

CONWAY PLANNING BOARD

MINUTES

MARCH 25, 2010

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CONWAY PLANNING BOARD

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A meeting of the Conway Planning Board was held on Thursday, March 25, 2010 beginning at 7:03 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Robert Drinkhall; Vice Chair, Martha Tobin; Secretary, Patricia Sell; Ted Sares; Steven Hartmann; David Sordi; Planning Director, Thomas Irving; and Executive Secretary, Karen Hallowell.

REVIEW AND ACCEPTANCE OF MINUTES

Ms. Sell made a motion, seconded by Mr. Drinkhall, to approve the Minutes of March 11, 2010 as written. Motion carried 5-0-3 with Ms. Tobin and Messrs. Porter and Hartman abstaining from voting.

**REDSTONE PROPERTIES INC (PID 245-65) – FULL SITE PLAN REVIEW
CONTINUED (FILE #FR09-07)**

Jonathan Springer of Bosen & Springer, representing the applicant, appeared before the Board. This is an application to construct a wireless communication facility and associated infrastructure. This application was accepted as complete on December 10, 2009.

Mr. Springer stated he would like to rest on the submissions made at the previous meetings. Mr. Springer added that the Board had raised questions regarding a propane tank and the generator noise and he will rest on the letter submitted to the town regarding same. There was a lot of back and forth between Burr Phillips and their engineer and to his understanding they addressed the issues to his satisfaction subject to a few minor issues in his March 19, 2010 letter addressed to Mr. Irving. Mr. Springer added that Burr Phillips said, assuming everything else is okay, should be able to do the small items as conditions of approval and they (the applicant) are fine with this.

Mr. Irving advised that the Board had not yet seen Mr. Phillips' letter as yet and reviewed the items listed in same with Board. Mr. Irving further reviewed the minor items remaining and advised these are indeed minor and are conditional approval items. There is nothing that would substantially change the plan at all.

Dave Sordi questioned noise levels for the proposed generators. Mr. Sordi stated if you look at the information provided, normal sound levels for rural and suburban areas at night, they are above the levels for these areas. Mr. Sordi questioned if we have residents within a couple hundred feet that would be bothered by this at night. Mr. Irving advised that the nearest property that is developed or has the potential to be developed at this time is 1000 feet away. This particular spot is in the corner of a very large parcel that buffers all of those other residential

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properties, particularly Bolton Hill Road. Those are the nearest properties and the nearest lot to this on Bolton Hill Road that isn't the applicant's lot is approximately 1000 feet away.

Mr. Sares questioned if the abutters will have any notice of this in the future after tonight. Mr. Irving advised that besides this public meeting, the public had opportunity for public comments at the ZBA meeting. It was also noted that the Board of Selectmen had discussion at their meeting as well.

For the purpose of review for the public, Mr. Sares questioned if this will be a tower, how tall it will be, and if it is camouflage. Mr. Springer advised that it will be a tower, it will be 140 feet, and it is not camouflaged. Mr. Springer advised it will be a monopole, which presents a slim profile.

Mr. Porter read the waiver request for §123-20.E; §123-20.F/§131-67.C.8.b; and §123-22.B. **Mr. Drinkhall made a motion, seconded by Ms. Sell, to grant the waiver requests §123-20.E; §123-20.F/§131-67.C.8.b; and §123-22.B.** Mr. Porter asked for Board comment; there were no comments. Mr. Porter asked for public comment; here were no public comments. **Motion carried unanimously.**

Mr. Drinkhall made a motion, seconded by Ms. Sell, to conditionally approve the Full Site Plan Review for Redstone Properties, Inc conditionally upon Town Engineer Approval; Redstone Fire Chief Approval; submitting Mylar(s); a performance guarantee for all site improvements; a \$15,000 decommissioning bond; when the conditions have been met, the plans can be signed out-of-session; and this conditional approval will expire on June 24, 2010. Motion carried unanimously.

PUBLIC HEARING – TREE REMOVAL ON A SCENIC ROAD – RSA 231:158

This is a public hearing for the removal of trees along designated scenic roads Baird Hill Road, Crown Hill Road, Davis Hill Road, Greeley Road, Gulf Road, Leavitt Road, Potter Road and West Side Road to facilitate utility services. The public hearing opened at 7:18 pm.

Dave Crane, Arborist for Public Service of NH (PSNH), appeared before the Board. Paul Arno, General Forman for Asplundh, was also present along with Conway resident Howard C. Dickinson.

Mr. Crane advised that PSNH is in the process of performing their annual maintenance program. They trim 25% of their lines every year. It has been 4 yrs since they did the portion of town they are proposing on working on now and this includes scenic roads in Conway. The specifications have not changed since last time they trimmed here. In general PSNH removes limbs 4 inches in diameter or less within 8 feet to the sides of the lines, 10 feet below lines and 15 over their lines. With regard to the clearances to the side and below, they take into consideration the growth that is anticipated in a 4 year period and make sure the trees don't grow into the conductors before they get back to trim them. For the clearance over the lines, they take into consideration the falling of limbs under heavy snow and ice load to make sure they have room to bend over without making contact with conductors. They do take down larger trees on

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a case by case basis if they find they are dead, diseased, or decayed and somehow pose a threat to the lines.

Mr. Crane next explained they did identify several trees to take down and provided a list of same to the Planning Board with their original letter. Mr. Crane next advised they did have one resident of Baird Hill Road today who brought to their attention three additional trees that he felt were hazardous, one on his property, and two on another property. Mr. Crane advised that they have not yet had time to speak with the landowner regarding the additional two trees on Baird Hill Road. Mr. Crane stated it is up this Board whether they allow the trees to be removed. Mr. Crane next advised that PSNH also asks Asplundh to contact the landowners before any work that is done, and to go over concerns and work out any issues. Mr. Crane commented they have been in town three weeks now and haven't had any complaints yet regarding Asplundh.

Mr. Sares asked if their specifications are the same as NHEC. Mr. Crane advised they are not the same specifications. PSNH's specifications are less aggressive. Mr. Sares next asked if they warn people before they do the cut. Mr. Crane replied in the affirmative.

Mr. Sares questioned if one of the issues here today is a Chestnut tree and questioned if it is on private property. Mr. Crane advised that the tree is on Baird Hill Road and is in the public right of way. The landowner there is willing to pay to have utilities put underground. He, another PSNH technician, a representative from the cable company, and the customer's electrician met with landowner today and went over possible scenarios for putting lines underground but this is preliminary at this point. Mr. Crane pointed out that, certainly anything that gets changed in this location would mean less tree trimming for PSNH because they would be removing line.

Mr. Sares questioned if Chestnut tree is alive. Mr. Crane advised the tree is alive and appears healthy. Mr. Crane further added they also have already committed to that landowner that PSNH will not trim the Chestnut tree this cycle. It is a tree that would have to be trimmed in the future if it survives, and that is always a question with that species.

Ms. Sell distributed photocopies of a tree that she states was irregular shaped after trimming and claimed the work was done by Asplundh. Mr. Crane asked the location of the tree. Ms. Sell only advised that it was on private property. Ms. Sell stated that what was done to this tree was above and beyond what needed to be done and does not want to see this done in the town of Conway. She has also witnessed the removal of perfectly good trees. She feels this is a beautiful and scenic town and we want to preserve the local characteristic and features, including old trees that are in town.

Mr. Sordi questioned if someone has complaints regarding tree trimming who should be contacted. Mr. Crane advised that customers should call him directly at 800-562-3190 x 7203867.

Ms. Sell asked about the materials received that included information regarding Baird Hill Road being reclassified. Mr. Porter advised this matter does not pertain to the issue at hand and no discussion was held. Ms. Sell asked that it be placed on the record that she requested a discussion.

