

APPROVED
ANDOVER PLANNING BOARD
MEETING MINUTES
February 27, 2018

Members present: Nancy Teach, Chair; Paul Currier; Art Urie; and Dave Blinn, Ex-Officio

Also present for duration of appropriate items: Pat Moyer, Zoning & Planning Coordinator; Victor Manougian, Attorney for Verizon; Brian Ross, Structure Consulting Group; Matt Tilden, Dewberry Engineering Inc; Maryann Broshek; and Steve Lord

Completeness Review: Site Plan Review Application and Checklist for Bell Atlantic Mobile Systems of Allentown, D/B/A Verizon Wireless

Manougian submitted an updated packet on February 23, 2018 which included the items previously requested by the Planning Board at the February 13, 2018 meeting (see items indicated in the minutes of the February 13, 2018 meeting). Currier reported he has reviewed the revised documents and found that the application is complete, with the exception that designation of the generator model including the manufacturers' level of noise suppression and the attenuation calculations from the generator to the property line were not indicated. Submitted. Teach reported that Planning Board member Randall Costa and Town Counsel Matt Serge reported that they have worked together on the easement and it is Teach's understanding that it is complete and Manougian concurred. Currier made a motion to deem the application complete with the following conditions, all of which are to be met prior to issuance of a building permit:

1. Specifications of noise emissions from the generator and attenuation calculations between the generator location and the property line shall be submitted.
2. Stake the center line of the access road and the maximum disturbance at various points.
3. The Landscape Easement in the February 27, 2018 agreed form shall be signed by all parties.
4. Memorandum of Lease shall be signed by all parties.
5. Submission of Surety Insurance Bond for the tower and pole removal.
6. The Planning Board, Selectboard, Conservation Commission and a forester expects to conduct a satisfactory site visit and review within two weeks of the stakes being placed; perhaps the week of April 23, 2018.

Urie seconded the motion and the board voted unanimously in favor of deeming the application complete with the conditions indicated.

Public Hearing: Bell Atlantic Mobile Systems of Allentown, Inc d/b/a Verizon Wireless – proposed installation of a wireless communication facility at 640 Main Street, Tax Map 82, Lot 090,242

Teach opened the public hearing at 7:30 p.m. Broshek asked the following:

1. What was going to happen because Belletettes would not allow their property to be included in the 150' forest buffer? The response was the Zoning Board of Adjustment approved a variance to the buffer on December 19, 2017.
2. What are the three variances that were granted by the Zoning Board of Adjustment? The response was no separate document but the December 19, 2017 minutes show the three variances that were approved – 150' buffer decrease at Belletetes property line, height of tower to 120 feet, increase in number of feet (41) above canopy height. Votes were 3 in favor and 1 against for tower height and increase in feet above canopy. Buffer vote was 4 in favor and 1 against for buffer.
3. When will the generator operate? The response was a twenty minute test each week and then if the power goes out for more than eight hours.
4. Would additional carriers mean more generators? The response was probably yes, because the carriers typically use generators.
5. Who enforces and holds the easement? The response was the Selectboard.
6. Is safety information (radio frequency) a part of anything? The response was that a report and licenses were given to the Zoning Board of Adjustment at their public hearing.

Broshek sated she would like to see the forest buffer zone (the landscape easement) be staked out on the ground prior to issuance of a building permit, on the property line with Belletetes, the circular area around the enclosure fencing and the upper portion that runs below the new access road. This was agreed to. The Conservation Commission (CC) is responsible for monitoring this easement area. All agreed that clear marking was needed for accurate monitoring. Teach asked that the CC restore markings as needed when doing the monitoring.

The forest buffer agreement was presented as a final document with the name "Conservation Landscape Easement". Since a conservation easement is very different than the easement required in the cell tower ordinance, Broshek asked that the name be changed to agree with the name in the ordinance "Landscape Easement". Everyone agreed and the title of the document was changed.

