

Bow Telecommunications Committee

Friday, May 19, 2023

Approved Minutes

On Friday, May 19, 2023, Bow Telecommunications Committee met in meeting room C at the Bow Municipal Building, 10 Grandview Rd, Bow, NH, 03304.

I. CALL TO ORDER

Co-Chair Dee Treybig called the meeting to order at 9:20 AM. The meeting had been delayed due to technical difficulties with the video, and the room was moved from A to C. Co-Chairs Dee Treybig and Deb McCann, Select Board representative Mike Wayne, Mike Wheeler, Marilee Nihan, Bow Community Development Director Karri Makinen. It was noted that the committee is still looking to add a community member familiar with RF issues, as well as possibly an Ad Hoc member from Dunbarton.

II. ACCEPTANCE OF MINUTES FROM 4/25/23 MEETING

The minutes were reviewed, changes discussed, and minutes amended. Deb McCann moved to approve the minutes, as amended, seconded by Marilee Nihan. Motion passed 6-0.

III. NEW BUSINESS

- Marilee Nihan presented 2 maps, created by (Tilson Tech). The lack of towers in Bow, as compared to surrounding towns, is very apparent. It was noted that 100% coverage from any of the towers could only mean "one bar" of coverage for some customers. There was a question regarding "fiber and back-hauling" from page 4 of Marilee's presentation. Mike Wayne offered to research this and add to his presentation more information.
- Karri Makinen deferred to Mike Wheeler to discuss April-August 2005 ZBA meetings regarding the Strablizky/Us Cellular Tower history and lawsuit.
- Mike Wheeler discussed the prior attempt to build a cell tower from 2005, and the subsequent litigation that failed. Zoning changes were made in 2006, in response to this attempt. There was discussion about the town of Sutton having a special plan for cellular coverage, three smaller towers in different locations. This did not cover the whole town; however, Vertex towers placed a 190-foot tower near Newbury that added coverage for Sutton and Newbury together. Mr. Wheeler noted that David Maxson, an RFF engineer from MA familiar with the 2005 attempt, has offered services and to review the current contract.
- Deb McCann discussed the approved current tower status of the approved Rising Tide Tower on town owned land off Branch Londonderry Tpke E. Mike

Wayne, Chair of the Selectboard, responded that the tower is on hold, pending litigation. Deb requested that we receive updates the Bow Town Attorney, Eric Maher.

- Dee Treybig reported she had contact from an RF Engineer willing to work with the committee but was not sure if they were a Bow resident.
- Mike Wayne discussed his attempts to “put meat on the bones” of the existing maps, adding additional information with regards to the FCC Telecommunication act of 1996 which basically outlines what communities can and cannot do. He has been doing a ton of research and will report at the next meeting.
- Marilee Nihan gave a history of the Bow Citizens Committee for Cell Coverage. She stated that this was an informal group of concerned citizens, loosely formed, who met approximately 6 times and gathered information to present to the Town. No minutes were taken. Their primary concern was safety and improving coverage in the higher residential areas of town. They contacted a number of companies and received little response except for Tilson Tech (Cell speculators), Wireless Partners, and Rising Tide Towers. It was noted that Wireless Partners and Rising Tide Towers are connected. The Citizen group sent out a survey (Survey Monkey) via social media. There was a good response of 920.
- Deb McCann gave an overview of the timeline for the current approved cell tower. In 2019, as noted above, social media questions began to appear on the Bow Community Facebook page asking if there has been any forward motion in looking at improving cell coverage in town. The citizen group was formed and worked toward preparing a Warrant Article, presented by Select Board at the 2021 Town Meeting. The warrant was defeated 104-57, largely because the discussion was that there was not enough information. The Citizen committee went to work over that year and presented an Information Meeting in January of 2022 with Rising Tide Towers to answer questions. The warrant was placed again on the ballot at the 2022 Town Meeting and passed. Abutters on Branch Londonderry Turnpike East, Crockett Drive, Hollow Road, Laurel Drive and Sharon Drive were notified of the plan to place the tower on the “Marshall Property” (Town owned). It was noted that several of the Town of Bow Zoning Ordinances would have to be waived to place a 190-foot tower on this property. The Planning Board met to consider these waivers for the first time on 11/17/2022. An abutter group was present, as well as a representative from Rising Tide Towers. There was much discussion regarding tower height, elevation, placement on the property, effect on property values, etc. The meeting was continued three times until the final vote on 2/2/2023, at which time the PB voted unanimously to grant all waivers. Subsequently, an appeal has been filed by one of the abutters with NH Superior Court, has been delivered to the Select Board and they have to respond by the first week in May per Mike Wayne. There is currently a hold on the project until a decision is made by the Court.

IV. ACTION ITEMS

- Review other Community plans.
- It was decided that the Committee would delay contacting Telecom Developers until more information was gathered.

V. OLD BUSINESS

- Karri Makinen had nothing to add regarding the Telecommunication history or comments from BDC perspective.
- Karri will see about having a map displayed Meeting Room C showing town parcels and wetlands for possible tower sites.
- There have been no applications from anyone with RF Engineer experience for the committee.

VI. PUBLIC COMMENT

Susan Wheeler, 57 Dunbarton Center Road, Bow, NH, stated that she would like to see the committee review the taxpayer expense for the RTT contract and lawsuit.

VII. NEXT MEETING

The next meeting is scheduled for Friday, June 2, 2023 at 9:00 AM.

VIII. ADJOURNMENT

Deb McCann made a motion to adjourn, seconded by Karri Makinen. Motion passed 6-0. The meeting was adjourned by Dee Treybig at 11:00 AM.