

**PLANNING BOARD
27 School Street
HILLSBOROUGH, NH
December 15, 2021**

DATE APPROVED: 01/05/22

TIME: 7:00 p.m. – 9:50 p.m.

MEMBERS: Gary Sparks- Chairman, Susanne White-Vice Chair, Adam Charrette, Ed Sauer, Melinda Gehris, Nancy Egner

EX-OFFICIO: James Bailey III

PLANNING DIRECTOR: Robyn Payson

ALTERNATES: Bob Hansen

Excused: Ed Sauer, Bob Hansen

Public: Leigh Bosse, Sonia and Frank Pearsall, Carl Borowiec, Brett and Tammy Davison, Dan Higginson, John Noonan, Tia and Zach Whitney, Laura Cooper, Alan Ager, Richard Head, Peter Mellen LLS, David Lefevre, Zach Whitney

Chairman Gary Sparks called the meeting to order at 7: 00 PM

Gary reviewed the Meeting Ground Rules.

Minutes 12/01/21

Susanne White made a motion to approve the minutes. Melinda Gehris seconded the motion. The motion carried unanimously, and the minutes were approved.

Site Walk 12/06/21

Susanne White made a motion to approve the minutes. Adam Charrette seconded the motion. The motion carried with Nancy Egner abstaining. The minutes were approved.

Applications

Nancy Egner recused herself from this application.

Subdivision -Public Hearing

216 Bible Hill Rd (Map 11I Lot 50)

Brett M. Davison

Tom Carr of Meridian Land Services Representing the Applicant

Mr. Carr reviewed the new stormwater and erosion control management plan for lot 6. Mr. Carr has reviewed this with the Conservation Commission.

In light of the most recent updates to the plan, Conservation Commission no longer feels that this application should be denied. (see attached)

Gary Sparks closed the Public Hearing and asked the Board if they had any comments or

questions. There were none.

Melinda Gehris made a motion to approve the application to subdivide existing Map 11I Lot 50 (55.1 acres) into 8 residential house lots to be serviced by private wells and septic systems. The project is submitted by Thomas Carr of Meridian Land Services Inc. on behalf of property owners Brett M. Jr and Tammy M. Davison and in accordance with the "Subdivision Plan of Brett M. Jr. and Tammy M. Davison" dated October 22, 2021, and as presented with updates November 17, 2021, and submitted as a part of this application with the following conditions:

1. Receipt of all Federal and State Approvals.
2. Monuments for the new lots shall be set and described on the Mylar copy of the plan.
3. The buildable area of Lot 50- 5 is confined to the area between Beard Road and the edge of the wetlands upslope.
4. The subdivision is approved conditioned on approval of a soil management and erosion control plan submitted by Meridian Land Services Inc. and approved by the Planning Board and included with the Subdivision Plan to be developed and overseen by Meridian Land Services Inc. during development and construction.
5. The Storm Water and Erosion Control Plan submitted in compliance with Note 13 for Lot 50-6 must be substantially consistent with the Storm Water and Erosion Control Plan dated December 6, 2021.
6. The Town Planner and the Developer shall agree on an environmental firm to conduct water sampling and testing prior to development or construction commencing. The third-party environmental firm shall be engaged to conduct water sampling and testing if at any time the Building Inspector determines that the erosion control and mitigation measures are not in place pursuant to the approved Storm Water and Erosion Control Plan.
7. All development and construction on all lots within the approved subdivision must be done with no impacts to wetlands on any property.
8. Prior to development of any of the lots, wetlands be marked in the field for the purpose of identifying the edge of wetlands to prevent accidental intrusion into the wetlands during construction.
9. Suitable steps shall be taken to preserve and protect features, such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks pursuant to Town code Section 201-3(C).
10. All development and construction on any lot will be done with appropriate sediment barriers to prevent sediment flow into wetlands and surface waters during construction and to prevent sediment flow off each lot during development.
11. There will be no unintentional movement of earth or transport of sediment across property lines.

Jim Bailey seconded the motion.

Susanne White amended condition #6 to include water sampling at Beard Brook. Condition #6 now reads:

6. The Town Planner and the Developer shall agree on an environmental firm to conduct water sampling and testing **at the intermittent stream between Lots 5 and 6 prior to reaching the Beard Brook Road Right of Way** prior to development or construction commencing. The third-party environmental firm shall be engaged to conduct water sampling and testing if at any time the Building Inspector determines that the erosion control and mitigation measures are not in place pursuant to the approved Storm Water and Erosion Control Plan.

