



**PLANNING BOARD**  
**Town of Greenland • Greenland, NH 03840**  
11 Town Square • PO Box 100  
Phone: 603.380.7372 • Fax: 603.430.3761  
Website: greenland-nh.com

**MINUTES OF THE PLANNING BOARD**

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Thursday, January 18, 2024 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Phil Dion, John McDevitt, David Moore, Stephan Toth, Steve Smith (Selectmen's Rep), Frank Catapano (Alternate)

Members Absent: Steve Gerrato, Catie Medeiros (Alternate), Stu Gerome (Alternate), Richard Winsor (Alternate)

Staff Present: Mark Fougere

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B. Dion opened the Planning Board public hearing at 6:30 pm. He announced a quorum was present and the meeting was being recorded.

MOTION: J. McDevitt moved to appoint F. Catapano as a voting member for this meeting. Second – S. Smith; all in favor. MOTION CARRIED

1. Projects of Regional Impact

M. Fougere stated there were no projects of regional impact. J. McDevitt mentioned that there is a proposed 54-unit development in Stratham. The project is currently in the preliminary consultation phase. He would like to know where on Winnicut Road in Stratham the project will be located and the impact on Rt. 33. M. Fougere will contact Stratham and report back to the Board.

2. Subdivision of Land, Conditional Use Permit

125 Dearborn Road (Map R12, 12: Residential Zone)

**Owner/Applicant:** Jay Lajeunesse - Dearborn Woods, LLC

The owner/applicant proposes to subdivide approximately 22.12 acres into a 13-lot residential subdivision. This will be a conventional subdivision with 11 single family homes and two duplex lots. The proposed road will be off Dearborn Road.

Paige Libbey, Jones and Beach Engineers, addressed the Board. Jay Lajeunesse, River Birch Builders/Dearborn Woods, was also present. P. Libbey stated that they received comments from Altus Engineering after the new year. It did not allow enough time for a response to Altus Engineering and to receive comments back before this meeting. P. Libbey stated there were a number of items that Altus Engineering recommended they discuss with the Board. They plan on submitting revised plans for the February meeting. B. Dion noted that the clock would expire on this application at the end of the week. P. Libbey responded they planned to extend the clock.

**Item 1 - Mailbox:** The Post Office wanted a community mailbox in subdivisions. It is shown on the plan, close to the entrance on Dearborn. The Board preferred a paved pull off on the new road and not in the

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right-of-way. M. Fougere noted it would have to be a provision that the mailbox was the responsibility of the Homeowners Association.

**Item 5 – Lot Configuration:** They will try to reconfigure the lots so the backlot with the 50-foot strip comes off the new road.

**Item 6 – Road Width:** Regulations call for 22-foot-wide roadway; a 24-foot-wide roadway is proposed. The road will be modified to a 22-foot-wide roadway.

**Item 7 – Streetlights:** Lighting was shown on the plan; one at the entrance of the new road and Dearborn Road, one near the cistern, and one at the end of the cul-de-sac. The consensus of the Board was that it should not be in the Town's right-of-way. Lights will be decorative streetlights. Streetlights to be the responsibility of the HOA.

**Item 12 – Cisterns:** This will be addressed.

**Item 13 – Phasing:** The regulations require developments greater than 10 lots to be phased. P. Libbey noted they would need a phasing plan for construction: if three houses were built on Dearborn Road, would ten on the new road have to be phased? B. Dion suggested she discuss it with her team and bring a proposal back to the Board.

**Item 14 – Lots 12-6 and 12-7:** P. Libbey stated that Lots 6 and 7 have lot lines that are on an angle to the road. She will try to reconfigure those lots by tweaking the lot lines.

**Item 15 – Subdivision Development Sign:** A subdivision development sign is proposed. Sign will be out of the right-of-way. This will be finalized within the next few meetings. HOA is to maintain.

**Item 18 – AOT:** P. Libbey agreed they may have to file an AOT; Altus Engineering's point was correct. She noted that the Town's were in line with the Alteration of Terrain regulations.

