

1                                   **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**  
2                                   **MEETING MARCH 12TH 2012**  
3                                   **MERIDEN TOWN HALL**

4   Zoning Board

5   Members Present:               Richard Colburn, Chairman   Brad Atwater  
6                                       Stephen Sheehan               William McGonigle

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8   Others in attendance:         Scott Aiken                   Chris Aiken

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10   The meeting opened at 7pm.

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12   These being the first meeting since September 12th the minutes of that meeting were  
13   approved as grammatically amended.

14  
15   **Plainfield Heated Storage:** Scott and Chris Aiken, owners of the storage facility in  
16   Plainfield Village met with the Zoning Board to discuss adding a carriage shed style  
17   building to the front of the property. The 130' long wood framed structure would be  
18   designed to look like a large carriage shed with 13 or 14 bays and would be located to  
19   screen some of the large metal storage building as viewed from Route 12A, north bound.  
20   The property is nonconforming in that lot coverage is exceeded and the parcel has no  
21   road frontage. Board members noted that if it could be determined that the degree of  
22   nonconformity is not made substantially worse this might be an opportunity to craft a  
23   comprehensive decision for the parcel that would bound the use of the property. The  
24   storage facility, despite two other cases which were not approved, continues to operate  
25   based on a Zoning Board decision from 1983 (case 101) which is very broadly written.

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27   Board members urged the owners to bring forward some very detailed calculations about  
28   lot coverage, facility usage and a high quality depiction of what the new building would  
29   look like as part of any future application.

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31   The meeting adjourned at 8:10pm.

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33   Submitted,

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36   Stephen Halleran

Richard Colburn, ZBA Chair

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2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**  
3 **MEETING JULY 17TH 2012**  
4 **MERIDEN TOWN HALL**

5 Zoning Board

6 Members Present: Richard Colburn, Chairman Brad Atwater  
7 Stephen Sheehan William McGonigle  
8 Ted Moynihan  
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10 The meeting opened at 7pm.

11  
12 This being the first meeting since March 12th the minutes of that meeting were approved  
13 as grammatically amended.

14  
15 **Case 12-01 KUA Wind powered generator:** Chairman Colburn opened the hearing by  
16 reading the posted notice. This application is intended to replace case 11-02 which was  
17 approved May 9<sup>th</sup> 2011 for a 66' high turbine unit which has not been built. The new  
18 application is for a 95' unit to be built a little to the south west of the 11-02 unit, but still  
19 behind the Miller Centennial Building. Charlotte Hebert, graduate from KUA, who is  
20 spearheading this application explained that as a result of her continued research she has  
21 decided that the first proposal was not sized correctly. The current proposal is for a  
22 larger generating unit 5 kw/hr as opposed to 2.4 kw/hr that will be about 99' tall. As a  
23 result of technological improvements the new unit is rated to be quieter at 60 meters from  
24 the tower than the previous one (49 decibels as opposed to 60 decibels). The school  
25 intends the unit to be an educational tool. The unit, in accordance with town regulations,  
26 has been located so as to be away from all structures and development should it fall down  
27 in a weather event.

28  
29 Halleran shared with the board comments from Baynes Road resident Mark Pensgen who  
30 is requesting that the board consider a balloon test and requiring that the school not  
31 remove any vegetation between their property and the Baynes Road development. Jim  
32 Gray noted that the KUA smoke stack located just to the north of the proposed tower site  
33 is estimated to be 100' tall and given its close proximity to the proposed tower could be  
34 used to cause the impact. The school does not object to a requirement that the trees and  
35 vegetative screening on the Baynes Road side of their property be maintained.

36  
37 Given the close proximity to the Meriden Town Hall, board members decided to break  
38 from the session and perform a quick site visit to view tower site and the surrounding  
39 neighborhood. The group moved to the tower site and then to the Baynes Road  
40 neighborhood.

