

1 MILFORD PLANNING BOARD AND ZBA JOINT MEETING MINUTES ~ APPROVED

2 August 4, 2020 Via Zoom, 6:30 PM

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4 **Members Present:**

5 Tim Finan, Planning Board Vice Chairman  
6 Paul Amato, Planning Board Member  
7 Pete Basiliere, Planning Board Member  
8 Susan Robinson, Planning Board Member  
9 Janet Langdell, Planning Board Member  
10 Jason Plourde, ZBA Chairman  
11 Rob Costantino, ZBA Member  
12 Mike Thornton, ZBA Member

**Staff:**

Kellie Walsh, Planner  
Darlene Bouffard, Recording Secretary  
Lincoln Daley, ZBA Administrator

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14 **EXCUSED:**

15 Laura Dudziak, Selectman's Representative  
16 Doug Knott, Planning Board Chairman

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20 **1. Call to order:**

21 T. Finan called the meeting to order at 6:30 p.m. in the absence of D. Knott and read the Telephone  
22 Conference Preamble as follows:

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24 ***MEETING PREAMBLE DURING COVID-19 EMERGENCY***

25 *Good Evening, as Chairman of the Planning Board, I am declaring that an emergency exists and I am*  
26 *invoking the provisions of RSA 91-A:2, III (b). Federal, State, and Local officials have determined that*  
27 *gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to*  
28 *combat the spear of COVID-19. In concurring with their determination, I also find that this meeting is*  
29 *imperative to the continued operation of Town government and services, which are vital to public safety*  
30 *and confidence during this emergency. As such, this meeting will be conducted without a quorum of this*  
31 *body physically present in the same location.*

32 *At this time, I also welcome members of the public accessing this meeting remotely. Even though this*  
33 *meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct*  
34 *and decorum apply.*

35 *Public comments will be limited to three minutes per person. Any person found to be disrupting this*  
36 *meeting will be asked to cease the disruption. If the disruptive behavior continues thereafter, that*  
37 *person will be removed from this meeting.*

38 *Please note that all votes that are taken during this meeting must and will be done by Roll Call Vote.*

39 *Let's start the meeting by taking a Roll Call attendance. When each member states their name, also*  
40 *please state whether there is anyone in the room with you during this meeting, which is required under*  
41 *the Right-to-Know Law.*

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43 Members and staff were polled individually: J. Langdell at her home in the room alone; T. Finan was at his  
44 home in the room alone; P. Basiliere was at his home in the room alone; Paul Amato was at his home in the  
45 room alone; S. Robinson was at home, alone in the room with her cat; D. Knott was in the Board room alone;  
46 K. Walsh was in her Community Development office alone in the room. Zoning Administrator Lincoln Daley  
47 was in his office alone in the room; Jason Plourde was in the Community Development conference room  
48 alone in the room; Rob Costantino was at home, alone in the room; Mike Thornton was at home, alone in the  
49 room.

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51 **2. Public Meeting(s):**

- 52 a. **Glen and Patricia Wright – Off Crestwood Lane – Tax Map 49, Lot 2. Review and**  
53 **recommendation for a parcel without frontage on a Class V road or better.**  
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T. Finan was asked to step in as Chairman until D. Knott is able to log into the meeting, he is currently experiencing technical difficulties. T. Finan asked if the applicant representing the Crestwood Lane parcel can speak. L. Daley spoke on behalf of the applicants indicating that July 2, there was a ZBA Variance granted to build a single family residence with less than the minimum frontage on a Class V road or better. This is in front of the Planning Board tonight because it is a two-step process after the variance is granted. The variance was approved for frontage but it needs to get a recommendation to the Board of Selectmen from the Planning Board whether a Building Permit can be issued. There is a dedicated easement that is already recorded. This is a repeat of a Variance granted in 2012 (for the same property), for which nothing was done and it therefore expired. RSA 674:41 states that the Planning Board needs to advise the Board of Selectmen on the issuance of a Building Permit to build a single family residence on a lot that does not have the minimum frontage. P. Amato said he does not remember ever doing this before. L. Daley said this has been done many times before. In 2000 the Board approved a subdivision without any frontage and it came before the ZBA for approval and got approved; the Planning Board in 2012 (on this lot) approved and recommended to the BOS the build permit for a single family residence. L. Daley stated this is a 15-acre lot and will only have one house.

