

Enfield Planning Board Minutes, Wednesday, January 27th, 2021

Enfield Planning Board – Meeting Minutes ZOOM ONLINE MEETING PLATFORM January 27th, 2021

BOARD MEMBERS PRESENT: David Fracht (Chair), Erik Russell (Vice Chair), Dan Kiley, Linda Jones, Kurt Gotthardt, and Phil Vermeer

BOARD MEMBERS ABSENT: John Kluge and Jim Bonner (alternate and videographer)

STAFF PRESENT: Rob Taylor- Land Use and Community Development Administrator, Barbara Higgins-Recording Secretary

GUESTS: Celie Aufiero, Steven Volkert, Francine Lozeau, Will Dicks, Madison A Hawkins, Taylor Hawkins, Shirley Green, Matt Banker, Sam Provenza

I. CALL MEETING TO ORDER:

Chair Fracht called the virtual ZOOM meeting to order at 7:02 p.m. He took a “roll call” of members present for attendance.

II. APPROVAL OF MINUTES: January 13th, 2021

Mr. Kiley MOVED to discuss the January 13th, 2021 Minutes presented in the January 27th, 2021 agenda packet.

Seconded by Ms. Jones.

Amendments:

Page 3, Line 94 Remove “The future work to be done by the lake is also planned to be year-round.” Add in its place “In the future, work will be done on the house near the lake. The house there is planned to be used year-round.”

Page 4, Line 124 Add “Chair Fracht advised that the Conservation Commission had agreed to conduct a public education program. Dr. Theis agreed that was the case.”

Ms. Jones MOVED to approve the January 13th, 2021 Minutes presented in the January 27th, 2021 agenda packet as corrected.

Seconded by Mr. Kiley.

Roll Call Vote:

Phil Vermeer, David Fracht, Linda Jones, Erik Russell, and Dan Kiley all voting Yea.

None voted Nay.

Kurt Gotthardt abstained.

*** The Vote on the MOTION was approved (5-1-0).**

III. PUBLIC COMMENT:

Chair Fracht went through the members of the public and asked that they state their name and why they were attending the meeting. Francine Lozeau, Sam Provenza, Matt Banker, Will Dicks, Taylor Hawkins, and Madison Hawkins were attending for the conceptual discussion on Jones Hill. Shirley Green and Celie Aufiero were in attendance to watch the meeting. Lauren Cosulich was the owner of the property subject to hearing P21-01-01 and Steve Volkert was there representing AT&T for the hearing.

IV. SELECTBOARD REPORT:

None

V. HEARINGS: P21-1-01, AT&T Mobility (via General Dynamics Wireless Services) is applying for minor site plan review to install an emergency 30kw generator on a 4'X10" concrete pad. No change to size or height of the existing cellular tower is proposed. This diesel generator will be a self-contained unit with an integrated fuel tank. Subject property is located at 102 Follensbee Road, Tax Map 6, Lot 6 and is owned by the Cosulich Family Trust.

Mr. Steve Volkert gave a presentation for AT&T Mobility. They would like to install a permanent generator on site at the cellular tower on Follensbee Road. The generator tests every 3 to 4 weeks for approximately 30 minutes at a time. This will keep the network up and running in case there is a power outage.

Chair Fracht asked if Mr. Volkert knew if the other carriers that use the cellular tower had plans to put in generators as well? If so, couldn't the carriers share a generator? Mr. Volkert said he did not know what the other carrier's plans were and the generator would not be shared, only for use by AT&T.

Ms. Lauren Cosulich asked if it was normal for the tower owner not to put in a generator for the whole tower? Mr. Volkert said no, they do not supply one.

Chair Fracht asked how often the generator would need to be fueled and how large the fuel tank was? Mr. Volkert said it was a 100-gallon tank. If the generator only needed to use fuel for testing and not because the tower lost power, possibly every 3 to 4 months.

Mr. Gotthardt asked what the decibel level of the generator was while in operation? Mr. Volkert said it was 65 DB when idling and approximately 70 DB when the generator was loaded. Chair Fracht asked how far from the generator would those decibel numbers be heard and Mr. Volkert said about 7 meters away.

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Ms. Cosulich said the road to the tower was not plowed and wondered how they would get a fuel truck up there in the winter? Mr. Volkert said they had a local vendor who they worked with and it would be up to them to figure the logistics out. Ms. Cosulich also wanted to know when construction would begin and how long it would take? Mr. Volkert said it would take a week to construct and believed construction would start sometime in May or June.

Mr. Gotthardt pointed out that the underlying soil at the tower had a conservation easement on it held by the Upper Valley Land Trust. He believed they should have been notified of this hearing as an abutter. Mr. Taylor said he spoke to Jeanie McIntyre and Jason Berard with UVLT about the hearing and sent them the application packet. Mr. Berard sent an e-mail back to Mr. Taylor and said they had nothing to add other than they just wanted to make sure the construction only took place in the exclusion area as defined in the conservation easement.

Mr. Gotthardt had some procedural concerns with the application. The first one was that the copy of the plat that was submitted was an 8 ½ x 11 and the requirement was for a 11x17 plat to be submitted for review. Also, the plat that was submitted needed to show the location of the easement lines, which it did not. Chair Fracht asked if AT&T could get the easement lines drawn on the plat and Mr. Volkert said that could be done.

Chair Fracht pointed out that the current regulations required fencing to be put up around the cellular tower. Mr. Volkert said he was aware of the issue and had reached out to Crown Castle, the company that owns the tower and he was not sure what they were planning on doing about adding fencing. Mr. Taylor said that he was planning on reaching out to Crown Castle with the Zoning regulations about fencing around the cell towers and would insist that they install one. Mr. Kiley wondered if the conservation easement would affect the fencing?