The motion was carried unanimously. The subdivision was approved.

Site Plan Review

Dascomb Road (Map 11P Lot 191)

Vertex Towers/Dascomb Associates

Robyn Payson distributed to the Board the list of waivers being requested by the applicant and the new monopole design for the tower.

Francis Parisi introduced himself and Jesse Marino, the civil engineer that designed the project. Mr. Parisi said since the last public hearing some things have occurred. There was a site visit, and the other was a revision to the design to the tower which will no longer be a “monopine.”

They also received the review from the consultant. (see attached). In Mr. Parise’s view the questions were very benign and pertaining to technical detail which they then provided to Mr. Pagacik. Also mentioned in the review were items they were planning on asking for waivers for. One being the 90 foot height limit and the requirement that the tower be only 20 feet above the tree canopy. This is because they designed the tower for the most coverage and the most co-locations. He said they would review all of the technical detail if the Planning Board wanted. The Planning Board had no questions at that time.

Gary Sparks opened the Public Hearing

Zach Whitney of 84 Myrtle Street spoke. He is an abutter to the property where the cell tower is going to be and an abutter to the access road. He thanked the Board for doing the site walk and doing their due diligence by seeing where the tower would be. He said he was not in favor of the cell tower or the access road which is right next to their house.

The access road being put in will effectively take the trees down between his house and his neighbor’s house. They moved into their house a year ago and love the small dead-end street that they live on. The transfer station road runs next to their property which was something they were willing to accept.

Hearing that there is going to be another access road built on the other side taking away their privacy was quite a shock. It would be very prominently in the backdrop of where they are. They saw where the balloon was and saw how high it was above the trees behind their house their bedroom window is located in the direction of the tower.

Mr. Whitney said that there aren't a lot of studies that can conclude they would be safe next to a cell tower. The American Cancer Society says there isn't sufficient evidence to say there is no risk to living next to a cell tower.

He wanted to quote some studies about property value. One was published in 2006, the study indicated that home buyers would pay from 10-19% less for a house if it were in close proximity to a cell base station. The results of the analysis also showed prices of properties were reduced by about 21% after a cell phone base station was in the neighborhood. The study added that even with buyers who believe there are no adverse health effects from cell phone base stations, knowing that other potential buyers might think the reverse will seek a price discount on a property located near a cell phone base station.

The second study was done by the National Institute for Science in 2014, this was conducted by a poll that was sent out electronically to 1000 people. 79% said under no circumstances would they ever purchase or rent a property within a few blocks from a cell tower. 94% said a nearby cell tower or group of antennas would affect the impact interest in a property. 94% said a cell tower or group of antennae located on or attached to an apartment building would negatively affect it. 79% said under no circumstances would they ever purchase or rent a property within blocks of a cell tower or antennas.

He said at the ZBA hearing they were informed by the owner of the property that the access road would be built regardless of the cell tower because a 55 and over subdivision would be going in.

He wanted to say that he and his wife Tia have been very happy since they moved to Hillsborough over a year ago. Their street has been as quiet as they hoped, the neighbors are pleasant. They have settled into the community nicely. He said he doesn't believe the cell tower fits in with the rural landscape of the area. They would like to keep their little bit of Hillsborough quiet without an eyesore

Gary Sparks thanked him for his comment. Gary asked if there were any other members of the public that wished to speak. There being none he asked the Board members if they had any further questions or comments.

There being none, the Planning Board moved on to address the waivers.

1. Waiver to section 229-75 of Article XII Telecommunications Ordinance, Siting Standards, B Use Districts to allow a Telecommunications facility in the Village Residential Zone.

Susanne White made a motion to grant the waiver. Jim Bailey seconded the motion. The motion carried with Nancy Egner voting no. The waiver was granted.

2. Waiver to section 229-75 of Article XII Telecommunications Ordinance, Siting Standards, C 1 Height Limitation to allow a Telecommunications Facility to exceed 90ft in height.

Jim Bailey made a motion to grant the waiver. Susanne White seconded the motion. The motion carried unanimously. The waiver was granted.

3. Waiver to section 229-75 of Article XII Telecommunications Ordinance, Siting Standards C 2 to allow a Telecommunications Facility to project higher than 20 feet above the average tree canopy height.

