

**Ashland Planning Board
Approved Meeting Minutes
Wednesday, December 6, 2023**

CALL TO ORDER: Mardean Badger, Chair of the Board, called the meeting to order at 6:31 PM

MEMBERS PRESENT: Mardean Badger
Kathleen DeWolfe
Kendall Hughes
Paula Hancock,
Andy Fitch, (by phone)
Frank Stevens (alternate)

OTHERS PRESENT: Brendan Gill, representative Atlantic Towers LLC
Chris Swiniarski, applicant, attorney for Atlantic Towers
Alan Cilley, Ashland resident

Mardean Badger appointed Frank Stevens (alternate) as a voting member of the Board for this meeting. Kendall Hughes joined the meeting just after its opening which gave the Board its five regular member quorum. Frank Stevens (alternate) was able to participate in discussion of all issues.

SITE PLAN REVIEW APPLICATION 2023-14, ATLANTIC TOWER LLC FOR CONSTRUCTION OF A COMMUNICATIONS TOWER ON PROPERTY OWNED BY DONALD LATULIPPE AT 580 NORTH ASHLAND ROAD (T/M/L 202-075)

As the first step in considering the SPR Application #2023-14, for construction of a cell tower, the Planning Board members reviewed the guidance questions on the LRPC Determination of Regional Impact form and reached a consensus on each question.

REGIONAL IMPACT QUESTIONS FROM LAKES REGION PLANNING COMMISSION

1. **School Impacts:** Will the development create significant new student population affecting a regional school district? **Consensus: No.**
2. **Traffic Generation:** Will the development cause an increase in traffic that will diminish the capacity or safety of the road system in the adjacent municipality or potentially affect regional traffic patterns. **Consensus: No.**
3. **Building Size:** Will proposed buildings or number of dwelling units impact neighborhoods or areas in a neighboring municipality? **Consensus: No.**
4. **Visual Impacts:** Will the development create visual impacts to neighboring municipalities such as light pollution or glare, visibility of structures, adverse impacts on scenic vistas? **Consensus: Yes.**
5. **Pollution:** Does the development propose the operation of a facility or business that would generate excessive air pollution, wastewater discharge, noise or hazardous waste transport? **Consensus: No.**
6. **Surface or Groundwater Impacts:** Will the development occur on or adjacent to known aquifers or surface waters that transcend municipal boundaries? **Consensus: No.**
Does the project involve permitting for a large groundwater withdrawal? **Consensus: No.**

Will the development cause negative impacts to another municipality's municipal water supply?

Consensus: No.

7. **Conservation Lands:** Does the development abut existing conservation lands or existing farmland such that coordination between municipalities could lead to the creation or preservation of greenways, wildlife habitat areas or prevent fragmentation of forests, farms or other conservation lands? **Consensus: No.**
8. **Economic Impacts:** Does the development propose the creation of business or industry that would significantly impact regional economic development? **Consensus: No.**
9. **Emergency Response:** Does the proposal create a significant increased demand for emergency services response (including mutual aid) from neighboring municipalities? **Consensus: No.**
10. **Historic or Cultural Resources:** Will the proposed development have negative impacts on historic or cultural resources that may have significance regionally? **Consensus: No.**
11. **Other:** Does the development create other regional impacts not listed above? **Consensus: No.**

The only question that received a response of *yes* for regional impact related to *Visual Impact*. The Board reviewed the results presented by Atlantic Tower LLC of their test balloon trials. The trial balloon presented a limited view on the subject property and from North Ashland Road at the I-93 overpass. The test balloon was not visible at 4 locations -- from North Ashland Road at the country club entrance and at Village at Riverbend, from Blue Sky Drive and from Peppercorn Road. Because of other surrounding topography, the Board agreed that it would not be visible from surrounding towns.

