

TOWN OF THORNTON

Zoning Board of Adjustment

Approved on: 25 Mar 2021
ZBA Initials: JMM
Rec'd by Town Clerk on: _____
Town Clerk Initials: _____

ZONING BOARD OF ADJUSTMENT MEETING MINUTES

January 11, 2021

WELCOME:

Chairman Joe Monti welcomed the members.

CALL TO ORDER BY CHAIR:

Mr. Monti called the meeting to order at 6:02 p.m. with the Pledge of Allegiance.

ROLL CALL BY CLERK/CHAIRMAN:

Mr. Monti completed the roll call.

The following members were present:

Chairman Joe Monti, Ken Miller, Alan Rawson, Jerry Sobolewski

The following members were present via teleconference: Joan Marshall, Chris Boldt; Board Attorney

The following members were absent: None

Present via teleconference: Cher Duffield, Christopher Camejo, David Kelley, Jeff Scholtz, Jeremy Barnaby, John Walmsley, Kathleen Kelley, Marcia King, Ray Newton, Ron Sykes, rothm, Thomas's iPod, Terry Maguire

Also Present: Kerrin Randall; Board Assistant, Steve Babin, Jeremy Duffield, Francis Parisi; Attorney for Vertex

REVIEW/APPROVAL OF MINUTES:

1. Upon distribution and review of the meeting minutes of December 3, 2020, the members took the following action:

MOTION: "To accept and approve the Minutes of the Thursday, December 3, 2020 meeting."

Motion: K. Miller

Second: J. Marshall

Discussion: Ms. Randall stated general grammatical corrections were submitted via email from the Board, and those corrections will be updated.

Mr. Rawson asked that they following be amended:

Page 7 'She stated that on Route 49 and in the ~~Sugar Run~~ **Waterville Gateway** neighborhood there is no coverage and there is a very distinct gap in the area.'

Ms. Marshall confirmed this amendment as correct.

Roll Call Vote: 5-YES, 0-NO, 0-Abstained

Motion passes with amendments.

UNFINISHED BUSINESS: None

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PUBLIC HEARING: None

Mr. Miller stepped off the Board at 6:09 p.m.

NEW BUSINESS:

Consider the written Motion for Rehearing filed by Mr. Jeremy Duffield, regarding the application filed by property owner, SMA Realty Trust, Michael C. Sununu and James G. Sununu, Trustees [Applicant: Vertex Tower Assets, LLC], for "VARIANCE" as provided under ARTICLE VI SECTION 3, ARTICLE IV TABLE OF USES AND ARTICLE V.B of the Thornton Zoning Ordinance. Proposed construction of a wireless communication facility in the General Residential Zoning District, which will be 176' tall [182' to top of highest appurtenance].

Mr. Monti stated the Board received an official request for a Rehearing from Jeremy and Cher Duffield. He stated four (4) additional pieces of correspondence in opposition to the Boards decision regarding the Vertex Telecommunications facility.

Mr. Monti stated the Board received the official request and had a chance to review it prior to this meeting. Mr. Monti asked the Board if they felt the request addressed the following three (3) points:

1. New evidence has been submitted to the Board.
2. The request points to an error in law made by the Board.
3. The decision made by the Board was unreasonable.

The Board stated the request did not address the three (3) points.

MOTION: "To deny the request for Rehearing from Jeremy and Cher Duffield."

Motion: J. Marshall

Second: A. Rawson

Discussion: None

Roll Call Vote: 4-YES, 0-NO, 0-Abstained

Motion passes.

Mr. Monti stated four (4) pieces of correspondence in opposition to the Vertex Telecommunications facility, and three (3) would be reviewed and acted upon as if they were a request for Rehearing.

The Board reviewed a letter of opposition from Leslie Rosewarne, Shepard Lane.

Mr. Monti asked the Board if they felt the request addressed the following three (3) points:

1. New evidence has been submitted to the Board.
2. The request points to an error in law made by the Board.
3. The decision made by the Board was unreasonable.

The Board stated the request did not address the three (3) points.

MOTION: "To deny the request for Rehearing from Leslie Rosewarne."

Motion: J. Marshall

Second: A. Rawson

Discussion: None

Roll Call Vote: 4-YES, 0-NO, 0-Abstained

Motion passes.

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The Board reviewed a letter of opposition from Nina Steele Wellford, Laura Steele Daniels and George Daniels, Upper Mad River Road.

Mr. Monti asked the Board if they felt the request addressed the following three (3) points:

1. New evidence has been submitted to the Board.
2. The request points to an error in law made by the Board.
3. The decision made by the Board was unreasonable.

The Board stated the request did not address the three (3) points.

MOTION: "To deny the request for Rehearing from Nina Steele Wellford, Laura Steele Daniels and George Daniels."

Motion: A. Rawson

Second: J. Marshall

Discussion: None

Roll Call Vote: 4-YES, 0-NO, 0-Abstained

The Board reviewed a letter of opposition from Marcia and Charlie King, Cold Springs Road.

Mr. Monti asked the Board if they felt the request addressed the following three (3) points:

1. New evidence has been submitted to the Board.
2. The request points to an error in law made by the Board.
3. The decision made by the Board was unreasonable.

The Board stated the request did not address the three (3) points.

MOTION: "To deny the request for Rehearing from Marcia and Charlie King."

Motion: J. Marshall

Second: A. Rawson

Discussion: None

Roll Call Vote: 4-YES, 0-NO, 0-Abstained

Mr. Monti stated correspondence from Theresa Maguire would not be reviewed as a request for Rehearing, due to lack of jurisdiction; arrived more than 30 days after the decision.

MOTION: "To not review the letter of opposition for rehearing from Theresa Maguire due to lack of jurisdiction; arrived more than 30 days after the decision."

Motion: J. Sobolewski

Second: J. Marshall

Discussion: None

Roll Call Vote: 4-YES, 0-NO, 0-Abstained

Mr. Miller rejoined the Board at 6:21 p.m.

COMMUNICATIONS AND MISCELLANEOUS:

Mr. Monti stated no new applications have been submitted, and there is no need for a meeting on January 28, 2021.

OTHER BUSINESS: None

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ADJOURNMENT:

MOTION: "To adjourn at 6:22 p.m."

Motion: A. Rawson

Second: K. Miller

Roll Call Vote: 5- YES, 0- NO, 0- Abstained

Discussion: None

Motion Passes.

Respectfully submitted,

Kerrin Randall
Zoning Board Assistant