



**TOWN OF MADISON
ZONING BOARD OF ADJUSTMENT
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**ZONING BOARD OF ADJUSTMENT AND PLANNING MINUTES
FOR JOINT MEETING October 15, 2025**

ATTENDANCE FOR ZONING BOARD OF ADJUSTMENT: Drew Gentile, Chairman, Doug McAllister and Richard Ventura.

EXCUSED: Sharon Schilling, Vice Chairman and Marc Ohlson, Alternate.

ATTENDANCE FOR PLANNING BOARD: Paul Marks, Vice Chairman, Paul Littlefield, Karl Nordlund, Donna Hempel, Tia Gagnon – Alternate and Joe Viana – Alternate.

EXCUSED: Adam Price, Selectmen's Rep. and Marc Ohlson, Alternate.

OTHERS PRESENT: Madison TV, Aysia Wellinghurst, (Evan and Lauren Woss), Kate Young, Land Use Boards Administrator, Attorney Francis Parisi, Mark McConkey, Angel Byers Crandell and other members of the public.

PLEDGE OF ALLEGIANCE/ROLL CALL: Chairman Gentile lead in the reciting of the Pledge of Allegiance. The roll call confirmed three regular members were present, constituting a quorum and Chairman Gentile introduced the members present.

CALL TO ORDER: Chairman Gentile called a joint meeting of the Madison Zoning Board of Adjustment and Planning Board to order at 6:00 PM. He explained that the purpose of this joint meeting was to allow both boards to hear a single presentation regarding a cell tower application. He further explained that Paul Marks, Vice Chairman of the Planning Board, will be chairing that portion of the meeting. Chairman Gentile noted they hoped to finish the joint meeting by 7:30-8:00 PM at the latest, to address two other ZBA cases that evening, as their procedures prevent starting new business after 9:00 PM. Chairman Gentile handed the meeting over to Marks, Vice Chairman of the Planning Board.

Joint Meeting with Planning Board and Zoning Board of Adjustment

Marks, Vice Chairman of the Planning Board introduced the Planning Board members.

ELEVATION OF ALTERNATES: Marks, Vice Chairman elevated alternates, Gagnon and Vianna to full voting members.

Marks, Vice Chairman of the Planning Board asked Attorney Parisi to present his case.

Attorney Francis Parisi representing Vertex Towers, LLC, presented an application to the Zoning Board of Adjustment seeking variances to install a wireless telecommunications facility at 0 Tasker Hill Road (off Oak Ridge Road). The variances requested were:

1. A variance from Article VI, Section 6.5.A to permit construction of a 100-foot-tall facility
2. A variance from Article VI, Section F.H.5 to permit overhead utilities
3. A variance from Article VI, Section 6.6.M (2) to permit a monopole-style facility that exceeds the 10-foot limit over average tree canopy height
4. A variance from Article VI, Section 5.7.A to permit construction on a property with insufficient frontage

Attorney Parisi explained that Vertex Towers, LLC is a wireless infrastructure developer that partners with telecommunications companies. For this project, their anchor tenant would be T-Mobile, though the facility would be designed to accommodate multiple carriers. He described how the 95-acre parcel has frontage on Oak Ridge Road but slopes steeply downward, making it unattractive for residential development but ideal for a telecommunications facility.

He discussed the existing coverage gaps in North Madison, particularly in the Eidelweiss neighborhood, due to topographical impediments. The hill on which the proposed tower would be located, blocks signals from existing facilities along Routes 16 and 153. Two existing towers on adjacent lots are already maxed out—one with public safety equipment and the other with a wooden telephone pole structure inadequate for modern telecommunications equipment.

The proposed facility would consist of a 100-foot monopole tower (105 feet including the lightning rod) within a 40'x70' gravel compound approximately 150 feet from Oak Ridge Road and the nearest property line. The facility would be unmanned, generate no traffic after construction, and produce no noise or emissions.

Attorney Parisi presented visibility demonstration photos showing the proposed tower would be minimally visible from most vantage points, with generally only the top 10 feet visible above the tree line from key locations like beaches in the area. He emphasized that because they selected a site at a high elevation, they were able to propose a 100-foot tower rather than the taller 150–180-foot towers approved in neighboring communities.

