

Monday, June 10th 2013

Woodstock Planning Board Meeting 6.10.13

Minutes are subject to approval at the next regularly scheduled meeting

Meeting called to order: 6:30 PM by Bonnie Ham (Chair)

Roll Call attendance by Secretary: Present (\*):

Regular Members: Bonnie Ham, Chair\*, Gil Rand (Selectman Representative)\*, Scott Rice (Vice-Chair), Anne-Marie Perry\* Pat Griffin\*, Jay Polimeno, Jeff Ingalls\* Alternate: Mike Donahue

Guest(s): Francis Kelly/AT&T

Minutes of previous meeting:

1. Pat made a motion to accept the regular meeting minutes of 5/13/13 as written, 2nd by Gil. Roll call vote was taken and all voting Board members in attendance accepted minutes as written with no corrections. Approved minutes filed.

2. Gil made a motion to accept the interim meeting minutes of 5/20/13 as written, 2nd by Pat. Roll call vote was taken and all voting Board members in attendance accepted minutes as written with no corrections. Approved minutes filed.

Reading of communications directed to the Board:

DOT – Driveway permit for Robert Stahler – #03-495-0074A2 dated 05/28/13. Authorizing paved woodlot access. Location 1.41 mi N of N. Station Rd on W side of Rt 3. Conflicting driveway widths were corrected on this permit to 16' (previous had 12' and 16' on the permit).

Report of officers and committees

Selectmen report – Ice pigging of the water lines west of the Town Building was completed twice

Public Participation/Informational:

New federal law – the federal law affection minor adjustments and additions to existing cell towers invoked much discussion by the Board members as to how to process these requests and understand the application and intent of the law. Mr. Kelly stated that most are using the building permit process.

Middle Class Tax Relief and Job Creation Act of 2012. Following is the text of the law:

SEC. 6409. WIRELESS FACILITIES DEPLOYMENT.

(a) Facility Modifications-

(1) IN GENERAL- Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104-104) or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.

(2) ELIGIBLE FACILITIES REQUEST- For purposes of this subsection, the term 'eligible facilities request' means any request for modification of an existing wireless tower or base station that involves--

(A) collocation of new transmission equipment;

(B) removal of transmission equipment; or

(C) replacement of transmission equipment.

(3) APPLICABILITY OF ENVIRONMENTAL LAWS- Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

After reviewing the law and the guidelines obtained from the LGC and FCC by Bonnie, the Board decided on a procedure to handle such requests until the Telecommunication Ordinance was revised.

Interim Protocol to review Telecommunication Requests:

1. All Telecommunication requests are to be reviewed by the Planning Board.
2. The Board will determine if the request meets the requirement of Middle Class Tax Relief and Job Creation Act of 2012 as stated in SEC. 6409. WIRELESS FACILITIES DEPLOYMENT.
3. If it meets the requirements, the Board will vote and document this in the meeting minutes and forward the request to the Building Inspector for processing and issuance of building permit(s).
4. The Board will retain a copy of the telecommunication request and meeting minutes relating to this decision and file appropriately.
5. If the request does not meet the Section 6409 law, the Telecommunication company will be required to complete a Telecommunication application to the Planning Board.

Francis Kelly/AT&T – requesting 2 additional antennas on Grandview and Stone Dam Rd towers.

The request:

1. Seeks a building permit for the installation of 2 4G/LTE antennas to the existing mounting pipe at the 167' foot level of the Stone Dam Rd tower. Several address corrections were made to the Project information packet.
2. Seeks a building permit for the installation of 2 4G/LTE antennas to the existing mounting pipe at the 167' foot level of the Grandview tower.

Based on the discussion of the processing of Sec 6409 requests:

Motion: A motion was made by Pat, 2nd by Jeff that the Stone Dam Rd request meets Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012. And, as such, the request may be further processed by the building inspector.

Vote: A roll call vote was taken. All present members voted in the affirmative. Motion carried.

Motion: A motion was made by Pat, 2nd by Jeff that the Grandview Drive request meets Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012. And, as such, the request may be further processed by the building inspector.

Vote: A roll call vote was taken. All present members voted in the affirmative. Motion carried. The packet of information will be forwarded to the building inspector for issuance of the permits.

New business:

1. Transfer of Ownership of Donahue Sand and Gravel – gravel pit visits will take place on 6/17/13 at 5P. It was decided to send the letter to Mike Donahue as the permit for the Purple House is still in his name.
2. Following the pit visits on 6/17/13, the Board will have another interim meeting to discuss how to proceed with the ownership transfer regarding the permit, conditions and bonding. In the meantime, Bonnie will seek information and advice from LGC and Mary Pinkham-Langer.
3. In reviewing the excavation permits, the Potato Hill Permit expires in July. There has been no apparent work there for several years so the question was asked if this should be renewed or deemed a closed pit. Bonnie will research this before the interim meeting on the 17th as well.

Unfinished business: (LOC=Letter of Credit)

1. Gardner Kellogg re: George Spanos property Rt 3 – Boundary adjustment for recording purposes – there is no block for a Planning Board signature. An email was sent to Mr. Kellogg with no response. Follow-up next meeting.
2. Status of AT&T Tower Potato Hill Tower - Structural analysis: The structural analysis that was performed on tower showed that there needed to be structural bracing before the antennas could be installed. They stated they will send proof of the bracing to the Planning Board. Status re: Bracing proof. Send letter in July if proof not received by then.
3. J&M Donahue – DES is requesting status updates for the gravel pits located at Map/Lot 215/12 and 207/05. No further information has been received. Follow-up next regular meeting for updates.

Other business:

Calendar of Events:

Jun – Gravel Pit site visits – Scheduled for 6/17/13 - 5P. Letters to be sent to pit owners.

Jul - Donahue Potato Hill Permit - 7/13/13

Projects – Ordinances

1. Shoreland Protection – last revised 3/09/93 at Town Meeting – beginning review in progress.
2. Floodplain Development - last revised 3/14/00 at Town Meeting – States revision needs to occur at Town meeting.
3. Excavation Ordinance – continue review/revision discussion

Motion to adjourn.....meeting adjourned at 7:58 p.m.

Next regular meeting date: 07/08/13 at 6:30 p.m.

Next Interim meeting date: 06/17/13 at 6:00 p.m.

Respectfully submitted,

Anne-Marie Perry/Member/Secretary