

**TOWN OF BARTLETT
PLANNING BOARD
56 TOWN HALL ROAD
INTERVALE, NH 03845
603-356-2226**

**Approved MINUTES
PUBLIC MEETING
October 7, 2024
6:00 p.m.**

Present: Scott Grant (Chair), David Patch (Vice Chair), Kevin Bennett, Michael Galante, Vicki Garland (Selectmen Representative), Joe Heuston, David Shedd, Pat Roberts (1st Alternative)

Absent: Phil Franklin (2nd Alternate)

Meeting called to order at 6:00 PM by the chair.

1. Pledge of Allegiance

2. Sewer- Hearing on potential sewer extension outside the water precinct. Scott Grant provided a history of the rationale behind this discussion. He stated that last year the Planning board and the Select board had conversations with LBWP and Gary Chandler and expressed concerns about the expansion of sewer and sewer in general. The conclusion is that the Planning Board and the Select Board want to put something on the ballot in March. We need 120 days before the public vote in March to have a public hearing on any zoning amendment. The hearing today is not a public meeting but an informational session. In the future we will have a real draft and have an actual public hearing. The reason for the meeting is to have information go out to all the citizens in the town, in and out of the precinct regarding the cause and effect of potential sewer at all in the Town of Bartlett. Members of the board spoke to Gary Chandler last week and we took our rough draft to the Selectmen. They made a few changes and there are still some corrections we have to make. Draft document read.



Draft date
10-03-2024.docx

He asked for comments/questions from the board. Vicki Garland stated from the Selectmen Board there is no controversy or opposition to the LBWP and we are not trying to step on any toes. She clarified the issue is the housing crisis and the legislature is trying to solve said crisis. Concord and the legislature are advocating to taking away local control of towns like Bartlett to limit density as long as you can hook up to sewer. This was the only way we could come up with if we lose local control to limit the density as it is in our local ordinance. An example would be if you have a short-term rental on the next lot and Concord changes the laws as to how Bartlett can control local control and a sewer comes by that one building could be as much as four. We are trying to protect that from happening. We are in support of clean water and protecting the ground water. This was the only way we could come up on the advice of the Municipal Association Attorney to maintain that local control. David Shedd mentioned that one thing that needs to be added to the draft is even though it stated there can't be crossing of precinct boundaries we understand that LBWP has to cross into North Conway Water Precinct boundaries in the Town of Bartlett in order to hook up otherwise there is no way for the sewer to extend down to the treatment plan. There was confirmation from the board that they are not contesting the right of LBWP to attend to their own affairs. David Shedd clarified that the Planning Board has a responsibility to clarify certain points- if the sewer line goes by your house do you have to hook up. He mentioned that LBWP is trying to size pipes so if they do or do not cross the East Branch River it does have an effect on the design of the system. Another concern is the plan is to cross East Branch River go up Rte. 16A to Thorn Hill Road and where the road gets steep where Cedar Croft is planning their development and then go westerly through the woods to Storyland property. He is not clear of the timeline of that project. He voiced the cost from the East Branch to Thorn Hill is estimated at \$3 million dollars and then from Thorn Hill to Story Land is another \$2 million dollars roughly as per HEB cost estimates. He stated on the map that was shown as phase 2-4 are now phase two- phase one has not changed. Another issue is the cost of the system? Not so much the bonds or the loan payments but what an average homeowner is expected to pay yearly? A year ago, it was \$300.00 now this past August it was \$600.00 and is the cost the same inside and outside the precinct? Also, the timing of the project – latest document has the design complete October 2024 and the project completed December 2027 and it may have changed as this is from a year ago. The timing does not distinguish between phase 1 or phase 2. He will attend the LBWP meeting in a few days and the public meeting for North Conway Water Precinct later this month. Kevin Bennett stated the expansion up Thorn Hill Road

