

**Zoning Board of Appeals Minutes**  
**January 10, 2007**

**Present:** David Perry, Joseph Daigle, Terry Girouard, Cheryl Anderson, Donna Brooks, and Debbie Phillips, Town Counsel

**Absent:** Gil Carriero

1. Meeting commenced at 7:38PM
2. David opens with comment for reason of meeting
  - A. Discuss rescind of Nextel vote
3. Debbie discusses timeline of request
  - A. Boards timeline correct but 90 day limit not
  - B. Requests reconsideration by Board
4. Donna makes motion to reconsider denial.  
Cheryl seconds motion
  - A. Discussion on reconsideration
    - i. Input from David, Cheryl, Donna and Town Counsel
    - ii. David asks if there is an end for continuances
      1. Answer: Yes and could be upheld in court by Debbie
    - iii. David asks for guidelines for number of continuances
      1. Answer: No, each case stands alone
    - iv. David asks when do we close the Hearing
      1. Discussion
      2. Some Town Officials have been kept abreast of Nextel's intentions
        - a. Town Counsel has knowledge but Zoning Board was not kept in loop
      3. David and Cheryl exchange words
    - v. Cheryl speaks to fax received December 18, 2006
      1. Speaks to December 6, 2006 meeting and letter composed by ZBA to Nextel
    - vi. Debbie further advises to rescind January 3, 2007 vote
    - vii. Joe asks to clear the air about Mike Gallant's help with the 90 day issue to be just affirming our opinion
    - viii. David and other Board members remember Mike stating we were out of time
      1. Asks Joe if they heard correctly
      2. Answer: Yes I guess you are right.
    - ix. Donna asks why May 2, 2007 was chosen
      1. David and Joe advise that it was six months from December 3, 2006 (the date of the continuance we were sitting at)

- x. Donna asks if the Lease is signed
  - 1. Debbie does not know
  - 2. She believes maybe this Tuesday
- xi. Town Counsel suggests hiring a consultant
- xii. Vote on rescinding denial
  - 1. Unanimous to rescind
- xiii. Discussion on consultant
- xiv. Donna makes a motion to extend the Hearing until such time as Nextel has agreed to pay for ZBA's consultant and monies have been deposited in its own 53G account.  
Cheryl seconds Motion  
Vote: Unanimous
- xv. Donna makes motion that all abutters be notified by certified mail, paid for by Nextel, twenty days before new continuance dated and published no less than 10 days before Hearing date in local paper, paid for by Nextel  
Cheryl seconds Motion  
Vote: Unanimous
- xvi. Donna makes a motion to hire a clerk, at Nextel's expense, to take minutes during Hearing  
Cheryl seconds Motion
  - 1. Discussion
  - 2. Debbie says its our duty
  - 3. Debbie suggests we askVote: Unanimous
- xvii. David asks if we need a letter regarding this meeting from Debbie
  - 1. Debbie says yes and she will
- xviii. Meeting closed at 8:50PM.

Respectfully submitted by Joseph Daigle, Clerk