

TOWN OF EASTON
Zoning Board of Adjustment Meeting – Draft Minutes
May 1, 2019

ZBA

John Hynes –Present
Ellen Pritham – Present
Kris Pastoriza– Present

Beth Harwood - Present
Fred Moody - Present

Toni Woodruff – Acting Secretary-

“These minutes of the Town of Easton ZBA have been recorded by the Acting Secretary. Though believed accurate and correct, they are subject to additions, deletions, and corrections by the Select Board at the next meeting when the Board votes its final approval of the minutes. These minutes are made available at this time to conform to the requirements of New Hampshire RSA 91 – A: 2.”

The meeting was officially called to order at 9:00 a.m. by John Hynes.

Public in Attendance: Bob Thibault, Tom Walter, Attorney Earl Duval

John Hynes welcomed the ZBA and Fred Moody (newest member) to begin the discussions regarding the application by Blue Sky Towers LLC for a 40’ extension to the cell tower located at 5 Lost River Road, Easton

The first order of business was the election of ZBA Chairman and Vice Chairman. Ellen Pritham nominated John Hynes to serve as Chair. Seconded by Fred Moody. No discussion. On a voice vote all in favor. John Hynes elected ZBA Chairman. Each of the other members of the ZBA, Kris, Beth Ellen, and Fred were nominated for the position of Vice Chair. The nomination of Beth was seconded. Beth declined. The nomination of Ellen Pritham was seconded. Ellen accepted. Voice vote, all in favor. Ellen Pritham was elected ZBA Vice Chairman.

Cell Tower Discussion

- Applications for the cell tower were handed out to all members. Since the application was delivered on April 30th, the clock to accept a completed application started on that date.
- AT&T which was hired by the State to provide an emergency response network in NH (First Net) requires the extra tower height for effective coverage.
- Several concerns were discussed regarding the current tower including the failure of Blue Sky to provide quarterly written reports to the Town, and failure to post a bond (for removal)
- The question of diminishing property values was mentioned, and a bare earth map was requested which would show the visual impact on the abutting properties
- John Hynes spoke about the Telecommunications Act of 1996, and the obligation of Towns to work within their zoning ordinances and in the best interest of the residents to provide cell coverage. Hiring legal and engineering expertise to advise

the Town (at the expense of the applicant was suggested). These professionals were employed previously with the application for the existing cell tower and would be needed now for the current application.

- John Hynes made a motion to contact the SB with a request to hire these professionals. Ellen Pritham seconded. No discussion. All in favor, passed. John will reach out to the SB by their next meeting on May 6th.
- A scope of services for the legal and engineering expertise for the Town of Easton will be forwarded to Blue Sky by Attorney Duval. An escrow account in the amount of \$10,000 was requested by the Town. Attorney Duval indicated this would not present a problem
- Attorney Duval mentioned that Easton Building Inspector, Allan Clark worked on the installation of the initial tower and expects to work with him again on the extension. The ZBA will request a copy of Allan Clark's correspondence with Blue Sky re: the existing cell tower
- A public hearing is scheduled for Tuesday, May 28, 2019 at 7:00 p.m. The notice for this hearing will appear in the Courier on May 22nd. Mailings with the announcement of this application will go to all abutters. Towns within a 20-mi. radius will also be notified. Residents potentially impacted by the view, but not abutters could also receive notification
- The scheduling of a balloon test prior to the May 28th public hearing is pending with the anticipation of a date soon.
- There was a request that the application be digitalized and put on the Town's website. Attorney Duval and Bob Thibault will arrange this.
- Kris Pastoriza made a motion to stop the time clock because of incomplete information. Ellen Pritham seconded. All voted in favor except for Fred Moody who abstained because of a lack of qualifications to determine the completeness. The motion passed. John Hynes indicated that the legal and engineering professionals that the Town hires will have the knowledge to make this determination of completeness. (Fred Moody left the meeting at 10:00 a.m.)
- Kris Pastoriza inquired whether Earl Duval would ask for her recusal. Attorney Duval indicated that he did not know.

Kris Pastoriza moved to go into closed session citing RSA 91-A-32:c at 10:10 a.m. John Hynes seconded. All members answered in the affirmative on an individual voice vote. At 10:25 a.m. John Hynes moved to go into public session. Ellen Pritham seconded. All members responded in the affirmative on an individual voice vote.

- Beth Harwood made a motion to seal the minutes of the closed session meeting. John Hynes seconded. All in favor. Passed
- It was decided that the Select Board would seek legal and engineering oversight for the ZBA regarding this cell tower extension application
- John Hynes suggested that should the ZBA members have concerns to keep a list which could be compiled for discussion at a future public meeting.

John Hynes made a motion to close the meeting at 10:30 a.m. Beth Harwood seconded. All in favor. Passed

Respectfully submitted,
Toni Woodruff

