

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



Administrative Review

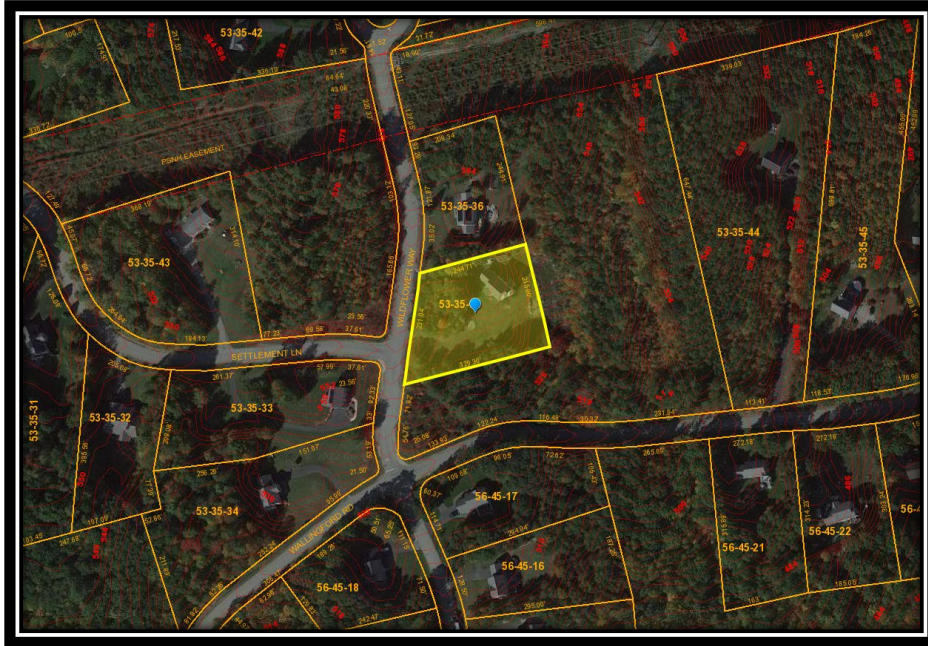
Date: April 15, 2022
To: Jason Plourde, Chair, Zoning Board of Adjustment
From: Lincoln Daley, Community Development Director
Subject: **Case #2022-04 Ryan and Lisa Retelle Revocable Trust for the property located at 11 Wildflower Way, Tax Map 53, Lot 35-35** – Special Exception Application to Exceed Maximum Structure Height in the Residential R District.

The applicant is before the Board of Adjustment seeking a Special Exception from the Milford Zoning Ordinance, Article V, Section 5.04.7.C to allow the construction of a single 68-foot tall, amateur radio station antenna structure on the subject property in the rear eastern portion of the single-family residential property where a 35-foot maximum height is permitted in the Residential 'R' Zoning District. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:
 - a. The subject property is approximately 1.42 acres with in excess of 231 linear feet of frontage on Wildflower Way. The property contains a 4-bedroom, two-story, single-family residence, 576 square foot attached garage, and 144 square foot shed, and ground mounted solar panels all situated in the northeast section of the of the property. The property is primarily undeveloped with the front half and southern portions mainly wooded.
 - b. The property is serviced by private well and septic.
 - c. The subject property is situated an established single-family residential area. To the north and southwest, lies single-family residences. The property directly abuts conservation land to the east, west and south.
2. The proposal calls for the construction of one (1) 56-foot tall amateur radio station structure and 12 foot, 2.5 inch diameter antenna extension. The lattice structure will be bracketed to the applicant's southeast side of their house. The southeast side of the house faces conservation land and contains natural buffering from the Wildflower Way. The tower will be approximately 143' from the nearest home (Tax Map 53 Lot 35-36). The tower is located outside of the 15 side and rear dimensional setbacks (minimum of 76 feet from the rear property boundary – See Exhibit D). The lattice structure will be comprised of approx. 16 inch wide panel and secured by cabling
3. In accordance with Section 5.04.7.A within the Residential 'R' Zoning District, the maximum height of a structure is 35 feet. Pursuant to Section 5.04.7,C, a structure may exceed the maximum height of 35 feet with the issuance of a Special Exception by the Board of Adjustment.
4. Staff Comments:
 - a. The applicant should be prepared to explain what alternative locations and antenna designs were considered.

- b. The applicant should explain the total amount of area to be cleared/disturbed to construct the towers. What impact will the removal of natural vegetation/trees have on the visibility of the towers?
- c. The applicant should provide more detail or clarification on how the tower will be installed. More specifically, please explain how the tower will be secured to the house and will the tower require cabling.
- d. The application states that there will be minimal visual impact on abutting properties given its proposed location and natural buffering. The applicant should be prepared to explain/detail what analysis has been completed to make this determination? The Board may want to consider additional analysis to determine the potential visual impact along Federal Hill Road and abutting properties
- e. The applicant should explain the long-term use of the towers and possible co-location and/or structural improvement to co-locate commercial wireless service uses.

Aerial Photos of Subject Property:



Street Photos of Subject Property:



