

**MINUTES
CORNISH PLANNING BOARD
AUGUST 17, 2006**

The Cornish Planning Board met on Thursday, August 17, 2006, at 7 p.m. in the Cornish Elementary School Library. Members present were Cheston Newbold, Chair, Bill Lipfert, Gail Pillsbury, Troy Simino, and Peter Storrs; Larry Dingee, Gwyn Gallagher, and Jim Littlefield, Alternates; Merilynn Bourne, Selectwoman; and, Heidi Jaarsma, Secretary.

Representing Verizon were Linda Connell of McLane, Graf, Raulerson, & Middleton; Chuck Webberly, acquisition specialist; and Kevin Thatcher of Clough, Harbor & Associates.

Also in attendance were Travis Callahan and Joan Littlefield.

Paul & Marilyn Rondos – Continued Completeness Review and Public Hearing re: Major Subdivision, Harrington Road

Tom Dombroski presented the plan with the changes requested by the Board. Merilynn Bourne made a motion to accept the map as complete. Bill Lipfert seconded the motion, and the vote of the Board was in the affirmative.

The Public Hearing was opened. No abutters were present. Heidi Jaarsma noted that the lot shape had been changed so that it was more regular. Bill Lipfert asked about the line along Harrington Road. Mr. Dombroski said that he had used the stone wall as the line; the road had changed.

Heidi Jaarsma made a motion to accept the subdivision as presented. Gail Pillsbury seconded the motion, and the vote of the Board was in the affirmative.

Verizon Wireless – Completeness Review re: Site Plan Review, Wireless Communications Facility, Townhouse Road

Cheston Newbold opened the Completeness Review by reading the objectives of Site Plan Review as stated in the Town regulations and State RSA. Merilynn Bourne recused herself from the hearing. Troy Simino pointed out from State RSA that only a member of the Selectboard can sit in for the Selectboard member of the Board.

Linda Connell, for Verizon Wireless, requested a poll of the Board regarding whether or not members had formed an opinion on the matter before the Board. Peter Storrs said that his wife sits on the ZBA, and he was impartial. Heidi Jaarsma said that she had taken minutes for the ZBA, and if anything, it had broadened her perspective. Ms. Connell polled the alternates. Larry Dingee said that he was impartial, as did Gwyn Gallagher and Jim Littlefield. Ms. Connell asked that Gwyn Gallagher and Jim Littlefield recuse themselves from the hearing due to some negative comments Ms. Connell asserted they had made during the Zoning Board hearing. Cheston Newbold said that they were not voting members in this action and that he was not inclined to limit their input in the discussion inasmuch as any member of the public could participate in the discussion.

Ms. Connell made her presentation of the wireless communications facility accessed through an existing woods road off of Townhouse Road. The improvements to the road would be intended to protect the environment from impact by construction equipment. Although the entire boundary had not been surveyed, boundary markers had been located and noted on the plan. Utilities – electric and telephone lines – would run along the woods road. The FAA had not required lighting. Heidi Jaarsma noted that the submission from the ‘FAA’ was not from the Federal Aviation Administration but from a company called Federal Airways and Airspace. Bill Lipfert asked for the record which FAA had not required lighting. Ms. Connell apologized for any confusion and said that the Federal Airways and Airspace summary report had done analysis that had concluded that notice to the Federal Aviation Administration was not required at the analyzed location and height. Ms. Jaarsma also noted that the analysis was for 192’.

Kevin Thatcher of Clough, Harbor & Associates said that since the submission of the plan, he had developed a wetlands plan and report, which he submitted to the Board.

Cheston Newbold asked Ms. Connell with regard to Verizon’s requested waivers whether in her opinion all other requirements of site plan review were met. She said that yes, all requirements except those for which waivers had been requested. The Board went through the listed requests for waivers from the Site Plan Review submission requirements.

Article II, Section A, Item 3

Bill Lipfert said that the plans submitted showed a vegetative buffer. He asked if the lease had been executed with Mr. Jones and recorded. Ms. Connell said that it had not. Mr. Lipfert then asked what would ensure that any successors follow the restriction on cutting. Ms. Connell said that the lease could be modified to add the cutting restriction. Chuck Webberly said that the notice of lease and the ZBA decision would be on record. Ms. Connell said that she would provide a draft of the notice of lease. The Board understood that the draft notice of lease would be provided at the next meeting.

Heidi Jaarsma noted that the right of way traveled through three separate lots all currently owned by Mr. Jones. She asked for a copy of the easement. She also asked that the boundaries for which the dimensional variance had been granted be surveyed. Ms. Connell said that the actual bounds had been found. Bill Lipfert said that the plan was stamped by an engineer, not a licensed land surveyor. He said that the identification of boundary markers was solely the responsibility of a professional land surveyor. Troy Simino said that it was a practice in the past to require entire boundary surveys for large lots. Gwyn Gallagher added that the lots could end up in different ownership. Bill Lipfert said that it would be in the spirit of the requirement if the metes and bounds of the right of way were given. Troy Simino asked about the utility right of way. Ms. Connell said that the utilities would be included in the thirty foot right of way. Mr. Lipfert said that including the utilities within a thirty foot right of way defied credibility, but that it was Verizon’s problem to make it work.