Mr. Parisi pointed out a technical correction that needed to be made to the waiver request.

Susanne White asked if there was a projected height of the tower. Mr. Parisi said it would be 115 feet tall with a lightning rod that will go up 5 or 6 feet, so the total height is 121 feet.

Susanne White made a motion to grant the waiver as amended. Jim Bailey seconded the motion. The motion carried unanimously. The waiver was granted.

4. Waiver to section 229-75 of Article XII Telecommunications Ordinance, Siting Standards C 2 to allow a tower design to be a monopole design and not an artificial tree.

Jim Bailey made a motion to grant the waiver. Adam Charrette seconded the motion. The motion carried unanimously. The waiver was granted.

5. Waiver to section 229-77 of Article XII Telecommunications Ordinance, Construction and Performance Requirements A Aesthetics and Lighting to allow tower design to be a monopole design and not an artificial tree.

Adam Charrette made a motion to grant the waiver. Jim Bailey seconded the motion. The motion carried unanimously. The waiver was granted.

6. Waiver to section 229-78 of Article XII Telecommunications Ordinance, Conditional Use Permits C Information Required (2) and (3) to allow a Telecommunications Facility without written proof that a NEPA and Section 106 of NHPA compliance evaluation has taken place.*

*The applicant will provide the Town with a copy of a final NEPA checklist concurrent with is application for a building permit as a condition of approval of the Conditional Use Permit

Melinda Gehris made a motion to grant the waiver. Nancy Egner seconded the motion. The motion carried unanimously. The waiver was granted.

Gary asked Robyn what the next step was. She said she needed to get the final motions approved by Town Counsel, which would be in time for the first meeting in January.

Melinda Gehris made a motion to continue the hearing to the meeting of January 5, 2022.

Adam Charrette asked Mr. Parisi about how sites for towers are chosen. There was a brief discussion.

Adam Charrette seconded the motion.

Gary Sparks asked Mr. Parisi to work with the abutter to see if there was a way to address the abutters concerns.

The motion carried unanimously.

Subdivision

232 Bear Hill Rd. (Map 12 Lot 152)

Dan Higginson Representing Pierre Chabot

Mr. Higginson presented the updated plan which has been amended and now has the 40,000 sq feet of contiguous buildable area that is required by zoning. The applicant therefore no longer needs to ask for a waiver.

Gary Sparks asked the Board if they had any comment or questions at this point. There were none. Mr. Sparks then asked if there was anyone from the public that wished to comment on the application. There was no comment.

Gary Sparks called on Richard Head, Chairman of the Conservation Commission and asked him for his comments.

Richard Head said the Conservation Commission is not opposed to this project. He said they appreciate that the applicant has placed the driveway on the front of the property and not through the wetland. He had a question about how the well and house location will not impact the wetland, and he asked that there be a condition that there will be no development on the northern part of the property so there will be no future impacts to the wetland.

Dan Higginson said in order to get State Subdivision Approval they are showing the well across the wetland, so the entire radius is within the proposed lot. What they intend to do is use a "well waiver" and put the well on the street side of the development so there will be no impact to the wetland. Mr. Higginson said that is shown on the septic design. Mr. Head said that the Conservation Commission would be asking that approval be conditioned on the process being approved and the well be located as shown on the septic plan. Mr. Higginson said there is no intention to cross that wetland ever.

Carl Borowiec of 535 West Main Street said he was a long-time resident of Hillsborough. He said this lot is going to be his retirement spot. If everything is approved, he will be buying it and he promised he would not be doing anything beyond that wetland.

Gary Sparks closed the Public Hearing.

Jim Bailey made a motion to approve the application to subdivide existing Map 12 Lot 152 (25.3 acres) into 2 residential house lots. The new lot, Map 12 Lot 152-1 will be 3.51 acres, leaving Map 12 Lot 152 with 23.2 acres. The new lot will be serviced by a private well and septic system. The project is submitted by Dan Higginson of Higginson Land Services on behalf of property owner Pierre Chabot and in accordance with the "Subdivision Plan prepared for Pierre

A. Chabot” dated September 17, 2021, and submitted as a part of this application with the following conditions:

1. Receipt of all Federal and State Approvals.
2. Monuments for the new lots shall be set and described on the Mylar copy of the plan.
3. No development on the northern part of the property so there will be no future impacts to the wetland.
4. The alternate well location as described in the septic design is ultimately approved by the state.

