

Town of Wolfeboro
Planning Board Agenda
Great Hall at Wolfeboro Town Hall - 84 South Main Street
Tuesday, October 04, 2022
7:00 PM

I. Chairman Barnard called meeting to Order 7:00 PM

II. Members Present: Chairman Kathy Barnard, Vice Chairman Mike Hodder, Peter Goodwin, Doug Breskin, Vaune Dugan, John Thurston, Brad Harriman Selectmen's Representative, Julie Jacobs, Alternate

Staff Present: Tavis Austin, Director of Planning and Development

III. Public Hearings:

(a) ***GMR Holdings of NH, LLC & Wagon Wheel Trust – 1642 Center Street – Tax Map #009-001-Public Hearing by Planning Board & Zoning Board of Adjustment applications for Site Plan Review – Case #2022-8 – Site Plan Review for Personal Wireless Facility – continued from 09/06/2022***

K. Barnard commented that this was a continued public hearing from September 06, 2022, advised the public of the balloon float conducted on September 25, 2022.

J. Springer, for the applicant, provided an overview of the application and recalled the waivers as approved by the Board on September 06, 2022. He continued by providing a summary of the findings from the balloon float survey, noting the letters of support from the Fire and Police departments and the letters from A&D Klumb Environmental, LLC. which were added to the file.

J. Springer turned the Board's attention to Sheet Z-1 of the submitted materials and spoke to setbacks, tower and compound being located rather centrally on a large parcel. He continued discussing lack of traffic, no public traffic, lack of noise, no site lighting beyond the few small lights within the compound, minimalist approach of small gravel driveway, and no disturbance of wetland or other environmentally sensitive areas.

J. Springer moved to Sheet Z-5 which provided a more close up view of the compound area and a profile of the monopole itself. He pointed out existing contours being utilized to minimize disturbance and grading, lack of any disturbance within 75' of any environmentally sensitive areas (again noting A&D Klumb letter), and ZBA's noted preference galvanized metal. He concluded noting the low impact of the project.

P. Goodwin questioned generator cycling.

J. Springer responded that generator cycling would be timed for weekdays when likely more ambient noise. He then discussed the Site Plan Regulations specifically:

- §173-19 Architectural Design Standards commenting on their general lack of applicability to such a project
- §173-20 Streets & Access- commenting doesn't really apply as no streets are proposed and site already has access to Center Street; no additional traffic beyond monthly service technicians.
- §173-21 Stormwater—reminded Board of utilizing existing contours, minimal grading, no changes to existing drainage patterns or impacts on water courses
- §173-22 & -23 commenting unmanned, no water
- §173-24 Utilities—commented no new services required; could be served from existing electric and phone already on site
- §173-25 Signs—noted no signs with project beyond safety/advisory signs at or within the compound itself
- §173-26 Preservation of Natural Features—he noted A&D Klumb letter finding no impact, no drainage changes to site, and timely removal of any construction debris
- §173-27 Floodplain—noted not being located within a floodplain
- §173-27.1 Pedestrian/Bicycles—believed not applicable
- §173-27.2 Lighting—noted lack of site lighting beyond small compound lights and no lighting of the monopole itself
- §173-27.3-.7 Streets, buffer landscape, buffer—Springer believed section not applicable as project not near a street or visible from public area and the project site surrounded by existing mature trees and vegetation.

K. Barnard asked about existing buffer and trees.

J. Springer commented there were no plans to remove/reduce trees or buffer.

M. Hodder noted his lack of concern in how buffer was described, but did have a question related to NEPA completion.

J. Springer stated that the NEPA review was in process but not yet completed—he recalled the previous waiver request to this completion prior to Site Plan Review.

M. Hodder asked Staff if there was concern related to NEPA completion.

T. Austin believed there to be no concern as NEPA is a federal requirement as well as a Town requirement. Planning Board had only waived a 'completed NEPA' for application purposes, the Board did not waive NEPA and that NEPA is required prior to issuance of a building permit.