11 Wildflower Way Northwest Property Corner (Driveway) Looking East



11 Wildflower Way Northwest Property Corner (Driveway)
Looking Southeast

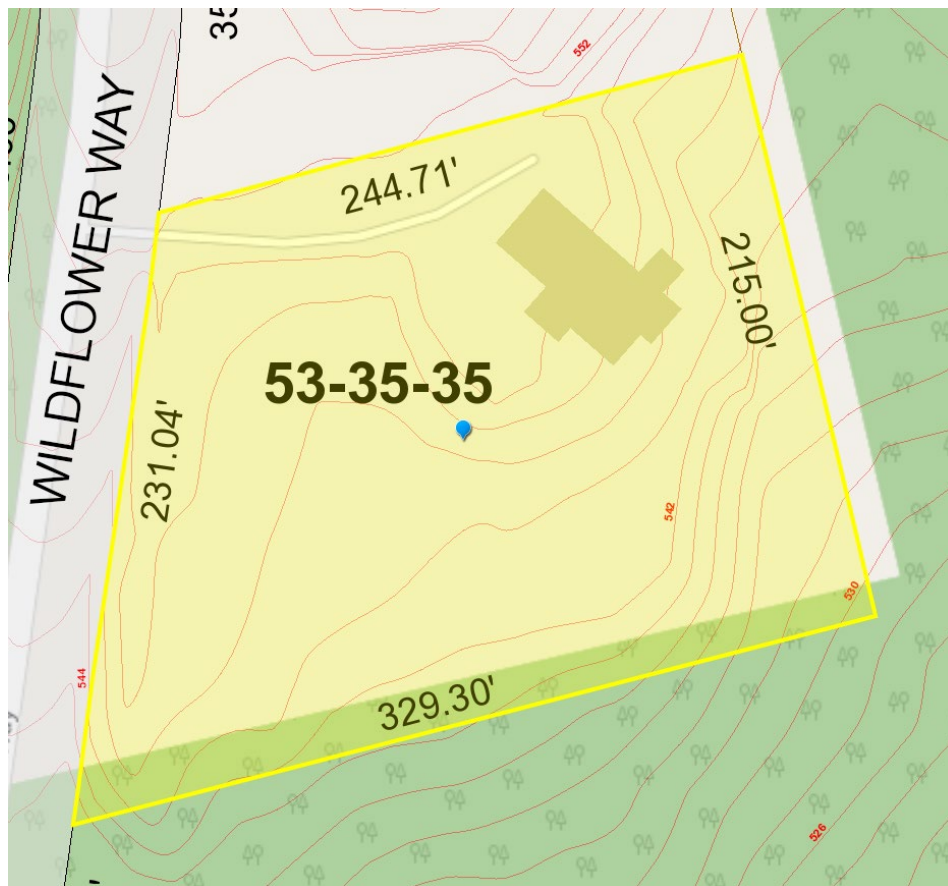
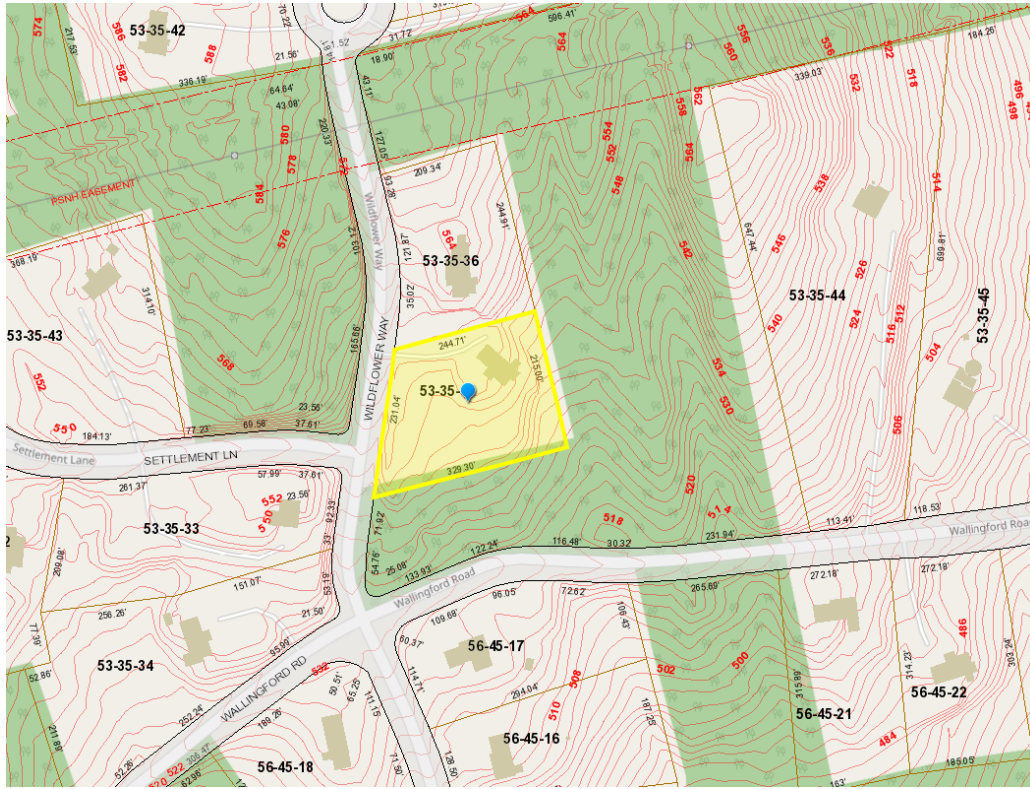
11 Wildflower Way Westerly Property Line
Looking Northeast



11 Wildflower Way Southwest Property Corner
Looking Northeast



Elevation Map of Subject Property:





ZBA Application
MILFORD ZONING BOARD OF ADJUSTMENT

GENERAL PROPERTY INFORMATION FOR ALL APPLICATIONS

TOWN OF MILFORD
 RECEIVED
 MAR 22 2022

Date Received: 3-22-22
 Case Number: 2022-04
 Application Number: 2022-0566
 Hearing Date: 4/21/22
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: 11 Wildflower Way
 Tax Map / Parcel #: 53-35-35 Lot Size: 1.42

PROPERTY CURRENTLY USED AS

Single Family Residence.

If the application involves multiple lots with different owners, attach additional copies of this page.

PROPERTY OWNER

Name: Ryan & Lisa Retelle Revocable Trust
 Address: 11 Wildflower Way
 City/State/Zip: Milford, NH 03055
 Phone: () 781.491.6812
 Email: ryanretelle@Gmail.com

The applicant is the person who is making this proposal on behalf of themselves, the owner or a third party. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, an engineer or lawyer, etc. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

APPLICANT/REPRESENTATIVE

SAME AS OWNER
 Name: _____
 Address: _____
 City/State/Zip: _____
 Email: _____
 Phone: () _____ Cell: () _____

The undersigned property owner(s) hereby authorize(s) the filing of this application and agree to comply with all code requirements applicable to this application.

