

Middleton Planning Board

Nov. 16, 2022

Town of Middleton

182 Kings Highway, Middleton, New Hampshire 03887

OFFICE OF THE PLANNING BOARD

*Accepted
Janet H. Kalar*

Middleton Planning Board

Meeting: Nov. 16, 2022

6:30 p.m.

Chair Janet Kalar called it to order at 6:33 p.m.

Members present: Janet Kalar (chair), John Mullen (vice chair), Roxanne Tufts-Keegan (Selectboard rep.) John Quinn (SLVD rep.), Ken Kalar (alternate).

Minutes:

Motion to appoint John Mullen as vice chair.

Motion by: Janet Kalar.

Seconded by: Roxanne Tufts-Keegan.

Motion carried unanimously.

Motion to amend Minutes from Oct. 13, 2022 to replace all references of John Mullen, who was absent, in with John Quinn and adding Roxanne to Tufts-Keegan in Members present,

Motion by: John Quinn

Seconded by: Roxanne Tufts-Keegan.

Motion passed unanimously.

Personal Wire Service Facility (PWSF) Ordinance & Application Process:

Mullen provided several informational documents to help prepare and educate fellow board members about the process of constructing additional cell phone towers in town. He added Appendix F: Procedure for Application Review (RSA 676:4) puts the process in perspective by summarizing it simply.

Update Zoning Ordinances:

Phone: 603-473-5204 FAX: 603-473-2577 planboard@middletonnh.gov

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Mullen said the schedule to submit zoning amendments - either by petition or via the board - for the 2023 Town Meeting is underway. Residents have until Dec. 14 to submit a petition and the last day to hold a public hearing is Jan. 12, 2023. As a result, the board needs to submit any proposals quickly in order to meet the deadlines.

Janet Kalar recommended Mullen contact Strafford Regional Planning Commission (SRPC) for assistance with proposed impact fee schedule. He will talk to SRPC and an attorney for professional suggestions and examples. He stressed he would have the town attorney review any draft impact fee ordinances or calculation products before the required public hearing.

PWSF:

Mullen said the site of any potential cell towers is determined by the Federal Communications Commission (FCC) and the application checklist explains the process. He added the cell phone company provides technical data, but the Town can't zone one out. The site doesn't have to be on town-owned property, but the company must enter an agreement with the landowners - either the Select Board in case of Tanglewood development or a property owner for private parcels, depending on the FCC.

He submitted a 2015 memo from the Planning Board about the Cell Tower (Blue Sky) Application and Process, a copy of Article 27 - Personal Wireless Service Facilities from the town's ordinances, a sheet on additional issues and RSA Chapter 12-K Deployment of Personal Wireless Service Facilities for further references.

Mullen said the company must provide a tremendous amount of information to the town before the Planning Board can review the application.

Tufts-Keegan said she picked up the cell tower project where Roger Mains left off. The town owned Tanglewood development and another site on Drew Drive are potential locations, if the process comes to fruition.

Trailer Parks:

Mullen said the town's ordinance is fairly generic as the state requirements dictate the requirements of trailers, their foundations and local codes.

Janet Kalar said the town's five-acre requirements on new residences do not apply to mobile home parks, but developers must submit five studies evaluating the impact of septic, water, occupation, traffic as part of the application process.

Day Care:

Mullen said this is not high-risk as it falls under state regulations and zoning Ordinances. He added Janet Kalar has researched the issue.

Old Business:

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Mullen suggested the board review the town's ordinances in 2023 but noted the process will take more than a monthly meeting. He added 150 of the 221 communities in NH amended their local ordinances in 2022.

Tufts-Keegan said she is interested in impact fees, which need to be addressed sooner than later, rather than the ordinances. The impact fees can be included in site regulations.

Master Plan:

Mullen said the updated Master Plan is nearly complete, but still needs more from the Fire Department and the School District. Quinn said he would attempt to collect more information about the school for the product.

Public Comment:

Pastor Dave Scott, of the Middleton Gospel Church, wanted to see what was needed to complete an application for a five-acre parcel, part of a potential subdivision at Kings Highway and New Durham Road. The developer already asked the board and understood the studies involved in the process.

Richard Skidgel, of Pinkham Road, asked about the logging which occurred on the large parcels of the street. He had no objections to the process. Tufts-Keegan said the select board received an application to cut, but the planning board had not received any other applications for the property.

Quinn said the recent Halloween event, which was organized by the Recreation Committee and involved town departments and boards, went extremely well but the Planning Board's jack-o-lantern did not win the carving contest due to stiff competition.

Mullen said he attended a land use regulations conference for state, regional and local planners in Manchester. He will provide more details to fellow board members upon its completion.

Motion to adjourn at 7:42 p.m.

Motioned by: Roxanne Tufts-Keegan.

Seconded by: Janet Kalar.

Motion carried unanimously.

Respectfully submitted by John Quinn.