

LITCHFIELD ZONING BOARD
TOWN OF LITCHFIELD, NEW HAMPSHIRE
JUNE 10, 2009

ZBA Members Attending (Indent if Absent):

Richard Riley, Chairman

Laura Gandia, Vice Chairman (Showed up at 7:40PM)

 John Regan

 Albert Guilbeault

Tom Cooney, Clerk

Gregory Lepine (alternate)

 John Devereaux (alternate)

 Eric Cushing (alternate)

 John Brunelle (alternate)

I. Call to Order

- Richard Riley calls the meeting to order at 7:07 pm. Meeting was published at Town Hall, Town Library and the Hudson Litchfield News.
- Tom Clooney takes attendance.
- Richard Riley appoints Greg Lepine to the Board.

II. New Applications

- **Applicant's name:** **BCI Communications**
 Location of property: **240 Derry Road, Tax Map 2, Lot 29**

Appeal requested is for a special exception per Section 1207-03 and 1208 for a wetland setback of 50 feet to a reduced setback of 25 feet. The Applicant seeks to install, operate and maintain a wireless communications facility including a one hundred forty (140) foot tall flag pole style mono pole (the "Tower") at the above mentioned property. The property is a 6 acre parcel located in the Highway Commercial zoning district. The proposed wireless communication facility is a permitted use in the Highway Commercial zone subject to site plan approval by the board.

This is assigned Case#2009-02

*Greg Lepine makes a motion to **accept** Case 2009-02.*

Tom Clooney seconds the motion.

*The board votes **in favor 3-0-0.***

III. Case Review

Case#2009-01

Applicant's name: Attorney Morgan Hollis on behalf of MDP Mgmt., Inc.
Location of Property: 27 Cutler Road, Tax Map 2, Lot 128.

Richard Riley reads a letter to the board from Attorney Morgan Hollis with regard to the withdrawal of the application submitted on behalf of MDP Mgmt., Inc. based on recent evidence collected by the Conservation Committee.

Mr. Riley acknowledges Joan McKibben, Chairperson for the Litchfield Conservation Committee, and asked if she had anything she wanted to share with the Board. Joan presented the Board with a report dated June 2, 2009, from Tracy Tarr who is a certified wetlands expert. Joan pointed out a typo on page 5 where the report states "east" and should be "west". She will have this corrected on the final version. Joan points out areas on the site map to summarize the findings contained with the report.

Assessment Area A: Documented vernal pool.
Assessment Area B: Wetlands can be considered viable for vernal pool.
Assessment Area C: Not considered a vernal pool habitat.

(the above assessment areas are located on the actual property)

Assessment Area D: Part of a large wetland area which some portion is on the applicant's property. In this area there were wood frogs and other species present. This is a documented vernal pool with the highest rank habitat in the State of NH. A hognose snake was spotted in this area. Hognose snakes are currently on the endangered species list. Also noted that spotted turtles were sighted in the area.

Joan explains that the Conservation Committee has not yet had a formal meeting with regard to Tracy's findings.

Mr. Riley polls the Board to verify consensus that everyone wanted to place a copy of the report into the case file. This information has already been shared with the applicant so there should be no problem putting it into the record.

*Greg Lepine makes a motion to **accept** the applicant's withdrawal of Case 2009-01.
Tom Clooney seconds the motion.
The board votes **in favor 3-0-0.***

Laura Gandia joins the meeting at this time.

IV. Miscellaneous Business

- Meeting minutes.

*Greg Lepine makes a motion to **accept** the January 2009 meeting minutes.
Tom Clooney seconds the motion.
The board votes **in favor of accepting** the meeting minutes, **4-0-0***

*Richard Riley makes a motion to **accept** the April 8, 2009 meeting minutes.
Tom Clooney seconds the motion.
The board votes **in favor** of **accepting** the meeting minutes, **4-0-0***

*Richard Riley makes a motion to **accept** the April 16, 2009 meeting minutes.
Tom Clooney seconds the motion.
The board votes **in favor** of **accepting** the meeting minutes, **4-0-0***

Review proposed changes to ZBA applications.

Richard Riley is still working on drafts of application forms. Forms will reflect more specific instructions to applicants. He will continue to update generic application forms.

Mr. Riley asks board how they feel about video broadcasting of future meetings. The board decides to defer discussion with regard to this issue until a full board is present.

Laura Gandia asks board if it is possible to obtain copies of the training session materials. She feels this information would be beneficial to the board. Kevin _____ informed the board that he feels he can obtain copies.

V. Adjournment

*Richard Riley makes a motion to adjourn.
Tom Clooney seconds the motion.
The board votes **in favor** of adjourning at 8:03pm, **4-0-0***

*Respectfully submitted,
Karen McCloskey*