Kendall Hughes made a motion: Do not declare the Atlantic Towers cell tower project as having any regional impact. Kathleen DeWolfe seconded the motion. The motion passed unanimously on a yes vote on a roll call vote (Badger, yes; DeWolfe, yes; Hughes, yes; Hancock, yes; Fitch yes).

Kathleen DeWolfe made a motion to accept the Site Plan Review Application as complete. Andy Fitch seconded the motion. The motion passed on a unanimous yes vote (Badger, yes; DeWolfe, yes; Hughes, yes; Fitch, yes; Hancock, yes vote.) on a roll call vote.

SITE PLAN REVIEW APPLICATION 2023-14, ATLANTIC TOWER LLC FOR CONSTRUCTION OF A COMMUNICATIONS TOWER ON PROPERTY OWNED BY DONALD LATULIPPE AT 580 NORTH ASHLAND ROAD (T/M/L 202-075)

Chris Swiniarski, applicant, Atlantic Towers attorney advised the Planning Board that Atlantic Towers is proposing a 181' cell tower to be located on the southwest corner of the Donald Latulippe property (T/M/L 202-075) on North Ashland Road in Ashland, NH. Chris Swiniarski made the following points:

- The cell tower is needed to remedy poor internet/data coverage in the Ashland area.
- The cell tower will supply better internet service at a level to successfully compete with current landline internet service.
- AT&T as a proposed carrier is at present under review.
- There will be four major carriers proposed to use the cell tower as well as the first 5' of the tower to be reserved for first responders.
- The tower will be monitored electronically 24/7 so that the maintenance road to the tower and the outbuildings will be accessed by technicians only when needed.
- Donald Latulippe, owner of the property, has equipment sufficient to plow snow as needed.
- The tower site will be surrounded by a tall chain link fence with two entrance gates needed for access to the site.
- Donald Latulippe, owner of the property, has written a letter of support for the cell tower project, which is included with the application.

- The cell tower is not within either the Squam Lake Overlay or the Pemi River Overlay.
- The tower has been demonstrated to be able to withstand 130 mph winds without damage to the structure.
- Atlantic Tower LLC has provided an estimate of the cost of dismantling and removal of the cell tower. The application included an itemized estimate of \$41,638.99, with a recommendation of an appropriate surety amount to not exceed \$45,000.
- The cell tower structure will last at least 30-40 years.
- The insurance/funding to pay for dismantling of the tower will be a *'condition subsequent'* to the application approval.
- The bond (insurance policy) will be put in the names of both the Town of Ashland and the landowner, Donald Latulippe.
- The road will need no upgrade beyond that already done by Eversource and will run parallel to the existing powerlines.
- There will be no DES issues with this project.
- Atlantic Tower will be coordinating with the local electric company.
- The cell tower construction, when all regulations are met, will start in about March 2024 and is expected to be completed in 1-½ days.

The Board also reviewed the requirements of Article 9 Communication Devices in the Ashland Zoning Ordinance, along with the application packet materials from Atlantic Tower LLC.

- The landowner (Donald Latulippe) has provided written support for the location of the tower on his property.
- The proposed tower location meets requirements for setbacks from boundaries and other structures.
- The proposed tower is not in the Little Squam Overlay District or the Pemigewasset Overlay District.
- The applicant presented the results from multiple test balloon viewings, which demonstrated limited visual impact.
- The applicant presented analysis of potential sites, with this proposed site presenting the best coverage area.
- There will be no lights, noises or odors from the proposed tower.
- Access to the proposed tower site is along the access road for the Eversource power lines and has been upgraded. The landowner also has equipment available if emergency access is needed along the road.
- The proposed tower design will meet the requirements of wind speeds, and federal and state regulatory standards.
- The proposed tower will accommodate multiple providers, in addition to providing space for first responders.
- Atlantic Tower LLC has provided an estimate of dismantling and site restoration costs and will provide a bond naming both the Town of Ashland and the property owner. The applicant indicated that the cost of dismantling/site restoration will be re-assessed every 10 years.