Melinda Gehris seconded the motion. The motion carried unanimously.

Site Plan

West Main Street (Map 11F Lot 20)

Jeremiah Boucher

John Noonan of Fieldstone Land Consultants there on behalf of Patriot Holdings LLC. This is located on the parcel directly east from Tractor Supply. They are here for approval of a self-storage facility. All of the buildings are for self-storage. There are two contractor buildings. The one with frontage along West Main Street will have “store front” facades there are also unheated standard self-storage units. On the northwest corner is heated climate control storage.

Mr. Noonan reviewed the plans.

Mr. Noonan pointed out a change to the Utility Plan. Originally, they thought there was Municipal Water and Sewer that they could tie into. Now they know it is not available and are servicing the development with a well and septic system. He said they would be applying for an Alteration of Terrain Permit.

Susanne White asked about the location of the snowmobile trail. Mr. Noonan said he had reached out to them and there is going to be no impact to the trail this season. For the future they intend to follow the frontage along West Main Street and then follow the property line between this parcel and Tractor Supply. They are going to reach out to Tractor Supply to verify that they agree with this plan.

Adam Charrette said he appreciated the “Dark Skies” lighting his only request is to reduce the “calvin rating” from 4,000-3,000. Mr. Noonan said he believed they come in 3,500, 4,000 and 5,000 so he thought they could change it.

Gary opened the hearing up to the public.

He recognized Richard Head.

Mr. Head said with a project like this their focus is on the conversion of this property to impervious surfaces. Any time you do that you lose the natural filtration that the ground

provides between the surface and the ground water table. There will be over one hundred and twenty-six thousand square feet of impervious surfaces which amount to a little over two football fields. On top of that, salt sand and chemicals which you capture and push it underground. The risk of salt contamination to the ground water is increased. There is an advantage in this case in that this will be subject to an Alteration of Terrain permit. Which as its purpose looks at storm water flow so the Conservation Commission is not looking to ask that this be rejected but to be aware of it. The Conservation Commission does have some concerns that they will mention to the "AOT" bureau, but for the purposes of our comments to this Board they are not opposed to it and appreciate the engineering effort that went into it.

Mr. Noonan said with the Alteration of Terrain permit they are going to have to show that they meet their regulations not just in velocity and volume but in treating the water as well. There are very strict standards on putting water back into the ground.

Alan Ager who owns the storage business on the other side of Tractor Supply came to speak to an issue similar to what Mr. Head brought up. He said when he last expanded his facility by adding a few new buildings the Planning Board put into the conditions that he was not allowed to pave on his storage business. Since then, Tractor Supply came in and put a lot of paving in. His question was whether he was still going to be held to that condition that he can't pave, or it is going to be the same for all the storage businesses.

Gary Sparks said that this issue was not something that can be addressed at this meeting, however if he would like to re-open the site plan the Board would be glad to take a look at it.

Gary asked the Board if this was approved would they be comfortable putting any kind of guarantee on the project.

Jim Bailey said everything looked fine to him they just have to make sure the construction of the groundwater filtration and drainage is done properly. He said he didn't think Mike (Borden) would have the expertise.

Gary agreed that it would not be Mike, there would need to be a third party.

Jim Bailey made a motion to approve the storage facility with third party review of the drainage during construction and upon completion.

Robyn Payson asked how that would be done.

Jim Bailey said there needs to be discussion about that process as a Board so they can decide the best way to approach that. He said they were going to discuss it as a Board to give the applicant options.

Gary said the Board has the power to determine to use a party that has been used before or if we approve the project but make a way to come up with a third party that would come into it.

Robyn said that the way the statute is now, the Planning Board would meet with the applicant

and the consultant to develop a scope of review.

There was discussion about the best way to come up with a consultant for third party review.

Following discussion, the Board determined that the condition would be that:

“The third-party review consultant would be approved by the Board and acceptable to the applicant.”

Susanne White seconded the motion. The motion carried unanimously. The application was approved.

Site Plan

95 Antrim Road (Map 11L Lot 319)

Peter Mellen Representing 95 Antrim Road LLC.

Gary said there was a very abbreviated site walk of this property on December 11th. He said he wanted to remind the Board, should they desire to schedule another site walk they are within their rights to do so.