P. Goodwin asked if there was any way to see the photo simulations without the leaves on the trees as there could be quite a difference.

Audra Klumb addressed the question noting that most of the photos showed no visual impact, where the tower could even be seen, and that for those where the balloon/tower could be seen, the view would not likely change significantly. Lack of leaves on the trees would not make the balloon/tower visible from the vantages not already showing them.

J. Thurston asked if the applicant had reached out to the abutters.

J. Springer noted that abutters had been noticed of the project and hearings.

J. Thurston noted that 175-65 B states the compound shall be screened. What if someone built next to the site?

J. Springer noted Sheet Z-2 showing topography indicating unlikely to build on the steep slopes. He then showed Sheet Z-1A that shows most of the existing vegetation on neighboring properties commenting that an abutter would need to clear-cut to their property line to remove the buffer.

J. Thurston asked where the access road was.

J. Springer showed the access drive on the plan noting his displeasure that his engineer had labeled the driveway as 'road'. He continued noting the driveway was designed to handle construction and emergency response vehicles.

J. Thruston and J. Springer generally discussed slopes and buffers. J. Thurston then asked about using a Sequoia tree to camouflage the monopole. J. Springer stated confusion as to whether the discussion was 'buffering the compound' or 'buffering the monopole?'"

T. Austin suggested to the Board buffering is based on current situation, not future eventualities; he didn't applicant can be held accountable for neighbor's possible future actions.

M. Hodder believed it most important the applicant be aware of the Board's concerns regarding the trees and buffer. He continued by reminding the Board of their discretionary purview over galvanized vs painted etc.

Board generally consented to the galvanized finish after brief discussion.

Gordon Lang, north Wolfeboro resident, spoke to his communication with several residents of the area who were generally supportive of the project. The one neighbor with a relatively clear view of the project had commented to him that the benefit from the tower would outweigh the minor impact.

Suzanne Ryan, resident, commented on the ZBA's discussion of galvanized finish but they'd believed such was ultimately within the purview of the Planning Board. She shared a story of the water tower antennas which could no longer be seen from her house because of the tree growth since the time of installation and suggested the Planning Board had the authority to require certain trees be saved/protected. She presented the Board with a phot she took at the site walk and pointed to a particular group of trees she believed should be preserved. She further suggested §175-65 6 a, design standards afforded the Board such authority.

K. Barnard asked J. Springer if he would like to respond to the public comments.

J. Springer declared that his client cannot be made to make the monopole invisible.

M. Hodder addressed the regulation cited by S. Ryan commenting that said section was intended to address a cell tower located in the middle of field, on a 100 AC site, >1,500' away from a public road, but rather to address a tower location within a more developed and publicly visible area. The Board generally consented.

K. Barnard asked T. Austin to provide any suggested conditions of approval. T. Austin read from his review. The Board discussed other conditions based on the night's discussions.

K. Barnard closed the public hearing at 8:00 PM.

The Board consented that application had met the site plan review regulations because the supporting information for each provided in the application submission and as articulated during the public hearing established justification for the approval.

M. Hodder motioned to approve Case # 2022-08, Site Plan Review for GMR Holdings of NH, LLC and Wagon Wheel Trust, Personal Wireless Facility with accessory ground compound at 1641 Center Street, Tax Map 009-001, subject to the following conditions of approval.

Planning Board Decision:

The Planning Board approved the application subject to the following conditions:

- 1. The following plans, as amended to the date of this approval are incorporated into the approval: Plan Set: *Materials* as received on August 09, 2022.**
- 2. Applicant shall be responsible for the payment of all recording fees for Notice of Decision.**
- 3. All documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.**

4. **Monopole shall be constructed of galvanized steel and all appurtenant structures on tower shall have similar coloration.**
5. **Applicant shall work with Town staff to post bond or legal instrument assigning fiscal responsibility for removal of abandoned structure as outlined in §175-172 C; this shall be reviewed and accepted by Town Counsel prior to issuance of building permit.**

V. Dugan seconded the motion which passed with a unanimous vote.

(b) Cowper Road Tree Cutting/Trimming—Scenic Road

Barry Muccio, MED, presented his memo and presentation to the Board. He outlined the key aspects of the project and those steps and precautions used to minimize tree work. He noted consultation with the Town tree warden through the process.