Ryan Retelle 24 March 2022
 Property Owner's signature Date:

Zoning District (check one):

- Residence A
- Residence B Residence R
- Commercial
- Limited Commercial
- Industrial
- Integrated Commercial-Industrial
- Integrated Commercial-Industrial-2

Overlay District (check any that apply):

- West Elm Street Overlay
- Nashua/Elm Street Overlay
- Commerce & Community Overlay
- Open Space & Conservation
- Wetlands Conservation
- Groundwater Protection
- Floodplain Management

APPLICATION FEES

Application Fee:	\$75.00
Abutters Fee: ^{4.28} \$4 x <u>42</u>	<u>179.76</u>
Amount received:	<u>254.76</u>
Date Received: <u>ck</u> <u>2/22</u>	
Check <input checked="" type="checkbox"/> Cash <input type="checkbox"/>	

THE FEES ASSOCIATED WITH THIS APPLICATION DO NOT APPLY TO ANY OTHER FEES REQUIRED FOR APPROVAL OF THIS PROJECT. PLANNING, IMPACT, BUILDING AND OTHER FEES MAY APPLY.



ZBA Application – Special Exception
MILFORD ZONING BOARD OF ADJUSTMENT

TOWN OF MILFORD
 RECEIVED
 MAR 22 2022
 PB ZBA Office

Date Received: _____
 Case Number: _____
 Application #: 2022-0516
 Date Complete: _____
 Hearing Date: _____
 Decision Date: _____
 Decision: _____

PROPERTY INFORMATION

Street Address: **11 Wildflower Way**

Tax Map / Parcel #: **#53-35-35**

A Special Exception is a use which is permitted by the Zoning Ordinance, but requires approval from the Zoning Board of Adjustment. Most special exceptions have a list of additional criteria that must be met in order for the ZBA to approve the application.

***Note that in addition to the specific criteria that may be listed for a particular special exception, all special exceptions are subject to the general criteria in Section 10.02.1 of the Zoning Ordinance.**

What section of the Zoning Ordinance are you applying under?

Article V Section 5.04.7.C

Describe the use you are proposing under the above section of the Ordinance.
Maintain a single, amateur radio station antenna support structure for personal use. See attached Supplemental Information document.

**Application for
 (check all that apply):**

- Change/Expansion of Non-conforming Use/Structure (2.03.1.C)
- Wetland Buffer Impact (6.02.6)
- Accessory Dwelling Unit (10.2.6)
- Office in Res-A & B (10.2.7)
- Home Business (7.12.6)
- Side/Rear Yard Setback Reduction (Zoning District Specific)
- Other

General Criteria Section 10.02.1

Describe the project you are requesting a Special Exception for:
Erect a 56' tall house-bracketed Rohn55G antenna support structure.

Explain how the proposal meets the general criteria as specified in Article X, Section 10.02.1 of the Zoning Ordinance:

- A. The proposed use is similar to those permitted in the district because:
The proposed use (personal amateur radio station) is similar to other amateur radio antenna support structures approved in the Town of Milford. See ZBA Case #2021-14.
- B. The specific site is an appropriate location for the proposed use because:
The applicant has a FCC license, the proposed use is permitted at this residence and the purpose also promotes the purpose of Zoning Ordinance 1.01.1, which one part is to promote "safety".
- C. The use as developed will not adversely affect the adjacent area because:
The proposed antenna structure will be located in the center of the property, towards the wooded common area and will be difficult to see from the public roads; Wallingford Rd and Wildflower Way.
- D. There will be no nuisance or serious hazard to vehicles or pedestrians because:
The antenna support structure will be located approx 120 feet North of the Southern property line (Wallingford Road) and 80 feet West of the Eastern property line (wooded common land). It will be inspected in accordance with the Building Code.
- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use because:
It will be used as intended and will be built in accordance with the Town of Milford building code, EIA/TIA-222 standards and good engineering practice. The applicant will assemble the tower with the assistance of a professional contractor.



**State of New Hampshire
Town of Milford
Zoning Board of Adjustment**

**Supplemental Information
to accompany
ZBA Application
for a
Special Exemption**

**Submitted by:
Ryan Retelle
11 Wildflower Way
Milford, NH 03055**

**781.491.6812
ryanretelle@Gmail.com**

24 March 2022

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Executive Summary

This is a proposal to erect and maintain a single amateur radio station antenna support structure on a 1.42 acre property (Lot 53-35-35) zoned as Residence "R" within the Town of Milford, New Hampshire.

To accomplish this, a Special Exception is required by §5.04.7.C, for a height greater than 35 feet in the Residence "R" District. The Special Exception will permit the applicant to erect and maintain private, non-commercial amateur radio station antenna structure for personal use. The applicant is an individual and has been licensed by the Federal Communications Commission (FCC) since 2019. See **Exhibit A**. His FCC license, qualifies him for the protections of the limited preemption for amateur radio by federal law contained in 47 CFR §97.15(b), and the comparable preemption found at RSA 674:16 IV. Amateur radio station antenna structures, are inherently non-commercial, and are an ordinary use of a residence ⁽¹⁾.

Amateur radio is a permitted use in all zones of Milford. The proposed station antenna structure is an ordinary use accessory to a residence, permitted as a matter of right in the Residence R District, §5.04.1A. It also further the purpose of promoting the public safety, morals and general welfare of the zoning ordinance §1.01.0.

The proposal is not a "telecommunications facility" as defined in §7.09.1.

The antenna support structure will be 56 feet tall and will be bracketed to the applicant's Southeast side of their house. The Southeast side of the house faces forested common land and is well obscured from the public roadway. The antenna support structure will be located near the center of the property providing a wide margin of distance from any vehicles or pedestrians on either Wildflower Way or Wallingford Road. See **Exhibit E**.

The proposed antenna support structure will allow the applicant to safely access their antenna without needing a boom lift, which when operated on the property, always possess a fall risk (personal injury) to the applicant. Additionally, the applicant wishes to add a porch to the front of the house later in the year. When the porch is built, it will then prohibit the use of a boom lift, due to the proximity of the septic system in the yard. See **Exhibit D**.

A permit for the proposed system would be consistent with public policies, both state and federal, protecting the rights of licensed radio amateurs to construct and use amateur radio facilities.

