

Hopkinton Planning Board
Minutes
November 10, 2009

Acting Chairman Michael Wilkey opened the Hopkinton Planning Board meeting of Tuesday, November 10, 2009, beginning at 7:00 PM in Hopkinton Town Hall. Members present: Celeste Hemingson, Bethann McCarthy, Edwin Taylor and Cettie Connolly. Members absent: Bruce Ellsworth, Timothy Britain, Jane Bradstreet, James O'Brien and Clarke Kidder.

I. Minutes and Notice of Decision of October 13, 2009.

Review of the Minutes was deferred to the December 8, 2009 meeting.

Cettie Connolly, seconded by Bethann McCarthy, moved to approve the Notice of Decision of October 13, 2009 as presented. With five members voting, four voted in favor and one (Hemingson) voted in abstention.

II. Application(s).

#2009-12 William A. Verville Trust – Timothy Bernier of T.F. Bernier Inc. addressed the Board on behalf of the William A. Verville Trust to request a consolidation of four (4) existing lots and re-subdivision of the property into three (3) lots. The properties are located off Farrington Corner Road in the R-3 district, Tax Map 266, Lots 48 – 51.

In reviewing the subdivision plan, Mr. Bernier explained the various features of the property which include Boutwell Mill Brook, two (2) mill sites and a homestead. Once re-subdivided Lot 49 will consist of 18.2 acres with 1200 feet of frontage off Farrington Corner Road. Lot 50 will consist of 2.97 acres, the existing homestead, and 365 feet of frontage off Farrington Corner Road. Lot 51 will consist of 11.93 acres with 373 feet of frontage off of Farrington Corner Road and 470 feet of frontage off Stickney Hill Road. There is an existing utility easement and a slope easement for the culvert that is located under Stickney Hill Road. State Subdivision Approval was granted on November 6, 2009.

Mrs. McCarthy inquired as to whether the brook was a marsh. Mr. Bernier responded that the brook is a meadow with no base flood elevation determined.

Celeste Hemingson, seconded by Cettie Connolly, moved to accept application #2009-12 as complete and for consideration. Motion carried unanimously.

There was no one present wishing to provide public testimony.

There was brief discussion concerning the isolated upland along side the brook with Mr. Bernier stating that if one were to request permission to cross the brook to access the upland they would need to apply to the State for a Wetland Permit. Mr. Verville advised of his intentions to leave the property on the other side of the brook undisturbed.

Cettie Connolly, seconded by Bethann McCarthy, moved to approve application #2009-12 as presented. Motion carried unanimously.

#2009-13 New Cingular Wireless PCS, LLC on behalf of AT & T Mobility, Inc. – Jonathan McNeal of SAI Communication addressed the Board to request Site Plan Review and a modification of

Conditional Use Permit pursuant to Section 3.10 (Personal Wireless Service Facilities) of the Hopkinton Zoning Ordinance. Applicant proposes to replace three (3) existing antennae with six (6) antennae on array, existing from the frame of the tower, and the installation of an additional 5' x 7' concrete pad at the base of the tower to accommodate additional radio equipment. The existing three-carrier, 90 foot telecommunications tower was approved by the Planning Board on April 15, 2003. The mono-pole is owned by Eastern Properties; however, the property is owned by Thomas Komisarek and is located at 67 Farrington Corner Road in the R-3 district, Tax Map 257, Lot 12.

Mr. McNeal explained how the new antennae would protrude approximately four (4) feet from the monopole. The antennae would be painted green, similar to the antennae located at the lower level of the monopole.

Mr. Taylor noted that the State and road name need to be corrected on the plans. Mr. McNeal agreed.

The Board reviewed the requested waivers (see application).

Bethann McCarthy, seconded by Cettie Connolly, moved to accept application #2009-13 as complete and for consideration. Motion carried unanimously.