41  
42 Returning to the Meriden Town Hall, Baynes Road abutter Conrad H'Leureux joined the  
43 group and generally agreed that the unit will not be visible from Baynes Road for most of  
44 the year. He was concerned about possible noise from the unit when in operation and  
45 asked that the Zoning Board try to provide some protection for the residential  
46 neighborhood that this unit will not be obnoxious..  
47

1 After a full review of the 2011-02 case and the submitted specifications for the newly  
2 proposed unit member Moynihan moved to approve the wind powered generating unit  
3 subject to the following findings and conditions:  
4

5 Findings:  
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- 7 1. This decision includes by reference and supersedes the decision rendered for case  
8 2011-02.
- 9 2. As viewed by the Board, and compared to the school's existing heating plant  
10 smoke stack (represented by the applicant to be 80' tall), the new unit does not  
11 significantly change the visual impact of the project.
- 12 3. By selecting a tower type that does not include a permanently attached access  
13 ladder the risk of trespass is significantly reduced.
- 14 4. As advertised by the product's specification sheet the emitted sound level of the  
15 larger unit is below the maximum 60 decibels measured at 60 meters from the unit  
16 that was approved for the initial application.  
17

18 Conditions:  
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- 20 1. Completion of Site Plan Review with the Planning Board.
- 21 2. The applicant shall not significantly reduce the vegetative screening to the west  
22 that exists between the tower site and the Baynes Road residential neighborhood.
- 23 3. Whereas the information provided indicates that this tower will not produce  
24 obnoxious levels of sound or reflective light flash, if the actual turbine does create  
25 a negative impact on abutters from either noise or flash the applicant is required to  
26 take remedial actions.
- 27 4. The generating unit tower may not be used for any additional purpose without  
28 review by the Board of Adjustment.
- 29 5. When the generating unit is retired from use it must be removed within 90 days.
- 30 6. All submitted materials and representations by the applicant become part of this  
31 approval and form the basis for this decision.  
32

33 The motion was seconded and voted in the affirmative on a unanimous vote.  
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35 The meeting adjourned at 9:00pm  
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37 Submitted,  
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39  
40 Stephen Halleran  
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Richard Colburn, ZBA Chair

1                                   **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**  
2                                   **MEETING NOVEMBER 12TH 2012**  
3                                   **MERIDEN TOWN HALL**

4   Zoning Board

5   Members Present:               Richard Colburn, Chairman   Brad Atwater  
6                                       Ted Moynihan                   Bill McGonigle

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8   The meeting opened at 7pm.

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10   This being the first meeting since July, the July 17th minutes were approved as amended.

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12   **SI Communications:** Dave Vivian and Attorney Suzie Roberts met the board on behalf  
13   of AT&T for a preliminary consultation about adding 10' of height to the brown stick  
14   stealth tower located at 95 Beauty Hill Road. The tower is currently 80', the surrounding  
15   tree canopy has been calculated to be 77.5'. The company plans to bring forward an  
16   application for the December meeting. The driving force for the extension is to allow a  
17   third carrier on the tower. The design of the tower would remain unchanged; all new  
18   devices would be mounted inside the cylinder.

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20   There being no other business the meeting adjourned at 8:15pm.

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22   Submitted,

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25   Stephen Halleran

Richard Colburn, ZBA Chair

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2 **MINUTES OF THE ZONING BOARD OF ADJUSTMENT**  
3 **MEETING DECEMBER 10TH 2012**  
4 **MERIDEN TOWN HALL**

5 Zoning Board

6 Members Present: Richard Colburn, Chairman Brad Atwater  
7 Ted Moynihan Bill McGonigle  
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9 The meeting opened at 7pm.