P. Goodwin asked if underground utilities would harm more trees than overhead with trimming.

B. Muccio generally agreed.

V. Dugan asked about stone walls.

B. Muccio stated would be no impact stone walls with this work.

J. Thurston asked if new pole locations would allow for improved stormwater practices.

B. Muccio stated he was unaware of any planned roadwork, he noted the road generally to be one of the better roads.

Gordon Lang asked if cutting could be kept to a minimum.

D. Breskin asked if there any stump treatment would be utilized.

B. Muccio stated no.

M. Hodder motioned to provide Board consent to the project and to ask Chair to sign a letter or memo to B. Muccio memorializing the same. D. Breskin seconded the motion which passed with a unanimous vote.

K. Barnard moved the meeting to a discussion of new lighting at Abenaki, a project coming to the Board through the Town Manager under NH RSA 674:54.

J. Pineo provided an overview of the project to the Board. He pointed to particular details within the memo previously provided to the Board specifically the plan to replace poles, increase the number of lights at Abenaki to illuminate “Twister”, and

to accommodate special functions as the Selectmen may authorize. He continued noting the new lights would not be full cut-off lights, such does not exist for this type of application, and relayed the provider's comment that there was no benefit to full cut-off in this application as the glare from the snow would negate the cut-off.

There was general conversation between the Board and J. Pineo about hours of operation, days of the week, and similar topics.

J. Pineo stated that at present it all boils down to staffing. The Town was looking to make more hours available to more people as a service to the community. He clarified that lights will only be on from ~December to March, dusk to 10PM, when in operation, unless otherwise authorized by the Selectmen, and would not be on for grooming or snow making.

D. Breskin understood more lights, but asked how, in general, much brighter would it appear?

J. Pineo said he didn't have that data for the Board. He commented the lights themselves were the same size, approximately 2'x2' but couldn't speak to the lumens.

J. Jacobs asked if the lights would be 'all or nothing' or if they would have different switches.

J. Pineo appreciated the question. He explained they were looking to be able light the area at the base of the slope separately so they could accommodate different functions beyond skiing.

J. Thurston asked how the lights would be pointed.

J. Pineo said they were working to remove shadows along the courses; generally the lights will be pointed downward and not outward to reduce impacts.

K. Barnard noted lights had been at Abenaki since the 1940s. She asked if the Board had any desire for a public hearing on this topic. Board generally agreed that no hearing was required.

H. Hodder understood the history of the site, but with the magnitude of potential change and lack of information, he was uncomfortable voting on the project.

P. Goodwin motioned to allow the project to move forward. V. Dugan seconded the motion which passed with a (5-0-2) vote with M. Hodder and B. Harriman abstaining.

K. Barnard turned to Michelle Hansen and Geordy Hutchinson Concept Review.

Chris Berry, representing the applicant, provided the Board with an update on the design work that's occurred since the previous concept review by the Planning Board and the Variances approvals. He spoke to intersection alignment, survey work, wetland preservation efforts, relocation of the secondary emergency egress route, and generally discussed how he'd worked to comply with the Conservation Subdivision Regulations and related site plan regulations.

Board members had questions for the applicant to keep in mind related to:

- Gates at the secondary egress road
- Addressing cross slope foundations
- Slope of the proposed private road
- All other permit approvals

C. Berry stated that the project was still looking for AOT, State Subdivision, State Septic, State Wetland, NPPDES, and NHDOT approvals.

V. Dugan commented that the revised plan was more attractive and safer than the earlier version.

K. Barnard thanked C. Berry for his presentation.

V. ADJOURNMENT

M. Hodder motioned to adjourn the meeting at 9: 15 PM. V. Dugan seconded the motion which passed unanimously.