Peter Mellen presented the application and said they had responded to comments from the Conservation Commission about salt storage. They have relocated the proposed salt shed away from the wetlands and put a paved area and a berm around the north and west sides of the salt storage area. They have also prepared a road salt and sand management plan to address concerns about how the salt is going to be stored and transferred and maintained. He said he met with the Conservation Commission the night before and they discussed the proposed changes.

Susanne White asked how many terraces would be on the hill.

Peter said there would be three and he pointed them out.

Gary asked Richard Head if he had any comments.

Mr. Head said he appreciated the applicant's rapid response to their comments about the salt storage that were addressed in the updated plans. The Conservation Commission discussed the changes and determined that the applicant had met all of their concerns with the application and there were no further comments tonight.

Gary opened the hearing up to the public.

Attorney David Lefevre representing abutters Frank and Sonia Pearsall of 91 Antrim Road spoke. He said there are elements of this project the Pearsall's are in opposition to.

He said he took a look at the Town Zoning table of permitted uses, and he could not find where this land use fits within the permitted zoning.

Gary said they saw the plan two weeks ago and part of their investigation was the site walk that was done. He said they had not gotten into the meat of the application until now.

Attorney Lefevre said the way the zoning is set up is that a use is either permitted or is permitted because it is similar to a permitted use. The one use he thought could apply would be Building and Service Trade. However, the definition says no heavy equipment or outside storage of supplies, materials or equipment is permitted. He said his understanding of this use is that it is for contractors to limit the growth of activity on the site.

This business is right next to the Pearsall's house. He said the Board needed to give some real consideration as to whether that element of the plan is permitted. If it's not, the applicant will have to seek a variance.

He said he had a similar thought about the salt storage. He said there was nothing in the zoning that permits it.

Attorney Lefevre said Mr. Pearsall had some conditions of approval that he would want the Board to consider. Even though they believe the use is not permitted, if the applicant gets a variance and comes back to the Planning Board these are conditions, they would like the Board to consider them.

Gary said the Pearsall's should give their opinions to the Board.

Mr. Pearsall said he in general he had no objection to the business if it conforms to zoning. He said he did not know if the aquifer is under that site. If they are putting a salt storage area it could affect their well. They said they were concerned about noise mitigation.

He said they want to have a plowing operation which he has no problem with, but when there is snow there will be sound from the equipment starting up and banging from equipment loading and unloading. He is concerned about the parking right next to his property line. When the trucks start up the noise and the fumes will be right next to their house. He said he wanted to talk about these things up front. He was also concerned about lighting and hours of operation.

Attorney Lefevre said that if the Board determines salt storage is permitted, the Board can have the applicant pay for the Town to hire appropriate peer review to monitor the impacts.

Robyn Payson said she felt this could be considered under Industry. The heaviest uses are allowed in the Commercial District. The definition does not match what is being proposed but because Industry is a heavy use might it be similar enough.

Attorney Lefevre said he considered that but both Industry and Light Industry apply to manufacturing.

Gary Sparks said he was concerned about the road going up the grade bringing heavy equipment up to be located on the terraced areas. He wondered if there could be a better way to store the equipment.

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Mrs. Pearsall was concerned about the equipment driving up the hill being so heavy that it might cause a tremor and crack their well casing. She said her well is 980 feet deep and they had the casings crack before from other things that had been going on in the area.

Gary said he hadn't thought about that issue. He asked Peter if they could take another look at the vehicle storage.

Peter said he would.

Peter said regarding the salt storage, they looked at the Groundwater Protection Ordinance which this property is not located in. It is located on an aquifer but not in the Groundwater Protection area. That area has a higher transmissivity than the aquifer that crosses a portion of this property.

In the Groundwater Protection area salt storage is allowed provided it is covered. He said they are exceeding the requirements of the ordinance even though they are not located within the Groundwater Protection area.

Melinda Gehris asked Peter if he had done any investigation as to whether or not this was a permitted use?

Peter said he had not because he sees this as an expansion of what the property has been used for, for quite some time. They have been storing equipment and material over there since they bought it.

Melinda asked when that use began.

Laura Cooper said 2-3 years ago.

Melinda Gehris said, so it was 2-3 years, not 10 or 12.

Gary said he believed it was just before COVID hit.

Peter Mellen said they had a reference plan made after they Cooper's purchased the property dated 2016.

Gary said they came to the Planning Board about January of 2020, the COVID hit, and the Board was doing Zoom meetings. There was a site plan application submitted at that time which was not accepted.