is at least 3 years out- LBWP does not have the money for it yet. However, the Planning Board has more work to do in regards to keeping the rural character of the town which may mean more zoning. He clarified that if you live in LBWP you are unable to build on a lot smaller than one acre and possibly having an ADU. So, in the precinct you should not see a lot with 10 houses on it because there is a limit. Maybe the Planning Board should limit the amount of housing on a lot. We may need to limit zoning to restrict the developments of a PUD like condo's going in. For example, we changed the zoning to be from 2 houses to 3 houses in town on a common driveway. He is aware of a condo development on Washington Street that wants to be on the LBWP expansion because of septic system failure. He looked on the New Hampshire DES site and there is a large condo development west of Glen that has PFA's in the water which will require large carbon filters that cost approximately \$2.5 million and it is expensive. They will be looking for a water source. He stated if the cost was as stated the septic was pretty reasonable as pumping a septic system could be anywhere from \$250 to \$350 dollars but not sure what the hook up cost would be. Pat Roberts and David Patch clarified the board is not against LBWP or sewage but our main concern here is to maintain the rural character of the town and drinking water and obviously we want clean water. They stated that when they went to the town regarding zoning there was a 25% cushion into the ordinance. If the state says the land can be developed for a 4-bedroom house Bartlett's ordinance is a 3-bedroom house. The town has directed us to remain rural. Scott Grant let the audience know that in the last few years the state legislature has tried to make a state law to require more units on an acre of land and that they are pushing for affordable housing and workforce housing. It is most certain it will pass in the future because of places like Manchester with lots of density and that is best for them. Here in Bartlett it will be STR's or more houses on an acre of land. The emphasis is to move ahead and get ahead of the legislature. The attorney has told us that if we can possibly get something on the ballot in March and if the legislature does pass something we have a leg to stand on to say no. If you need examples go into Intervale and Conway as Conway does not have restrictions on water and sewer like Bartlett. Joe Heuston expressed his concerns related to the opportunity of having more housing on a lot and a commercial entity in a residential zone. If sewer runs through there is nothing to stop it from happening and that is not something we want. David Patch agreed with the comments and concurred we need to re-look at the zoning to try and make it better. However, if the law gets passed whatever we have done doesn't matter the state has the right to override it. Vicki Garland clarified the new development discussed at Cedarcroft Farms and reminded the public that all of the plans are within the zoning ordinance. If the law were to pass there is a possibility that these 32 units could become 64 or more and that will double or quadruple the amount of traffic. There are lots of reasons for

maintaining local control mainly because we want to maintain the rural character but it will not be solving the housing crisis. More units mean more traffic, more tourists- all of the things we are complaining about. It will not get better but could get way worse. Norman Head solidified what was said by David Patch- he stated that if the law were to pass and an RSA is created it does not matter what you have for local control. This was discovered recently with voting and having someone campaigning on town or school property. Even though Bartlett has an ordinance prohibiting that someone complained and we were told we had to allow it by the Attorney General. Vicki Garland explained that there was a change in the number of parking spots allowed for a development. It was decreased and signed into law by Governor Sununu this year. The trend is for Concord to tell Bartlett what is best for us and we feel since we live here and are involved, we know what's best for our town and we want to maintain the ability to make decisions about what's best for us. Scott Grant clarified if you double the number of dwellings on a lot you double the amount of water used and the amount of sewage going out. The lawyer did say potentially if we get something on the books before the state potentially passes this law, we might have a fighting chance. Question from the public regarding the development at Cedarcroft Farms in relation to sewer. Their concern was that if the law passes there could be an issue with increased number of units being placed there even though the Planning Board originally said no more units than the original plan. He further stated that the rural nature of the town is why they moved here. Scott Grant stated to continue to vote for candidates that advocate local control is your best defense. Manny Santo asked if your house is on the sewer line will you be required to hook up to the sewer? Board answered yes that was their understanding. David Shedd clarified that Mr. Santos is in the precinct and is required to hook up unless his house is more than 100 feet from the sewer line then it is called a non-connection meaning that does not apply. Mr. Santo was encouraged to attend the LBWP public meeting for more information regarding costs, fees and hook up. Paul Doucette asked if they are running the sewer up Thorn Hill Road, he assumed that they would be running water also? David Shedd answered that they don't run water normally and he believed that the sewer charge is based on water used. It is not that simple up Thorn Hill Road. Paul Doucette also stated there would have to be pump station for all the houses on the downhill side of the road- which are in the wetlands. LBWP commissioners were offered a time to discuss this and they declined at this time. Planning Board to discuss this further and will have something in the future for the public. Vicki Garland stated that the warrant article has to be approved by the lawyer and that we know we are doing it in a legal way. The article in the zoning amendment has to be the exact wording we are putting into the zoning. Not sure if the rationale is part of the ballot but she hoped so. It was understood the only thing allowed is that the Planning Board and Select Board

