

# RYE PLANNING BOARD

*10 Central Road Rye, NH 03870 (603) 964-9800*

## Notice of Decision

**Applicant:** Cellco Partnership d/b/a Verizon Wireless

**Owner:** The Town of Rye

**Property:** 68 Port Way, Tax Map 23, Lot 1  
Single Residence District

**Case:** Case #20-2019

**Application:** Special Use Permit and Major Site Development Application by Cellco Partnership d/b/a Verizon Wireless, with AT&T for property owned by the Town of Rye and located at 68 Port Way, Tax Map 23, Lot 1 to install a wireless telecommunications facility in the form of a 126' monopole at the property, which shall include twelve (12) panel antennas, six (6) remote radio heads, one (1) junction box at a centerline 121' and nine (9) panel antennas, fifteen (15) remote radio heads, six (6) surge arrestors at a centerline of 109' and ground based equipment to be housed within 50'x50' fenced enclosure. Property is in the Single Residence District. Case #20-2019.


**Date of Decision:** Tuesday, March 10, 2020

**Decision:** **The Board voted 7-0-0 to approve the Special Use Permit.**

**The Board voted 7-0-0 to approve the Major Site Development Application.**

**The SUP and Major Site Development are contingent upon the following conditions:**

3-10-2020  
**Date**

  
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**Patricia Losik, Chairman**  
**Rye Planning Board**

❖ *Planning Board Approvals do not include building permits; please check with the Building Inspector's office before any and all construction.*

CONDITIONS OF APPROVAL  
VERIZON CELL TOWER AT 68 PORT WAY  
MAJOR LAND DEVELOPMENT & S.U.P. APPROVALS

1. The plans shall be revised as follows:
  - a. Add a signature block for planning board chair to sign to the Title Sheet and Sheets C3 through C7 and A1. Two sets each of the full plan set are to be submitted for signature.
  - b. Add the following notes to Sht. C-6 re: generators:
    - 1) The generators shall be fueled by propane. Diesel fuel is prohibited.
    - 2) All generators on the site shall be programmed to run concurrently during the following period: Wednesdays at noon.
    - 3) All generators on the site shall be enclosed in sound attenuating enclosures.
  - c. Remove note about expandable tower that is in bottom note box on Sht. A-1.
  - d. Add note to Sht. A-1 that monopole will be color of brown up to height of 50 ft.
2. The planning board engineer should certify that all of his concerns have been satisfactorily addressed.
3. A Collocation Agreement similar to that at Tab 14 of the 11/22/2019 submittal shall be reviewed and approved by town counsel and signed by Verizon and the planning board chair.
4. The NEPA evaluation required by RZO § 505.4, C(2) shall be satisfactorily completed and evidence of same provided to the planning board.
5. The special exception and variances required from the ZBA shall be obtained. Any conditions of approval imposed by the ZBA are incorporated herein by reference.
6. Sufficient funds shall be placed in escrow with the planning board to pay final statements of planning board engineer, town counsel and the other consultants of the board.
7. Applicant shall sign an Escrow Agreement and post escrow for planning board engineer's monitoring of site improvements. Amount to be determined by planning board engineer.
8. Planning board chair may sign plans when foregoing conditions Nos. 1-7 are met.
9. A Certification of Major Site Development Review Approval shall be recorded by the board.
10. The grading of the gravel drive where it turns westerly towards the compound shall allow for continued travel north on the woods road by other parties who may have access rights over the old woods road. (See note on Sht. C-2).

11. After the compound has been constructed Verizon shall retain a forester acceptable to the planning board who shall identify which trees, if any, should be removed because they pose the threat of falling on the compound. The stumps and root systems of trees which are removed shall not be removed.
12. The application for a building permit for the tower shall include the certification of a professional engineer that the tower and supporting infrastructure are capable of supporting the antennae arrays depicted on Sht. A-1 and that the requirements of RZO §'s 505.5, A2 – A5 are met. The building inspector may require the applicant to post an escrow for peer review of the tower and supporting infrastructure design.
13. The corners of the leased area shall be surveyed and monumented with iron pins not less than five-eighth (5/8) inch in diameter and 36 inches long, set 24 inches in the ground.
14. The construction of the compound area should introduce no restrictive liners or layers which would restrict functionality of infiltration of the compound area.
15. For the purposes of RSA 674:39 “Active and Substantial Development or Building” shall be commencement of excavation for construction of the tower compound.
16. As-built plans for all site improvements shall be submitted to the planning board (3 sets).
17. Per Section 303.7 of the *Land Development Regulations*, this conditional approval shall expire in 18 months if the chair has not signed the plan as the result of the applicant’s failure to meet those conditions necessary to permit the chair to sign the plan.