Peter said at that point they were already using the property.

Gary said, that could be, but they were using it without an approved site plan at the time. So, this is the first site plan that has been accepted for consideration.

Abutter Ken Fowle said the storage back away from the road is preferable to storage near the road. All of the equipment is for their operators and their equipment is capable of going up and down the hill.

Laura Cooper said one of the reasons that they looked at putting the equipment terraced up was not to destroy the visual impact of the property. Nobody likes to drive down a road and look at a backhoe. Our thought process was the equipment would be out of site and less visible to the public beyond the office on a terraced ledge. They can get the vehicles in and out and be more discrete. The only other areas that would be suitable would be in the field area which she thinks would be visually more impactful. She said she did not understand the issue with getting the equipment up the grade was. They will build a road that is safe and accessible and will be built in conformance with all rule's regulations and standard practices so it could be trafficked safely.

Gary suggested to the Board the hearing be continued. This will give our attorney the opportunity to determine if the use is allowed.

Melinda Gehris said she would like to hear from the Cooper's attorney as to whether he believes this is an allowed use.

Attorney Lefevre suggested that Town Counsel and the Cooper's attorney be allowed to speak to him in hopes matters can be resolved before the next meeting.

Melinda Gehris said she hopes the applicant's attorney will provide an opinion that can be forwarded to Attorney Lefevre so he will not be surprised so the Board can use its time efficiently on January 19th. She said rather than having Town Counsel do the "heavy lifting" she would rather see the applicant's attorney and Attorney Lefevre's opinions.

Jim Bailey said he would like an answer to know if it is an approved use.

Robyn asked the Board if she would be approaching Chris Boldt with the question about the legality of the use according to the zoning ordinance.

Jim Bailey and Gary Sparks said yes.

Jim Bailey made a motion to continue the LJM Construction application to January 19th. Nancy Egner seconded the motion. The motion carried unanimously.

Robyn Payson asked for a vote about taking the use question to Town Counsel.

Jim Bailey made a motion to take the question about the use being allowed to Town Counsel. Susanne White seconded the motion. The motion carried with Melinda Gehris voting no.

NON-PUBLIC SESSIONS

1. Non-Public Session pursuant to RSA 91-A:3, II(c)-Reputation

Minutes from Non-Public Session 1-2 at 8:55pm-9:00 pm on 12-1-2021

Adam Charrette made a motion to approve the minutes. Nancy Egner seconded the motion.

Roll Call Vote:

Jim Bailey-Y, Adam Charrette-Y, Nancy Egner-Y, Melinda Gehris-Y, Susanne White, Y, Gary Sparks-Y.

2. Non-Public Session pursuant to RSA 91-A:3, II(c)-Reputation

Jim Bailey made a motion to enter into Non-Public Session pursuant to RSA 91-A:3, II(c)-Reputation. Susanne White seconded the motion.

Roll Call Vote:

Jim Bailey-Y, Adam Charrette-Y, Nancy Egner-Y, Melinda Gehris-Y, Susanne White, Y, Gary Sparks-Y.

The Planning Board entered into Non Public Session at 9:30pm.

The Planning Board came out of Non-Public Session at 9:35.

Jim Bailey made a motion to seal the minutes of the Non-Public Session. Adam Charrette seconded the motion.

Roll Call Vote:

Jim Bailey-Y, Adam Charrette-Y, Nancy Egner-Y, Melinda Gehris-Y, Susanne White, Y, Gary Sparks-Y.

The Planning Board had a brief discussion of the upcoming schedule and projects for the upcoming year.

There being no other business, Susanne White made a motion to adjourn.

Meeting Adjourned 9:50pm

Respectfully Submitted,

Robyn L. Payson, Planning Director



**Hillsborough Conservation
Commission**

P.O. Box 7
Hillsborough, New
Hampshire
03244-0007

December 14, 2021

Gary Sparks, Chairman
Hillsborough Planning
Board Town of
Hillsborough, NH 27
School Street
P.O. Box 7
Hillsborough, NH
03244
(via email only to Robyn Payson)

Re: Brett Davison Subdivision
Application Map 11I, Lot 50

Dear Chairman Sparks:

I am writing on behalf of the Hillsborough Conservation Commission following receipt of the Stormwater and Erosion Control Plan for Lot 50-6 prepared by Tom Carr of Meridian Land Services. In our prior written comments and comments at prior Planning Board meetings, the Conservation Commission had recommended that the Application be denied in the event Mr. Davison were unwilling to merge Lot 50-6 into the adjacent lots or otherwise agree not to build on Lot 50-6. Based on the cumulative changes that have been made to the proposal, with the additional proposed conditions described in this letter, the Conservation Commission no longer recommends denial of the plan.

