

1
2 Town of Bow
3 Planning Board
4 10 Grandview Road, Bow, New Hampshire 03304

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6 Draft Minutes
7 November 17, 2022
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9 The Town of Bow Planning Board met on Thursday, November 17, 2022 at 7:00 PM In Room C
10 of the Municipal Office Building. Chairman Berube opened the meeting with a roll call of the
11 Board.

12
13 **7:00 ROLL CALL**

14 Members present were Don Berube, Jr., Chairman; Sandy Crystall, Vice Chair; Adam Sandahl,
15 Secretary; Karri Makinen, Community Development Director; Michael Wayne, Selectman;
16 David Glasier, member; Garth Orsmond, member; Mike Lawton, Alternate; Kip McDaniel,
17 Alternate; and Ginger Iverson, Recording Secretary. Jonathan Pietrangelo, member and Sarah
18 Guinther, alternate were excused. Others, Patrick Robinson and Todd Rich from Rising Tide
19 Towers, LLC; Chad Hebert (via Zoom) and Megan McGuire (via Zoom) from Black Diamond
20 Consultants, Inc.
21

22
23 Chairman Berube introduced and welcomed the new Community Development Director, Karri
24 Makinen.
25

26 **I. MINOR MODIFICATION/CONCEPTUAL CONSULTATION- None**

27
28 **II. PUBLIC HEARINGS**

29 Chairman Berube read the item into the record.
30

31 **1. Application #205-22 Site Plan /411-22 CUP (Continuation)**

32 **Coastal Bow Properties, LLC (Continuation) Site Plan Review Approval Application.**

33 Proposed paved laydown yard expansion at the existing Coastal Forest Products facility with
34 associated access, parking, and stormwater management area improvements.

35 Block 45-2, Lot 173, I-2 Zoning District located at 652 River Road, Bow NH 03304
36

37 Chairman Berube invited the representative of the application to present the case for this
38 application.
39

40 Nicholas Golan, PE/TF Moran, Inc. of 48 Constitution Drive, Bedford, NH 03110 introduced
41 himself. He is representing Coast Bow Properties, LLC.
42

43 Mr. Golan reviewed last month's description of the project. This is a phased project, the first
44 phase and expansion of existing paved stock yard by approximately 13 acres. The area is
45 comprised of a few components, a portion that needs to be paved, a portion for gravel storage.
46 There is a large wetland complex in that area of approximately 78,000 sq. ft. Future parts of the
47 phase include repaving a part of that paved stockyard, providing a 100,000 sq. ft. warehouse

48 expansion, adding trailer storage and relocation of the existing maintenance building to the upper
49 plateau adding refueling and cleaning capabilities . Exterior shed storage and addition to their
50 loading canopy. Another primary component is the expansion of the existing rail spur. They have
51 had two meetings with Conservation Commission, preapplication meeting with DES, Fish &
52 Game, Army Corp of Engineering, EPA, and other agencies. They conducted a site walk with
53 some of these groups in May to see areas they would impact . They deleted the element of an
54 access road as it was not the least impactful design. There was a great concern that this was a
55 habitat for endangered species. Femoral streams will form after high intensity storms these
56 channels will form and become subterranean and will directly recharge into the ground. Flow
57 needs to be managed through added storm water management areas particularly to upper stock
58 yard. They will stabilize those areas and control those peak flows. They have coordination to do
59 with Fish and Game to show they have met the criteria for avoidance and minimization of
60 impacts. This is a man-made element. It is naturalized but they need to meet all the criteria. They
61 have avoided other sensitive wetlands areas on site. They are improving things by restoring that
62 existing drainage channel. In coordination with the Conservation Commission, they are trying to
63 find a mitigation parcel that they can protect the endangered species. They will use River Road
64 as their access road, to eliminate impact to wetlands.

65
66 The applicant is only requesting approval of the first phase of the application.
67 Mr. Nolan read the following into record for the approval of the CUP application the Findings of
68 Fact regarding the zoning and regulations.

