



TOWN OF WAKEFIELD, NEW HAMPSHIRE

Planning Board Minutes

April 21, 2022

Approved

MEMBERS		ALTERNATES		OTHERS	
Tom Dube Chairman (via Zoom)	✓	Johnny Blackwood		Victor Vinagro, Building Inspector/Code Enforcement Officer Shoreland Officer	
Dick DesRoches Vice Chairman	✓	Stephen Leroux	✓	Peter Gosselin, Building Inspector	
Ken Fifield Selectmen's Representative	✓			Jen Czysz, SRPC	✓
David Silcocks, Member				Richard Sager, Town Counsel	
Doug Stewart Member	✓			Public Hearing	✓

Others present

Donald Wright, George Promise, Stephen Kelleher, Patricia Anderson, Donna Baker, Rodney Baker, John Kenney, Max Gehring from Clearview Community TV.

Via Zoom: Ivan Pagacik, Bob Benson, Ralph McKenna, Jack Hepburn, Dawson ?, San ?.

Pledge of Allegiance & Call to Order

Chairman Dube called the meeting to order at 7:00 and those present joined him in the flag salute.

Seat Alternates

Mr. Leroux sat in for Mr. Silcocks

Public Comment

None

Public Hearings

Minor Subdivision Plan Application: submitted by Donald "Ted" Wright, LLC of White Mountain Survey & Engineering, Inc., A Division of Horizons Engineering, Inc., for property owned by Donna R. Baker, TM 121-4, 120 Wilson Road. The applicant is seeking approval of a Minor Subdivision Plan application of the property creating one 19.33-acre flag lot and one 5.06-acre lot. The applicant is also seeking waivers from two Subdivision Regulations: one for

defining steep slopes of the entire remaining piece (Section 4.06, 11.) and another for partial wetland delineation (Section 4.06, 12.) of the proposed remaining lot.

Mr. Wright pointed out on the map the parcel and the area that will be subdivided. The wetlands have been delineated on the smaller lot. There is over 4.05 acres of buildable land on that lot. Ms. Czysz said there were a couple of really minor things that will not keep the application acceptable as complete. The plan should contain location of all building setbacks, existing utilities location, a note defining the purpose of the plan, a brief history of the property and general description of existing characteristics.

Mr. Fifield made a motion, seconded by Mr. Stewart, to accept the application as complete. (Vote 5-0)

Mr. Dube asked if there were steep slopes on the five acre lot. Mr. Wright said it is fairly flat. There is 250+ feet of road frontage between the three lots. There will be one flag lot. They will have to remove a portion of the stone wall to accommodate the driveway. Both waivers are for the 18 acre lot.

Mr. Dube opened the public hearing at 7:14.

Mrs. Anderson asked if there were plans to put a house on the lot in the near future. Mr. Baker said they did not have any plans. Jane Trafton asked about the reason for the waiver. Mr. Wright said so the 18 acres don't have to be delineated. There is already an existing house and garage on that lot. Mr. Promise asked where the driveway will go. Mr. Wright pointed it out on the map. The lot could be subdivided again but would require them to put a road in. Mr. Dube closed the public hearing at 7:18.

Mr. Fifield made a motion, seconded by Mr. DesRoches, to approve the waiver for steep slopes Section 4.06, 11 and partial wetlands delineation Section 4.06, 12 . (Vote 5-0)

To be added: A note on the plan that two monumentation are set. Building set back from side property line and a note defining the purpose of the plan

Mr. DesRoches made a motion, seconded by Mr. Fifield, to conditionally approve the plan for the Bakers for a two lot sub division on Wilson Road with the bounds or pins being set and a note on the plan defining the purpose. (Vote 5-0)

Major Site Plan Application: submitted by Francis D. Parisi, Vertex Tower Assets, LLC for property owned by Savannahwood, LLC; located on Province Lake Road, Tax Map 92-34. The Applicant is seeking an approval for a Major Site Plan Application in order to construct a personal Wireless Service facility consisting of a 120' tall monopole tower (126' to top of highest appurtenance.)

Mr. Kelleher will be speaking for Mr. Parisi tonight. Mr. Kelleher said they provided the additional information requested. He maintains that there is a need for all three sites especially when you go up to the higher frequencies. He referred to a letter and a coverage map. He went on to say that Mr. Kenney didn't use the same threshold as they did but you can see the need on the Great East Lake side. Mr. Kenney's site will not cover Pine River Pond. Mr. Kelleher explained that the higher frequencies are for indoor coverage and vehicle coverage and said the sites complement each other.

