will take a hard look at actions needed.

The process in order:

1. Scoping- ask the public for input
2. Analysis- animal and plant species, roads and trail assessing
3. Environmental Assessment and Draft for 30-day public comment period.
4. Finalize Assessments and create a Draft Decision Notice.
5. Objection period of 45 days from the public.
6. Final Decision Notice given to the public.

Mr. Hall explained that the entire process can take 1-2 years to complete, and that the scoping step will start in July or August of this year.

Bonnie mentioned again that it fits in with the town vision, so the Board is looking forward to giving input.

While the cell tower is not part of their plan, they will be just factor in the existence of it.

Bonnie announced the upcoming informal public forum for public input on the Master Plan Wednesday, June 28<sup>th</sup> at 5 pm, at the Woodstock Station.

### **Approval of Minutes**

April 10, 2023: tabled- *this should actually be an approval for March 13, 2023*

May 8, 2023: *Lee made a motion to approve the minutes, Margaret seconded the motion and the vote was affirmative.*

### **Adjournment**

*Motion to adjourn at 8:04pm was made by Lee, seconded by Scott and the motion was approved.*