**Items 20 and 21 – Cul-de-Sac, Side Slopes:** P. Libbey noted the same comment is located in other places. Subdivision Regulations Section 4.4.2, Item A 1, regarding the side slopes of the shoulders as well as the diameter of the cul-de-sac. P. Libbey noted there is a section of the regulations that conflicts with the detail, which shows 3:1 slopes; however, the regulations indicate 4:1 and 5:1. F. Catapano noted that the written regulations show one thing and the picture shows something different. P. Libbey added that Figures A, B and C are in question. B. Dion would like the Board to review the regulation at the work session on Thursday, February 01<sup>st</sup>. P. Libbey noted there is quite a bit of grading on the side slopes of the road and will result in more disturbance.

**Item 22 – Pond:** The pond has been relocated.

**Item 32 – Future Access to Back Lands:** The Board did not think the 50-foot-wide strip of land was necessary.

**Item 35 – Common Driveway:** M. Fougere noted that driveways count towards square footage of the lot.

**Item 36 – Maximum Backlot Access Width:** The maximum width is 20-feet; they are providing 40-feet. A waiver has been submitted. M. Fougere commented that the Board needed to correct this.

**Item 42 – Roadway Cross Section:** Pointing out the location on the plan, P. Libbey stated there is a section of the road that is super elevated to the west toward the rain garden as opposed to being crowned. Altus Engineering noted that it deviates from the standard cross sections (a crowned road) and they did not support a waiver. P. Libbey explained that it was the high point of the upper lot and drainage flow. They were mimicking the natural flow of the site and trying to collect runoff from the road and direct it to the rain garden vs. having it cross the road to the pipe. Responding to B. Dion, P. Libbey stated the cross sections show on the plans. B. Dion was concerned about the runoff flowing where it should not. P. Libbey stated that the road profile comes down off Dearborn Road: the runoff flows off Dearborn Road to a low spot on the road, going back up to a high point. Everything going onto the site is diverted to the rain garden; it will not flow onto the Dearborn Road area. The calculations show the rain garden is adequately sized. P. Libbey explained the garden hose test. M. Fougere noted that Altus Engineering stated they did not support the waiver and recommended P. Libbey contact Altus regarding their concerns.

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**Traffic Report:** B. Dion summarized the report for the Board. The report indicates that the contribution to traffic would be negligible in comparison to Rt. 33. Traffic from the proposed development would contribute approximately 100 cars to the 20,000 vehicles on Rt. 33 daily. There would not be an impact great enough for a traffic light to be added at the intersection of Rt. 33 and Dearborn Road. In addition, sight line distances were acceptable. P. Libbey added that the sight distances were more than adequate.

M. Fougere, E. Weinrieb and Chief Tucker met earlier in the day regarding her position that the road should be off Stratham Lane, which is a low volume road compared to Dearborn Road. If the Board keeps the proposed road on Dearborn Road, Chief Tucker suggested the design should attempt to have all the driveways for the lots come off Dearborn Road; the only new curb cut on Dearborn Road would be the proposed road. Chief Tucker did not do a traffic analysis. P. Libbey noted that Rebecca Brown, Greenman-Pederson, Inc., was able to get the traffic data referenced by Chief Tucker in her December 2023 letter to the Board.

M. Fougere asked the Board for their opinion on the road location. D. Moore and F. Catapano felt that there was ample sight distance on Dearborn Road and is in the perfect location. F. Catapano stated that a road off Stratham Lane would be a terrible idea. S. Toth was initially extremely against the road off Dearborn Road and thought Stratham Lane would be better. He explained his reasoning for thinking that Dearborn Road would be safer and that the sight distance was greater than it would be on Stratham Lane. He hoped the three trees noted on the plan would be removed, increasing the sight distance. The consensus was that the proposed road should come off Dearborn Road.

S. Toth noted there were some historic stone walls on the property. P. Libbey stated they are on the plans now. There are some that will have to be relocated on the site. S. Smith added they cannot be removed from the site and must stay on the property.