69 Re: Bow Wetland Conditional Use Permit, Coastal Forest Products, 652 River Road, Bow, NH
70 Tax Map 45, Block 2, Lot 173

71 On behalf of the Property Owner, Coastal Bow Properties, LLC, a conditional use permit for
72 disturbances to the WC District is proposed to support a phased expansion of the Coastal Forest
73 Products facility at the above noted site.

74 Coastal Forest Products has owned and operated the facility located at 652 River Road (formally
75 8 Johnson Road) in Bow, NH, since 2008. The business provides timber products for a variety
76 of residential and commercial applications, with a commitment to environmental sustainability,
77 while providing clients with the best possible products.

78 The proposed phased project consists of an initial phase to expand the existing paved lumber
79 stock yard with approximately 13.0 ac of yard, extension of existing railway sidings into the
80 expanded lumber yard, and stabilization of existing eroded slopes/channels and expanded
81 stormwater management areas to provide treatment and attenuation of existing and proposed
82 stormwater flows. Additional subsequent phases to include a 99,000 sf. +/- addition to the
83 existing building (this phase will reduce the paved lumber stock yard to 10.7 ac +/-), converting
84 the existing gravel storage yard to paved trailer storage including an 8,000-sf. maintenance
85 building, expansion of shed storage, and a loading canopy to be added to the existing building.
86 Article 12.05 of the Bow Zoning Ordinance states following a hearing on the proposed use, the
87 Planning Board shall issue a conditional use permit, if it finds, based on the information and
88 testimony submitted with respect to the application, that:

89 The use is specifically authorized by Article 5, Section 5.11 Table of Use Regulations as a
90 conditional use.

91 The existing warehouse/storage use is an allowable use in the Industrial District.

92 If completed as proposed by the applicant, the development in its proposed location will comply
93 with all requirements of this Article, and with the specific conditions or standards established in
94 this ordinance for the particular use.
95 No zoning relief is sought for the proposed project as it will comply with all requirements of the
96 article.
97 The use will not materially endanger the public health or safety.
98 The expansion of the existing use will not endanger the public health or safety
99 The use will be compatible with the neighborhood and with adjoining or abutting uses in the area
100 in which it is to be located.
101 This is an expansion of an existing use and it compatible with the neighborhood, which includes
102 other warehouse/storage uses.
103 The use will not have a substantial adverse impact on highway or pedestrian safety.
104 The project will not have a substantial adverse impact on highway safety in that the expanded
105 use of the existing rail spur will remove truck traffic from roadways. There is no impact to
106 pedestrian safety as no pedestrian facilities are available in the area.
107 The use will not have a substantial adverse impact on the natural resources of the town.
108 Although the project will impact the existing naturalized wetland on the subject parcel that was
109 created as the result of an over-excavation, the higher functioning wetlands will be preserved.
110 Mitigation efforts will serve to offset unavoidable impacts to natural resources.
111 The use will be adequately serviced by necessary public utilities and community facilities and
112 services of a sufficient capacity to ensure the proper operation of the proposed use, and will not
113 necessitate excessive public expenditures to provide sufficient additional capacity or services
114 The project does not require additional public utilities, but such utilities are immediately
115 available on site.
116 In addition to the requirements of Article 12, Conditional Use Permits, of this Ordinance, the
117 applicant shall provide adequate documentation for the Planning Board to make a finding that the
118 proposed use or activity meets the following conditions.
119 The proposed activity or use is consistent with the purposes of the WC District.
120 The continued and expanded use of the site for warehousing and storage of timber products is
121 appropriate given the opportunity to extend existing rail spurs which removes vehicles from the
122 roadways and the history of the wetlands to be impacted, as they were created as the result of
123 over-excavation and have since naturalized. Impacts to the WC district have in large part been
124 limited to this area, with buffer areas of higher valued wetlands preserved, which is consistent
125 with the purposes of the WC District.
126 The proposed activity minimizes the degradation to, or loss of wetlands and wetland buffers, and
127 minimizes any adverse impact to the functions and values of wetlands and wetland buffers as
128 determined by a wetland's evaluation in accordance with an established methodology such as
129 The Highway Methodology Workbook Supplement (1999) of the US Army Corps of Engineers.
130 As described in the preceding response, impacts to wetlands and wetlands buffers have been
131 limited to the extent practical to an area of naturalized wetlands. Displaced functions such as
132 groundwater recharge, sediment/toxicant retention and nutrient removal will be
133 mitigated/recreated through the implementation of sound stormwater management practices.
134 The ephemeral stream that appears to have been relocated from past activities prior to the current
135 ownership is also proposed to be restored to route flows to a properly constructed and stabilized
136 channel instead of flowing uncontrolled and haphazardly across and over steep slopes that

