

ZONING BOARD OF ADJUSTMENT

TOWN OF EASTON
1060 EASTON VALLEY ROAD
EASTON, NH 03580

PUBLIC MEETING
OCTOBER 14, 2015

MINUTES

The meeting was called to order at 7:05 p.m. Present for the Board were Chairman Greg Sorg and regular members John Hynes, Dennis Ford and Ellen Pritham. Alternate member Kris Pastoriza, designated at the August 26th meeting to serve in the place reserved for the Select Board *ex officio* member, continued in that capacity. A quorum was therefore present and so declared. Also attending the meeting were approximately 15 members of the public, and Attorney Earl Duval, representing the Applicant.

The Minutes of the public meeting of September 16, 2015 were discussed and, after several amendments were voted, were approved.

The Board then re-convened the adjourned public hearing on the application for a Special Exception under Article 6, Section 602.2 (12) and Article 8, Section 809 of the Easton Zoning Ordinance filed by Blue Sky Towers, LLC (Applicant) and T-Mobile Northeast, LLC (Co-Applicant), on behalf of T&T MTN Investments, LLC (Owner) for the construction of a 150 foot tall wireless telecommunications monopole tower facility at 3 Lost River Road (Tax Map 7, Lot 41-2).

Greg noted that the Board had previously been made aware that IDK Communications had reported that it would be unable to complete its peer review of the Application in time for this meeting, and had requested a two-week extension. He noted further that he had passed this information along to Attorney Duval so he would know that he and his technical experts need not attend what would necessarily be a *pro forma* meeting that would be able to do little more than adjourn to a later date.

Attorney Duval presented a time line of contacts between himself and Ivan Pagacik by way of showing that the delay in IDK's peer review has not been the fault of the Applicant. John, who has been the Board's primary contact with Mr. Pagacik, presented a competing time line suggesting otherwise.

Ed O'Brien wanted to speak. He would not accept that the public hearing portion of the Board's consideration of the Application had been held and was completed at the August 26th meeting. He also would not accept the explanation offered by the Board for limiting public input, namely that applications requiring multiple meetings cannot be handled promptly and efficiently if every meeting has to be treated as though it were the very first, open to public testimony that will necessarily become redundant and require the Board and the Applicant to make the same responses over and over. Volume, however, triumphed over reason, and Ed stated his position, which was that the proposed tower will adversely impact property values and views. He was advised that these points had been made, emphatically, at both the August 26th public hearing and the September 16th public meeting.

Dennis expressed the view that federal and state law make it clear that construction of wireless telecommunications towers will take place, and that the only questions a ZBA can deal with are exactly where, and the details of their construction.

Ellen moved to adjourn the meeting until Wednesday, October 28, 2015 at 7:00 p.m. John seconded, and the motion was unanimously passed.

Approved October 28, 2015.

Gregory M. Sorg
Chairman