**Item 11 – High Intensity Soil Survey:** This has been done.

**Stormwater Management:** Altus Engineering recommended that stormwater management design for each lot be vetted prior to a building permit being issued. P. Libbey explained that individual lot stormwater designs would be submitted. A few lots in the development will have stormwater runoff flowing to the ponds. Lots where the land is naturally sloped will have their own stormwater management plan. Altus Engineering will review those lots once the driveway and house locations are done. J. Lajeunesse explained that once the subdivision was approved, the road would be built, and a permit for a house would be submitted; the stormwater management plan would be vetted at that time and sent to Altus Engineering for review.

**Wetlands in Middle of Lot:** P. Libbey has spoken to the Wetlands Scientist and Altus Engineering. From the aerial, it appeared that the disturbance happened in the 1960's, around the time it became jurisdictional. DES will have to weigh in; if it was jurisdictional, permits would be filed for the fill that already took place.

**Item 38 – Drainage Easements:** Revisions will be made.

**Item 45 – Cul-de-Sac:** Similar to the comment in Item 42, Roadway Cross Section. The cul-de-sac is pitched in an effort to avoid placing a pipe in the middle of the catch basin to collect runoff. That area can be regraded.

**Item 47 – 15-inch Storm Drain:** This will be done.

**Item 50 – Planting Plan:** Does not need to be reviewed by the Conservation Commission; it will be reviewed by the Planning Board.

**Cistern Location, Transformer Near Cistern:** They will coordinate with the Fire Chief. They may need multiple cisterns or consider sprinklers for the lots that are not within a 500-foot radius of the cistern. A 30,000-gallon cistern will be used.

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B. Dion opened the hearing to public comments, noting there was a three-minute limit and comments must be pertinent to the topic.

Frank Manter, 158 Dearborn Road: His concerns were driveways, traffic, speed of vehicles and drainage. He provided a picture of the property after the recent rain. Rick Bombard, 10 Drake Drive: Questioned how much of the forest would be cut down. P. Libbey stated it has not been quantified: the type of house on each lot has not been determined. The intent was not to clear the lots. It was noted that lots with wetland buffers cannot be cleared up to the wetlands; that area will remain. B. Dion stated that most of the lots are not in the wetland buffers. J. Lajeunesse stated it would be determined by the homeowner. R. Bombard stated there was a wetland on Lot 12-8 and there was approximately 100-feet of developable area. His house was very close to that lot. S. Toth would like to have as many trees as possible preserved. P. Libbey stated that it is technically a jurisdictional wetland and appears to be manmade; the setback shown on the plan is the wetland buffer.

There being no further comments from the public, B. Dion closed the public hearing and returned to the Board. M. Fougere, addressing the abutters, stated there were many concerns about the quality of the plan or if it was being reviewed. He pointed out that there was a letter from the Town's engineer, who worked for the Planning Board not the developer, and had 95 comments. The project was being fully reviewed and vetted, the plan is not just accepted and stamped. There were many drainage issues noted that will need to be worked through. There was no rubber-stamping taking place.

MOTION: S. Smith moved to approve the extension requested by the applicant for 125 Dearborn Road to Thursday, February 15, 2024. Second – D. Moore

Discussion: F. Catapano questioned extending the application for one meeting; it was doubtful that it would be approved at the next meeting. The consensus was to extend for at least two meetings.

AMENDED MOTION: S. Smith moved to approve the extension requested by the applicant for 125 Dearborn Road to Thursday, April 18, 2024. Second – D. Moore; all in favor. MOTION CARRIED

MOTION: S. Smith moved to continue the Subdivision of Land for 125 Dearborn Road (Map R12, 12: Residential Zone) to the public hearing on Thursday, February 15, 2024. Second – F. Catapano; all in favor. MOTION CARRIED

### 3. Conditional Use Permit 24 Winnicut Road (Map R10, 24: Commercial A Zone)

**Applicant:** Christopher Rice, TF Moran

**Owner:** Brad Peterson, REP Enterprises

The owner and applicant are proposing to construct a driveway, with an apron on Winnicut Road, to provide access to the existing trailer storage area. The proposed driveway will be 24 feet wide and approximately 290 feet in length. There are impacts to the on-site wetland and buffers; retaining walls are proposed to limit wetland and buffer impacts.