The applicant and his wife own the property (held in a Trust), which was acquired in 2016. The deed appears in **Exhibit B**.

The applicant's wife supports this application. See **Exhibit C**.

The applicant has sent a personal letter to his abutting neighbors to inform with them about the proposed project and help answer any questions that may arise. See **Exhibit D**.

This application presents the most viable option for the placement of the proposed antenna support structure on the applicant's property

(1) Marchand v. Town of Hudson, 147 N.H.380 788 A.2d 250 (N.H. 2001).

Federal Regulations and Zoning Ordinances

What does not apply

As a discussion point, the Telecommunications Act of 1996⁽²⁾ does not apply to this applicant's application. The Telecommunications Act of 1996 was an update to our nation's telecommunications laws to allow for better competition between commercial businesses. The applicant is not a commercial business, nor does the applicant operate a wireless service facility, mobile service, or a common wireless exchange access service. An excerpt from the referenced Act of 1996 makes this clear; "Telecommunications facilities do not include private or non-commercial wireless communication facilities such as amateur ham radio and citizen band radio."

The applicant is a non-commercial, FCC-licensed, radio amateur, who operates under the regulatory restrictions of 47 CFR Part 97. The federal regulations Part 97.1(a) states all amateur radio uses are inherently non-commercial, under the terms of the license.

Therefore, the zoning ordinance of §7.09 [Telecommunication Facilities] does not apply to the applicant's application. Ordinance §7.09.4 [Dimensional Requirements], which apply to "carriers" and "fall zones" do not apply. The station antenna structure is for amateur radio, not broadcasting, cellular telephone, paging or any other commercial purpose. The applicant will accept a permit condition to the following effect: "The station antenna structure shall not be used to support common-carrier cellular telephone or any other commercial purpose antenna(s)".

What is applicable

Highlighted below are applicable Revised Statutes Sections, Regulations and Zoning Ordinances and Congressional Resolutions to be considered:

RSA §674:17.III

"Except as provided in RSA 424:5 or RSA 422-B or in any other provision of Title XXXIX, no city, town, or county in which there are located unincorporated towns or unorganized places shall adopt a zoning ordinance or regulation with respect to antennas used exclusively in the amateur radio service that fails to conform to the limited federal preemption entitled Amateur Radio Preemption, 101 FCC 2nd 952 (1985) issued by the FCC".

47 CFR §97.15(b)

"State and local regulations of a station antenna structure must not preclude amateur service communications."

Zoning Ordinance §5.04.1.A

It is a use, a use accessory to a residence, permitted as a right.

Public Law 103-408, Oct 22nd, 1994. 103d Congress Joint Resolution

To recognize the achievements of radio amateurs, and to establish support for such amateurs as national policy.

Section 1. Findings and Declarations of Congress -

(3) reasonable accommodation should be made for the effective operation of amateur radio from residences, private vehicles and public areas, and that regulation at all levels of government should facilitate and encourage amateur radio operation as a public benefit.

(2) The Telecommunications Act of 1996, 47 USC §332 *ET SEQ*
https://en.wikipedia.org/wiki/Telecommunications_Act_of_1996

Permitted by Special Exception

As a Special Exception must be granted due to §5.04.2.A.13 and §5.04.7.C by following the logic within:

§10.02.1

The Board of Adjustment may in appropriate cases and subject to appropriate conditions and safeguards as determined by the Board, grant permits for such special exceptions as allowed in the various zoning districts as set forth in Article II. The Board may refer all applications for special exceptions to the Planning Board for its review and recommendations prior to holding public hearing on the application. The Board of Adjustment, in acting on an application for a special exception shall take into consideration the following conditions:

- A. The proposed use shall be similar to those permitted in the district.

Response: The proposed use is similar to other amateur radio antenna support structures approved in the Town of Milford. Example: ZBA Case #2021-14 [John Webster 172 Federal Hill Road]. See **Exhibit I**.

- B. The specific site is an appropriate location for the proposed use.

Response: As the New Hampshire Supreme Court has written, “New Hampshire and federal law require municipalities to accommodate amateur communications⁽³⁾.” And the proposed use is permitted at this address. The proposed use also promotes the purposes of the Zoning Ordinance found at §1.01.1, which are to promote “the public health, safety, morals, general welfare and civil rights of the inhabitants of the Town of Milford.”

The question of whether or not an amateur radio use promotes the general welfare can be satisfied by showing that the FCC license was issued⁽⁴⁾. The applicant has an FCC License. See **Exhibit A**.

- C. The use as developed will not adversely affect the adjacent area.

Response: Located 120 feet North of the Southern property line (parallel to Wallingford Road) and 80 feet West of the Eastern property line (wooded common land), the antenna support structure will be blocked from view from the public roads. See **Exhibit F**.

- D. There will be no nuisance or serious hazard to vehicles or pedestrians.

Response: The proposed use is allowed by the legislature under RSA 674:16.IV and 674:17.III. It cannot be a nuisance. Assuming inspection in accordance with the Building Code, it will not present a “serious hazard”.

- E. Adequate appropriate facilities will be provided for the proper operation of the proposed use.

Response: The proposed antenna structure system will be used as intended and will be built in accordance with the Town of Milford building code, EIA/TIA-222 and good engineering practice. The applicant will assemble the tower with the assistance of a professional contractor, who has over thirty years of installation experience. See **Exhibit J**.

(3) *Machand v. Town of Hudson*, 147 N.H. 380, 386 (2001).

(4) *T-Mobile Northeast LLC v. Borough of Leonia Zoning Board of Adj.*, 942 F. Supp. 2nd 474, 486 (USDC D HJ 2013).

