

**Minutes of the Zoning Board of Appeals
October 23, 2007**

**Time: 7:30 PM
Hearing: #06-13**

Present: David Perry – Chairman, Joseph Daigle, Terry Girouard, Cheryl Anderson, Donna Brooks, Attorney Phillips – Town Counsel, the Police Chief, Police Sargent, and the Board’s Consultant

Absent: Gil Carreiro

1. David Perry explains rules of deliberation.
2. Board enters into deliberation at 7:40pm.
 - a. Sargent Brennan leaves to make copies of draft decision for Board.
3. Cheryl Anderson questions Attorney Phillips on FAA rulings and requirements.
 - a. Answer: Not needed due to more than four miles from the nearest airport.
4. Attorney Phillips mentions need for recording hearings from this day forward – new ruling.
 - a. Types of recording devices discussed.
5. Cheryl Anderson suggests the Board have a Finding that Nextel has fulfilled their requirements for submittal.
 - a. Discussion
6. David Perry asks Attorney Phillips if the 14 day requirement can be met.
 - a. Answer: Yes
7. Donna Brooks makes a motion that the Board approve a Special Permit to be issued to Nextel to erect a 150 foot monopole with exterior rakes with conditions.
 - a. Terry Girouard seconds
 - b. Discussion
 - c. Vote – For: Joseph Daigle, Terry Girouard, Cheryl Anderson, Donna Brooks
Against: David Perry (Outside rakes)
8. Conditions:
 - I. Donna makes motion that municipal antennas be placed on or about top of tower.
 - a. Second – Terry Girouard
 - b. Vote – Unanimous
 - II. Discussion on location of tower and compound.
Cheryl Anderson makes motion to relocate tower and compound to area shown on plan submitted by Town Planner on September 5, 2007.
 - a. Second – Donna Brooks
 - b. Vote – Unanimous

- III. Discussion on color of tower.
 Donna makes motion that the tower be painted a blue/gray including all exposed components below the municipal equipment to be approved by the ZBA.
- a. Further discussion
 - b. Second – Cheryl Anderson
 - c. Vote – For: David Perry, Joseph Daigle, Cheryl Anderson, Donna Brooks
 Against: Terry Girouard
- IV. Donna Brooks makes motion that all buildings on ground level be sided with cedar shakes or replicating material, buildings existing or new, on the parcel.
- a. Second – Cheryl Anderson
 - b. Vote – Unanimous
- V. Donna Brooks makes motion that all buildings to have gable ends with minimum of 10-1 pitch covered with architectural shingles.
- a. Second – Terry Girouard
 - b. Vote – Unanimous
- VI. Discussion on fencings.
 Cheryl Anderson makes motion that fence will have the appearance of wrought iron, 8 feet high, with spears, rods 6 inches apart, fence to be black in color – no barbed wire.
- a. Second – Donna Brooks
 - b. Vote – Unanimous
- VII. Discussion of compounds.
 Donna Brooks makes motion that all cables be underground, plantings around outside of fence on all sides, perennial plants native to area.
- a. Second – Cheryl Anderson
 - b. Vote – Unanimous
- VIII. Discussion of traffic flow.
 Cheryl Anderson makes motion that the traffic division of the Police Department will make decision on route of construction equipment and protect the Town Pound and pillars.
- a. Second – Cheryl Anderson
 - b. Vote – Unanimous
- IX. Donna Brooks makes motion that the equipment owned and supplied by the Town will be installed and mounted by Nextel.
- a. Cheryl Anderson
 - b. Vote – Unanimous
9. Findings:
- I. Cheryl Anderson makes motion that the Board finds that Nextel has provided all necessary documentation required by bylaw – 5.5.
 - a. Second – Donna Brooks
 - b. Vote – Unanimous

- II. Cheryl Anderson makes motion that the Board finds that 5.5.6(a) – Nextel’s tower has innovative siting characteristics therefore 5.5.6(n)(2)E of our by-law overall height to a property line and 5.5.6(r) 2 ½ mile to be waived.
 - a. Second – Donna Brooks
 - b. Vote – Unanimous

Donna Brooks makes motion to continue deliberations to October 31, 2007.

- a. Second – Terry Girouard
- b. Vote – Unanimous

Respectfully submitted by Joseph Daigle, Clerk.