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11 The November 12<sup>th</sup> minutes were approved as amended.  
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13 **Case 2012-02: New Cingular Wireless PCS, LLC (AT&T):** Chairman Colburn opened  
14 the hearing by reading the notice. The application is a request for special exception #14  
15 Wireless Communication Facility (sec 3.6 Plainfield Zoning Ordinance) and or any other  
16 applicable section of the zoning ordinance to modify an existing wireless communication  
17 facility located at #95 Beauty Hill Road. Specifically, the application seeks Zoning Board  
18 approval to add 10' of height to the existing tower owned by SBA Towers LLC which is  
19 currently 80' tall and was approved by case 2004-02. The stealth design and all other  
20 features of the tower and the site will remain unchanged. SAI Communications  
21 consultant Dave Vivian and AT&T Attorney Suzie Roberts presented the application  
22 materials. Average tree height within 100' of the tower is now 77.5' the existing tower is  
23 80' a total height of 90' is proposed. In 2004 when the tower was approved a canopy  
24 height of 50' was determined by the applicant. AT&T who will be the new carrier on the  
25 tower is proposing to install a back up generator within the existing fenced compound at  
26 the bottom of the tower. The Zoning Board focused their discussion on the requirements  
27 of the zoning ordinance. The applicant noted that the added tower height will allow for an  
28 additional carrier on the tower. Co-location is encouraged by the Plainfield Zoning  
29 Ordinance. The additional height will marginally improve cell coverage in the  
30 northwestern portion of Plainfield. The real benefit of the tower's additional height will  
31 go to Interstate 91. Application materials include a visual analysis of what the amended  
32 tower will look like. Property owner Guy Daniels noted that as the landowner he is not in  
33 favor of the modification, but he acknowledges that the easement he granted for the tower  
34 may not give him any control over the height. Board members had a broad discussion  
35 with the applicant about ways to further reduce the visibility of the tower above the tree  
36 line. Changing color was discussed, the tower is currently brown, and a gray or muted  
37 blue above tree line might help. Zoning Board members felt that this should be  
38 considered during the site plan review process with the Planning Board.  
39

40 No other abutters were present to comment on the application. The public hearing was  
41 closed. In reviewing the application for completeness the ZBA complimented the  
42 applicant on a very well done application. Given the detailed visual analysis provided by  
43 the applicant and the lack of abutter interest the board vote to waive the balloon test.  
44

45 Based on the following findings member Ted Moynihan moved to approve the  
46 application to add an additional 10' to the existing stealth tower at #95 Beauty Hill Road,  
47 total approved tower height to now be 90':

- 1) The surrounding tree canopy has grown since the tower was originally constructed, and the proposed tower now exceeds the allowed limit by only 2.5' (12.5' above surrounding canopy).
- 2) While the new extended tower height will be visible from several locations; the increased visibility does not rise to the level of objectionable.
- 3) The application is complete and meets the general conditions for a special exception as outlined in section 5.7 of the town's zoning ordinance.
- 4) In approving this amendment, all other applicable conditions of decision 2004-02 that do not related to height restrictions continue to govern the tower approval.

The approval is subject to the following condition:

The applicant must successfully complete the site plan review process with the Planning Board with special attention paid to minimizing the visual impacts of the additional 10' of tower height. The board has heard testimony that modifying the color of the upper portion of the tower may mitigate the negative visual impact from the structure.

The motion was seconded and voted in the affirmative on a vote of 4 to 0.

**Other business:** Police Chief Paul Roberts and Wave Com employee Gina Jacobson attended the meeting to discuss with the board utilizing a broad band internet based wireless repeater system to improve police department communications. The system would be installed by Wave Com Communications and involves an 80' tower at the Hudson residence on Black Hill Road. The two explained that the tower is very small, only 18' in diameter at the base and would be designed to place the transmitter just above tree top height. Wave Com could then also sell wireless internet service to some customers in Plainfield. Board members noted that the system would be considered a wireless communication facility as outlined in the town's ordinance and that these devices are not ordinarily allowed in the RCII district, where the Hudson house is located. This being the case, to be approved a variance would have to be granted.

There being no other business the meeting adjourned at 9:45pm.

Submitted,

Stephen Halleran

Richard Colburn, ZBA Chair

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