137 continue to erode and cause sedimentation downstream. This constructed vegetated channel
138 stream will further protect water quality and improve wildlife habitat functions onsite.
139 The proposed activity minimizes the environmental impact to abutting or downstream property
140 and/or hydrologically connected water and/or wetland resources.
141 As described in the preceding response, stabilization of existing channels and the implementation
142 of formal stormwater best management practices will improve the connection/quality to
143 downstream wetlands in that sediment transport will be reduced and appropriate treatment of
144 stormwater runoff will be provided.
145 The proposed activity or use cannot practicably be located otherwise on the site to eliminate or
146 reduce the impact to the wetlands or surface water and/or its buffer area, provided however, this
147 condition shall not apply to impoundments for the purpose of creating a water body for wildlife,
148 on-site detention of stormwater, or for recreational uses.
149 Impacts to the WC district have been limited to the extent practical and the use cannot otherwise
150 be located on the site due to the geometry of the parcel, steep terrain, and location of other more
151 highly valued wetlands.
152 Federal and/or state permit(s) have been received for the proposed activity in accordance with
153 NH.H. Administrative Rules Env-Wt 100-900, the Federal Section 404 permit; and
154 A pre-application meeting and site walk with the applicable Federal/State regulators has taken
155 place and a wetlands permit will be filed with both NHDES and US Army Corps of Engineers
156 for the anticipated impacts.
157 Where applicable, proof of compliance with all other state and/or federal regulations has been
158 received.
159 Copies of applicable state and federal permits will be provided once received.

160
161 At 7:31 p.m., Chairman Berube opened the Public Hearing.

162
163 At 7:32 p.m., Chairman Berube closed the Public Hearing.

164
165 Chairman Berube asked if the Board had any questions. Chairman Berube entertained a motion.

166
167 ***Upon motion by Mr. Glasier and duly seconded by Sandy Crystal in regarding***
168 ***CUP APPLICATION NO. 411-22, based on findings of fact presented by the applicant, to***
169 ***include conditions of Conservation Commission and to also include the following conditions,***
170 ***the Planning Board approves the first phase of the application:***

- 171
172 ***1. Receipt of AOT permit and receipt of Dredge and Fill Permit.***
173 ***2. The applicant is to address any outstanding or missing items on checklist.***
174 ***3. Adoption of Green Pro Snow program.***

175
176 ***The motion carried by unanimous vote in favor.***

177
178 ***Upon motion by Mr. Glasier and duly seconded by Adam Sandahl in regarding***
179 ***SITE APPLICATION NO. 205-22, based on findings of fact presented by the applicant, the***
180 ***Planning Board approves the first phase of the application.***

181
182 ***The motion carried by unanimous vote in favor.***

183 Chairman Berube read the following item into the record.

184

185 2. Application # 410-22 Town of Bow – Aquarion Water Company (Continuation)
186 Wetlands Protection Conditional Use Permit to provide additional source water capacity
187 for the Village Shore Estates. The community of just under 100 houses has insufficient
188 source of supply and is under a DES mandate to find additional capacity.
189 Block 9-4, Lot 56, RU Municipal located at 104 Page Road, Bow NH 03304
190

191 Sandy Crystall recused herself from the meeting.

192 Chairman Berube requested that Mr. Lawton vote in place of Sandy Crystall.

193

194 Chairman Berube invited the representative of the application to present the case for this
195 application.

196

197 Joshua Davis Engineer representing Aquarion Water, 32 Artisan Court, Unit 2 Gilford, NH
198 03249 introduced himself. Mr. Davis is looking for conditional approval based on the restoration
199 plan narrative presented below:

200 Dear Town of Bow Planning Board,

201 Thank you for reviewing Aquarion Water’s application for a Conditional Use Wetland Permit on
202 the Town of Bow land (Lot 56) located on Page Road. Exploration for a new water source to
203 serve the Village Shore Estates was permitted under a License Agreement dated January 25,
204 2022, and later renewed on October 25, 2022. The exploration is being done to determine the
205 viability of previously identified well drilling locations to address inadequate sources at the
206 Village Shore Estates. The purpose of this memo is to provide a general narrative of the
207 disturbance and restoration activities that Abenaki Water proposes to limit impact on the land,
208 protect plant and wildlife, and provide for the continued enjoyment of the property by the Town
209 of Bow residents.

