

**Minutes of the Ashburnham Zoning Board of Appeals
August 18, 2010**

Present: David Perry, Chairman, Joseph Daigle, Terry Girouard, Cheryl Anderson,
Mark Carlisle and Rich Archer

Absent: No one

Hearing: 10-5 7:30 PM
Special Permit: Sec. 5.5

1. Dave opens hearing @ 7:31 hrs.
 - A. Introducers board
 - B. Explains rules of hearing
 - C. Dave asks Atty. Phillips if she had spoken to applicant
 - (1) She had left message but had not received a return call
2. Discussion between Atty. Phillips, Dave and applicant's attorney on setting up a 53G account and consultants for board
 - A. Deb asks about hiring David Mackson as a consultant
 - (1) Applicant's attorney – objects to Attorney Phillips consultant
3. David interrupts applicant to discuss among board members the need for a consultant
 - A. Mark sees no need after asking pointed questions (2) of applicant
 - B. Joe asks Dave to pass over him temporarily while he keeps minutes
 - C. Terry has need for more information
 - D. Cheryl has questions about pre-existing status – OK with going forward
4. Discussion between applicant and Mark
5. Applicant discusses ownership a pre-existing status
6. David asks Rich – go forward
7. Atty. Phillips asked – go forward
 - A. Mark discusses with Atty. Phillips
8. Joe against going ahead
9. David asks Atty. Phillips about voting on going forward
 - a. Go ahead
10. Joe makes comment on applicant's statement of lack of tower enforcement
11. David explains further about rules
 - A. Opens hearing to applicant

12. AT&T is an operating carrier on the existing tower-per applicant
13. Recess 8:05PM – 8:10PM
14. Tom Hillbert (Attn☺ presents case for “Cellco”
 - A. Presents pictures of existing tower Exhibit #1 of 4 = 6 pages
 - B. Cell 215’ level plus 15’ whip
15. Terry interrupts to ask why not use existing building
 - A. Unknown what is in it or it’s condition
 - B. Does not fill their needs
16. Applicant continues:
 - C. Extend fence at same height
 - D. New building to be brought in, pre-built on a truck and placed on cement pad (12’x30’)
 - E. Propane generator within building
 - (1) Will run ½ hr once per week (Wed)
 - F. Not to be higher than warning light
 - G. Shows hole in service that exists and would be filled, exhibit #2 of 4 = 2 pages
 - H. Construction time would be 30 to 60 days
 - (1) Startup time: fall 2010 or spring 2011
 - I. Twelve panels in array
17. David asks members for questions
18. Cheryl asks about:
 - A. Array
 - B. Light
 - C. FCC requirements
 - D. FAA requirements – 700 mcgs
19. Applicant submits existing tower registration #'s MA-088023-FCC #1014781, exhibit #3 of 4 = 3 pages
20. Peter Orni, 71 Byfield Rd., abutter:
 - A. Reads statement
 - (1) Shows picture taken in 1963
 - (2) Shows pictures taken more recently
 - B. Submits statement – 1 page, exhibit #4 of 4
21. Cheryl explains pre-existing status to Mr. Orni
22. Further discussion by all present on abandonment

Minutes of August 18, 2010 continued

23. David asks about paying Atty. Phillips

A. Applicant OK

24. Joe makes motion to form 53G account to cover Atty. Phillips fee plus any other costs to town

A. Terry seconded the motion

25. Discussion on amount for 53G

A. \$5,000.00 (five thousand dollars) to be sent by applicant

B. VOTE: Unanimous in favor

- Accepted the minutes with changes

26. Discussion on continuance: Sept 8 @ 7:30 = "please post"

27. Motion to adjourn by Joe

A. Cheryl seconded the motion

B. Unanimous @ 9:07PM

Respectfully submitted,

Joseph B. Daigle, Clerk