

February 16, 2021
Planning & Zoning Meeting Summary

Call to order: Dick Trask Chairman

Roll call of members: Dick Trask, Lynn Ekelund, Larry Lieberman, George Cardwell, Andy Gogates, Don Mazzeo, Maurice McGrath

Also Present: Tom Quass, Town Coordinator; Seth Thompson, Town Solicitor; Brian Miller Pennoni Engineering/Town Engineer; Legal Representative of Cellco, and Town Citizens

Additions and Corrections to agenda: Hearing none. Motion by George Cardwell to accept 2nd by Lynn Ekelund

Approval of synopsis of 1/19/2021. Motion to accept by Larry Lieberman 2nd by Andy Gogates.

Discussion and possible vote on request by Cellco Partnership for a special permitted use to allow for a Communications tower to be erected at 210 Front Street.

There was much discussion about this request by the commission during the meeting. The first question being whether it was able to be placed in a FEMA designated flood plain area. Also was it a Public utility or a private system? Mr. Thompson spoke about these being two different terms, considering the system and needed to compare the two definitions. And would need to send it to the Town council for review.

The commission also discussed the land and it's tendencies to be effected by rain storms and high tides on the river. How the contractor would need to build a deep base for the driveway to get into the area to handle the boring equipment. Also would they need to build a bulkhead around the base after the company core drills for the base of the tower.

After much more discussion on this, Mr. Thompson read and explained the section in the Town Code 220-34 on Special Permitted Use, and explained all of it.

Dick Trask referenced documents given to us by the applicant, pertaining to two lawsuits that provided some more clarity on property values, aesthetics, and location near historical designated areas.

Don Mazzeo and Lynn Ekelund both spoke about the placement of the tower in a gateway to Town, and that it may be in violation of our comprehensive plan.

Larry Lieberman spoke on how the tower as had been explained to us by the applicant. Would increase badly needed coverage to the Town area.

Dick Trask stated that to possibly move it to another area, if there was one suitable could also impinge on existing or future homes.

Lynn Ekelund wants to make sure that the proposed driveway/road will be built to accommodate fire trucks.

Don Mazzeo stated that the proposed tower does not conform to the comprehensive plan. And that it may be detrimental to the proposed waterfront district also the aesthetics of it are out of place to the area.

Dick Trask asked for a motion to approve the application with the added condition discussed, and to be drawn up by Mr. Thompson.

George Cardwell made the motion to approve 2nd by Andy Gogates

Vote Five: Aye, Nay: Two

New Business

Proposed amendment to Chapter 220, Art. IX SEC. 220-72 Discontinuance of nonconforming use.

Discussion by commission pertaining to proving intent of the property owner. If the property has been abandoned from zoned use for one year, the owner must go through the permit process again. But if there has been even minimal use of said property under the zoning then permitted use may stay.

Motion to send advisory report to Town Council as discussed and any change made by Mr. Thompson. Made by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous.

Motion to Adjourn by George Cardwell 2nd by Lynn Ekelund, Vote: Unanimous

Submitted by Maurice J. McGrath

Accepted and approved at the 16 March 2021 P&Z Commission meeting.