Addressing the five criteria for a variance, Attorney Parisi argued:

1. The project is in the public interest by improving telecommunications and public safety.
2. Denial would create unnecessary hardship due to technological limitations and topographical constraints.
3. The project observes the spirit of the ordinance by minimizing neighborhood impact.
4. Substantial justice would be served as similar facilities exist in surrounding communities.
5. There would be no effect on property values, supported by an appraiser's report.

During questioning:

- Board members asked about the proximity to the nearest neighborhood (146 feet to nearest property line).
- Questions were raised about the distance from the driveway to wetlands, which Attorney Parisi clarified would avoid wetland areas.
- Board members discussed whether T-Mobile could use existing towers, but Attorney Parisi explained they lacked structural capacity for modern equipment.
- Questions about coverage plans revealed this tower would primarily serve North Madison, while separate projects in Eaton and Freedom would address the Route 153 corridor.

Marks, Planning Board Chairman opened the Public Hearing for Planning Board **Case #25-07**. Chairman Marks asked Young, Land Use Boards Administrator to read the case aloud:

Case #25-07 - Site Plan Review request from Francis D. Parisi, Esquire, authorized agent for Vertex Towers, LLC, 0 Tasker Hill Road (off Oak Ridge Road), Tax Map 206, Lot 71 – The proposed project is construction of a wireless communications facility consisting of 100-foot-tall monopole tower on top of a 1-foot foundation (105 feet to top of lightning rod) inside a 70x40 foot fenced in compound.

Chairman Gentile opened the Public Hearing for the Zoning Board of Adjustment for **Case #25-06** and he asked Young to read the case aloud:

Case #25-06 - Variance request from Francis D. Parisi, Esquire, authorized agent for Vertex Towers, LLC to install, operate and maintain a personal wireless service facility at 0 Tasker Hill Road (off Oak Ridge Road), Madison, New Hampshire, Tax Map 206, Lot 71, from the Madison Zoning Ordinance for the following Articles/Sections:

1. A variance from Article VI, Section 6.5.A to permit construction of a 100-foot-tall facility.
2. A variance from Article VI, Section F.H.5 to permit overhead utilities.
3. A variance from Article VI, Section 6.6.M (2) to permit a monopole-style facility (if necessary) towers shall not exceed ten feet (10') over the average tree canopy height.
4. A variance from Article VI, Section 5.7.A to permit construction of the facility on a property with insufficient frontage.

Chairman Gentile explained to Attorney Parisi that the Zoning Board could only provide a three-member board and he asked Attorney Parisi if he wanted to continue with a three-member board tonight? Attorney Parisi was in agreement with a three-member board.

Chairman Marks asked Planning Board members for a motion to accept the application as presented.

Motion by Nordlund, seconded by Hempel to accept the application for **Planning Board Case #25-07** as presented. The motion was voted on and passed **6-0**.

Chairman Gentile asked the Zoning Board if they felt an independent engineer would be needed for the case. McAllister and Ventura stated that they believe that Attorney Parisi presented sufficient data. The Zoning Board members decided that an independent engineer would not be needed for this case.

Chairman Marks opened Public Comment: Damon Steer from the Conway Daily Sun asked how close is the tower to the nearest neighborhood? Attorney Parisi explained 146 feet to nearest property line and 250 feet off Oak Ridge Road and further stated that the Zoning Board requires the tower height setback at 150 feet from the nearest property line.

Chairman Marks asked the Planning Board for any comments or questions.

Gagnon asked how far is the parking lot and the wetland buffer? Attorney Parisi explained that the driveway is 12 feet wide and overhead utilities are 8 feet and this was done to avoid the wetlands.

Chairman Marks stated he did not see a site plan included with the application and that they need something 20 scale or 40 scale to see distances from the road and property lines. Attorney Parisi did not provide this on the plan but he did provide all abutters.