Chris Rice, TF Moran, addressed the Board. Present were Attorney Monica Keiser, Hoefle, Phoenix, Gormley & Roberts Law Firm, and Brad and Ross Peterson, REP Enterprises. They were before the Planning Board on Thursday, December 21, 2023. They are proposing a 40-foot wide driveway, approximately 290-feet long off Winnicut Road to provide access to the existing storage area. The Police Chief agreed it would solve the traffic concern with trucks exiting off Rt. 33. The intent is for two to

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three trucks a week using the access point on Winnicut Road. A lockable manual swing gate has been added to the plan.

C. Rice reviewed the comments from Altus Engineering. The comments have been addressed and submitted back to Altus Engineering; a formal 'clean' letter has not been received back due to timing.

**Item 1 – Final Plan Set:** The final plan set will be signed and stamped.

**Item 2 – Shade Trees:** The requirements in the Ordinance have been met. A waiver has been submitted for trees due to the curvature of the road. Planting trees in the 15-foot section could limit sight distance. Sight distance plans have been provided and meet Town and State requirements. DOT driveway permits have been approved.

**Item 3 – Pavement Radii:** This has been addressed.

**Item 4 – 21-foot Wide Access Driveway:** A waiver has been submitted from the 24-foot driveway requirement to address abutter concerns. Traffic is expected to be low and not open to the public.

**Item 5 – Detention Basin:** Contours have been labeled.

**Item 6 – Retaining Wall:** This is a revision to the retaining wall detail and has been completed.

**Item 7 – Culvert Trench:** The pipe material and its strength have been addressed; the material has more than adequate coverage and can support loading.

**Item 8 – Emergency Spillway Dimensions and Elevations:** This has been done and completed.

**Item 9 – Wetland Buffer Maintained as Lawn:** E. Weinrieb recommended that the area be allowed to return to its natural state. The owner would like to keep maintaining that area as lawn for aesthetic purposes.

**Item 10 – Final Submission:** This will be addressed when approval is granted.

**Item 11 – Maintenance Bond:** The Board will need to decide on this item.

The following items were discussed at the December 2023 meeting:

**Pipe Material:** Schedule 80 PVC will be used.

**Driveway:** There was discussion about making the driveway one way and signage added. The owner would like to keep the access two-way. There will be very minimal traffic.

**Turning Template:** A turning template was provided to determine the area where trailers will not be parked to alleviate truck movement concerns. A copy of the truck movement plan was included in the Board information.

M. Fougere has spoken to E. Weinrieb; he is amenable to a conditional approval of the plan. The small items could be dealt with. C. Rice reminded the Board they were seeking a Conditional Use Permit for the driveway. A unanimous favorable recommendation was received from the Conservation Commission in November.

Altus Engineering did not have time to do a formal response to the applicant's memo of January 09<sup>th</sup>. There were minor issues remaining.

J. McDevitt asked to review the shade trees. C. Rice explained that the regulations required one tree to be planted every 40-feet within 15-feet of the right-of-way. If trees were planted along the curvature of the road, the sight line would be blocked. F. Catapano stated it was for new roads; this was a driveway. If there were already trees in the area, why plant more? J. McDevitt wanted clarification due to the sight distance entering and exiting.

J. McDevitt questioned the turning radius of trucks entering the property. C. Rice noted the hatched area on the plan where trailers would not be stored, allowing the free movement of vehicles. At the



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December meeting, they were asked to identify the area where trailers would not be stored, impeding larger vehicles entering and exiting. J. McDevitt questioned if they were comfortable with the access and flare if vehicles were entering and exiting the driveway at the same time. C. Rice responded that they originally wanted the driveway to be 24-feet to provide more separation. The Board had requested it to be reduced as much as possible. C. Rice explained the process for arriving at the 21-foot width. B. Dion asked why the radii on the north side was tighter than on the south side. C. Rice explained more room was needed to make a left turn when exiting. There was a discussion about cutting in closer at the entrance at the radius. D. Moore clarified that it was entering the driveway from Winnicut Road. The Board did not want trucks to have to cross the line into oncoming traffic. C. Rice noted that the driveway has been approved by DOT. S. Smith recommended removing the tree on the corner and widening the flare: it may add 10-feet. J. McDevitt clarified that DOT has reviewed the plan and turning templates and approved the plan. F. Catapano noted that if E. Weinrieb only had nine or ten comments vs. multiple pages of comments, he was fine with a conditional approval based on resolving all the issues.