210 Soil disturbance on the site will be limited to the extent possible. Selective tree clearing will be
211 done along the existing trails that provide access to the Well Site ‘A’ drilling location. In cases of
212 selective clearing, tree stumps 4 inches in diameter and larger will be ground/removed to grade
213 level. Doing so will prevent unnecessary soil disturbance and help preserve the structural
214 integrity of the trail for vehicle passage. Areas where exposed rocks stick above grade and may
215 hinder vehicle passage will be ramped with riprap stone and removed after completion of the
216 exploration activities. The extent and below-grade size of exposed rock can be significant and
217 ramping with riprap will allow for vehicle passage without excessive excavations to remove
218 potentially large rocks/boulders. As with the stump grinding, ramping over select areas of
219 exposed rocks will preserve the integrity of the trails.

220 Flow test water will be directed to a pit surrounded by wattles to control flow and prevent
221 erosion. A dewatering bag will be placed at the end of the flow test hose. This bag will not only
222 remove sediment from the water, but it will also disperse the water to help prevent erosion.

223 The contractor will have 30 days to remove/fill the flow test pit, backfill and grade the impacted
224 area(s) where necessary to restore natural drainage, and remove all drilling equipment from the
225 site. A native seed mix with straw mulch will be used to restore disturbed areas within buffer
226 zones. A seed mix appropriate to forested wetlands will be used in the buffer areas. The New
227 England Wet Mix or approved equal will be used for disturbed buffer areas. See attached seed

228 mix specification. Restoration will be completed within 14 days of the cessation of exploration
229 activities.
230 Photographic documentation of the exploration activities will be kept for review by the Town of
231 Bow. Pictures will be taken prior to the exploration, directly after restoration, and one full
232 growing season post-exploration A report will be provided after one full growing season to
233 determine effectiveness of revegetation and soil stabilization.
234 Abenaki Water appreciates the Town's consideration in this matter, as we work to improve
235 source reliability for the Village Shore Estates. Please feel free to contact me with any questions,
236 concerns, or suggestions. I can be reached at (603) 800-9004, or by email at
237 jdavis@aquarionwater.com.
238 Sincerely,
239 Josh W Davis, PE
240 Engineer

241
242 The next step would be requesting a site plan approval dependent on whether using the well or
243 abandoning it. Currently they are aligning it to do pump testing to get the flow out of the buffer
244 zone. They are putting time stamps on the contractor to get things back to normal, to be out
245 within 30 days.

246 ***Upon motion made by Mr. Sandahl and duly seconded by Mr. Glasier the Planning Board***
247 ***approves to accept jurisdiction of the application. The motion carried with a 6-0 vote in***
248 ***favor.***

249 The Findings of Fact regarding Zoning and Regulations were reviewed by the Board.

250 At 8:04 p.m. Chairman Berube opened the Public Hearing, based on Findings of Fact presented
251 by the applicant.

252 Sandy Crystall recommended that the Town receives a map with the wetlands and specific buffer
253 areas and Mr. Davis stated that there was a map provided at last month's meeting.

254 At 8:09 p.m. Chairman Berube closed the Public Hearing.

255 ***Mr. Glasier made a motion to accept CUP application 410-22 based on the Findings of Fact as***
256 ***read by the applicant and the accepted draft of the restoration plan as presented.***

257 ***The vote passed with 6-0 vote in favor.***

258
259 Chairman Berube read the following item(s) into the record.