Description of the Proposed System

The station antenna support structure will be bracketed to the Southeast side of the applicant's house. **See Exhibit E.**

The applicant proposes to erect one station antenna structure manufactured by Rohn Manufacturing Company, of Peoria, IL, model number 55G to a height of 56 feet. This is an equilateral, triangle design using 1.5" O.D. 11 gauge steel. The cross-bracing is formed from a continuous 7/16" solid steel rod welded every 16.25" on the vertical structure. A total of six 10' sections of structure will be used; each being sleeved onto the one below and double bolted for extra strength. Four feet of the bottom most structure will be secured in cement resulting in a total lattice structure height of 56 feet. A 2.5inch diameter, 24 foot long mast will be mounted in the center of the triangle structure with approximately half of its length extending above the lattice structure. This will result in a total structure height of approximately 68 feet. A copy of the manufacturer's spec sheet is included in **Exhibit G.**

The structure has been designed for a wind loading of 49.5 lbs per square foot. There will be a large safety margin for a broad range of size antennas following the industry standard, EIA/TIA-222-E. The design criteria assumes .5" of ice covering the entire structure and antenna at a wind velocity of 80mph. As the basic wind speed for Hillsborough County under the EIA/TIA code is 80mph, this antenna support structure is overbuilt.

The galvanized steel will weather to a non-reflective, dull-grey finish, which will blend with the backdrop of the wooded area. The proposed installation will be unlighted, not impacting the night sky. It will not impact air or water resources. It will not generate noise, nor change any temperatures. It is not a hazard to air traffic and will be further than 5 miles from any airport and below 200 feet (which would require a flashing light and high-visibility paint). **See Exhibit H.**

The applicant will initially be reusing their basic End-Fed Half Wave (EFHW) wire antenna for the HF bands (80m-10m) and vertical fiberglass antenna for the VHF bands (2m/70cm). These antennas will have a minimal effect on the wind loading. The applicant may change, modify or improve the antenna to support different frequencies.

Conclusion

Zoning for amateur radio antenna systems is one of those rare areas of law where an application must be considered against the backdrop of a federal preemption of local zoning law.

For the reasons set forth above, the applicant requests that this application be granted for the amateur radio station antenna structure as submitted.

Sincerely,



Ryan Retelle

Exhibit A

Applicant's FCC License



		UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION			
AMATEUR RADIO LICENSE KC1MAJ					
RETELLE, RYAN J PO BOX 101 MILFORD, NH 03055					
FCC Registration Number (FRN): 0024696049					
Special Conditions / Endorsements					
NONE					
Grant Date	Effective Date	Print Date	Expiration Date		
10-10-2019	12-06-2021	12-07-2021	10-10-2029		
File Number	Operator Privileges		Station Privileges		
0009821549	Amateur Extra		PRIMARY		
THIS LICENSE IS NOT TRANSFERABLE					
_____ (Licensee's Signature)					
FCC 660 - August 2021					

Exhibit B

Deed

Book: 9395 Page: 548

Exhibit A - Property Description

Closing Date: December 9, 2020

Borrower(s): Ryan J. Retelle, Trustee of the Ryan J. Retelle and Lisa A. Retelle Revocable Trust Agreement

Property Address: 11 Wildflower Way, Milford, NH 03055

A certain tract of land with the buildings thereon, located in the Town of Milford, County of Hillsborough, State of New Hampshire, shown as Lot number 53-35-35 along with a 1/41 interest in the Common Open Spaces as shown on a plan entitled, Subdivision Plan, Federal Point Estates Subdivision, Milford, New Hampshire as prepared by Keach Nordstrom Associates, Inc. dated July 18, 2000, revised through October 10, 2001", and recorded at the Hillsborough County Registry of Deeds as Plan No. 31405. Reference to said plan is being made for a more particular description.

Together with and subject to Declaration of Covenants and Restrictions dated March 25, 2003 and recorded with the Hillsborough County Registry of Deeds in Book 6880, Page 264.

Together with the right to pass and re-pass over the streets and ways as shown on the aforesaid Plan.

Together with and subject to, as applicable, all easements, covenants, rights, federal, state, and local approvals and conditions of approval, improvements thereon and all matters of record. Subject to Easements, dated April 2003, as applicable and found of record.

There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback unless specifically provided for in the Wetlands and Non-Site Specific Permit 2000-02216, recorded with the Hillsborough County Registry of Deeds in Book 6466, Page 2612.

Exhibit C

Letter from Wife

11 Wildflower Way
Milford, NH 03055

TOWN OF MILFORD
RECEIVED

MAR 22 2022

PB _____ ZBA _____ Office _____

March 7, 2022

Department of Community Development
Milford Town Hall
1 Union Square
Milford, NH 03055

To Whom It May Concern,

I am a co-trustee with my husband at our property on 11 Wildflower Way. I would like to express my full approval of this project that is being proposed.

I have no reservations regarding signing this letter and encourage you to contact me with any additional questions.

Sincerely,



Lisa Retelle

Exhibit D

Letter to Abutters

11 Wildflower Way
Milford, NH 03055



24 March 2022

Hello Neighbor,

In the near future, you will be receiving a certified letter from the Town of Milford regarding an application that I've submitted to the Zoning Board of Adjustment. My application is requesting a waiver at my property from zoning ordinance 5.04.7.C, which limits structures to a maximum of 35 feet.

The intent of this letter is to provide a personal introduction prior to you receiving this notification from the Zoning Board of Adjustment office and to help answer any questions that you may have.

For the past few years, I have been active in the hobby of Ham radio. On occasions, I need to repair or alter my wire antenna, which requires me to rent a boom lift to reach it. The boom lift destroys my lawn with ruts (difficult to repair) and more seriously, puts me at risk of a fall hazard when operating it. Thus, I have a need to install a lattice structure next to my house. This structure will allow me to relocate the antenna and safely make adjustments and repairs to it when needed verses having to use a boom lift.

So why are you being notified? The application requires the applicant to notify all abutters to their property. You may not live next to me, but all owners in our neighborhood have an equal interest in the Common Open Spaces surrounding many of our properties, including mine. (recorded at the Hillsborough County Registry of Deeds, plan 31405).

Some questions that may arise;

What will this look like? The lattice structure will be secured to the southeast side of my house, which is the backside of my house facing the wooded common space. The lattice structure will be dull gray in color, allowing it to blend in as best as possible. My house is obscured by trees when viewed from the road.

I receive my television channels via an antenna, will your ham radio antenna affect my reception? No, the FCC has clear separation standards between the various frequency spectrums.

If you have any further questions, please don't hesitate to call me at your convenience.

Thank you,

Ryan Retelle

781.491.6812

Exhibit D

Plot Plan with Septic System

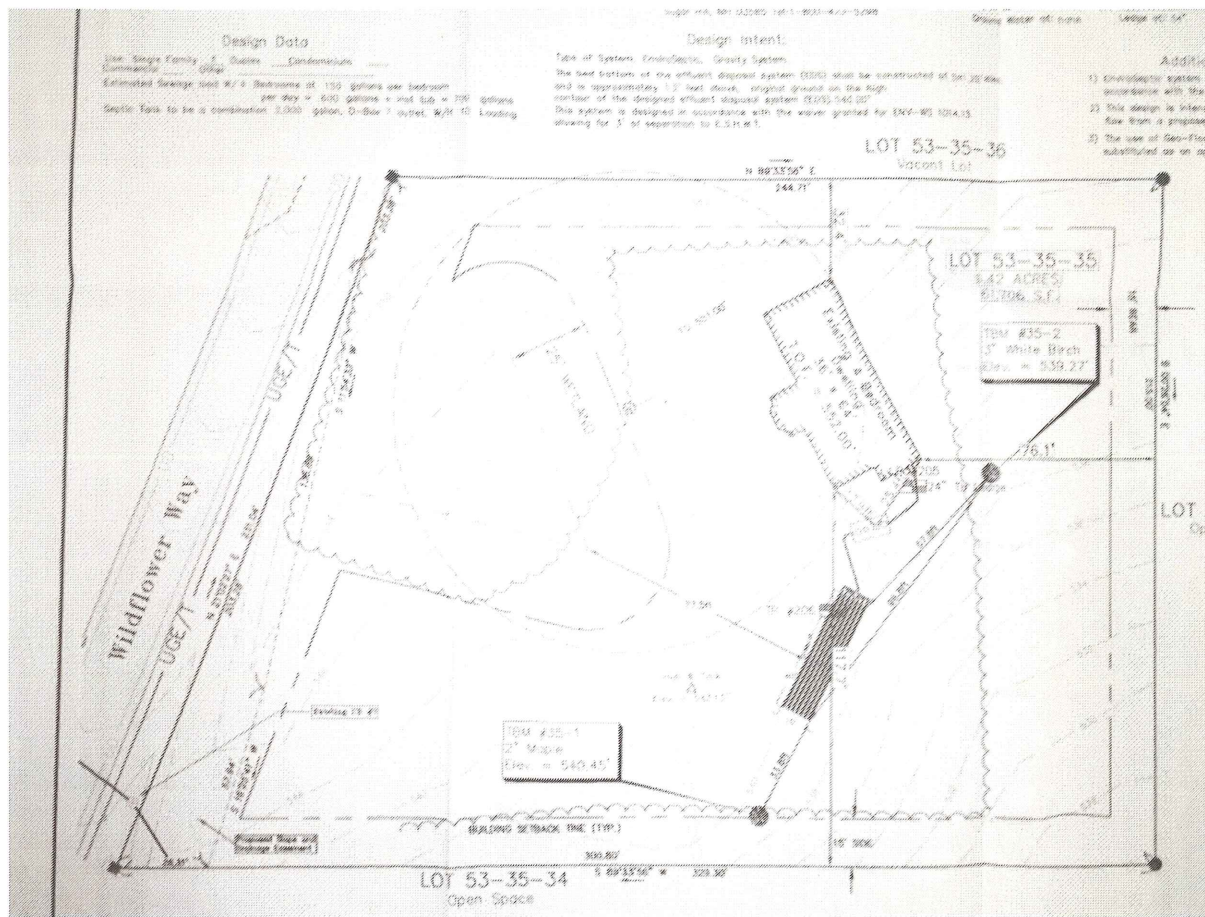


Exhibit E

Overhead Map



Exhibit F

Street View Images

