

Unofficial as of 1/14/2008

BOARD OF ZONING ADJUSTMENT
Minutes for the January 8th, meeting held at 7:00 pm in the Council Chambers
of
HOOKSETT TOWN HALL
16 MAIN STREET
HOOKSETT, NH 03106

CALLED MEETING TO ORDER AT 7:03 P.M.

INTRODUCTION OF MEMBERS OF THE BOARD

Present: Chair, T. Murphy - Roche, R. Duhaime, C. Pearson, R. Johnston, R. Savoie, and nonvoting members: Alt. J. Levesque, Liaison from the Town Council, J. Gorton, and Alt. G. Hyde

Absent: Alt. R. Bairam

Chair –Reads the agenda for January 8, 2008 to those present.

Pledge of Allegiance

OmniPoint Communications/T-Mobile, 305 Bicentennial Drive, Map 44 Lot 3. Request for rehearing to appeal the decision of the Zoning Board of Adjustment for the erection of a one hundred and eighty (180) foot tall structure to provide telecommunications. **A variance** was denied from Article 5.A. to allow a wireless communications structure in the MDR, Medium Density Residential District, on October 9th, 2007.

Chair – (Indicated that there was a representative for Omnipoint.) Okay, could you please state your name and give the recording secretary your business card. Thank you.

Anne Malone the representative for Omni Point for this meeting, states her name for the Board.

Chair – We are here tonight with regard to Omni Point. They have requested a rehearing to appeal the decision of the Zoning Board of Adjustment. This is for the erection of a one hundred and eighty (180) foot tall structure to provide a telecommunications site. This Board denied a variance from Article 5A. To allow a wireless communications structure in the MDR, Medium Density Residential District, on October 9th, 2007. The process for the rehearing is, we are not going to take input from the applicant, any abutters, or the general public at this time. It is up to the Board to decide if a rehearing is in order. We are going to decide that amongst ourselves. If it should be agreed that there would be a rehearing then we'll have to start the process over next month. Also, all the evidence that was heard in the first three meetings, if the rehearing is approved, would be brought forward to the new hearing. With that said, does anyone have anything to add or based on the letter that we have received if you feel there is reason for a rehearing?

C. Pearson – Well, in general I think we have received quite an extensive packet from Omni Point, which, I believe, everybody here has reviewed. These are some things that we should take a look at, like the Town's, Omni Point's, and the abutter's stand points.

Chair- Some of the issues that we may feel are a concern are the gap in coverage and the presentation of diminution of values in the neighborhood. Are some examples of what we need to examine a little closer.

C. Pearson – Due to the fact that the Telecommunications Act is in play we do owe it to the town and to the abutters. Moreover, to make sure that we do a thorough job in examining this information.

Chair – Not that we didn't the first time around.

C. Pearson – Correct

Chair – Just as a safety net.

R. Savoie – Can I make a motion?

Chair – Absolutely

R. Savoie – I make a motion to approve a rehearing for Omni Point Communications on 305 Bicentennial Drive, Map 44 Lot 3, to reconsider the variance that was denied on October 9th, 2007.

Chair - I have a motion. Do I have a second?

R. Johnston – I second it.

Chair – All those in favor?

Board – Aye

Chair – Any opposed? There being none, motion carries. There will be a rehearing on this application in February.

R. Duhaime excused from meeting, Alt. J. Levesque voting

Code Enforcement Official – The meeting is February 12th at 7:00 pm. We don't have any other applications before the Board currently and none are anticipated. However, if something should change, at that time, there will be a decision made to where the meeting will be held.

Chair – What will the process be for rehearing Omni Point? Are we going to renotify the abutters?

Code Enforcement Official- All the abutters will be notified. You have incorporated the minutes from the previous meetings into the future proceedings. If there is new testimony, on either side, it will be heard at that time. The venue will be determined when we are closer to February. I wish, for those here, that I could tell them that we are definitely going to be either at the Town Hall or the Library. However, it is going to depend on if there are other matters before the Board, or not.

Chair – (Speaking to the audience.) Are you all neighbors or abutters?

Audience – Neighbors and abutters are in the crowd.

Chair - Is there a contact person that we can connect with, one from Hooksett and one from Manchester, for the location of the next meeting? What we would need is a name, phone number, and e-mail for both contacts. Could you provide that information tonight? If we do have to change the venue then we could send out an e-mail. Once, the contacts receive where the next meeting is going to be held, then they can convey to the other neighbors and abutters, where the hearing will be located.

Audience – I think you should advertise it in the newspaper too.

Board and the Code Enforcement Official – Told the audience that it is and will be in the local paper for Hooksett, the Hooksett Banner, Manchester's, Union Leader, Concord's, Concord Monitor, and Goffstown's paper, The Goffstown News.

Discussion on where the location is for the next meeting with the audience.

Chair – It will be in the abutters notices, the local papers, and the town website.

Code Enforcement Official – The agenda will be on our website at www.hooksett.org You can read the agenda and it will also tell you where the location is for the next Zoning Board meeting. The cut off is January 23, 2008 it will be in the Hooksett banner the 31st of this month. The other newspapers run daily, so I couldn't tell you when the notice will be run. However, it will be on the website that Friday.

Chair – Any new business?

C. Pearson – I have question. We met with the Planning Board on the Cluster Ordinance. Do we need to act on that in any way or just go to the next meeting that's posted?

Chair – JoAnn Duffy, the Town Planner, contacted us today.

C. Pearson – I saw that.

Chair – She wanted us to go to the next meeting. However, the Code Enforcement Official wanted us to give our input on the cluster housing issue.

C. Pearson – Right.

The board discusses input for changes and meeting times before the next Planning Board date.

Meeting Minutes

Chair – We need to approve the meeting minutes for December 11th. Are there any corrections that need to be made?

J. Levesque – No.

Code Enforcement Official – Explains the five calendar day deadline for the ZBA minutes to be posted on the town website and asks if a board member/s would work with the recording secretary to edit the minutes.

Board Chair and others suggest J. Levesque

Discussion ensues and J. Levesque agrees to assist the recording secretary and asks G. Hyde if he would help.

G. Hyde - Agrees

R. Johnston – Do we have a motion to approve these minutes?

J. Levesque – We didn't do that yet.

Chair – So, do we have a motion?

J. Levesque – I make a motion to approve the minutes for December 11th 2007.

R. Johnston – I second it.

Chair – Any discussion? All those in favor?

Board – Aye.

Chair – Any oppose? There being none, motion carries. Now we need a motion to Adjourn.

J. Levesque – We have an amendment to the minutes of October 9th, 2007, don't we have to vote to approve these minutes additions?

Code Enforcement Official – Not at this time.

R. Savoie – I make a motion to adjourn.

Chair – Do we have a second?

C. Pearson – I second it.

Chair – All those in favor?

Board- Aye.

Chair – Any oppose. There being none, motion carries.

ADJOURN

The Chair declared the meeting to be adjourned.