S. Toth questioned the locked gate and if they would be opened manually when trucks entered. C. Rice clarified it was a manual gate. F. Catapano suggested signage for a private drive. C. Rice responded that signage had not been discussed. Responding to S. Toth, C. Rice stated a stop sign is not required. C. Rice will revise the turning radius if possible. S. Smith noted that there would be more flare if the tree was removed.

B. Dion opened the hearing to public comments, noting there was a three-minute limit and comments must be pertinent to the topic.

Joe Hoonhout, 31 and 36 Winnicut Road: The hours of operation for the proposed driveway were discussed: Monday through Friday, 8 am to 5 pm; Saturday 9 am to Noon. B. Peterson stated that due to lack of staff, they currently are not operating on Saturday but would like to bring Saturday's back in the future. M. Fougere noted the stipulation goes with the property. If the hours were to change, they would need to go back to the ZBA. J. Hoonhout: Signage on Winnicut Road for the proposed driveway was discussed and questioned if the hours of operation would be included. It was clarified by the Board this was not a road but a driveway; signage was recommended but not mandated. J. McDevitt noted that a sign on a gated driveway would stop people from using it. B. Peterson stated their hours of operation are not on any signs on the property; he was fine with a private driveway sign. J. Hoonhout requested that the drivers be informed of the hours of operation. B. Peterson and R. Peterson stated that trucks use the Truck Stop if arriving before hours of operation. J. Hoonhout questioned if the existing driveway on Winnicut Road would be removed. B. Peterson stated that was on a different property; the property being discussed was 24 Winnicut Road. After a brief discussion, it was noted that the driveway will remain. J. Hoonhout: Was a traffic study done? J. McDevitt: There have been traffic studies done on the intersection of Rt. 33 and Winnicut Road. S. Toth: The intersection is in complete failure. F. Catapano: This application would not warrant a traffic study. There was continued discussion about the location of the intersection of Winnicut Road, Bayside Road and Rt. 33. J. Hoonhout reminded the Board of his suggestion to reroute traffic from Rt. 101. The feasibility of rerouting traffic was discussed. F. Catapano reminded the Board that DOT has approved the driveway permit on Winnicut Road. He felt it was safer than having deliveries made from Rt. 33. B. Peterson stated there may be six deliveries a week in the spring. Attorney Keiser noted that truck drivers using the truck stop were not going to get back on the highway to come down Rt. 101 for deliveries. M. Fougere, addressing J. Hoonhout's question, stated that the ZBA designated the property as commercial 15 years ago. J. Hoonhout read into the record the description of the Commercial A Zone. F. Catapano noted that if the ZBA designated it as Commercial A, the Planning Board could not change that. He also stated this was a

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safer access than Rt. 33. J. Hoonhout: Requested clarification if there was approval for the storage of trailers for persons or entities (public trailer storage). The Board did not have the Variance that was granted and did not know its intent. Attorney Keiser stated there was an approved site plan from 2012 for proposed trailer parking. B. Peterson stated there are public trailers on the lot as well as retailers in for repair; it is a resale lot. He added that it was the same operation; they were looking for a driveway: no expansion, same staff. F. Catapano noted the plan does state for trailers only. Attorney Keiser stated the 2012 site plan indicates it is a proposed expansion of an existing commercial trailer sales and associated repair operation. F. Catapano stated the Board's purview at this meeting was a driveway and not if trailers were being stored on the lot; the Planning Board was not an enforcement board.

There being no further comments, B. Dion closed the public hearing and returned to the Board for discussion. S. Toth stated he would be happy to approve the application with conditions. The comments from Altus Engineering were shorter than 97.