Mr. Kelleher felt Mr. Kenney could have gotten away with one tower if it was placed on Ballards Ridge Road, you maybe may have needed one more site. He said the people around Belleau Lake will get good coverage from Mr. Kenney's tower. He said on the south side his towers will cover

Great East Lake, Pine River Pond and Balch Lake for the higher frequencies on the south side. He feels that Mr. Kenney's letter supports what they have been saying. He went on to say we don't dispute that there will be some redundant coverage. Mr. Dube asked, what is the difference between high and low frequency? Mr. Kelleher described bandwidth, megahertz and frequencies in technical terms. He said the end goal is to be able to have high speed, to be able to watch videos, stream, work, to do anything on your phone as if you were plugged-in. Mr. Dube agreed that they do have dead zones for cell phone coverage in parts of Wakefield. Mr. DesRoches said he would like to hear from Ivan Pagacik, the independent consultant paid for by Vertex. Mr. Stewart would like to get his thoughts on the site on Perkins Hill Road versus the one that's being built and when realistically would the higher speed come to Wakefield. Mr. Fifield had a question he's asked at every hearing and no one has yet answered. Because of his background in public safety, he is most concerned with people being able to call 911 as opposed to how quickly they can download a Disney movie.

Mr. Fifield said to that point the tower being constructed seems to fit that bill very well. When you put three towers up, marketed at the same time, the likelihood that a major carrier would locate on all three towers, after speaking with others, probably isn't going to happen. They're more likely to see which tower has the most customers and locate on that one. Mr. Fifield thinks what might happen is that we won't have the public safety coverage that we need. Mr. Kelleher said it's not ideal to have three towers but we need three towers because the first tower should have been on Ballards Ridge Road. It would have covered everything. He believes 911 capabilities go to every tower no matter what carrier locates on which tower. Mr. Fifield said from what he's been told once a carrier locates on a tower the other towers are going to be dead.

Mr. Kelleher said typically the carriers want a continuity handoff. He said if he had designed the tower layout, he would have taken into consideration the next site up and done from it. He said now you have to design around Mr. Kenney's site. Mr. Kelleher said if you deny me and I litigate or not you'll still have areas with bad coverage. He said they are not going to build on spec. He will have a signed lease with a carrier first prior to building anything. He has spent \$50,000-\$60,000 on sites that aren't going to do anything if he's wrong. They build by design. Mr. Kelleher said he understands there's a political element around here. Mr. Dube asked him to repeat that statement and he said people know each other around here. Mr. Dube said there is no political element.

Mr. Fifield asked Mr. Kelleher if he owned all three towers do you think that Verizon would locate on all three? Mr. Kelleher said he did. Mr. Fifield asked Mr. Kenney if he was of the same opinion. Mr. Kenney said he had talked to the three big carriers and he has been told that it's unlikely they will locate on all three towers especially in rural East Wakefield. He said his and the towns feeling is let him get the tower in and see what the coverage actually is. We really don't know until its up. Ms. Czysz said there was some confusion in the handouts. Mr. Pagacik said the information he received from Vertex and Whittier showed the coverage is very similar. Mr. Pagacik said the different frequency bands, your cell phone switches between different bands without you knowing. In heavily populated areas 5G is being built out first to free up space on other frequencies. He said we have a tower being built by Whittier and an analysis of Savannahwood. What we don't have is a carrier as a co-applicant.

Mr. Pagacik said if Whittier gets a carrier the Board should request an updated coverage analysis for that specific carrier that can show the existing coverage and the coverage from the Whittier tower. That way you will know where there will still be coverage gaps and where another tower

may be needed. He said right now we are speculating on the towers and heights. Without a carrier coming in you can't get the data the carriers have like peak usage time and number of users. He said Wakefield is not at the demand level of a large population of people. He'd like to see Whittier come forward with a carrier with data that the Board can analyze. A carrier will come in and say we want this height and antenna placement and you'll get a coverage map for the area. The carrier won't share information but will tell you when you need another site. Mr. Fifield asked, what is the likelihood carriers will locate on all three towers? Mr. Pagacik answered, doubtful on day one, it's all about users and demand. He said that is his opinion and you'll get a better answer when you have a carrier come to you. Mr. Kelleher said the topography is obvious and gaps will exist. Mr. Pagacik said he's like to hear from a carrier that the gap is significant enough to build a site. Mr. Kelleher said there will be about a mile and a half of no coverage.

Mr. Stewart said he's heard from multiple people that the coverage maps are guides. He said that at hearings he's been told that south of where the Kenney tower will be built that there's a gap. He said real world there's not a gap. The areas in white on the map are shown as no coverage. He has coverage in his house and his basement. He's leaning toward the site isn't needed now. Mr. Stewart also said he thinks the Kenney tower may have more coverage than what is shown on the maps. Mr. Kelleher asked the Board to proceed with the vote as he feels he's pretty sure how the vote will go. Mr. Dube said he would allow the public to weigh in.

