

CITY OF LEWISTON
BOARD OF APPEALS MEETING
MINUTES for October 15, 2014

- I. **ROLL CALL:** The meeting was held in the City Council Chambers on the first floor of City Hall and was called to order at 6:08 p.m. Patricia Gagne' chaired the meeting.

Members in Attendance: Patricia Gagne', John Clifford IV, Andrew Choate

Members Absent: Paula Masselli, Elaine Fenderson, Christine Kendall and Doug Stone

Associate Member Present: Daniel Dube' and Jared Golden

Associate Members Absent: none

Staff Present: Gil Arsenault, Director of Planning & Code Enforcement

Correspondence: The following motion was made.

MOTION: **John Clifford IV** to accept and place on file the staff Memorandum dated October 6, 2014 from Gil Arsenault, Director of Planning & Code Enforcement.

Second by **Jared Golden**.

VOTED: **5-0** (*Passed*).

Patricia Gagne' appointed Dan Dube' and Jared Golden to be full voting members for this meeting.

Patricia Gagne' read the Board of Appeals policies and procedures for this meeting. Four (4) affirmative votes are needed for an item to pass.

II. **NEW BUSINESS:**

- A. The Petitioner is requesting a conditional use permit for a rooftop installation of three panel antennas on the Continental Mill located at 2 Cedar Street.

Peter Marchant, representative of KJK Wireless, LLC. was present on behalf of the project. Peter states that the rooftop installation of three (3) remaining panel antennas to install on the Continental Mill at 2 Cedar Street will not use water or generate waste, and will not generate dust, odor, vibration, glare, smoke, litter or other nuisances. The petitioner also indicated that the proposed use will not create an adverse impact. Peter stated that the conditional use permit approved had expired and that KJK Wireless, LLC have three remaining panels to install.

John Clifford IV also stated that upon approval, the petitioner shall comply with all Federal Communications Commission (FCC) rules and regulations including FCC radio frequency interference rules and regulations applicable to the petitioner's communication facility.

The public portion of the meeting was closed as there were no other comments forthcoming.

MOTION: by **John Clifford IV** to hear the appeal pursuant to Appendix A, Article VIII, Sections 4(6), and Article X, Sections 3 of the Code. Seconded **Andrew Choate**.

VOTED: **5-0 (Passed)**.

MOTION: by **John Clifford IV** that I find the facts contained in the notice of appeal and the site analysis portion of the written comments of the City staff are accurate and correct. I further find all of the standards imposed pursuant to Appendix A, Article VIII, Section 4(6) and Article X, Sections 3 of the Code of Ordinances of the City of Lewiston have been met. Therefore, I move that the appeal be granted to KJK Wireless, LLC with the following conditions:

1. Petitioner shall comply with all Federal Communications Commission (FCC) rules and regulations, including FCC radio frequency interference rules and regulations, applicable to the Petitioner's communication facility.

Second by **Andrew Choate**.

VOTED: **5-0 (Passed)**.

III. READING OF MINUTES: No minutes were available at this time.

IV. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **John Clifford IV** that this meeting adjourns at **6:20 p.m.** Second by **Daniel Dube**'.

VOTED: **5-0 (Passed)**.

Respectfully Submitted:

Paula Masselli, Secretary