

## **Zoning Board of Appeals Meeting Minutes**

Minutes of March 21, 2016

Members present: David Kirwan, Chair; Vaughn Hathaway, Paul Schold

Alternate members present: Mary Moore, Dick Johnston

In Attendance: Michelle Buck, Town Planner

Meeting called to order at 7:30PM

### **Discussion**

#### Decision, 30 Huntoon Memorial Highway (Verizon)

Mr. Kirwan explained that this was a review on the Board's Decision regarding the Special Permit petition on Verizon Wireless Cell Tower at 30 Huntoon Memorial Highway.

Ms. Buck gave an overview on the Decision and the process of what happened since the Board's vote at the last meeting.

Her job was to distill the conversation the Board had on Findings, which was approximately a half an hour discussion before their vote.

She used the Board's discussion on Findings and summarized it into a written document.

The first draft was sent to Attorney Cove for review and he did not make any significant changes.

The revised draft was then sent to the Zoning Board of Appeals members for comment. Based on the Board's comments, some minor changes were made clarifying which members were voting members and correcting a couple of typographical errors.

During the back and forth discussion on the Findings, one member of the Board made mention of property values being reduced as a result of the project.

Ms. Buck asked the Board members who voted, to clarify if property values should be included in the Findings.

She spoke with David Orth, who was unable to make tonight's meeting, and he made it clear he did not want that phrasing included in the Decision.

Mr. Hathaway agreed having it taken out, because he felt the evidence wasn't strong either way on whether proximity of a cell tower had impact on property values.

Mr. Kirwan agreed having it taken out. He did not see any proof and did not talk with any real estate professional that supported such a statement. As a real estate agent, if he were to evaluate properties and could see a cell tower, that would not come into any kind of decision making as to the value of the property.

Mr. Schold agreed having it taken out. He did not see anything to support the statements on property values.

The Board thanked Ms. Buck for her help and guidance during the entire hearing process and for a great job on writing the Decision.

Mr. Hathaway asked about removing the names of the members who weren't voting, from the signature page on the Decision, but was comfortable with just Xing out the names, for clarity purposes.

Ms. Buck informed the Board that the Town received a Public Record Request today from Attorney Barry Bachrach, which included the Selectmen's Office, Town Clerk's Office, the Planning Office and Zoning Board of Appeals.

The request asked for all emails and written documents the Board may have received in private emails from abutters, other Boards members, Selectmen regarding the 30 Huntoon Highway Cell Tower application.

The Town has 10 days to respond to a public record request and she would like to send a consolidated request.

Any documents the Board members may have received are to be submitted to Ms. Buck by Tuesday, March 29<sup>th</sup>.

All noted for the record that they did not receive other correspondence.

### **Approval of Minutes**

1/20/2016

MOTION: Mr. Hathaway moved to approve minutes of January 20<sup>th</sup>, 2016 on Cumberland Farms, Variance, South Main Street & Pleasant Street

SECONDED: Mr. Schold – Discussion: None – VOTE: All in Favor

MOTION: Mr. Hathaway moved to approve minutes of January 20<sup>th</sup>, 2016 on Verizon Wireless Cell Tower, Huntoon Highway, Special permit

SECONDED: Mr. Schold – Discussion: None – VOTE: All in Favor

MOTION: Mr. Schold moved to close the meeting

SECONDED: Ms. Moore – Discussion: None – VOTE: All in Favor

Meeting adjourned at 7:45PM

Respectfully submitted:

*Barbara Knox*

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