McAllister asked if the tower already there was owned by Green Mountain Communications and can T Mobile go on the new tower? Attorney Parisi explained that the public safety antenna takes up more vertical real estate.

Chairman Gentile explained that criteria for hardship would be, that this site is uniquely suitable. Attorney Parisi explained that is defined by multiple things and the uniqueness is that it is situated to take advantage from a telecommunications perspective and there is no place else to go. He further explained that this is what creates a hardship and is driven by technology, topography etc.

Attorney Parisi stated he will bring an abutters plan to the next Planning Board meeting.

Chairman Gentile opened Public Comment. There was none.

Chairman Gentile asked the Zoning Board of Adjustment if they had any more questions and since there were none, he asked the Zoning Board of Adjustment for a motion.

Motion by Gentile, seconded by McAllister to continue **Case #25-06** to November 19, 2025 at 6:00 PM at Madison Town Hall, Lower Level. The motion was voted on and passed **3-0**.

Chairman Marks asked the Planning Board if they had any more questions and since there were none, he asked the Planning Board for a motion.

Motion by Littlefield, seconded by Nordlund to continue **Case #25-07** to November 5, 2025 at 7:00 PM at the Madison Town Hall, Lower-Level Meeting Room and that Attorney Parisi is requested to provide a more detailed site plan showing abutting properties. The motion was voted on and passed **6-0**.

ZONING BOARD MINUTES CONTINUED FOR CASE #25-07 and CASE #25-08

Chairman Gentile asked Ohlson to join the Zoning Board for the two remaining cases.

Chairman Gentile elevated Ohlson to a full voting member and Chairman Gentile explained we now have a four-member board.

Case #25-07 - Variance Request (1071 East Shore Drive)

Chairman Gentile asked Young to read **Case #25-07** aloud as follows:

Case #25-07 – Variance request from Mark McConkey, Agent for John and Marjorie Summers for property located at 1071 East Shore Drive, Tax Map 126, Lot 005, **Article V, Section 5.9 (C)** of the Zoning Ordinance, to permit the house to be 55.7 feet from the high- water mark of Silver Lake where 75 feet is required.

PUBLIC MEETING NOTICE: Notification of this public meeting was posted in the Town Hall upper and lower levels and Madison and Silver Lake Post Offices on September 24, 2025 and posted in the Conway Daily Sun on September 27, 2025.

Chairman Gentile swore in Mark McConkey, agent for the applicants.

Conflict of Interest: Chairman Gentile polled the board and there was no Conflict of Interest.

Waiver Request: Chairman Gentile stated a Waiver Request was presented and asked the board if a Certified Plot Plan was needed? Chairman Gentile, McAllister, Ventura and Ohlson voted to approve the Waiver as presented.

Regional Impact: Chairman Gentile polled the board and there was no Regional Impact.

Mark McConkey, agent for John and Marjorie Summers, presented a variance request for property at 1071 East Shore Drive. The request sought permission to replace an existing house with a new structure that would be 55.7 feet from the high-water mark of Silver Lake where 75 feet is required by Article V, Section 5.9(C) of the Zoning Ordinance.

McConkey explained that the proposed home would meet all side setbacks and road setbacks, falling short only on the lakeside setback. The existing structure had a porch that extended toward the lake, which had been removed in the plans. The new design would keep a lower profile on the front of the home facing the lake, with a second story over the garage in the back.

During discussion, board members noted that the original house predated the enactment of zoning in Madison. Chairman Gentile read from Article 1.3(b) of the Zoning Ordinance, which states that, **“structures existing at the time of original passage of the ordinance (March 1987) that do not conform to setback requirements may be demolished and reconstructed within one year, provided the reconstructed structure is in the same location and of the same dimensions, except to the extent such differences would make the structure less nonconforming.”**

The board determined that the application met the above-noted conditions as the new structure would not be any closer to the lake than the original structure, making it unnecessary to evaluate the standard five variance criteria.

Motion by Gentile, seconded by McAllister to approve the construction based on its conformity with Article 1.3(b) of the Madison Zoning Ordinance. The motion was voted on and passed **4-0**.