T. Finan asked if there is something that will prevent a roadway to the lot from being built? L. Daley said yes, it is a dedicated easement for one single family residence. The ZBA discussed that and the development potential for that lot. The Variance is for a single family residence only. T. Finan asked if there were any questions from the Planning Board. S. Robinson asked if this will be only one single family residence, noting that she lost the zoom meeting for a moment. L. Daley repeated the owner's desire is to build a single family dream home. There were no further questions from the Board.

P. Amato moved to recommend to the Board of Selectmen to allow the issuance of a Building Permit for this single family residence. P. Basiliere seconded. A poll was taken: P. Amato yes; P. Basiliere yes; P. Amato yes; S. Robinson yes; T. Finan yes. Motion passed.

- b. **AT&T for the property located at 19 Garden Street, Tax Map 25, Lot 67.** Preliminary discussion for the construction of a 140 foot tall wireless communications facility (120 foot lattice structure with 20 foot whip (omni) antenna) within the Commercial Zoning District.

K. Walsh explained that just to be clear, State statute states that when there is a joint Planning Board and Zoning Board of Adjustment meeting, the Planning Board is in charge of the meeting. D. Knott took over as chair, asking for the applicant representative to introduce themselves. Elizabeth Kohler and Janille Smith were present for this application with Jeff Dellicolli providing additional information as needed. Elizabeth Kohler, who goes by Beth, wished to share a short video and then will talk about the site plan and balloon test. After the video, Beth explained that AT&T chose the Milford area as it needed coverage and the tower would add service to the area. This will improve the local public service dispatch. We will be building the tower to support the emergency services and add the whip at the top. FirstNet was started from the 911 event as a result of Homeland Security.

P. Basiliere asked how many private sector companies are involved with FirstNet? Beth responded that AT&T is in charge of building these nationwide, and that every state opted to have AT&T to be the contractor. From a wireless carrier perspective this is AT&T, its services will be there through AT&T, and public safety has the ability to tie into it and buy the equipment to put there.

Beth showed the site plan including the profile of the tower. The height was discussed, it will be a 120' self-supporting lattice tower, with the whip antenna going up to 140'. The balloon tests were done at 120'. There are places on the tower for additional public safety equipment. An equipment shelter and generator are also included on the site plan. D. Knott asked if this will take away any space from the public parking lot? C. Frye said no, it will not take away any municipal parking spaces. L. Daley said there is the possibility of adding additional carriers, asking if that will impact the ground mounted antennas. Beth responded that yes, it could affect that if there is not enough existing space on the tower, but it is likely there will be space. L. Daley indicated any new carriers

would need to go before the ZBA for approval. L. Daley asked if each carrier will require a generator? M. Thornton stated a generator is a safety issue.

The following summarizes the complete discussion at the joint meeting:

- AT&T (Elizabeth Kohler, Jennille Smith) provided a brief overview of FirstNet, the draft site plan and reviewed the photo simulations/photos taken during the balloon test.
- The Boards expressed the need for additional information regarding other potential sites/structures to locate the tower (Article VII, 7.09.2 Telecom Facilities)
- Another balloon test with proper notification (newspaper, town officials etc.)
- Clarification/reasoning as to why the tower needs to be 140 feet tall
- Canopy height
- Clarification regarding who is the applicant for this proposal. Did AT&T approach the Town or did the Town approach AT&T?
- Both Boards reiterated there may be a need for the tower with regard to public safety, however there is also a need/responsibility of the Boards to follow the zoning ordinance (telecom ordinance). The Boards emphasized the applicant should keep this in mind when submitting a formal application.
- Question from C. Labonte regarding 8/4 meeting notification - meeting was noticed in the Cabinet on 7/30/20, individual abutter notifications were sent out, 8/4 meeting agenda was posted on the town of Milford website on 7/23 , agenda was included in email to Planning Board/Zoning Board members on 7/30 and 7/28.

3. **Adjournment.** The meeting was adjourned at \_\_\_\_ p.m. on a motion made by P. Amato and seconded by P. Basiliere. D. Knott took a poll: T. Finan, aye; P. Amato, aye; J. Langdell, aye; P. Basiliere aye; D. Knott aye. Motion passed..

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Signature of the Chairperson/Vice-Chairperson:      Date: \_\_\_\_\_

**MINUTES OF THE 8/4/2020 MEETING WERE APPROVED 9/15/2020**