approve the wording of the warrant. Joe Heston asked if we can put the rationale in the paper before we put it on the ballot and the consensus was yes. David Shedd expressed that we need to add in the simplest language is that except the two planned crossings into the LBWP.

3. Discussion of application:

- **Cedarcroft Farm LLC (Map 1THORN/Lots 54L00 and 42L00)**- Continuation of project: (a) involves Lot merge between Tax Map 1RT16 Lot 285R00 to 1THORN lot 54 L00 which is owned by Cedarcroft Farms LLC- completed; (b) BLA between the Martyn (Robin and Todd) land Tax map 1THORN lot 42LOO and Cedarcroft Farms LLC Tax Map 1THORN lot 54 L00; (c) subdivision of the property owned by Cedarcroft Farms Tax map 1THORN lot 54L00 into the 33 unit PUD. AOT permit approved with conditions. Andy Fisher (Ammonoosuc Survey) presented- no new plans. He stated the wetland and AOT permit was granted. Still waiting on DOT (looking into deceleration lanes as a possibility) and Burr Philips. He reported that the shed may have been removed or is in the process of being removed. Joe Heuston asked if the public will have any input into what the DOT designs? Andy Fisher commented he was unable to answer that but told the board that the DOT is in conversations with his engineers on what may or may not be required. He also stated he was aware the town will have some input into the road design for entrance to Cedarcroft Farms. They will not be able to overrule the DOT but certainly there will be conversations about the road with Burr Philip's input. Board did ask for a finalized plan of how 16/302 will look before it is finalized. Andy Fisher concurred that this will be done. David Shedd asked if an engineer or a representative from DOT could come before the board and explain the rationale of what they are doing or not doing with the road. Andy Fisher concurred and stated it was a reasonable request. Motion made by Vicki Garland seconded by Joe Heuston to continue this application to the November 4, 2024 meeting. Vote unanimous.
- **Jason Brown (Map 2RT302 Parcel 161L00, 165L00 and 170L00)**- update regarding application. Andy Fisher Ammonoosuc Survey presented. Awaiting Burr Philips final review which should be happening today. Motion made by Michael Galante and seconded by David Patch to continue the application to the November 4, 2024 hearing Vote unanimous
- **David Bartlett- (Tax Map 5VILLG-CEN-70)**- Boundary line adjustment between CEN070 and GRO020. Andy Fisher Ammonoosuc Survey presented. Plans provided to the board. Andy stated that the proposed layout and proposed new boundary lines. The plans show the parcels as they are outlined by the deeds. The Central Street house has a parcel for the house and then a parcel for the