260
261 **3. Application 207-22 Town of Bow – Rising Tide Towers, LLC SITE PLAN**

262 Proposed Telecommunications Facility on a 100' X 100' lease area. Facility to include a
263 190' self-supporting lattice tower, a 75' X 75' fenced-in developed area, and 12' X 550'
264 gravel access road. Located at Branch Londonderry Turnpike East Bow, NH 03304
265 RU Property Zone, Map 23, Block 3, Lot 62
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268

269 **4. Application 412-22 Town of Bow – Rising Tide Towers, LLC PWSF CUP**
270 Proposed Telecommunications Facility on a 100' X 100' lease area. Facility to include a
271 190' self-supporting lattice tower, a 75' X 75' fenced-in developed area, and 12' X 550'
272 gravel access road. Located at Branch Londonderry Turnpike East Bow, NH 03304
273 Ru Property Zone, Map 23, Block 3, Lot 62
274

275 Chairman Berube invited the representative of the application to present the case for application
276 412-22 Town of Bow-Rising Tide Towers, LLC PWSF CUP.
277

278 Sandy Crystall rejoined the meeting.
279

280 Todd Rich and Patrick Robinson of Rising Tide Towers introduced themselves.
281

282 Mr. Rich was originally approached by some members of the town regarding the cell phone
283 connection problem here in the Town of Bow and how they could possibly site a tower to fix the
284 main problem with the High School, Elementary and other school campuses. They have a
285 contract with AT & T who contracted with their present Rising Tide Towers. Over the past six
286 months, they have applied for permits with the State of New Hampshire as well as federal
287 permits that are required to build this tower. Those permits have been completed at this time.
288 Pat Robinson said this tower is necessary to help the town out with communication.
289

290 Mr. Orsmond asked if this had been presented to the Zoning Board and Mr. Monahan explained
291 that the ordinance states that the Planning Board makes the decision on the tower height per
292 Ordinance 7.10.
293

294 Mr. Rich explained that maximum coverage of 190 ft. is necessary for the best coverage. Any
295 tower over 200 ft. requires the tower to be lit. Mr. Robinson said they had approval from the
296 F.A.A. and it is not required for the tower to be lit.
297

298 They are engineering the tower so there are not neighboring towers right next to it.
299

300 Mr. Monahan showed the view shed analysis and pointed out various locations near the tower
301 that may have views of the tower. Most is vegetated.
302

303 The applicant took pictures of locations facing the tower location, looking toward the top of the
304 hill where the tower would be. Their architectural historian who is licensed in visual impact
305 assessments did the illustrations. The red lines depict where the tower is. Mr. Glasier inquired
306 what was the shortest distance from the tower to the edge of the properties.
307

308 Mr. Glasier stated there is a provision in the ordinance concerning the detail on setback at 125%
309 of towers height.
310

311 Matt Monahan stated that we have not done third party engineering review on this so the Board
312 may want to consider this.
313

314 Mr. Rich stated that they requested three waivers: height, size of facility 125% of tower height
315 (they lease 100 ft by 100ft), setbacks from property line are 400'. Mr. Glasier said the Town
316 should confirm that these are the only waivers from 7.10 E. Mr. Monahan said he had reviewed
317 the application for each one of the elements of the ordinances.

318
319 Mr. Orsmond asked that this was correct that this would provide coverage, for the schools to
320 which Mr. Rich applied in the affirmative.

321
322 ***Upon motion made by Mrs. Crystall and duly seconded by Mr. Sandahl, the Planning Board***
323 ***approves to accept jurisdiction of the CUP application 412-22 and the***
324 ***Site Plan application 207-22. The motion carried by unanimous vote in favor.***

325
326 Matt Monahan recapped what the requested waivers are on the CUP Application 412-22:
327 7.10 E 2 Height limitation
328 7.10 E 3 Local prioritization
329 7.10 E 8 Federal Requirements
330 Department Heads had no comments on this.

331
332
333 Matt Monahan recapped what the requested waivers were on the Site Plan Application 207-22:
334 5.02 J. To require electric and phone wires to be underground.

335
336 Department Heads had no comments on this.

337
338 Mr. Monahan asked the applicant to justify the waivers requested.

