

TOWN OF BEDFORD
September 20, 2018
BEDFORD TELECOMMUNICATIONS COMMITTEE
MEETING MINUTES

A meeting of the Bedford Telecommunications Committee was held on Thursday, September 20, 2018 at the Bedford Meeting Room, 10 Meetinghouse Road, Bedford, NH. Present were: Bill Duschatko (Chairman/Town Council Rep), Kathleen Bemiss, Chris Swinarski, Chris Magay, Jason Lacroix, and Bill Greiner. Also present: Rick Sawyer, Town Manager and Rebecca Hebert, Planning Director.

Chairman Duschatko called the meeting to order at 11:40 a.m.

**MOTION by Mr. Greiner to approve the August 23, 2018 minutes.
Seconded by Ms. Bemiss. Vote taken – motion passed unanimously.**

New Business

- Mr. Duschatko explained that the group needs to discuss their recommendation to the Town Council regarding the use of Town-owned property for telecommunication facilities. The committee discussed various options including not allowing towers on any Town land or reviewing requests on a case by case basis. Mrs. Bemiss asked Mr. Sawyer about the process for receiving new requests for towers on Town land. Mr. Sawyer explained that the request is first received in his office and then forwarded to Town Council for review and discussion. Mr. Greiner said that if the current councilors were to ban all new wireless telecommunications facilities on Town land, the policy could be changed in the future by a new council. The group discussed factors that should be considered if the requests are reviewed on a case by case basis including location, residential or commercial zone, and future use of the land. The committee agreed that the Council should take a broad look at how the land might be used by the Town in the future and determine if building a tower is the right use. In the case of Chubbuck Road, the group discussed how the land might be used by the Town in the future.
- Denise Ricciardi said she has been fighting this cause for three years and the towers are dangerous to the children. The Town owns the land and has the ability to prohibit the towers on Chubbuck Road.
- Mr. Swinarski said that with this policy each request would be evaluated on individually. We would not know what the decision would be.
- Mr. Sawyer asked the committee if they would rather see no towers on Town land. The committee agreed that each proposal would need to be reviewed separately and there shouldn't be an outright ban. Mrs. Bemiss said there is a lot of distrust towards the Town in her neighborhood because of the previous tower proposal for Chubbuck Road. The group discussed the process of the previous application and agreed if

proposals were going to be reviewed individually, the review should start with a non-binding letter of interest to the town and not a lease agreement. The Town could even put out a bid for proposals. Mr. Duschatko said that the Council should hold a public hearing to review any proposals. The group agreed that abutters should also be notified.

MOTION by Mr. Greiner to recommend that when the Town receives a request for a wireless telecommunication facility, the proposals be considered on a case by case basis as applications are received, and the Town Council should hold a public hearing with notice to abutters. Seconded by Mr. Swinarski. Vote taken – all in favor; motion passed.

- Mr. Duschatko said next on the agenda is the discussion of the new FCC Declaratory Ruling. He shared the ruling with the committee by email ahead of the meeting. He said it appears to be tailored to the industry not municipalities. The group agreed it would be premature to recommend revisions to the zoning ordinance until we understand how the FCC will vote. Mr. Swinarski explained the background of the FCC ruling. It came about as a result of increased demand for small cell deployment and will change several aspects of the municipal review process. Mrs. Bemiss said reviewed and noted that there can't be excessive fees, but communities can still set their aesthetic criteria but it can't be a secret criteria and needs to be clear in the regulations.
- The group agreed to continue the discussion of the zoning amendments and the FCC ruling to the next meeting.
- Mrs. Bemiss asked if the committee would end. Mr. Duschatko said he would look into whether or not the committee's role would continue.

Chairman Duschatko adjourned the meeting at 12:30 p.m.

Respectfully submitted,
Rebecca Hebert, AICP, Planning Director