

To: Henniker Planning Board

Cc: Vertex Tower Assets, LLC (Vertex)
Francis D. Parisi, Esq.

From: ProTerra Design Group, LLC

Date: January 13, 2021

**RE: Response to Planning Staff Application Comments
“Planning Board Application 2021:01 Vertex Towers”
Dated January 6, 2021
Site Name: Henniker North RT 114
Site Number: VT-NH-3012B
796 Liberty Hill Road
Henniker, NH 03242**

The Town of Henniker Planning Staff provided comments dated January 6, 2021 on the Planning Board Application 2021:01 Vertex Tower submittal. ProTerra Design Group, LLC's (ProTerra) responses to these comments are noted in [BLUE](#) below.

Planning Staff Application Comments:

- a. The Road Agent had relayed a concern that if power upgrades are needed and new poles are installed along Liberty Hill Road, the poles be set back a distance off the traveled way such that they do not interfere with road maintenance.

[There are existing utility poles that run onto the locus property. We are not currently proposing to install new poles along Liberty Hill Road unless required by the utility purveyor.](#)

- b. A private airport lies 4 miles south of the subject site; will the tower need to be lit to address this matter? The applicant has submitted a document stating that no airports exists within five miles of the subject site.

- c. [Included in the Application package was the results of an FCC TOWAIR database review, indicating that a tower at the proposed location and height should not be an impediment to air navigation \(and, therefore, no FAA lighting or marking would be required\). Following consideration of approval of the proposed Facility by the Planning Board, the Applicant will complete a more extensive FAA analysis to corroborate that finding, and will provide such notice to the Building Inspector along with the application for a building permit.](#)

- d. Tower height: Proposed cell tower is to be 150 feet tall, the maximum allowed under the ordinance. However, per Section 133-125 B, Height Limitations, 2. limits tower heights as follows: towers “shall not project higher than 20 feet above the average height” of the adjoining tree canopy. Although not noted in the applicants outline in which they argue for

the 150-foot height, the site plan notes that the adjoining tree canopy is 65 feet, which limits the towers height to 85 feet. At 150 feet, the proposed tower is 65 feet above this limit.

WAIVER requested (to be discussed at public hearing).

- e. Section 133-125. E Tower Construction mandates that towers must be “appropriately camouflaged”. Under the Town’s Zoning Ordinance camouflage means towers should be designed to look like structures commonly found in the area including a ranger/fire tower or trees. Given the extensive height exception being sought by the applicant, the use of a “tree” would not be appropriate and therefore maybe a fire tower design may be more suitable for this area. The applicant has requested a Waiver of these requirements and therefore the Planning Board will have to review this matter and make a determination as to the appropriateness of the request.

WAIVER requested (to be discussed at public hearing).

- f. Section 133-125F Viewshed Analysis, requires a balloon test and photos be taken around Henniker at key vantage points where the proposed tower may be visible. Given the subject site’s location, higher terrain areas to the south that look north may have the greatest visual impact. Once the Board provides directive to the applicant as to where in the community photos should be taken from, the date and time of proposed test will need to be agreed to and properly noticed to town residents.

The Applicant will discuss this with the Planning Board at the public hearing.

- g. One area of the proposed access drive, at the beginning, will have a grade of 17.5%. The Fire Department has expressed concerns with such a steep slope relative to emergency equipment having the ability to access the site, including the ambulance.

We are proposing to reuse the existing farm road. A short section (~100') is approximately 17.5% and is located primarily on ledge. To add a swale or modify the existing grade, we would need to blast the bedrock. We plan to shape the road and install water bars across and off of the driveway consistent with the existing drainage patterns. The remaining driveway including the proposed extension is at or below 5%. We would be happy to walk the existing driveway with emergency personnel. We have been able to drive to the field over the existing driveway without issue with our vehicles. The drainage on this portion of the road has been working so we are not proposing to alter it as it is in close proximity to an old barn. Considering a different access point to start the driveway would require approximately 500' of new driveway to be constructed.

- h. It appears additional details of the propose driveway are needed. There are no ditch lines proposed along the 17% slope area and the driveway will be gravel based, creating an easily erodible surface. In addition, there appears to be limited areas to detain water and erosion control details also appear to be minimal. Does the Planning Board wish to have the Town Engineer review this plan?

To add a swale or modify the existing grade along the beginning short section of the driveway, we would need to blast bedrock. We plan to shape the road and install water bars across and off of the driveway consistent with the existing drainage patterns. An erosion control plan on Sheet EC-1 is included within the plan set. This includes an erosion control barrier on the downhill side of disturbed areas, a construction entrance with tracking pad, stockpile areas, construction staging areas, dewatering basin, and detailed notes specifying process and procedure. In addition, Vertex will be required to file a NPDES Stormwater Pollution Prevention Plan with the EPA which will include a detailed written plan on how Vertex will install, maintain, and inspect the erosion controls throughout the construction process.

- i. No wetland stamp is provided on the set of submitted drawings for Lucas Environmental.

A copy of the stamped wetland memo is attached for reference. We will add the wetland scientist's stamp to the plans.

If you have any questions or need further information, please do not hesitate to call at (413) 320-4918.

Sincerely,
ProTerra Design Group, LLC

Jesse Moreno, PE
Managing Partner

Attachment