MOTION: F. Catapano moved to approve the waiver from Site Plan Review Regulations Section V – Design and Construction Requirements, Section 5.11 – Parking Requirements, Subsection 5.11.4 – Parking Areas and Access Drives, Item F – Aisle Widths, requiring minimum width of 24-feet for two-way aisles. The project proposes a driveway width of 21-feet. Second – S. Smith; all in favor. MOTION CARRIED

MOTION: S. Toth moved to approve the waiver from Site Plan Review Regulations Section V – Design and Construction Requirements, Section 5.3 – Landscaping and Screening, Subsection E – Trees, requiring all commercial & industrial development to preserve existing trees and plant new trees. This project does not propose any plantings as a result of the driveway construction. Second – D. Moore; all in favor. MOTION CARRIED

Referring to the comments from Altus Engineering:

**Item 9 – Wetland Buffer Maintained as Lawn:** The area in question is currently maintained as lawn. Altus Engineering recommended the area be allowed to revert to a natural state. S. Toth stated it should be allowed to revert to a natural state because it was a wetland; Attorney Keiser stated it was a buffer. The consensus of the Board was to maintain the area as is.

**Item 11 – Maintenance Bond:** J. McDevitt noted that a maintenance bond was not needed.

MOTION: S. Toth moved to approve the Conditional Use Permit for 24 Winnicut Road (Map R10, 24: Commercial A Zone), according to the plan submitted by TF Moran, File 47385-00, dated January 09, 2024, with the following conditions: address the issues noted by Altus Engineering in their letter dated January 08, 2024, with the exception of Items 2, 9 and 11; 'Private Drive' sign on the proposed driveway; a maintenance bond is not required; portions of the wetlands buffer may be maintained as a lawn. **This plan is consistent with the Town's Site Plan Review Regulations and Zoning Ordinance.** Second – S. Smith; all in favor. MOTION CARRIED

4. Site Plan Review

1419 Greenland Road (R21, 46 – Commercial C Zone, Telecom District)

**Applicant:** Atlantic Tower LLC

**Owner:** Wakefield Investments

The owner and applicant are proposing a wireless communication facility which consists of a 100-foot tower designed to accommodate four wireless providers. The tower will be located within a compound surrounded by a 6-foot chain-link fence, which will be set back from the public right-of-way.

Christopher Swiniarski, Attorney – Devine Millimet & Branch and representing Atlantic Tower, addressed the Board. Brandon Gill, Atlantic Tower, was also present. A wireless communication facility with a 100-foot tower was proposed for 1419 Greenland Road. The property is located in the Town's Telecommunication overlay district and is expressly allowed under certain criteria by Special Exception from the Zoning Board of Adjustment. They have been granted a Special Exception from the ZBA. Attorney Swiniarski noted this application was fairly minor and some federal law was involved.

The compound where the tower is to be located is 2,750-square feet and is relatively small. There will be an access driveway off Rt. 33. It will not be a traffic concern because it is an unmanned facility. There will be a construction period, followed by maintenance access as needed. Attorney Swiniarski noted there are coverage gaps along the area of Rt. 33 and I-95. The proposed cell tower should close those gaps. The tower will accommodate up to four carriers.

Attorney Swiniarski felt their plans met the Site Plan Review Regulations for a facility of this type but could discuss other things the Board might want. There is some interplay with the Telecommunications Act and federal law as to whether certain things would be considered a 'material inhibition' to the deployment of wireless facilities. Attorney Swiniarski explained that if there is a request or requirement of the local board or ordinance that may be extraordinary to what is being proposed, federal law preempts. Issues can normally be resolved.

Responding to D. Moore's question, Attorney Swiniarski stated some fencing would be visible from Rt. 33. The ZBA had a condition on their approval that it had to match the fencing on the adjoining property with the exception of the columns. F. Catapano clarified that it was the fencing around the gas piping without the columns. Attorney Swiniarski noted that the Special Exception was granted by the ZBA. Generally, the design and aesthetics are part of the permit process in telecommunications; whoever grants the permit has that authority and is a little reversed in Greenland. J. McDevitt disagreed, stating that is the purview of the Planning Board.