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Mr. Sordi asked if the Chestnut on Baird Hill Road is in the public right of way. Mr. Crane advised that according to his measurements and info it is; however at this time they will not be trimming this tree. It is a slower growing tree and a short lived tree although this is a bit of a gamble on their part. Further, this is a scenic road and, also the road is a low density road. Mr. Sordi asked if the residents in the area of this tree would be the only people affected by an outage caused by that tree. Mr. Crane replied that it would affect residents on Baird Hill Road.

Ms. Sell referred to materials received that included information regarding Baird Hill Road being realigned and asked about an easement deed that was issued back in the 1990's. Mr. Porter advised this matter does not pertain to the issue at hand and no discussion was held. Ms. Sell asked that it be placed on the record that she requested a discussion.

Ms. Tobin asked if there were a lot of people at the last meeting for discussion. Mr. Crane advised there were two that showed up from Baird Hill and also one resident from Gulf Road. No one from Potter Road was present. The Potter Road resident was one of the biggest critics; however, one of the residents of Baird Hill Road who did appear at the meeting advised that this person was okay with the trees as they had marked them did not feel it was necessary to reschedule the meeting.

Mr. Sordi questioned if trees are taken who is responsible to replace them to keep in compliance with site plans, etc. Mr. Irving explained we are discussing scenic roads in the older sections to the town and hasn't gotten and subdivision plan approvals. If it were new subdivisions, it would be different.

Steve Hartman questioned if it is PSNH's procedure to walk property and explain to the homeowner what they are doing. Mr. Crane explained it is standard procedure to contact people by phone or letter to let them know what is going on. Mr. Sares stated that he would like to make it clear for the public that this is PSNH that notifies the public; however NHEC does not.

Ms. Sell moved, seconded by Mr. Sares, that no cutting be taken on Old Baird Hill Road or New Baird Hill Road. Mr. Drinkhall reviewed there is no request to cut on the old section of Baird Hill Road and that he doesn't see any problem with cutting on the new section. Ms. Sell stated she is in favor of preserving the rural and scenic character of the community. Whatever cutting takes place – keep it scenic and she does not want to see cutting the way it was done in the pictures she presented earlier in the meeting. Mr. Sares added we don't want to see any unnecessary cutting. Mr. Sordi stated this is interpreting the motion to say no unnecessary cutting; however the motion is for no cutting. Mr. Sordi added that he lives in this area and as with this past winter-these are the trees that will come down. If you say no cutting at all and trees do come down this will impact service to homes in the area and he feels it is irresponsible and does not agree with the motion. Mr. Sares stated he feels Ms. Sell is amending the motion saying no unnecessary cutting.

Mr. Dickinson stated he would like to take this opportunity to apologize to Asplundh and Paul Aspinall for his words during the Board of Selectmen meeting last week. He has now spent time with them and sees the work they do. Further, he is in agreement, and so are others in his area, with what they (PSNH) are planning to do in his area now with regard to tree trimming.

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There was further brief discussion by the Board. **Mr. Sares withdrew his second and Ms. Sell withdrew her motion.**

The public hearing closed at 7:53pm.

Mr. Drinkhall made a motion, seconded by Ms. Sell, to approve the proposed tree removal and trimming that is within its jurisdiction pursuant to RSA 231:158; with specific exclusion of the identified American Chestnut in the vicinity of land owned by Highfields Farm Inc. The motion carried unanimously.

OTHER BUSINESS

Committee Reports:

Lighting Committee – Mr. Sordi reported the Lighting Committee is scheduled to meet on Monday, April 5, 2010. He can't make the meeting. Bob Drinkhall, who is also on this committee, will be in attendance.

ADJOURN

Ms. Sell moved, seconded by Mr. Drinkhall to adjourn the meeting. The motion carried unanimously. The meeting Adjourned at 7:56 pm.

Respectfully Submitted,



Karen Hallowell
Executive Secretary