Mr. Carr has responded to our comments, comments from the Planning Board, and comments from the Road Agent with a several revisions to the plans. Some of those changes include compliance with the Town's definition of Buildable Area, creation of non-buildable areas on Lots 50-5 and 50-6, the inclusion of a new Note 13 subjecting Lots 50-4 through 50-8 to stormwater and erosion control management plans, and a driveway plan for Lot 50-3 that addresses stormwater flow concerns along Moore Road raised by the Road Agent. All of those changes were helpful and demonstrated a good faith effort by the Applicant. Nevertheless, the Conservation Commission continued to raise concerns regarding the development of Lot 50-6, which is the lot representing the greatest environmental risk.

More recently, Mr. Carr circulated a conceptual Stormwater and Erosion Control Plan for Lot

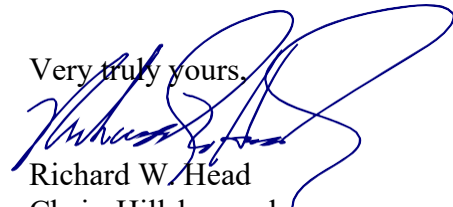
50-6. At tonight's Conservation Commission meeting, Mr. Carr attended to review the plan with us and was available to answer questions. After discussion, the Conservation Commission agreed that, given the cumulative changes to the plan made by the Applicant, including the Stormwater and Erosion Control Plan for lot 50-6, we no longer recommend that the Planning Board deny the project. We do, however, request that the Planning Board include an additional condition that the Storm Water and Erosion Control Plan submitted in compliance with Note 13 for Lot 50-6 be substantially consistent with the Storm Water and Erosion Control Plan dated December 6, 2021. In addition, we request that, prior to development of any of the lots, wetlands be marked in the field for the purpose of identifying the edge of wetlands to prevent accidental intrusion into the wetlands during construction. Although not a condition to the approval, we also strongly recommend that the Planning Board request that the Building Inspector periodically sample the stream that flows between Lots 50-5 and 50-6 for sediment contamination while construction on those two lots is ongoing. The sampling would be for the purpose of looking for visual evidence of sediment flow into the wetland complex on those two lots. Sedimentation in the stream flowing from those wetlands would suggest a failure of erosion control measures on those lots.

On behalf of the Conservation Commission, thank you for your diligence in your review of Mr. Davison's subdivision proposal. We also appreciate the willingness of Mr. Davison and Mr.

Carr to take the concerns outlined by the Conservation Commission, Planning Board and Road Agent seriously and make changes to the plan.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any questions or require any further information.

Very truly yours,



Richard W. Head
Chair, Hillsborough
Conservation Commission

cc: Thomas Carr (via email: TECarr@meridianlandservices.com)



IDK Communications

December 13, 2021

Ms. Robyn Payson
Planning Director Town
of Hillsborough
PO Box 7, 27 School St. Hillsborough,
New Hampshire 03244

RE: Peer Review Vertex Wireless Application – Dascomb Street

Dear Ms. Payson,

IDK has performed an initial review of the above subject application and offers these comments: 1.)

The RF analysis for T-Mobile submitted includes existing coverage as well as existing with the proposed site and existing coverage with proposed and planned sites. A map should be submitted that shows existing coverage along with the planned sites only. This will give a better visualization of the areas that show deficient coverage.

- 2.) While the application is seeking a waiver for the tower height, coverage analysis should be submitted that shows a compliant structure meeting the 90 foot or 20 foot above tree canopy requirement. While this may limit co-location we feel the additional data showing the impact of the one carrier that is part of this application will be helpful to understand all possible scenarios. A smaller scale with the coverage maps may also help visualize the targeted area.
- 3.) We request that the applicant provide the backup RF, site and frequency data that was used to generate the included coverage maps. We assume the maps represent a frequency range of 700 MHz but no identification of such was in the associated legends.

Please let me know if you have any questions.

Yours truly,

Ivan Pagacik