barn. They would like one of the parcels to become part of the Grove Street house as it is used as a lawn. There is a ditch that comes through that is coming from the railroad that creates a distinct separation of the two parcels. The purpose is to re-structure the merge of the lots so that it makes more sense with the actual use of the lots. Also provided a recent septic design from the Grove Street house. The septic design shows one parcel that satisfies all of the density for the septic. David Patch asked if the new boundary lines would support the house. Andy Fisher replied the new boundary lines would include a smaller parcel of land and it would actually create a lot with more land than what was shown in the septic design and more land than what is used to satisfy the septic density. And the Central Street house would double in size. David Shedd stated that the board cannot create a lot that is non-conforming. He asked with the changes for the Grove street house what is the square footage of the lot? Andy Fisher replied the Grove Street house would end up with .67 acres (29, 000 sq. feet) and the septic design is 24, 000 sq. feet so it ends up with more land than the approved septic design. David Shedd replied that according to Bartlett's subdivision regulations we cannot create a lot and the minimum land area on the best soil is 30,000 sq. feet. Jennifer Bartlett stated that they are not looking to subdivide we are looking to voluntarily merge the lots differently. We own all 5 lots and want to merge this lot into Central Street not create a lot on its own. David Shedd expressed understanding but stated that there is less than the allowed 30,000 sq. feet allowed. By doing a boundary line adjustment you are in effect creating a new lot. Andy Fisher explained that they were trying to maintain the parcels as you are looking at them. The parcels were involuntarily merged and there is no change in density. The density for Grove Street- it actually increases from what is shown on the septic design. So, it actually gets better. The town was okay, everybody was okay and the state was okay with Grove Street as it is. David Bartlett commented that the large lot had no bearing on the septic system or the design of the house. David Shedd clarified that the board was looking at the criteria to establish a new lot and by doing a boundary line adjustment you are potentially asking the board to approve a lot that does not meet minimum land area as required. David Bartlett replied that the land is to be merged with the lots for Central Street and will not be a stand-alone lot. Pat Roberts clarified the problem- after the lot merger the area will be 29,093 sq. feet and our minimum is 30,000 sq. feet on the best soil. With that it falls below the 30,000 sq. foot minimum. It is not that you want to merge the one lot to this one here but in sense you are decreasing this lot and it will be smaller than our current allowance. David Patch asked Andy Fisher if any of these lots were non-

conforming at all before? Andy Fisher replied that Central Street was non-conforming. This was really trying to work within the lots and the parcels as they were listed on the deeds which were involuntarily merged. He did not want to speak for Jennifer/David Bartlett but asked the board if they were to take 1000 sq. feet from Central Street and added it to Grove Street would the board be amenable to that solution? David Patch stated historically when the board looks at lot mergers or boundary line adjustments sometimes we have to look at is it less non-conforming then it was before and it will make the situation better even if it does not conform to our regulations. He asked if the lots were less non-conforming based on the calculations provided? Andy Fisher replied that Central Street is now a lot that will be conforming. If you look at these lots as separate lots which they appear to be in the deed and merging these lots together and then the other lots together then Grove Street becomes less non-conforming. David Patch stated then we end up with fewer lots and they are less non-conforming. There have been situations we have been in and they are not perfect. Sometimes we try to make things perfect but the land is what it is-you've got what you have got. I am not a fan of things being merged involuntarily. I know the state passed a law that said they could do it but I disagree with it. Vicki Garland asked Jennifer/David Bartlett to clarify if the lots were merged before they purchased the property? Jennifer Bartlett stated yes. David Shedd asked for the particulars on the soil type for the lot. Andy Fisher clarified it was group 3. David Shedd asked if a lot was to be created with that soil type how many sq. feet would they need? Andy Fisher replied it would be more than 30,000 sq. feet. David Shedd was questioning the boundary line as presented. He wanted to know if they could change the boundary line to some land to Grove Street and some to Central Street to provide each lot what it needed. Andy fisher replied that was a great question and a good point. We were trying to work within the described parcels within the deeds. It is five distinctly described parcels that are within two lots. David Shedd stated that what happened with the merger is no longer the Planning Board's concern anymore. The lots have already been merged and we cannot ignore that. My suggestion is to divide the lot whatever it is called and however you want to give to the Grove Street house the minimum land area they need and then boundary line adjust the rest into the Central Street house. Board clarified the minimum land area for group 3 soil is 48,000 sq. feet. This is what the Bartlett's will have to use as the figure for their minimum land area for each lot. Vicki Garland asked if there would be any configuration of the lots to add another dwelling? The Bartlett's replied no. Vicki Garland asked if they could do an ADU? Jennifer Bartlett replied no. Vicki Garland stated they