Chair Fracht asked the Board if they would like to close the hearing and vote on it or hold it open to another meeting to allow Mr. Volkert to gather some of the information that the Board was requesting?

Mr. Gotthardt said he would prefer to leave the hearing open to get the necessary paperwork. Mr. Vermeer and Mr. Kiley said they were okay with approving the plan with a contingency that the work that AT&T would be doing fell within the easement lines.

Ms. Jones asked if there were property line and set back requirements for this project?

Ms. Jones, Mr. Gotthardt, and Chair Fracht said they were not comfortable with approving the application with contingencies. Mr. Russell said he was fine going either way, so the Board would continue the hearing to the next meeting on February 10th, 2021. This would give AT&T time to provide the proper size plat with the easement area defined on it as well as the proposed structure being put in place.

Mr. Kiley *MOVED* to continue the hearing until February 10th, 2021
Seconded by Mr. Vermeer.

Roll Call Vote:

Phil Vermeer, David Fracht, Linda Jones, Kurt Gotthardt, Erik Russell, and Dan Kiley all voting Yea.

None voted Nay.

**** The Vote on the MOTION was approved (6-0).***

Ms. Cosulich said she would send a copy of the conservation easement to Mr. Taylor.

VI. CONCEPTUAL DISCUSSION: Matthew Banker and Will Dicks-Jones Hill Lots-Mr. Banker explained that they were looking at 4 lots on Jones Hill that were previously for sale. They have since been removed from the market by the owner. If they do go for sale again and they were to buy them they are wondering if there would be a potential to share a right of-way going across Lot 41-2 and 41-4 so that they could access the four lots behind them? Mr. Banker and Mr. Dicks have spoken to Glen Anderson who owns Lot 41-4, and he gave them permission to share his right of way to access the four lots. The Picards, owners of Lot 41-2, have also granted permission to use their right of way to access the lots.

Mr. Taylor showed a map of the area where the lots were located. He explained current right of ways and where they were located and showed the Board where lots 64, 64-1, 65, and 65-1 were located. These are the lots that Mr. Banker and Mr. Dicks would like to purchase. He also explained the town's requirements for right of ways and how many lots they could access. He explained the road construction requirement and when it would go into effect. The Board asked various questions about the right of ways on the properties surrounding the lots. Mr. Banker and Mr. Dicks answered the questions.

Mr. Taylor said he believed the question at hand was whether the Town would allow them to run a town spec road back to the lots. Mr. Dicks said they were hoping not to make it a town spec road because that would cost a lot. Chair Fracht asked if the Board had the power to waive that requirement? Mr. Taylor believed it was in the Zoning Board's purview.

Ms. Francine Lozeau is the owner of the lots in question. She originally had 6 lots, she sold one to Glen Anderson. She would love to see the right of way issues resolved and made better for all the surrounding lot owners. She also has 54 acres that are behind Mr. Anderson's lot and she would like to have access to that land as well.

Discussion among all the parties took place on solutions to get access to the lots in question.

VII. NEW BUSINESS: None

VIII. OLD BUSINESS: Chair Fracht gave an update on the most recent Master Plan Task Force meeting. He asked the Board if they were alright with the Task Force working on more than the 5 charged areas the Task Force was given or if they were alright with letting the Task Force add 3 more areas to research. The areas were historical, cultural, and natural resources. The Board discussed among themselves and the majority said they were fine with the Task Force working on and discussing all 8 topics.

Chair Fracht also asked about a 2008 draft Master Plan that he had recently discovered and wanted to know if anyone knew what had happened to the creation of that plan? Mr. Kiley said it was something that had been worked on when Nate was there and when he left the ball was dropped. The Chairman at the time never brought it back up again so it just died.

Chair Fracht shared with the Board the draft visioning statement that Mr. Vermeer had come up with. He explained that one of the words in the statement was “Livability” and asked Mr. Vermeer to talk about that concept.

IX. COMMUNICATIONS: Chair Fracht explained to the Board that Alisa Bonnette, Assistant Town Manager, ran the whole Town ballot by the Town Attorney and he came back with some comments. He said that any amendments, even petitioned amendments required a Planning Board hearing. Unfortunately, the deadline was missed. The warrant article could still go on the ballot, but on the written ballot, in accordance with RSA 675:32, it must include whether the Planning Board approved or disapproved of a petitioned article. Chair Fracht believed that meant the Planning Board would need to take a vote on whether the Board approved or disapproved the Conservation Commission’s petitioned warrant article. Discussion took place among the Board members.

Mr. Vermeer MOVED that the Planning Board recommend the warrant article by the Conservation Commission.

Seconded by Mr. Kiley.

Roll Call Vote:

None voted Yea.

Kirk Gotthardt, Erik Russell, Dan Kiley, Linda Jones, Phil Vermeer, and David Fracht all voted Nay.

**** The Vote on the MOTION was not approved (0-6).***

X. NEXT MEETING:

February 10th, 2021

XI. ADJOURNMENT:

***A MOTION was made by Ms. Jones to adjourn the meeting at 9:39 PM.
The MOTION was seconded by Mr. Vermeer.***

Roll Call Vote:

**David Fracht, Phil Vermeer, Dan Kiley, Kurt Gotthardt, Linda Jones and Erik Russell, all
voting Yea.**

None voted Nay.

**** The Vote on the MOTION was approved (6-0).***

Respectfully submitted,
Barbara Higgins
Recording Secretary