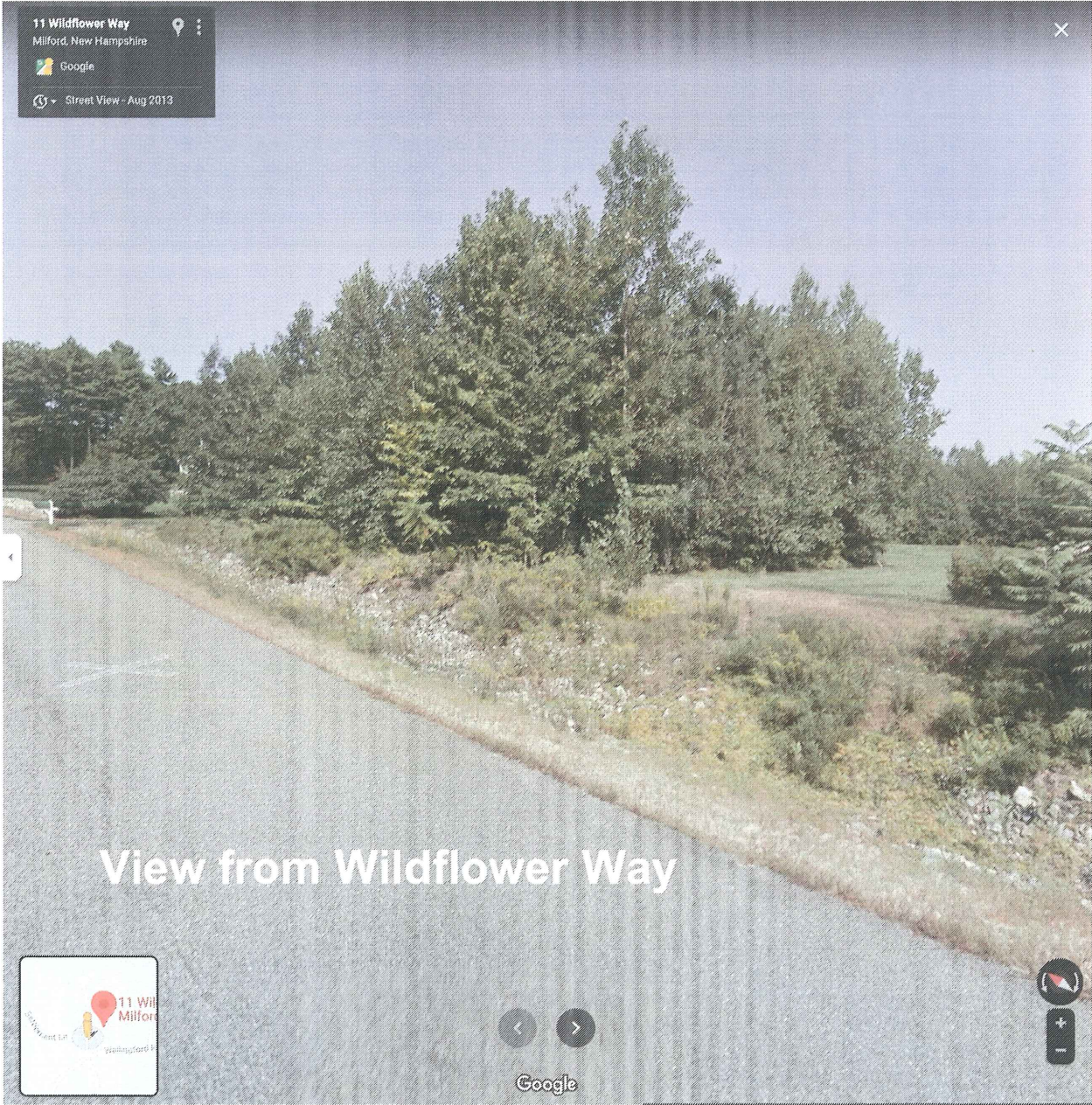


Exhibit F

Street View Images

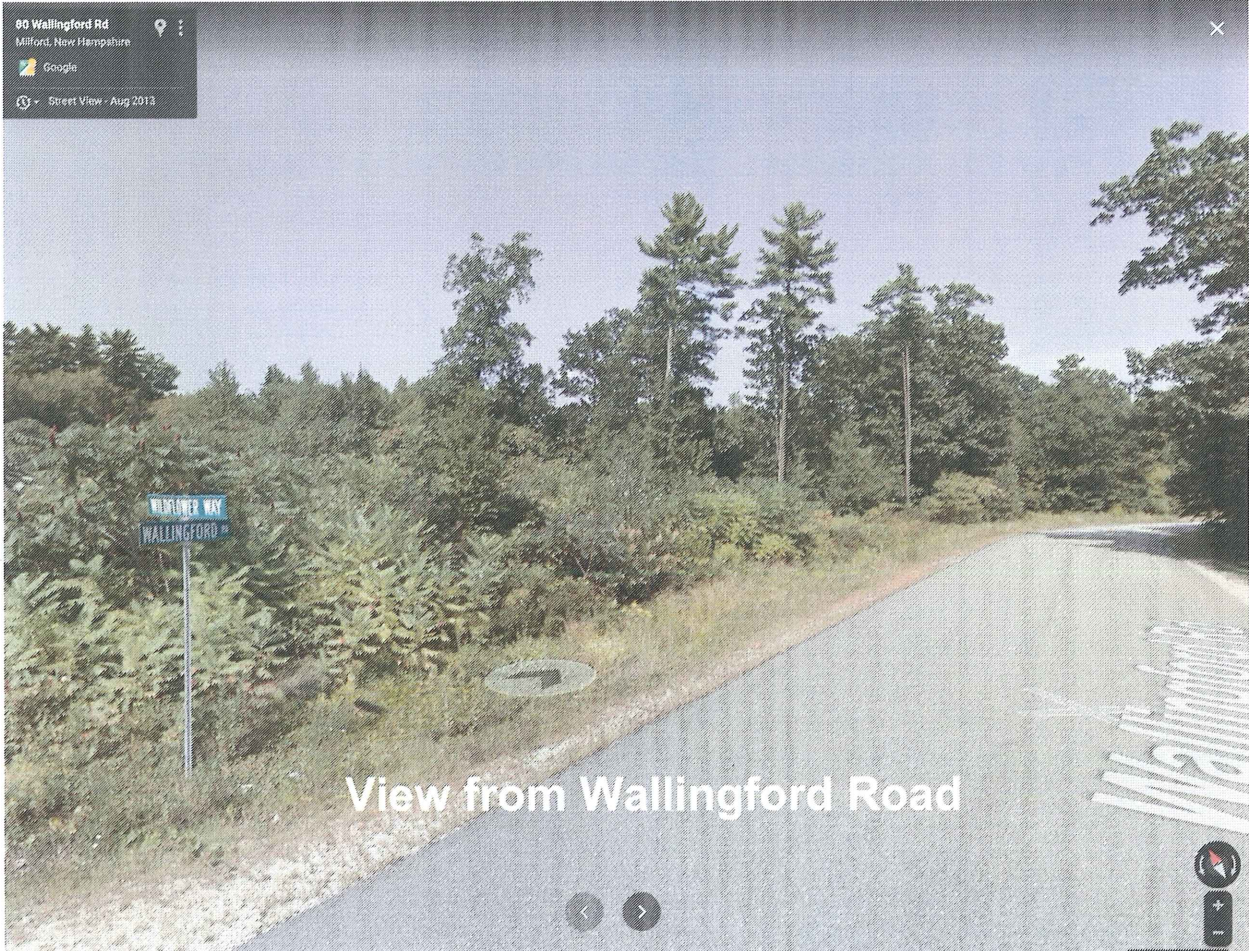
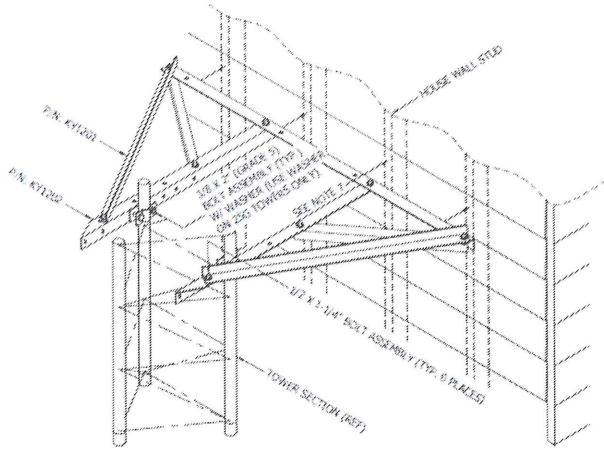
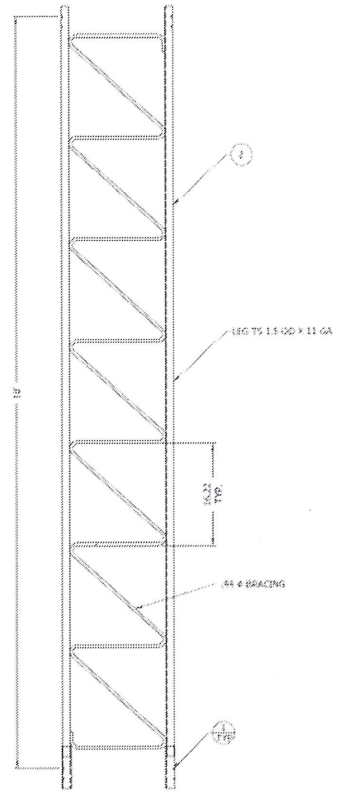