339
340 Mr. Rich responded to the waivers are on the CUP Application 412-22:

341
342 7.10 E2 Height limitation of 90 ft. does not provide the best coverage. Tower height
343 required for best coverage is 190 ft.
344
345 7.10 E3 Local prioritization. No existing building, tower. Stealth tower at 90 ft won't
346 work.
347
348 7.10 E8 Mr. Chad Hebert with Black Diamond, Rising Tide Tower's Engineering firm
349 stated they are trying to waive "Evidence of Compliance must be submitted every
350 12 months.

351
352 They have designed tower with what the next guy might put on that tower. If anyone puts
353 anything on that tower, they will have their engineer will do a structural analysis to make sure
354 the tower can hold their equipment. If the standards change it would not put the tower in
355 jeopardy. They don't want the expense of having to do a yearly assessment. They do want to
356 work with the Town and will do whatever the town wants. Mr. Robinson stated that the tower is
357 inspected every three to five years. They can provide copies of those inspections.

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Matt Monahan asked to recap what the Federal compliances are:
FCC Broadcasting, FAA Tower Height, Structural Integrity of Tower, and
Federal Permits – all environmental requirements.

Mr. Orsmond inquired how many towers have you put up and Mr. Rich replied about 100 in the last eight years. Mr. Orsmond asked how many have been turned down to which Mr. Rich said not too many.

Mr. Berube asked the Planning Board if there were further questions and there were none.

At 9:09 p.m. Chairman Berube opened the Public Hearing, based on Findings of Fact presented by the applicant.

David Farr of 12 Heidi Lane Bow NH 03304 stated that Rising Tide Towers, LLC has a good reputation working with the state. We have a great partner in completing this project. The town voted overwhelmingly in favor of this project. The coverage for emergency situations is necessary to save lives.

Kevin McCann of 32 Branch Londonderry Turnpike E. Bow, NH 03304 asked Chad Hebert and stated he had attended the Zoning Board site walk where they discussed putting up a balloon. Could we drop a few trees, put a balloon up there, and not go by the illustrations provided? Top of tower for AT & T (has 25-year contract with the Federal Government), Band 14 is for First Net (Federally Mandated First Responder Network) and Band 5 which is 800mh for commercial care. Verizon operates on Band 13 and Band 5

Linda Millman of 80 Robinson Road Bow, NH 03304

Q: Is 190 ft. is the maximum height (lighting rod makes it 196 ft.) Will there be future extensions of this height?

A: They would have to come back before the Planning Board.

Q. Do you have documentation stating that no lights are needed?

A. They can provide the documentation

Q. Will no noise emanate from the Tower?

A. Two things: not deploying permanent stand by generator. All their cabinets have battery backup. They are all outdoor cabinets that have internal cooling and you don't hear them. Most carriers go with outdoor cabinets. She asked about other carriers and Rising Tide can only speak for themselves.

Q. Would tower have 4G LTE or 5G LTE antennas?

A. All 4G LTE antennas. Changes would mainly be an upgrade in technology. Mainly a radio changeout.

Q. Other technologies, is Star Link one?

A. They are an internet company, WIFI.

Q. Does Board intend a site walk?

A. Sandy Crystall stated that would be something the Planning Board would decide today.

Q. Re. Waiver on Federal requirements, thinks board should think seriously about that.

Townpeople would be more comfortable with that. Particularly levels of radiation.

405 A. Antennas, radios are federally regulated with FCC standards. It's built into the equipment.

406

407 Bill Dyroff of 34 Branch Londonderry Turnpike E, Bow NH 03304

408 Concerned about waiver of height restriction. Disingenuous with the pictures that were shown.

409 Would like to encourage the Board to have a different way to see how the tower is going to

410 impact. Would like a better definition of what it's going to like.

411

412 Deborah McCann of 32 Branch Londonderry Turnpike E, Bow NH 03304

413 Q. Concerned with the height of the tower. The biggest consideration is the coverages of the
414 schools. Could they go lower than 190 ft. and put a secondary tower on the school site?