- could and asked if they were to sell it the next person could say they want to add to it or set up a short-term rental. Vicki Garland clarified that the board has to look at what anyone could do under the law not just the application before them. The Bartlett's expressed understanding. David Patch clarified that if there is a way to make something conforming then that is the best case scenario – I know you want to stay with the same deed descriptions and all of that but if you can take some property from here to add to the other lot to make everything conforming than that is the best way to stay within the regulations. Kevin Bennett made a suggestion that the property with the barn on Grove Street if you cut the corner off you could make the lot more conforming. Andy Fisher will look at the plans and try to make the lots more conforming to the regulations. Wes Smith (Horizons Engineering) stated that the Grove Street parcel is 60,000 sq. feet and it has a 3-bedroom septic on it you cannot reduce the lots area any further than what the minimum land area requires because it creates a zoning problem. He understood what the owners were trying to do in regards to ownership and the deeds and it does make sense but you can't create a lot without a variance because it reduces the lots density lower than what the zoning allows. He paraphrased what the board was trying to say- you can't reduce the lot for the minimum land area that is allowed by ordinance so that the 3-bedroom on Grove Street cannot be reduced any farther. You need to have the minimum land area satisfied. Andy Fisher will work on it and feels that it will not be easy to make things work in terms of what the land was used for and the land that will have to remain with the Grove Street address. Andy then restated the point of keeping the land as it was supposed to be as far as merging the lots the way the owners wish to do. He restated that nothing is changing- density remained the same, there is no increase in use and a new lot was not being created. There was a question from the public regarding the boundary line and where the ditch was- comment was made to possibly follow the ditch as a boundary line. Andy Fisher clarified that it may not give enough land area as per the board's direction to make it less non-conforming. Motion made by David Patch seconded by Pat Roberts vote unanimously to continue the application till November 4, 2024
- **AMSCO update-** Alec Tarberry/Sheila Duane presented regarding Stillings Grant. There is one lot left to sell in block F. They are working on engineering for Block G- hoping for wetlands mitigation permitting done this fall then will roll into a water system design which included the big water reservoir. They hope to come before the board in the spring for subdivision approval. Working on several other projects including the road and a culvert buried deep on Cave Mountain Road. David Shedd asked if the plan was to divide block G into two pieces? The board

was not asked about that – normally approves the development block by block, Sheila Duane replied that they are taking the road to the crest and then place a cul de sac and save the circle for a second phase. Alec Tarberry stated they are proposing a total of 35 lots (originally was 40) because they are trying to get away from small lot sizes- lots will not be less than an acre. If we do it all at once and there is a recession, we are stuck with paying HOA fees and real estate taxes on 35 lots. The first phase if the board approves will be about 19 lots. David Patch stated that whether they do the whole block or half they need to have the water supply in and done as part of the plan. AMSCO acknowledged they understood. They are working on the design in conjunction with the home owners association.

- **Aaron/Allison Emily Gil and Carrienne Bradley (Tax Map 5VILLAG/MIL-101 &GRO-210)** Presented by Wes Smith Horizons. Proposed equal area exchange BLA to place the existing garage on lot MIL-010 completely on the owned portion on land from GRO-210. Basically, they want to do is there is an existing building built prior to zoning on Aaron/Emily's property (MIL-010) and the lot line was through the garage. The purpose is to do an even 253 sq. foot exchange to have the garage be contained completely on the parcel where it was built. The garage cannot be conforming without hitting the other building due to setbacks and things like that. Also, there is a septic outback of this property that we do not want to end up on the other parcel. The reason for the equal exchange is not to reduce either parcel for the density and keep them as they exist and they were non-conforming lots of record originally. Kevin Bennett asked when the garage was built- was it added on or a separate building? Wes Smith stated it was built prior to zoning he believes in the 1940's. Motion made by David Patch to accept the application of the boundary line adjustment seconded by Joe Heuston voted unanimously to accept. Wes Smith will bring the mylar in for signature. Scott Grant/David Shedd asked if we can do an acceptance of the BLA if we have two different owners on the same night? David Shedd thought that a lot consolidation could be the same night not a BLA had the same rules. He requested the secretary check if the board can accept and approve the BLA in the same night for the future. Wes Smith was asked if this could wait till the November 4th meeting, and he stated that one of the owners is anxious to put up a fence that will be within the zoning ordinance guidelines. Joe Heuston wanted clarification that the BLA was between two owners of two separate lots- what if one of the owners does not approve of the BLA? Wes Smith replied he had both owners sign the application- he had 2 separate applications, and each owner signed one. Vote was one abstained (David Shedd- until the answer to the