Exhibit G

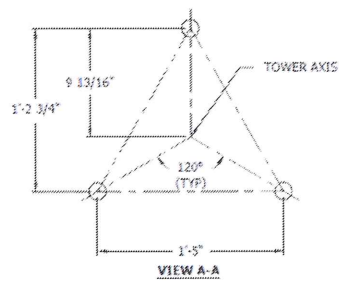
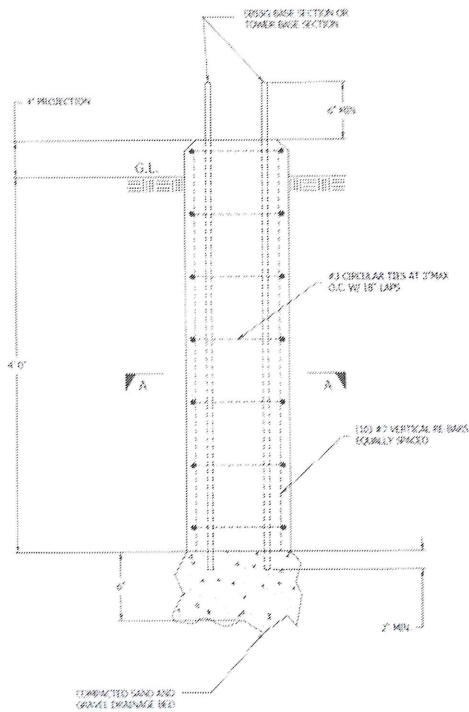
Rohn 55G



HOUSE BRACKET DETAILS
(ORDER ASSEMBLY PART NO. 18UTVRO)



ELEVATION VIEW



VIEW A-A

Exhibit H

FCC TOWAIR Results

TOWAIR Determination Results

*** NOTICE ***

TOWAIR's findings are not definitive or binding, and we cannot guarantee that the data in TOWAIR are fully current and accurate. In some instances, TOWAIR may yield results that differ from application of the criteria set out in 47 C.F.R. Section 17.7 and 14 C.F.R. Section 77.13. A positive finding by TOWAIR recommending notification should be given considerable weight. On the other hand, a finding by TOWAIR recommending either for or against notification is not conclusive. It is the responsibility of each ASR participant to exercise due diligence to determine if it must coordinate its structure with the FAA. TOWAIR is only one tool designed to assist ASR participants in exercising this due diligence, and further investigation may be necessary to determine if FAA coordination is appropriate.

DETERMINATION Results

Structure does not require registration. There are no airports within 8 kilometers (5 miles) of the coordinates you provided.

Your Specifications

NAD83 Coordinates

Latitude	42-47-53.4 north
Longitude	071-37-23.8 west

Measurements (Meters)

Overall Structure Height (AGL)	21.3
Support Structure Height (AGL)	17.1
Site Elevation (AMSL)	167.6

Structure Type

LTOWER - Lattice Tower

Tower Construction Notifications

Notify Tribes and Historic Preservation Officers of your plans to build a tower.

Exhibit I

ZBA Case #2021-14

TOWN OF MILFORD

Zoning Board of Adjustment



DATE: July 21, 2021

TO: John & Penny Webster
172 Federal Hill Road
Milford, NH 03055

RE: ZBA Case #2021-14
Tax Map 53, Lot 16
172 Federal Hill Road

NOTICE OF DECISION

You are hereby notified that on July 15, 2021, the Zoning Board of Adjustment **GRANTED** the request for a **SPECIAL EXCEPTION** from the Milford Zoning Ordinance, Article V, Section 5.04.7.C to allow the construction of two 90 foot tall amateur radio station antenna structures in the rear portion of the property located at Milford Tax Map 53, Lot 16, 172 Federal Hill Road where a 35 foot maximum height is permitted in the Residential 'R' Zoning District.

Please note that this does not constitute Planning Board, Building Department or any other state and/or local approvals that may be required for your project.

Lincoln Bailey

Community Development Director & Zoning Administrator

7/21/21

Date

In accordance with NH RSA 677:2, any person directly affected by this decision may make an application for a rehearing in this matter. *Any application for rehearing must be received by the Board of Adjustment prior to close of business (4:30 p.m.) on August 16, 2021.*

In accordance with Article X, Section 10.06.0, this Special Exception is subject to expiration, if within two (2) years after the granting of a Special Exception by the Board of Adjustment, none of the work required by a building permit covered by the Special Exception has been executed, then such Special Exception shall become null and void except in any case where legal proceedings relative to the Special Exception shall have caused an undue delay in the execution of the required building permit. Only one, six-month extension may be granted for any Special Exception. The applicant may apply for the extension at a regularly scheduled Zoning Board meeting.

CC: Fred Hopengarten, Esq.
Planning Department
Building Department
Assessor
File

Exhibit J

Professional Contractor

XX Towers, Inc.
<http://xxtowers.com>

Matt Strelow
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Mason, NH 03048

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matt@kc1xx.com