

Town of Stoddard
Zoning Board of Adjustment
Meeting Minutes of August 20, 2015

The meeting was called to order by Chairperson at 7:30 pm.
The Pledge of Allegiance was led by Harry Power.

Members Present

Paul Krampfert, Richard Scofield, Angel Nicoletti, Dave Costin, Curtis Taylor

Others Present

Alternate member Ed Saleski, Fire Chief Steve McGerty, Compliance Officer Harry Power, Fred Ward, Diane & John Washuta, representing Industrial Tower & Wireless, LLC. Kevin Fadden and Kevin Delaney

Hearing

Continuation of Hearing begun June 18, 2015, on request by Industrial Tower and Wireless, LLC, for a Special Exception concerning Article IV of the Community Planning Ordinance – Part 3 (Telecommunications Facilities Ordinance) and Article VIII of the Community Planning Ordinance. Applicant proposes to construct a wireless telecommunication facility to consist of a 150' tall monopole tower, on a 10,000 sq ft piece of property. The property is located at Richer Road in Stoddard, Tax Map #422, Lots 6.1 and 7 in the Rural district.

- Paul provided a general overview of the events preceding tonight's meeting. He began with the previous March & April informational meetings. He explained how Ind. Tower & Wireless went before the Planning Board in May and the project was approved with provisions, one of which was a Special Exception be approved by the ZBA. In June, a ZBA hearing was held for a Special Exception with discussion on the project. The Hearing was continued to this August, so that a balloon test and site visit could be held on July 6th. The Site Visit minutes were approved at the July 16th ZBA meeting. The Balloon was not seen from Bacon Ledge, with binoculars. Board members were asked for their comments and decision. Angel Nicoletti sees no reason to refuse the Special Exception. Curtis Taylor feels it will be an improvement and benefit to have the cell tower here. It will increase cell coverage and has no visibility issues. Richard Scofield & Dave Costin concurred with Curtis. Paul stated it enhances the emergency communication aspects of Route 9. He also stated the conditions contained within the Special Exception of 2001 will be brought forward into the Special Exception dated 2015. Richard made a motion to approve the Special Exception. Curtis seconded the motion and Paul, Angel, Dave, Richard and Curtis voted in favor.

New Business

Request for a Rehearing by Atty. Hanna, representing John and Diane Washuta, on the Special Exception for Global Montello.

- Paul addressed the Board stating they can decide to have a complete rehearing; bringing all the minutes forward and hearing new information only, or a rehearing on just the overnight parking, which is an issue

addressed in the request. Paul addressed the members, asking if they feel the evidence was well presented with a satisfactory response from the applicant and that all the elements had been addressed to their satisfaction? Curtis stated he felt to rehear everything would be re-work. He feels nothing has changed and he is satisfied with the decisions reached. Dave agreed with Curtis. Angel stated she felt the road safety issues were not satisfactorily resolved. Richard read from Title LXIV Planing and Zoning:

Chapter 674 Local land use planning and powers: Section 674:33 VI which states "the ZBA should not withhold making a decision due to reports not being received from other agencies". Richard feels he would entertain a rehearing on the overnight parking only. He feels the minutes accurately reflect the grounds for the ZBA decisions. Curtis made a motion that the Board rehear the overnight parking portion only. Angel seconded the motion. All voted in favor. A Rehearing will be held at the next ZBA meeting on the Overnight Parking portion of the Special Exception for Global Montello.

Request for Rehearing by Fred Ward on Special Exception for Global Montello

- Paul read excerpts of RSA 677-2 and RSA 677-4 and stated Mr. Ward is not aggrieved and has no standing to file the motion for a rehearing. He has not been affected directly by the decision as he does not own property close to the land in question. He is not a person aggrieved by the nature of the change to the property any differently than the public at large. Paul made a motion not to rehear Mr. Ward's request. Richard seconded the motion. All members voted in favor of the motion and the motion passed. Mr. Ward stated he would like to present his reason for standing on the issue. Paul stated there was not possible tonight and his request was refused. Paul then moved forward with the next agenda item.

Educational opportunities for ZBA members from NHMA

- Pat Putnam sent everyone information on webinars available to ZBA members. Paul read the content of seminars & webinars offered during Sept. and October, and encouraged members to attend those that interest them. He also explained that past webinars can be taken any time as they are catalogued.

Approval of Minutes of ZBA Meeting 7/16/15

- Members approved the minutes as written.

Correspondence and Reports

- Reviewed July Budget

Old Business

Discuss progress of Secretary in training to post various documents on the Town website to include ZBA forms, procedures, notices, decisions and more.

- The Secretary can now post minutes and has put the meetings on the Web's Calendar. The Board would like the Agenda & Hearings also posted on line.

Discuss how to proceed on changes to our forms and procedures that we have worked on in past ZBA meetings.

- The Board approved rewording on item 8 on the Checklist for Application.

Work will resume on the forms again later this fall, as time allows.

Adjournment

- Richard made a motion to adjourn the meeting. Curtis seconded the motion and the motion carried. The meeting concluded at 8:41pm.

The next meeting of the ZBA will be held on Thursday, September 17, 2015, at 7:30 pm at the Stoddard Town Hall.

Respectfully Submitted,

Kathleen Ellis
Secretary for the ZBA