

ZONING BOARD OF ADJUSTMENT

**TOWN OF EASTON
1060 EASTON VALLEY ROAD
EASTON, NH 03580**

**PUBLIC MEETING
DECEMBER 10, 2015**

MINUTES

The meeting was called to order at 7:07 p.m. Present for the Board were Chairman Greg Sorg and regular members John Hynes, Dennis Ford, Ellen Pritham and Kris Pastoriza. A quorum was therefore present and so declared.

Attending the meeting on behalf of the Board was Attorney Christopher Hilson of Donahue, Tucker & Ciandella, PLLC. Attending on behalf of the Applicant were Attorney Earl Duval of Duval, Klasnick & Pastal, PLLC; Jesse M. Moreno, PE; Ryan Monte De Ramos, radio frequency engineer for T-Mobile; and James S. George, Site Acquisition Manager. Also attending were approximately 12 other members of the public.

The Minutes of the Board's public meeting of November 19, 2015 were approved.

The Board then re-convened the adjourned public hearing on the application for a Special Exception under Article 6, Section 602.2 (12) and Article 8, Section 809 of the Easton Zoning Ordinance filed by Blue Sky Towers, LLC (Applicant) and T-Mobile Northeast, LLC (Co-Applicant), on behalf of T&T MTN Investments, LLC (Owner) for the construction of a 150 foot tall wireless telecommunications monopole tower facility at 3 Lost River Road (Tax Map 7, Lot 41-2).

The focus of the meeting was the reaction of the Applicant and the local property owners to the balloon test that had been conducted on December 2nd on the Lot 3 location that had first been proposed at the October 28th meeting by Jack Portinari. Attorney Duval stated that the Applicant had reconsidered and was willing to agree to change the site of the tower to the Lot 3 location. The Board was generally receptive to this offer, given the understanding gained at the November 19th meeting that this move, uphill and some 900 feet to the north from the originally proposed Lot 2 site, would satisfy the concerns of the neighboring property owners. However, comments from several of those owners made clear that they were opposed to the Lot 3 site as well. Jim Page said he still preferred the Williams Pit site, because the tower would still be visible from residences on Hummingbird Lane if erected on Lot 3. Trevor Presby said that the Lot 3 test site was as far away as the tower could go without encountering other issues.

There was discussion between Board members and the Applicant's representatives reviving the well-canvassed issue of how high the tower really needs to be in order to fulfill legitimate propagation needs, given the terrain, the height to which the surrounding trees grow, and the present status and future expectations regarding cellular tower construction in neighboring communities.

Greg called for a short adjournment so that the Board could meet with counsel. Upon reconvening, John was recognized to make a motion, seconded by Ellen, which was as follows:

To grant the Applicant a special exception as permitted under Article 6, §602.2 of the Easton Zoning Ordinance to construct one (1) monopole cell tower, as specified in the Application submitted by BlueSky and T-Mobile, subject to the following conditions:

1. The monopole cell tower shall be re-located to a site approximately 900 feet north of the proposed site on Lot 41-2 of Tax Map 7 to Lot 41-3;
2. The tower and its accessory facilities shall be placed on the proposed house-site location on Lot 41-3 as shown on the Applicant's Construction/Permitting Drawing (Exhibit 2, "Zoning Drawings," Page 3, dated May 22, 2015); and
3. The tower shall be limited to a height not to exceed 130 feet.

Following discussion among the Board members, the Board voted 4 to 1 (Kris dissenting) in favor. Attorney Hilson advised the Board that he would prepare a draft Decision for the Board's consideration.

There being no further business before it, the Board voted to adjourn the meeting *sine die*.

Approved July 13, 2016.

Gregory M. Sorg
Chairman