Broshek asked who is responsible for enforcing the easement. The reply was the town. If the CC discovers something not in accordance with the easement, the CC will report this to the Selectboard (BOS). CC will use their regular town monitoring form and include this in the yearly monitoring of town properties with a written copy to the BOS and one filed in the monitoring book.

Broshek asked that the power point presentation for the safe radio frequencies become a part of the background information for the PB decision. The PB agreed it should be part of their documentation and Broshek will send it to Teach.

Broshek suggested Tim Fleury as the forester who would be invited to attend. That was accepted and Teach will invite Fleury to the site visit.

Broshek also stated that as a private citizen, it is difficult to see a cell tower located here and hopes that the specialness of the location to Bog Pond wetland complex, is maintained and retained.

There being no further discussion, the public hearing was closed at 7:55 p.m. Currier made a motion to approve the waivers as requested for Section II Item I – showing the zoning districts within 1000' and Section III Item G – submission of storm drainage and snow removal. Urie seconded the motion and the board voted unanimously in favor of approving the waivers. Currier made a motion to approve the Site Plan Review with the noted waivers and conditions. Blinn seconded the motion and the board voted unanimously in favor of approving the Site Plan Review.

After the public hearing, the Planning Board meeting the Board members voted unanimously that the Site Plan Review Application and Checklist submitted to Bell Atlantic Systems of Allentown, Inc. d/b/a Verizon Wireless is approved. The MOL (Memorandum of Lease) refers to the Land Lease Agreement. The following conditions are to be met before a building permit is issued. The Planning Board, Selectboard, Conservation Commission, and a forester expect to conduct a site visit within a week after stakes have been placed for the access road and before a building permit is issued.

1. Specifications of noise emissions from the specific generator to be installed, and attenuation calculations between the generator location and the property line will be submitted, showing that estimated noise levels meet the standard of less than 60 dB at the property line.
2. Verizon's engineers will stake the center line of the access road and the location of maximum disturbance at various points.
3. A Landscape Easement Deed will be signed by all parties. The word "Conservation" will be deleted from the Landscape Easement Deed dated 2.27.18.
4. A Lease Amendment and Memorandum of Lease will be signed by all parties.
5. A Security Insurance Bond for tower and poles removal will be submitted.

This will be shared with Andover's Town attorney Matt Serge.

Minutes of February 13, 2018

Urie – Motion to approve as amended

Currier – Second

Vote – Unanimous

Selectboard Update by Dave Blinn

1. The use of Town Counsel needs to channel through Town Administrator Marj Roy and incorporate all items and information for her to submit to Town Counsel.
2. The Selectboard is working on long-range plans for the transfer station.
3. The Budget Committee has approved the town's proposed budget.

Non-Binding Consultation: Steve Lord for managing a woodlot on Tucker Mountain Road, Tax Map 23, Lot 611,532, located in the Forest / Agricultural District

Lord indicated he has a purchase and sales agreement on the property which consists of 236 acres and is on both a Class V and Class VI road. A topographic map was presented of the location of the lot. It runs along Tucker Mountain Road and Old College Road. On the Class V portion there is a town turn-around that extends to the property; however, Lord is concerned with the access to his property being blocked. Lord will discuss with the Road Agent the possibility of putting in a truck access from a section of the Class VI road and possibly re-shape of the Class VI road which he will discuss with the Selectboard. Urie stated that there would be no action required by the Planning Board. Lord asked why a building permit might not be considered and the response was there should not be any issues as the property has frontage on a Class V road; however, it would be best to build nearest the Class V portion. It was indicated to Lord that a Special Exception would be needed from the Zoning Board as the property is in the Forest & Agricultural District.

Town Meeting Preparations

1. Copies of the proposed Warrant Articles have been printed along with a summary of the changes.
2. Members need to set a schedule to be available during voting hours for answers to questions the public may have regarding the proposed changes.

There being no further discussion, the meeting was adjourned at 8:50 p.m.

Respectfully Submitted,

Lisa Meier, Recording Secretary