



16 Merrill Access Road
Thornton, NH 03285

TOWN OF THORNTON ZONING BOARD

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Notice of Decision

Meeting Date: November 21, 2022
Plan Name: "Vertex Telecommunications Facility [Tax Map 17, Lot 5-21]".
Application Date: August 4, 2020, as amended (latest amendment filed 11-24-20)
Plan Purpose: Provide cellular coverage in a known gap of coverage in the area.
Plan Description: Construct a wireless communication facility.
Map/Lot: Map 235, Lot 137
Zone: Residential
Location: Upper Mad River Road
Owner(s): Exeter Heights, LLC
Agent: Francis Parisi, Esq., Vertex Tower Assets, LLC

At the Zoning Board meeting held on November 21, 2022, a Public Meeting was held to consider the November 16, 2022 request, "the Request", from Attorney Parisi for an extension of the waiver and four (4) variances granted on December 3, 2020, as;

RSA 674:33 Powers of Zoning Board of Adjustment; I-a. (a) Variances authorized under paragraph I shall be valid if exercised within 2 years from the date of final approval, or as further extended by local ordinance or by the zoning board of adjustment for good cause, provided that no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance.

After considering the Request and the comments by Attorney Parisi, the Zoning Board GRANTED the Request by making the following motion:

To grant the Request for Extension to December 3, 2024 as the Board found that good cause exists for such an extension, as:

- **The subject Application incurred a lengthy approval process before the Thornton Planning Board;**
- **The subject Application faced delay due to one or more Court proceedings being filed against it;**
- **The subject Application faced delay due to COVID-19 related regulatory staff shortages at the State and Federal level;**
- **Such State and Federal Regulators have only recently had staff available for review of Applicant's various filings; and**
- **The requested extension is reasonable under the circumstances.**

Motion: A. Rawson

Second: M. Patti

Vote: 5 - YES, 0 - NO, 0 - ABSTAIN

Motion passes.

For the Thornton Zoning Board,

Joseph Monti

Joseph Monti, Chairman

Note: Any party to the action or any person directly affected has a right to appeal this decision, in a timely fashion as prescribed by the New Hampshire Revised Statutes Annotated, Chapter 677, available at the Thornton Town Office. This notice has been placed on file and made available for public inspection in the records of the Thornton Zoning Board of Adjustment. Copies of this Notice of Decision have been distributed to: The Applicant, Board of Selectmen, Town Clerk, and Planning Board. A copy of this Notice of Decision has been posted at the Thornton Town Office and on the Town of Thornton website.