415 A. Anything below will not provide the best coverage. They have to be up above tree canopy.

416 Q. Is this going to be a huge band aid for the Town? Is it going to cover all of Bow?

417 A. Directed toward Schools. South Bow, North on Bow Center Road will get improved
418 coverage.

419

420 David Glasier, Planning Board

421 Q. Do most towns have multiple towers?

422 A. Yes. Pittsburgh – 3 towers ; Errol – 3 towers

423

424 Sara Winter of 33 Putney Road, Bow NH 03304

425 Q. When you say improved coverage – is that because of who you have a carrier?

426 A. Rising Tide's contract is with A T & T. They have notified Verizon.

427

428 Mr. Orsmond, Planning Board

429 Q. First Responder issue is separate from that?

430 A. First Responder does not require Verizon or A T & T. First Net requires A T & T

431

432 Dee Treybig of 15 Londonderry Turnpike E., Bow NH 03304

433 Q. Mrs. Treybig was at site walk Saturday and was disappointed that only two Zoning Board
434 Members were there. Inquired about Native American historical site.

435 A. Rising Tide does an application with State Historical Society called "Ship Out".

436 They can cut trees but can't disturb earth. They will put gravel over the stumps to get to site.

437 Q. If you have to blast, will there be another impact study on historical site?

438 A. They would get a licensed person in there to see if it needs to be done. They don't want to
439 disturb it. It is a foundation with an old well.

440 Mrs. Treybig would love to see the Planning Board do a site walk- put the balloon up. She was
441 disappointed that none of the residents were asked for Rising Tide to take pictures.

442 Q. Star link – schools could get receiver and get service inside the building without a tower?

443 A. Mr. Berube said we're talking about cellular service.

444 Mrs. Treybig wishes the tower could be shorter than 190 ft.

445

446 Steve Nichols of 17 Londonderry Branch Turnpike East

447 Q. He is the abutter closest to this tower. It is very concerning. He feels the pictures are

448 disingenuous. Have you looked at any other sites? Should they do other assessments of other
449 sites in town?

450 A. This area met all the criteria. They did assess other sites.

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Q. Asked about 400 ft. setback?

A. Chad Hebert said the setback is 125% of the tower height

Megan McGuire from Rising Tide said center of tower to 17 Londonderry is 360 ft. from the property line. Mr. Nichols said he thought it was closer than that. Mr. Nichols would like Rising Tide to reevaluate the photos they took.

Susan Marcott Jenkins of 11 Hope Lane, Bow, NH 03304

Q. Guidance about RF emissions – wondering if there is something more recent?

A. At 190 ft. everything is categorically exempt by the Federal Government (after 10 meters). Within all the threshold by a landslide.

Kyle Gould 38 Branch Londonderry Turnpike E Bow, NH 03304

Q. Have you looked at a 160 ft. tree pole?

A. At 160 ft. not going to see a coverage footprint. Significantly better coverage at 190 ft.

Susan Moore of 11 Crockett Drive Bow, NH 03304

Mrs. Moore has a concern and is very disappointed that the Zoning Board of Adjustment did not address the problem of the height way above 90 ft. Mrs. Moore stated there is a claim that no lights are required on this 19-story building, that no lights will be required on this 190 ft. monstrosity in our back yards and asked if the F.A.A. had been approached and do they have proof in a letter. Patrick Robinson said that they have a F.A.A. determination letter. Mrs. Moore stated that they have neglected to decide what they are going to see from their front, back and bedroom windows. They are going to see this tower and if lighting ever does become required it will be shining in their back yards. Mrs. Moore stated she does not want to be looking at something that is 100 ft. over the 90 ft. trees. Mrs. Moore addressed some of the waivers and Chairman Berube stated that they had gone through all the waivers. Mrs. Moore asked about EMF radiation and board member Orsmond stated that science states there is no danger and no effects from it. Mrs. Moore asked if the tower was being constructed on an Indian burial site, as this is Native American Heritage month after all. Chairman Berube stated that had already been addressed. Mrs. Moore then referenced the 1996 regulations from the FCC and that it was for 3G, not for 4G and 5G which is a whole new ballgame when you are looking at the 1996 regulations.

Bruce Marshall, 12 Sharon Drive, Bow, NH 03304

Rising Tide gave presentations to the Town and apprised of 190 ft. height. He is not sure the Planning Board has the authority to change what was represented at the town when they voted it. The Townspeople were told that they would be given the opportunity to see what the tower would look like. Mr. Marshall would like to see the site walk moved along with the balloon test.