Heidi Jaarsma made a motion to waive the requirements of II.A.3. of the Site Plan Review Regulations on the condition that the plan show the metes and bounds of the right of way and encompassing utilities, the metes and bounds of the boundary north of the facility, and the metes and bounds 275’ of the boundary east of the facility starting at the northeast corner going south. Gail Pillsbury seconded the motion. Gwyn Gallagher asked what would happen if there were a

change in use of the right of way. The applicant would have to come back to the board. The vote of the Board on the motion to waive was in the affirmative.

Article II, Section A, Item 7

Peter Storrs pointed out that the nearest structure was a significant distance from the structure. Linda Connell said that part of the ZBA requirements had been a letter describing the fall characteristics of the tower.

Bill Lipfert made a motion to wave the requirements of II.A.7. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Article II, Section A, Item 8

Heidi Jaarsma asked what the connection to the main lines would look like. Mr. Webberly said that the primary would be a T junction at the pole line. Bill Lipfert made a motion to waive the requirements of II.A.8. based on the condition that the utility cross section not be substantially different from a standard multilined telephone cable and electric wires and that it be contained entirely within the 30' wide access right of way as shown on the application. Heidi Jaarsma seconded the motion, and the vote of the Board was in the affirmative.

Article II, Section B, Item 5

Mr. Webberly said that the only light would be a 100-watt motion sensitive light set to be activated in six foot radius. Cheston Newbold said that he would like to see the light on the plan. Heidi Jaarsma made a motion to waive the II.B.5. on the condition that the only light be a motion sensitive light above the equipment shelter door as described above, that the light and light spread be shown on the plan, and that the light conform to the standards in Article III, Section C, Item 1. Cheston Newbold seconded the motion, and the vote of the Board was in the affirmative.

Article II, Section B, Item 7

Cheston Newbold said that rarely is something approved that can not be accessed by emergency vehicles. Larry Dingee suggested having the fire chief check out the access and write a letter. Bill Lipfert asked if the gate was locked. Mr. Webberly said that it would be. Mr. Lipfert then asked if a policeman on a routine patrol would be able to turn around without entering the gated facility. Mr. Webberly said that there was enough room outside the compound for the technicians to park and turn around. Heidi Jaarsma asked if Verizon had obtained a state approval for the curb cut onto Town House Road per RSA 236.13. Ms. Connell had not been aware that Town House road was State-maintained, and a state permit was not in hand. Cheston Newbold made a motion to waive the requirements of II.B.7. with the condition that the fire chief and police chief give an okay for emergency services in writing and that all appropriate permits are in hand. Heidi Jaarsma seconded the motion, and the vote of the Board was in the affirmative.

Article II, Section B, Item 9

Gwyn Gallagher, in reference to the restricted cut area, said that he thought it important to have an inventory of the trees that do exist in the area before construction. There was some discussion as to where the 100' buffer stood, outside of the leased 100x100 foot area or the 75x75 foot compound. Ms. Connell said that it would start at the tree line. The fenced area would be 75x75 feet with some more clearing beyond, but within the leased area, to allow for the construction of the fence. Bill Lipfert made a motion to waive the requirements of II.B.9 with the condition that

the Site Plan show an inventory of existing trees of 8” dbh or higher within the restricted cut area. Ms. Connell was concerned about putting the inventory on the plan and suggested a foresters report and inventory with photo documentation. Mr. Gallagher also suggested a tree protection plan. Mr. Lipfert amended the motion and added to the original motion, above, that a tree protection plan be submitted to show how the trees in the restricted cut area will be protected during construction. Peter Storrs seconded the motion, and the vote of the Board was in the affirmative.

End of waiver requests – further discussion

Heidi Jaarsma asked about snow removal. Ms. Connell said that the road was not plowed and would be accessed by snowmobiles in the winter. Larry Dingee said that a rescue at the tower would be treated like a woods rescue. Ms. Jaarsma also noted that the tower type on sheet C02 was given as a monopole, and per ZBA decision should be a tree construction. Page C03 also described the tower as a 192’ lattice type construction. Ms. Jaarsma also asked that a copy of the FCC license be submitted. It was also requested that the construction manager be present at the next meeting. Heidi Jaarsma made a motion to continue the Completeness Review to September 21, 2006. A site visit was planned for September 7, 2006, at 5:30 p.m. Peter Storrs seconded the motion, and the vote of Board was in the affirmative.

Joan Littlefield said that she was struck by Verizon’s view of impartiality which appeared to eliminate anyone who had attended a Zoning Board Hearing regarding the matter and who might be adverse to the proposal. Mr. Newbold said that the Board members voting on this hearing were impartial and represented the Town well.

Travis Callahan – Discussion re: Gravel Pit, South Parsonage Road

Mr. Callahan presented pictures of the South Parsonage Road property to the Board and asked if it would be possible to have a building permit before the pit was closed. The original motion regarding the subdivision was read. It was decided that the pit should be closed before a permit is issued. Mr. Callahan asked about waiving part of 155-E:5-b, reclamation standards. However, per RSA 155-E:5-b, the Board must hold a hearing in order to waive any part of those standards. Mr. Callahan said that he would get back to the Board soon if he were going to apply to hold such a hearing. Troy Simino made a motion to hold the hearing on September 7th if such application were made. Heidi Jaarsma seconded the motion, and the vote of the Board was in the affirmative.

Adjournment

Gail Pillsbury made a motion to adjourn the meeting. Troy Simino seconded the motion, and the vote of the Board was in the affirmative.

Respectfully submitted,
Heidi M. Jaarsma