Mr. Dube opened the Public Hearing at 8:10.

Mr. Hepburn, council for Mr. Kenney, said we believe the language of the ordinance is clear. There should not be multiple towers within a four mile radius. They don't believe the applicant has met their burden of showing need. We echo the Boards concern about carriers locating on three towers. They don't believe it will hit the goal of better and safer coverage and you'll end up with orphan towers. He said Mr. Kenney is in the process of building the tower and lets see what the coverage is after it's built. If there's a need for additional coverage after that it can be reevaluated then.

Mr. Benson, owner of the property where the tower will be located said he's been dealing with Vertex for four years and they are not going to build a tower unless there is a real need. They're not going to build an orphan tower. Mr. Kenney said he knows Wakefield quite well and once the tower is built and he has a carrier he believes the people of East Wakefield will be very happy with the coverage. He went on to say the coverage maps are no more than a guide. He said we wouldn't even be having this discussion if the towers were more than four miles apart.

Mr. Dube closed the Public Hearing at 8:16.

Mr. Dube said our zoning does require that you provide evidence that there is no suitable structures that can be used to provide coverage including copies of all letters of inquire to the owners of existing structures and letters of rejection. Mr. Kelleher said there is nothing suitable. The applicant's engineer did determine there is a gap in coverage in Wakefield. Mr. Fifield said he sits on the Board of Selectmen and he's paid close attention to what people have said and the basic opinion of people is why don't we see what coverage we get from the tower being built. He said the burden is on Vertex to show that additional need and he doesn't believe they have met this burden. If, after the tower is built and we need more coverage we would be wide open after that.

Mr. Stewart made a motion, seconded by Mr. DesRoches, that the applicant has not met the burden of Article 24, Section F nor has the applicant met the burden of Article 24 Section E:5. The Board is considering the location being built existing as it is actually under construction and would have been up without the impact of Covid. Roll call: Stewart aye, DesRoches aye, Fifield aye, Leroux nay, Dube nay. (3-2)

Major Site Plan Application: submitted by Francis D. Parisi, Vertex Tower Assets, LLC for property owned by Province Line Associates Trust, Adam & Christiane Benzing co-trustees, located on 4870 Province Lake Road, Tax Map 9-113. The Applicant is seeking an approval for a Major Site Plan Application in order to construction a personal Wireless Service facility consisting of a monopole tower (126' to top of highest appurtenance.)

Mr. Kelleher said they had submitted all the additional information as requested supporting their claim that there is a significant gap in coverage and respectfully request the Board's approval. Both towers are about two miles away from Mr. Kenney's. Mr. Parisi said you really have to look at the topography and the terrain not just distance. He feels the data is far more compelling here for the need for this tower.

Mr. Dube opened the Public Hearing at 8:50.

Mr. Dube feels a tower in Effingham will do wonders for the northern side of Wakefield that presently have no coverage.

Mr. Dube closed the Public Hearing at 8:53.

Mr. Stewart made a motion, seconded by Mr. DesRoches, that the applicant has not met the burden of Article 24, Section F nor has the applicant met the burden of Article 24 Section E:5. The Board is considering the location being built existing as it is actually under construction and would have been up without the impact of Covid. Roll call: Stewart aye, DesRoches aye, Fifield aye, Leroux nay, Dube nay. (3-2)

Conceptual Review

None

Board Business

Approval of previous meeting minutes

Mr. Stewart made a motion, seconded by Mr. DesRoches, to approve the meeting minutes of April 7, 2022. (Vote 5-0)

Correspondence

From Cindy Bickford, Assessing Technician, re: PC Development Realty Trust, TM47-29, 2022 Intent to Excavate.

The issue seems to be the amount excavated. It appears to be four times the amount that was stated on the paperwork. Mr. Dube believes there should be an original Intent to Excavate Notice somewhere. Ms. Czynsz said the Board should pull the original Plan to Excavate and look at the

extent of what was to be excavated was changed. Mr. Dube said that a letter should be sent to him and have him come before the Board. Mr. Dube suggested everyone drive by the site. Mrs. Mulkern will send a letter certified mail to Phil Colosi to stop by the Land Use Department right away.

Public comment

None

Set next meeting date

May 5, 2022

Adjourn

**Mr. DesRoches made a motion, seconded by Mr. Stewart, to adjourn the meeting at 9:15.
(Vote 5-0)**

Respectfully submitted for approval at the next Planning Board meeting

Priscilla Colbath
Planning Board Secretary