Kevin McCann of 32 Branch Londonderry Turnpike E. Bow, NH 03304

Q. Did the town vote to allow the select board to move forward with this?

A. The vote was to give the select board authority and move forward with this.

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Deborah McCann of 32 Branch Londonderry Turnpike E, Bow NH 03304

Q. If anybody contests the Planning Board, they have to go to Superior Court.

A. Sandy Crystall, Planning Board, stated the CUP goes to Superior Court, not the Site Plan.

Linda Millman of 80 Robinson Road Bow, NH 03304

Mrs. Millman took a look at the Certificate of Insurance and feels it is deficient in a few respects. She believes the limits are low. The carriers in their annual reports have disclosed that they have substantial personal liability with respect to litigation for injury in the wireless field. Also, the emissions are deemed as pollution. Many policies have a pollution exclusion. We need to know if there is a pollution exclusion. If so, a different company should be solicited to get insurance.

At 10:08 p.m. Chairman Berube closed the Public Hearing.

Sandy Crystall wanted to make a motion for a site walk with a balloon test.

Don Berube said what's the point of a site walk if it's not going to change anything.

Mr. Berube asked when we could do the balloon test?

Mr. Berube asked about a test with a drone. You would not be able to see it.

Sandy Crystall said they don't normally make a decision at the first meeting.

Sandy Crystal stated that the Wetlands shown on map are from National Wetland Inventory and inadequate for representing wetlands on the site. If there are no wetlands on the site, you need a wetland scientist to say that they've been out there and there are no wetlands on the site.

Megan McGuire stated that EDR reports basically highlight any of the nationally inventoried wetlands.

Sandy Crystall stated that is not adequate. That's not what our ordinance says. Our wetlands have to be field delineated by a certified wetland scientist.

10:21 p.m. Mr. Berube informed Amoskeag that their applications will be continued to Thursday, December 1, 2022 at 7:00 p.m.

Matt Monahan reviewed some the missing checklist notes. There was a question when revision 1 was submitted.

Staff report:

Drainage analysis – board wants third party.

No TRC comments from Department heads.

Waiver for electric underground UGE.

532 Potential conditions for Proof Bonding permits for town and agreement the Board of Selectmen
533 or it's designees may enter upon premises to inspect as necessary, and any checklist items still
534 outstanding.

535 Adam Sandahl asked about the driveway, the last part being steep. Tim Sweeney from DPW
536 will be consulted.

537 Megan McGuire spoke on the slope of the road. She deferred to the road designer who is on
538 vacation.

539 David Glasier said if we want to grant that Conditional Use Permit, we need to go through the
540 Findings of Fact.

541 The Board discussed Ordinance 12.05. Mr. Glasier walked through the list.

542 Matt Monahan looked then to sections:

543 7.10 E (page 42 of Ordinance Book)

544 Article 13.02 B2 A, and then to waivers.

545 Matt Monahan recommended that the narrative would address each item of each ordinance.

546 This is the written information. Mr. Glasier wants to make sure the Findings of Fact line up with
547 the narrative. He is concerned about 13.01 B

548 Wetland information needs to be clarified.

549 *Upon motion made by Mr. Glasier and duly seconded by Mr. Sandahl to do a site walk with a*
550 *balloon test on Saturday December 3, 2022 at 8:00 a.m. and continue this meeting to*
551 *December 15, 2022 . The vote passed by a unanimous vote in favor.*

552
553 *Upon motion made by Mr. Wayne and duly seconded by Mr. Berube that the meeting*
554 *adjourn. The vote passed by a unanimous vote in favor.*

555
556 11:00 p.m. Meeting adjourned.

557
558 **III. OLD BUSINESS – None**

559 **IV. NEW BUSINESS - None**

560 **V. CORRESPONDENCE AND OTHER BUSINESS – None**

561 **VI. REVIEW OF MINUTES: October 20, 2022 (continued)**

562 **VII. NON-PUBLIC SESSION RSA 91-A:3**

563 **VIII. ADJOURN**

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565

566 Respectfully submitted,

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569

570 Adam Sandahl, Secretary