question posed was obtained) and seven approved (Scott Grant, David Patch, Kevin Bennett, Michael Galante, Vicki Garland, Joe Heuston, and Pat Roberts). Wes Smith will provide 7 paper copies with the mylar do that he gets 2 signed copies and the board gets 5 copies.

4. Review and approve minutes of September 17, 2024 work session Motion made by David Shedd and seconded by Kevin Bennett vote unanimous to postpone approval till the November 4, 2024 meeting

5. Mail and other business

- **American Tower (Tax Map 1ALPEN Lot 000046)**- modification to include replacing 4 antennas, adding 3 antennas, replacing 4 RRH's, adding 3 RRHs, adding 1 surge arrestor on existing tower. Board expressed to the secretary to clarify with the company that there would not be any change to where the tower will be in relationship to the tree line. David Shedd stated that the tower companies have reached some kind of limit in relationship to the height they are now going sideways. The suggestion is we actually ask for a visual description of what they want to do to the tower.
- **Manny Santos- T Mobil Tower on Wildview Drive- Mr. Santos** sent an email to the Selectmen expressing his concerns regarding the tower. The board received an email copy of his letter and the pictures that were sent. See attached.



Santos letter.docx



Cell Tower picture
Wildview Dr number



Cell Tower
Wildview Dr.jpg

His main concerns are esthetic impact as the tower extends above the tree line. He reports that he and his neighbor can see the tower from his front decks and it distracts from the natural beauty and the character of the neighborhood. History of the tower was the approval was 5 years ago and then the extension was approved in February of 2024. He stated there was a crane about 1-2 weeks ago putting the arms on the tower and the association was conversing about this event not clear on what was happening. The neighbors all stated they were unaware the tower was there. Second concern is that multiple studies show that potentially a cell phone tower can negatively impact the property's value in the community. He personally is concerned that the cell phone tower will potentially reduce the value of his home to potential buyers deterred by the visual obstruction and perceived health risk of living next to a cell tower. The depreciation and property value are a direct financial loss to myself and other residents in the area. The third concern is health risk and there are conflicting reports on this but the international research of cancer says that long term exposure to radio frequencies (depending on the output of the towers) could be

