

Agenda
Litchfield Zoning Board of Adjustment
October 14, 2009
7:00 p.m.

Call to Order

Roll Call

Acceptance of New Applications

Hearings

Continuation of Case 2009-03, Susan & Kevin Powers, 10 Cutler Rd. The Applicants are appealing the administrative decision regarding BCI Communications and their request to erect a cell tower on the Tabernacle Baptist Church property located at 240 Derry Road, Tax Map 2, Lot 29. The Applicants want to appeal the Code Enforcement Officer's determination that the location where the proposed tower will be erected is not encroaching into the buffer for a natural wetlands but is in fact a drainage swale and therefore is not an issue per RSA 1207.03 which states "The Wetlands Conservation District buffers shall be encouraged, but not required next to manmade vegetated swales, roadside drainage ditches, sedimentation/detention basins, agricultural/irrigation ponds, and wetlands on prior converted cropland, except as required by nearby wetland and surface waters."

Mr. Kevin Powers stated to the Board that their application was submitted last Friday, August 7, 2009. Mrs. Susan Powers presented the application with a copy of section 1203.00 of the Zoning Ordinance attached. This section states "Where it is alleged that an area has been incorrectly delineated as a wetland, or that an area not so designated meets the criteria for wetlands designation, the Conservation Commission shall determine whether the area has been correctly delineated. The Conservation Commission shall make their judgment under this section only upon the determination by a certified wetlands scientist(s) on the basis of additional on-site investigation or other suitable research, that the information contained on the Wetlands Map is incorrect. This evidence shall be acceptable only when presented in written form by said scientist(s) to the Conservation Commission. Any necessary wetlands delineation procedures shall be conducted at the expense of the landowner or developer. Once an area has been determined to be a wetland under this section, the area shall become part of the Wetland Conservation District. (Adopted March 1987)."

Communications & Miscellaneous Business

Discussion about increasing ZBA application fees

Review & Approval of Minutes for August 12 and September 9 2009

Review of 2009 Budget Report

Review mail and any other official communications to the ZBA

Any other business

Adjournment

Posted: Town Hall, Library, Campbell High School