The access drive will be approximately 15-feet wide, gravel and a turnaround on each side with access into the fenced area. F. Catapano questioned the four pads: Attorney Swiniarski stated those areas will be used by the four carriers for equipment. B. Gill stated they are not proposing guy towers similar to those at Summerwind Place (formerly known as Town Place); the proposed cell tower will be approximately half the height. There will be cabinet hubs with modern equipment.

Responding to S. Toth, B. Gill stated all safety requirements have been met and they are strictly regulated. B. Dion questioned the standards that had to be met for the proposed tower. A structural letter from the engineer will be submitted as part of building permit application. There are design and installation standards for wind loading so things do not fall off and the tower does not break. B. Gill stated that the site will be registered and added to flight maps. There will not be barbed wire on top of the fence unless required. B. Gill explained the height of rigging mounts, etc.



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Comments from M. Fougere: A DOT permit will be needed; the parking area needs to be moved out of the 50-foot wetland buffer; wetlands stamp needs to be added; soil scientist to clarify the type of wetland: is it open water and does the 50-foot buffer or 75-foot buffer apply; fencing and specific stipulations from the ZBA. F. Catapano stated it looked like a 75-foot buffer was shown; was a gravel drive allowed in the first 25-feet of a 75-foot buffer? M. Fougere responded there is a slight impact to the 50-foot buffer. Only specific uses are allowed in the 75-foot buffer/outer 25-feet. There is no report from the wetland scientist about the type of wetland. M. Fougere explained there is a slight impact on the 50-foot buffer that needs to be moved out; they did not apply for a Conditional Use Permit. The 75-foot wetland buffer applies to surface water. If it's not surface water, it is not applicable and does not have to be on the plan. B. Gill explained they had a full wetland study done and believed it was a 75-foot buffer; they will provide that report. F. Catapano stated that two carriers were shown in the buffer. M. Fougere stated there are uses allowed in the buffer with a Conditional Use Permit; the driveway would be fine but not the carrier pads.

MOTION: J. McDevitt moved to accept the application for 1419 Greenland Road (R21, 46 – Commercial C Zone, Telecom District) as complete. Second – F. Catapano; all in favor. MOTION CARRIED

S. Toth suggested landscaping around the fence along Rt. 33. Attorney Swiniarski commented that the ZBA asked them to change the fence to make it look nicer. B. Gill noted there is vegetation in that area. S. Toth stated the having something done to address the 'ugliest' area in Greenland would be nice. D. Moore stated the fence would be adequate.

The center of the tower is approximately 75-feet from the railroad tracks. There are no special conditions with the tracks or trains they need to abide by. B. Gill stated the towers are designed to collapse down into themselves. They have not had any towers collapse. A high-speed rail would not affect the tower. The range of cell coverage depends on the time of year. The coverage area was discussed.

MOTION: D. Moore moved to continue the Site Plan Review for 1419 Greenland Road (R21, 46 – Commercial C Zone, Telecom District) to the public hearing on Thursday, February 15, 2024. Second – P. Dion; all in favor. MOTION CARRIED

#### 4. Approval of Minutes

MOTION: S. Smith moved to approve the minutes of Thursday, December 21, 2023. Second – D. Moore; six in favor, one abstain (F. Catapano). MOTION CARRIED

#### 5. Consent Agenda

- Town Budget – Fougere Planning & Development: **\$1,262.55**
- Town Budget – Donahue, Tucker & Ciandella: **\$193.75**
- Escrow – Fougere Planning & Development: **\$465**
  - Dearborn Woods

MOTION: D. Moore moved to approve the Consent Agenda as presented. Second – F. Catapano; all in favor. MOTION CARRIED

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### 6. Other Business

Filing dates for elected offices were reviewed. The Planning Board has three positions open.

### 7. Work Session: Thursday, February 01, 2024

Ordinance discrepancies and the MS-4 will be discussed at the work session on Thursday, February 02<sup>nd</sup>. S. Toth is working on the Stormwater Management Ordinance for the MS-4.

### 8. Adjournment

MOTION: D. Moore moved to adjourn at 8:47 p.m. Second – B. Dion; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, February 01, 2024 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant