



February 20, 2023

VIA EMAIL

Tracy Hardekopf, Chair
Zoning Board of Adjustment
Town of Barrington
333 Calef Highway
Barrington, New Hampshire 03825

RE: Third Extension Request of Case Number 251-64-GR/SDAO-17-ZBA Wireless telecommunications Tower Bumford Road (Map 251, Lot 64)

Dear Chair Hardekopf:

EIP Communications I, LLC as successor by merger to Varsity Wireless Investors, LLC (“EIP Communications”) respectfully submits this request to further extend the period to exercise the rights authorized under the Notice of Decision for the installation of the wireless communications tower on Bumford Road to the Town of Barrington Zoning Board of Adjustment (“Board”).

EIP Communications is seeking a further **two (2) year** extension until **April 27, 2025** of the following:

Case No. 251-64-GR/SDAO-17-ZBA: Notice of Decision dated April 27, 2017 - By decision dated April 27, 2017 (“Decision”), the Barrington Zoning Board of Adjustment voted to grant a variance from 10.4(3) to allow the 150’ monopole tower that will structurally accommodate at least 4 wireless service providers and associated antennas with ground equipment to project more than 20’ above the tree canopy on Bumford Road (Map 251, Lot 64).

PERMITTING HISTORY

The original request was for a variance to allow the installation and operation of a wireless telecommunications tower extending more than 20’ above the tree canopy (“Tower”) as shown on a plan prepared by Hudson Design Group, LLC with a last revision date of September 19, 2017. At its regularly scheduled meeting on April 21, 2021, the Board voted to approve the extension request for the variance approval through April 27, 2023.

Separate relief from the Planning Board was also obtained for site plan review to construct a 150’ monopole tower by Notice of Decision dated June 7, 2017. At its regularly scheduled meeting on October 25, 2022, the Planning Board voted to approve a one-year extension of Site Plan Review to October 25, 2023.

SUMMARY OF PROPOSED INSTALLATION

EIP Communications’ approved proposal is to construct a self-supporting 150-foot monopole tower to accommodate the antennas of at least four wireless service providers. The tower, ground equipment and

supporting utility connections will be installed inside an area of approximately 3,855 square feet that will be surrounded by a fence with a twelve (12) foot wide locked entrance gate. Access will be over the existing driveway from Bumford Road. Electric and telephone lines will be connected to existing electric and telco service according to utility company specifications. There are **no changes** proposed to the approved telecommunications facility.

EIP COMMUNICATIONS' INTEREST IN THE PROPERTY

The Trustees of the Steven F. Lenzi Rev. Trust and Pamela M. Lenzi Rev. Trust ("Owner") are leasing to EIP Communications a portion of the Owner's property being shown on the Tax Map of the Town of Barrington as 251, Lot 64 with address of Bumford Road for the location of a wireless telecommunications tower with access and utility service over the property. The Owner has given EIP Communications full authority to file for the necessary approvals for the installation of a wireless telecommunications tower facility at this site.

REQUESTED EXTENSION

EIP Communications respectfully requests that the Board grant a further extension of time under the Decision to exercise all rights authorized thereunder and satisfy all conditions for the proposed wireless telecommunications tower facility at Bumford Road, Barrington, New Hampshire.

Specifically, EIP Communications requests that the Board vote to direct the following:

- The period under which EIP Communications has to exercise the rights authorized under the Notice of Decision dated April 27, 2017 shall be further extended for an additional period of two (2) years ending on April 27, 2023.

BASIS FOR REQUESTING EXTENSION

Under the terms of the approval and under the requirements of RSA 674:33, the variance, as previously extended, is set to expire on April 27, 2023.¹ New Hampshire law and the Barrington Zoning Ordinance provides that the zoning board of adjustment may extend the variance for good cause.

EIP Communications has not commenced construction of the wireless telecommunications facility ("Tower") at Bumford Road. Originally, EIP Communications had secured interest from a national wireless carrier, however, as a result of a business restructuring resulting from the completed merger between two of the nation's top wireless service providers, the site was placed on hold. EIP Communications recently secured interest from a separate national wireless service provider, however the time required to complete the documentation for the proposed use of the Tower and commence construction of the facility is likely to extend beyond the proposed expiration date of the above referenced variance.

¹ RSA 674:33(1-a) states that variance shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

The telecommunications tower is proposed to be located in an area of Barrington that was found suitable by both the Planning Board and Zoning Board of Adjustment. The location is uniquely situated for the installation of a wireless facility to satisfy the network requirements of the nation's wireless service providers. There are no changes proposed to the height of the approved telecommunications facility or the fenced compound where communications equipment is to be installed. The further extension will afford EIP Communications the opportunity to complete necessary documentation with its prospective client and preliminary construction activities to commence active and substantial work.

While EIP Communications continues to diligently pursue the completion of the project, it will not be possible to undertake prior to the lapse period granted in the first extension and therefore a further extension is both necessary and appropriate.

CONCLUSION

For the foregoing reasons, EIP Communications respectfully requests that the Board: Grant a further extension to the time to exercise the rights granted under the Decision for an additional period of two (2) years ending on April 27, 2023.

We look forward to discussing the requested extension with the Barrington Zoning Board of Adjustment. Please let me know if you need any additional information. Thank you

Sincerely,



Christopher J. Davis
Chief Development Officer
Everest Infrastructure Partners, Inc.
EIP Communications I, LLC



Planning & Land Use Department
Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
603.664.0195
mgasses@barrington.nh.gov

NOTICE OF EXTENSION

April 28, 2021

Steven & Pamela Lenzi TRS REV TR
304 Young Road
Barrington, NH 03825

Attorney Earl W. Duval
Offices of Duval, Klasnick & Thompson LLC
3 No. Spring St. Suite 101
Concord, NH 03301

EIP Communications I, LLC
Two Allegheny Center
Nova Tower 2, Suite 703
Pittsburgh, PA 15212

Re: 251-64-GR/SDAO-17-ZBA (Owners: Steven & Pamela Lenzi TRS REV TR) On April 19, 2017 received a variance that expired on April 19, 2019 and requested an extension to April 27, 2021. The applicant requested a second extension to April 27, 2023. See Case Below:

251-64-GR/SDAO-17-ZBA (Owners: Steven F. & Pamela M. Lenzi Revocable Trust) Request by applicant for a variance from Article 10 Wireless Communications 10.4(3) and 10.4(5) Dimensional Requirements to construct a 150' tall wireless communications facility that will be located 60' from wetlands located on Bumford Road (Map 251, Lot 64) in the General Residential (GR) Varsity Wireless, LLC ; 290 Congress Street; 7th Floor; Boston, MA 02210

The Variance was Granted from 10.4(3) on April 19, 2017. The Variance from 10.4(5) was withdrawn.

Dear applicant:

This is to inform you that the Barrington Zoning Board at its April 21, 2021 meeting GRANTED the request for an extension for the application referenced above. The original approval date was April 19, 2017, with an expiration of April 19, 2019. The second expiration date was April 27, 2021. The new expiration date is April 27, 2023 (Reference RSA 674:33 I-a)

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses
Town Planner

cc: file



Planning & Land Use Department

Town of Barrington

PO Box 660

333 Calef Highway

Barrington, NH 03825

603.664.0195

barrplan@metrocast.net

barrplan@gmail.com

May 23, 2017

Francis D. Parisi, Esq.
Varsity Wireless Investors, LLC
290 Congress Street, 7th Floor
Boston, MA 02210

Re: 251-64-GR-SDAO-17-ZBA (Owners: Steven F. & Pamela M. Lenzi Revocable Trust)
Request by applicant for a variance from Article 10 Wireless Communications 10.4 (3) and 10.4(5) Dimensional Requirements to construct a 150' tall wireless communications facility that will be surrounded by a fence that will be located 60' from wetlands located on Bumford Road (Map 251, Lot 64) in the General Residential (GR) Zoning District, Varsity Wireless, LLC; 290 Congress Street, 7th Floor; Boston, MA 02210

Dear applicant:

This is to confirm that the request for a variance from Article 10.4(5) to the Barrington Zoning Board has been withdrawn at the applicant's request. A variance to Article 10.4(3) was granted on April 19, 2017.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Marcia J. Gasses
Town Planner & Land Use Administrator

cc: file



Planning & Land Use Department
Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
603.664.0195
barrplan@metrocast.net

**Barrington Zoning Board of Adjustment
Notice of Decision
Corrected October 30, 2018**

Case Number: 251-64-GR-SDAO-17-ZBA

Location: Bumford Road

Date: April 27, 2017

Re: 251-64-GR/SDAO-17-ZBA (Owners: Steven F. & Pamela M. Lenzi Revocable Trust) Request by applicant for a variance from Article 10 Wireless Communications 10.4 (3) and 10.4 (5)-Dimensional Requirements to construct a 150' tall wireless communications facility that will be surrounded by a fence that will be located 60' from wetlands located on Bumford Road (Map 251, Lot 64) in the General Residential (GR), LLC; 290 Congress Street, 7th Floor; Boston, Ma 02210.

You are hereby notified that the request of Case# 254-64-GR-SDAO-17-ZBA , for a Variance from the terms of the Barrington Zoning Ordinance has been GRANTED for the following reasons:

Variance GRANTED from 10.4(3) to allow the tower to project more than 20' above the tree canopy. The variance request from 10.4(5) to allow the fence to be located 60' from the wetland was continued.

After a consideration of the petitioners application, and after consideration of all evidence presented to the Board at the public hearing, held on Wednesday, April 19 , 2017, it is the decision of the Board that the unique facts in the specific case #251-64-GR-SDAO-17-ZBA authorize a Variance from the terms of the Ordinance. It is the decision of the Board that owing to the special conditions of the case, that a literal enforcement of the Ordinance will result in unnecessary hardship and so by GRANTING a Variance in this specific case, the spirit of the ordinance is observed and substantial justice will be done. The variance was granted on the plan set with a revision date of, March 3, 2017 and stamped, April 19, 2017. For additional information, please reference the Zoning Board of Adjustment meeting minutes of April 19, 2017.

Case Number: 251-64-GR-SDAO-17-ZBA

Date: April 27, 2017
Map: 251 Lot: 64


Chair - Zoning Board of Adjustment

333 Calef Highway (Route 125)
Barrington, NH 03825

A motion for rehearing may be made in the form of a letter to the Board. The motion must be made within 30 days; this 30-day time period shall be counted in calendar days beginning with the date following the date upon which the board voted to approve or disapprove the application in accordance with RSA 21:35. Reference RSA 677:2

Variations shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance. RSA 674:33 Ia.

251-64-SR Ext
Lenzi Steven & Pamela TRS REV TR
304 Young Road
Barrington, NH 03825

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304 Young Road
Barrington, NH 03825

251-64-SR Ext
Lenzi Steven & Pamela TRS REV TR
304 Young Road
Barrington, NH 03825

251-64-SR Ext
Neubauer Nancy A Cole & Andrew
143 Province Road
Barrington, NH 03825

251-64-SR Ext
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143 Province Road
Barrington, NH 03825

251-64-SR Ext
Neubauer Nancy A Cole & Andrew
143 Province Road
Barrington, NH 03825

251-64-SR Ext
Rau David B & April D TRS Fam Rev TR
161 Province Road
Barrington, NH 03825

251-64-SR Ext
Rau David B & April D TRS Fam Rev TR
161 Province Road
Barrington, NH 03825

251-64-SR Ext
Rau David B & April D TRS Fam Rev TR
161 Province Road
Barrington, NH 03825

251-64-SR Ext
Deshais Joseph
191 Province Road
Barrington, NH 03825

251-64-SR Ext
Deshais Joseph
191 Province Road
Barrington, NH 03825

251-64-SR Ext
Deshais Joseph
191 Province Road
Barrington, NH 03825

251-64-SR Ext
O'Connell Edward E & Cristine
195 Province Road
Barrington, NH 03825

251-64-SR Ext
O'Connell Edward E & Cristine
195 Province Road
Barrington, NH 03825

251-64-SR Ext
O'Connell Edward E & Cristine
195 Province Road
Barrington, NH 03825

251-64-SR Ext
Ramsbotham Thomas & Carolyn
8 Captain Parker Drive
Lee, NH 03861

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8 Captain Parker Drive
Lee, NH 03861

251-64-SR Ext
Ramsbotham Thomas & Carolyn
8 Captain Parker Drive
Lee, NH 03861

251-64-SR Ext
Baxter Troy D & Jamie L
202 Province Road
Barrington, NH 03825

251-64-SR Ext
Baxter Troy D & Jamie L
202 Province Road
Barrington, NH 03825

251-64-SR Ext
Baxter Troy D & Jamie L
202 Province Road
Barrington, NH 03825

251-64-SR Ext
Weiker Jared & Tatyana
156 Province Road
Barrington, NH 03825

251-64-SR Ext
Weiker Jared & Tatyana
156 Province Road
Barrington, NH 03825

251-64-SR Ext
Weiker Jared & Tatyana
156 Province Road
Barrington, NH 03825

251-64-SR Ext
Wilde Marcia J & Johnson Philip
38 Madbury Road Apt 204
Durham, NH 03824

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Durham, NH 03824

251-64-SR Ext
Wilde Marcia J & Johnson Philip
38 Madbury Road Apt 204
Durham, NH 03824

251-64-SR Ext
Leak Shirley TR
66 Province Road
Barrington, NH 03825

251-64-SR Ext
Leak Shirley TR
66 Province Road
Barrington, NH 03825

251-64-SR Ext
Leak Shirley TR
66 Province Road
Barrington, NH 03825

251-64-SR Ext
Fortier Lisa A
83 Hayes Road
Barrington, NH 03825

251-64-SR Ext
Fortier Lisa A
83 Hayes Road
Barrington, NH 03825

251-64-SR Ext
Fortier Lisa A
83 Hayes Road
Barrington, NH 03825

251-64-SR-Ext
Hayes Barbara R TRS Rev TR
63 Hayes Road
Barrington, NH 03825

251-64-SR-Ext
Hayes Barbara R TRS Rev TR
63 Hayes Road
Barrington, NH 03825

251-64-SR-Ext
Hayes Barbara R TRS Rev TR
63 Hayes Road
Barrington, NH 03825

251-64-SR-Ext
Ramsbotham Thomas & Carolyn
54 Nute Road
Madbury, NH 03823

251-64-SR-Ext
Ramsbotham Thomas & Carolyn
54 Nute Road
Madbury, NH 03823

251-64-SR-Ext
Ramsbotham Thomas & Carolyn
54 Nute Road
Madbury, NH 03823

251-64-SR-Ext
Carlsen William S & Laura E
16 Shepards Lane
Epping, NH 03042

251-64-SR-Ext
Carlsen William S & Laura E
16 Shepards Lane
Epping, NH 03042

251-64-SR-Ext
Carlsen William S & Laura E
16 Shepards Lane
Epping, NH 03042

251-64-SR-Ext
Souliere Donald & David
73 Winkley Pond Road
Barrington, NH 03825

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Souliere Donald & David
73 Winkley Pond Road
Barrington, NH 03825

251-64-SR-Ext
Souliere Donald & David
73 Winkley Pond Road
Barrington, NH 03825

added

Christopher J. Davis
Chief Development Officer
Everest Infrastructure Partners, Inc
Nova Tower 2, 10th Floor
Pittsburgh, PA 15212



100 foot Abutters List Report

Barrington, NH
March 09, 2021

Subject Property:

Parcel Number: 251-0064
CAMA Number: 251-0064
Property Address: BUMFORD RD

Mailing Address: LENZI STEVEN & PAMELA TRS REV TR
304 YOUNG RD
BARRINGTON, NH 03825

Abutters:

Parcel Number: 251-0038
CAMA Number: 251-0038
Property Address: 143 PROVINCE RD

Mailing Address: NEUBAUER NANCY A COLE NEUBAUER ANDREW
143 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0039
CAMA Number: 251-0039
Property Address: 161 PROVINCE RD

Mailing Address: RAU DAVID B & APRIL D TRS FAM REV TR
161 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0040
CAMA Number: 251-0040
Property Address: 191 PROVINCE RD

Mailing Address: DESHAIS JOSEPH
191 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0041
CAMA Number: 251-0041
Property Address: 195 PROVINCE RD

Mailing Address: O'CONNELL EDWARD E & CRISTINE
195 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0044
CAMA Number: 251-0044
Property Address: PROVINCE RD

change

Mailing Address: RAMSBOTHAM THOMAS & CAROLYN
54 NUTE RD
MADBURY, NH 03823
*8 Captain Parkway Dr
Lee, NH 03861*

Parcel Number: 251-0045
CAMA Number: 251-0045
Property Address: 202 PROVINCE RD

change

Mailing Address: BAXTER JOHN & THOMASINA
RICHARDSON
43 HANSONVILLE RD
BARRINGTON, NH 03825
*Baxter Tray Dr
Jamie L
202 Province Rd*

Parcel Number: 251-0046
CAMA Number: 251-0046
Property Address: 156 PROVINCE RD

Mailing Address: WEIKER JARED & TATYANA
156 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0050
CAMA Number: 251-0050
Property Address: PROVINCE RD

Mailing Address: WILDE MARCIA J & JOHNSON PHILI
38 MADBURY RD APT 204
DURHAM, NH 03824

Parcel Number: 251-0051
CAMA Number: 251-0051
Property Address: 66 PROVINCE RD

Mailing Address: LEAK SHIRLEY TRS SHIRLEY LEAK REV TR
66 PROVINCE RD
BARRINGTON, NH 03825

Parcel Number: 251-0065
CAMA Number: 251-0065
Property Address: 47 BUMFORD RD

See above

Mailing Address: LENZI STEVEN & PAMELA TRS REV TR
304 YOUNG RD
BARRINGTON, NH 03825



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100 foot Abutters List Report

Barrington, NH
March 09, 2021

Parcel Number: 251-0069
CAMA Number: 251-0069
Property Address: 83 HAYES RD

Mailing Address: FORTIER LISA A
83 HAYES DR
BARRINGTON, NH 03825

Just send one merged

check when merged was done

Parcel Number: 251-0070
CAMA Number: 251-0070
Property Address: 82 HAYES RD

Mailing Address: FORTIER LISA A
83 HAYES RD
BARRINGTON, NH 03825

Parcel Number: 251-0071
CAMA Number: 251-0071
Property Address: 78 HAYES RD

Mailing Address: FORTIER LISA A
83 HAYES RD
BARRINGTON, NH 03825

Parcel Number: 253-0006
CAMA Number: 253-0006
Property Address: 63 HAYES RD

Mailing Address: HAYES BARBARA R TRS REV TR
63 HAYES RD
BARRINGTON, NH 03825

Just send one

Parcel Number: 253-0007
CAMA Number: 253-0007
Property Address: HAYES RD

Mailing Address: HAYES BARBARA R TRS REV TR
63 HAYES RD
BARRINGTON, NH 03825

Parcel Number: - 253-0008
CAMA Number: 253-0008
Property Address: PROVINCE RD

Mailing Address: RAMSBOTHAM THOMAS & CAROLYN
54 NUTE RD
MADBURY, NH 03823

Parcel Number: 253-0009
CAMA Number: 253-0009
Property Address: WINKLEY POND RD

Mailing Address: CARLSEN WILLIAM S & LAURA E
16 SHEPERDS LN
EPPING, NH 03042

Parcel Number: 253-0016
CAMA Number: 253-0016
Property Address: 73 WINKLEY POND RD

Mailing Address: SOULIERE DONALD & DAVID
73 WINKLEY POND RD
BARRINGTON, NH 03825



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