a carcinogen. There needs to be more study and it is not a consensus but having a tower in the middle of a residential development is something I personally oppose. He also raised the issue of insufficient public notice and input which he felt undermines a democratic process of local urban planning. He felt that it should have involved greater public participation and requests the board to review the matter including re-evaluation of the towers, their current location and other locations within the town of Bartlett and where zoning is approved for a cell tower. Michael Galante asked about the Cell tower ordinance and if the tower in question met the ordinance rules? The board reported that the ordinance allows the board to approve an extension that goes up 20 feet. The location was discussed, and it was determined the tower is behind the water tanks which is LBWP property, Manny Santos asked the board as to when the original license for the tower was approved? It was determined it was more than 5 years ago. Mr. Santos asked the board as to why the extension was asked for? Board replied usually for more antennas. Kevin Bennett stated that when the tower was originally applied for it was supposed to be out of the foliage and the Selectmen stated no way- they made them reduce the height of the tower. It caused the tower to not work as well as it should. He was not sure if this tower was 5G. Neither the rest of the board nor Mr. Santos are sure if the tower is 5G. There was discussion of various towers in Bartlett and how the board asked the cell phone companies to place branches that look like a pine tree on the tower to make it less conspicuous. Mr. Santos replied that the extension is not conforming, there is no way to make it conforming, it was an eye sore and the tower should be esthetically pleasing. There is no one in Wildview that says this tower is esthetically pleasing. Vicki Garland clarified that facilities are to create an esthetic standard environmentally but we don't have a definition of what is esthetic. Without that definition it is very subjective. The president of association of Wildview Dr. spoke and stated he was not aware of the meeting that would approve the extension of the tower. He remembered when the tower was going up in Glen there was a balloon up in the air for a weekend or 5 days. At least people going by could see if this would affect them and there was no balloon for this project to see if it would impact people. The board clarified the reason why the balloon was up in Glen was because the structure was way above the town allowable height. David Patch also clarified that he thought they do the balloon test will be on a new tower. Wildview residents felt that if there is going to be an extension the balloon test should be done to see the impact on their view. Scott Grant asked if there were little pine branches on the tower of just metal- answer just metal, there are branches inside the tower. Board stated the current zoning

ordinance states that the cell company can go 20 feet above the tree canopy, the zoning does not limit them to the tree canopy or lower. Scott Grant replied that he understood that concerns about 5G and health are valid. Mr. Santos was made aware to contact Mr. Kevin McMillian (Artist Falls Road) in Conway regarding cell towers as he was able to get a tower stopped due to health concerns for his advice. Pat Roberts stated that so many people have moved here the current towers are overwhelmed and the towers were not designed for the number of people that moved here. Board suggested Mr. Santos contact the representatives of the cell phone tower about his concerns. Vicki Garland explained that there is nothing on the ordinance that stated the board has to notify the abutters like we have to do for other developments. All meetings are posted on the website, usually in the post office and we post things the way we are required to be posted by law. She did not see anything in the ordinance that requires the board to notify abutters by certified mail. The public has the responsibility to stay informed and check out what is going on in town. What she does see is that people are not necessarily concerned about what is going on in town unless it happens right outside their window. David Patch clarified that when an application comes in the board looks at the location and tries not to put them on private property but the cell companies have to put them on certain areas for them to work and we try to put them on municipal property. He also stated that maybe the board should re-look at the ordinance and see if for any extension a balloon test may be warranted. Mr. Santos stated the reason why he bought the lot he did was because of the view and never would have bought it if the cell tower as there. Kevin Bennett asked when he bought the lot (2018) and built his house (2020). Kevin further stated that he was aware of when the new 2-million-gallon water tank went into the area in 1994 and the tower was there. He stated that if you went up the neighbor's driveway you would have seen the tower between the spruce tree line. Vicki Garland recommended that either Mr. Santos or a rotating person to check the agenda so that the community is always aware of what is going on in the town. Scott Grant told Mr. Santos that there may not be anything we can do. Mr. Santos replied that the association may have to get an attorney and will go that way if they have to. He expressed shock that the tower was erected in a residential neighborhood because there are other options- town lands, federal lands, commercial areas. Board told Mr. Santos to contact the cell company to express his issues with them. He was given information regarding the tower- it is a T mobile site. Kevin Bennett told him the best resource is to go on the FCC website to search for the address of the cell

tower and it will tell you the owner of the cell tower. Or he could contact LBWP as the tower is on their property.

- **6.Next meeting: Working Session October 15, 2024 if needed next public session November 4, 2024).** Board unanimously agreed to cancel the October 15, 2024 meeting.

Motion made by Michael Galante seconded by Vicki Garland to adjourn the meeting at 8:40 PM vote unanimous.



Planning Board
sign in 10-07-2024.d



Public sign in
10-07-2024.docx

Respectfully submitted.

Louise B. Burns

Planning Board/ZBA Clerk

603-356-2226

APPROVED