Case #25-08 - Variance Request (2 Appenvel Way)

Chairman Gentile asked Young, Land Use Boards Administrator to read **Case #25-08** aloud:

Case #25-08 – Variance request from Angel Byers Crandell, Trustee of the Angel Byers Crandell 2002 Trust, for property located at 2 Appenvel Way, Tax Map 109, Lot 143, **Article V, Section 5.9 (D) and (E)** of the Zoning Ordinance, to permit an attached two-car garage with a mudroom addition which is 55 feet from the center of Appenvel Way where 65 feet is required. All other set back requirements are met.

PUBLIC MEETING NOTICE: Notification of this public meeting was posted in the Town Hall upper and lower levels and Madison and Silver Lake Post Offices on September 24, 2025 and posted in the Conway Daily Sun on September 27, 2025.

Chairman Gentile swore in Angel Byers Crandell.

Conflict of Interest: Chairman Gentile polled the board and there was no Conflict of Interest.

Regional Impact: Chairman Gentile polled the board and there was no Regional Impact.

Waiver Request: Chairman Gentile asked if a Certified Plot Plan was presented with the variance request. The board determined that one was not presented with the application. McAllister and Ventura agreed that a Certified Plot Plan was needed.

Chairman Gentile stated he did make a site visit to the property. He further stated that the board is required by law, to make a decision on a plan and there is nothing tied down to show the 55 feet. Chairman Gentile stated that a Certified Plot Plan would be needed as there was a discrepancy on the contractor's drawing that appeared to show 35 feet, rather than the 55 feet. Chairman Gentile further stated that possibly, it was measured to the edge of the road rather than to the center of the road. Chairman Gentile explained this makes it difficult to verify the actual measurement from the center of the road to the proposed structure. Ms. Crandell indicated that a surveyor was in the process of preparing a plot plan, with orange survey pins which are already installed on the property but she is not sure when she will have the plot plan. Chairman Gentile asked her to ask her contractor to draw a precise diagram. Ohlson stated a Certified Plot Plan is needed because of possible encroachment issues in the future.

Chairman Gentile explained that they need to continue this case to November 19, 2025 but if Ms. Crandell could get a Certified Plot Plan with measurements from the center of the road to the corner of the house, that would be beneficial. He further stated that if Ms. Crandell cannot provide this documentation at the November 19, 2025 meeting, the board could discuss a continuation again.

Motion by McAllister, seconded by Ohlson to continue **Case #25-08** until the next Zoning Board Meeting on November 19, 2025 at 6:00 PM at the Madison Town Hall, Lower level to allow time for the applicant to provide accurate measurement documentation. The motion was voted on and passed **4-0**.

APPROVAL OF DRAFT MINUTES - October 15, 2025: The board reviewed the September 17, 2025 meeting minutes. Chairman Gentile asked for a motion to approve or disapprove or discussion.

Motion by Ventura, seconded by McAllister to approve the September 17, 2025 minutes as written. The motion was voted on and passed **4-0**.

ADMINISTRATION: The board discussed the budget for 2026, particularly focusing on the legal line item, which had exceeded the budgeted amount due primarily to litigation involving a cell phone tower case. They noted that additional expenses were expected as the case was currently in federal court.

The board also discussed postage and notice expenses, which had exceeded budgeted amounts due to numerous short-term rental cases. Young explained that while these expenses appear as line items in the budget, they are recovered through application fees collected and then deposited into the General Fund.

The board decided to postpone finalizing their budget request until their November 19, 2025 meeting, when they would have more information about projected legal expenses.

The board also discussed the need for additional members, with Chairman Gentile noting they were "**in desperate need of new members.**" Board members discussed potential recruitment strategies, including social media and personal outreach.

ADJOURNMENT: Motion by Ohlson, seconded by McAllister to adjourn the meeting at 7:55 PM. The motion was voted on and passed **4-0**.

The next Public Hearing of the Zoning Board of Adjustment will be held on November 19, 2025 at the Madison Town Hall, Lower-Level Meeting Room at 6:00 PM.

Respectfully submitted,

Katharine Young
Land Use Boards Administrator