Mrs. Hemingson stated that the Town has been very successful in having towers designed so that they do not call attention to themselves. She expressed concern that extending the array at the top of the monopole will give the appearance of a "bottle brush". Mr. McNeal responded by saying that the arrays at the second level of the tower will still extend out further than the new arrays at the top.

Mrs. Robertson inquired as to whether the propagation maps would show a change in coverage as a result of the new antennae. Mr. McNeal replied no, explaining that the coverage will be the same, but better.

In reviewing the photographic renditions of the tower with the new antennae, Mrs. Hemingson requested that the top three (3) levels of branches be designed so that they give the appearance of a tapered look.

In response to concerns raised, Mr. McNeal stated that he will go back and review the project to determine whether they could reduce the distance of the array from the tower, and determine whether there are branches that are not on the tower that should have been in place.

In discussing the structural design and integrity of the tower, Mr. Taylor questioned whether the tower owner would agree to no more than two (2) carriers in exchange for the new antennae and additional branches. Mr. McNeal wasn't sure, but would speak with the tower owner and get back to the Board.

Norman Miner of Jewett Road concurred with Mrs. Hemingson's concern with the camouflage of the tower. He questioned whether the Applicant or tower owner would be responsible for any conditions or requirements imposed by the Board. Mr. Wilkey noted that if the Board places a condition on approval of the application, then the Applicant is responsible to insure that the conditions are met. Mrs. Robertson also noted that the Town receives from the Applicant a bond that could be used should the owner not adhere to conditions.

Celeste Hemingson, seconded by Cettie Connolly, moved to continue application #2009-13 to the December 8, 2009 hearing, so to give the Applicant an opportunity to provide the Board with a copy of the structural analysis; provide a comparison of what, if any, branches are missing from the actual tower as compared to those shown on the plan, and provide a diagram showing the monopine as it will appear with the new antennae. Motion carried unanimously.

#2009-14 New Cingular Wireless PCS, LLC on behalf of AT & T Mobility, Inc. – Jonathan McNeal of SAI Communication addressed the Board to request Site Plan Review and a modification of Conditional Use Permit pursuant to Section 3.10 (Personal Wireless Service Facilities) of the Hopkinton Zoning Ordinance. Applicant proposes to replace three (3) existing antennae with six (6) antennae on array, existing from the frame of the silo, and the installation of an additional 5' x 7' concrete pad at the base of the silo to accommodate additional radio equipment. The co-location on the existing 60-foot silo was approved by the Planning Board on August 20, 2002. The equipment is owned by Asset Resource Group; however, the property is owned by Stonynook Farm and is located at 47 Emerson Hill Road in the R-3 district, Tax Map 218, Lot 12.

Mr. McNeal stated that there will be no change in the distance from the array to the middle of the silo; nor there be any changes to the silo itself.

Cettie Connolly, seconded by Bethann McCarthy, moved to accept application #2009-14 as complete and for consideration. Motion carried unanimously.

There was no one present to provide public testimony.

Celeste Hemingson, seconded by Cettie Connolly, moved to approve application #2009-14 as presented. Motion carried unanimously.

III. Adjournment.

With no other business to come before the Board, Mr. Wilkey declared the meeting adjourned at 8:02 PM. The next regular scheduled meeting of the Planning Board is Tuesday, December 8, 2009, at 7:00 PM in the Town Hall.

Karen L. Robertson
Planning Director

Upon finding that an application meets the submission requirements, the Planning Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the public hearing, the application will remain on the Planning Board agenda until such time as it is either approved or disapproved.

The Planning Board reserves the right to adjourn the public hearing at 11:00 PM. All remaining applications that have not been reviewed will be rescheduled for review at the Planning Board's next scheduled public hearing.

In accordance with RSA 677:15, any person(s) aggrieved by any decision of the Board concerning application(s) may present to the Superior Court a petition, duly verified, setting forth that such a decision is illegal or unreasonable in whole or part and specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the court within thirty (30) days after the Board's final decision regarding the application in question has been filed and becomes available for public inspection in the Planning Office.