Kathleen DeWolfe made the following motion: To approve the Site Plan Review Application 2023-14, for Atlantic Tower LLC for the construction of a communications tower on property owned by Donald Latulippe at 580 North Ashland Road (T/M/L 202-075). The approval of the application comes with the *'condition subsequent'* that a bond be purchased for decommissioning costs not to exceed \$45,000. Kendall Hughes seconded the motion. The motion passed on a unanimous yes vote (Badger yes, DeWolfe, yes, Hughes, yes, Fitch, yes, Hancock, yes vote) on a roll call vote.

The applicant indicated that the amount of the bond will be reassessed every 10 years.

Kathleen DeWolfe made a motion: To approve the Site Plan Review Application 2023-14, Atlantic Tower LLC (T/M/L 202-075) to waive Article 9.2-A(2)(IV) Maintenance Roads and Outbuildings of the Zoning Ordinance for a waiver of the road maintenance. Kendall Hughes seconded the motion. The motion passed on a unanimous yes vote (Badger yes, DeWolfe, yes, Hughes, yes, Hancock, yes, Fitch, yes) on a roll call vote.

DISPOSITION OF MINUTES

The Board reviewed the minutes of Wednesday, November 1, 2023, meeting. Kathleen DeWolfe made a motion to accept the Wednesday, November 1, 2023, as amended. Kendall Hughes seconded the motion. The motion passed unanimously. (Badger, yes, DeWolfe, yes, Fitch, yes, Hughes, yes, Hancock, yes) on a roll call vote.

SCHEDULING OF PUBLIC HEARINGS FOR SITE PLAN REVIEW REVISIONS

A Public Hearing has been scheduled for the Wednesday, December 27, 2023, Planning Board meeting. This will include the revisions of the Site Plan Regulations and accompanying forms, a revision of the Subdivision Regulations to conform with FEMA regulations, and a revision of the Zoning Ordinance to conform with FEMA regulations. The Zoning Ordinance revision follows the Board of Selectmen resolution adopted on December 4 to approve the FEMA maps.

An Informal Consultation with Steve and Colleen Raposa relative to a proposal for the building at 25 Main Street (TML 109-073) is also scheduled for December 27.

Two Public Hearings have been scheduled for the January 3 and January 24 Planning Board meetings as follows:

- A proposed warrant article relative to Building Regulation Revisions submitted by Devon Thibeault, Building Inspector
- A warrant article relative to revisions to the Zoning Ordinance, to allow the Planning Board to make minor corrections to and renumbering of the Zoning Ordinance and correcting outdated lot numbers.
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UPDATES TO 2024 PLANNING BOARD MEETING SCHEDULE

The following changes to the 2024 Planning Board schedule are as follows:

- There will be a meeting on Wednesday, February 28 (not on February 21)
- There will be a meeting on July 10, instead of July 3
- There will be a second November meeting on Wednesday, November 21, 2024
- There will be a second December meeting on Wednesday, December 18, 2024

MASTER PLAN UPDATE

Mardean advised the Board that the only two chapters of the Master Plan that are required by State law is the Vision Statement and the Land Use chapter. Our Master Plan has several additional chapters. All chapters of the Master Plan need to be individually reviewed and information updated and revised. A few years ago, the Planning Board reviewed the progress made on many of the recommendations of the

Master Plan and reviewed who is responsible for each recommendation. Board members suggested that two chapters (*Land Use*, and *Demographics and Housing*) should be the first to be reviewed and updated. Appropriate sources of data should be identified and used, including census data, LRPC housing needs survey, Hazard Mitigation committee data, etc. The Board also briefly discussed preparing a survey, formats of a survey, target audiences, and funding of master plan updates.

ADJOURNMENT

Mardean Badger made a motion to adjourn. The motion was seconded. The motion passed. The meeting adjourned at 8:05 PM. The next Planning Board meeting will be Wednesday, December 27, 2023, at 6:30 PM at 6 Collins Street.

Minutes submitted by Paula Hancock