

**THE PLANNING BOARD  
TOWN OF FRANCESTOWN**

**PUBLIC HEARING NOTICE**

The Frankestown Planning Board will hold a **PUBLIC HEARING** on Monday, January 18<sup>th</sup>, 2015, 7 PM at the Town Office meeting room, 27 Main Street, at which the Board will consider the following amendments to the Frankestown Zoning Ordinance:

**Amendments to Article IV: Signs**

If approved, these amendments will create a content neutral sign ordinance.

**Amendments to Article VII: Special Exceptions**

If approved these amendments will ease parking requirements for restaurants, stores, offices and businesses and allow seating, without service, of up to five chairs in convenience stores.

A copy of the proposed amendments is available for public inspection at the Town Offices, Post Office and the Public Library.

If not resolved at this meeting, the matter may be continued to subsequent meetings without further published notice. Interested parties are invited to attend.

Frankestown Planning Board  
Larry Ames, Chair

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## **ARTICLE IV SIGNS**

### **4.1 Purpose**

The purpose of this section is to protect ~~and improve community appearance and the~~ aesthetics of ~~Franeestown's unique character~~ and to protect the health, safety and welfare of the citizens. ~~This section recognizes that any business needs identification and the public needs direction.~~ This section aims to encourage the use of signs that are compatible with community character, are readable and clear, are not distracting to vehicular and pedestrian traffic, and are maintained in good repair.

### **4.2 Definition**

Objects that convey a message for the purposes of advertising or identifying any establishment, event, information or product are to be considered signs and are subject to these regulations.

### **4.3 Prohibited**

Signs are prohibited unless authorized by this ordinance.

### **4.34 General Provisions**

~~Signs shall be permitted as provided below or in other portions of this ordinance, but~~ All signs shall be subject to the following regulations:

- (a) All signs shall be maintained in good condition and in good repair at all times. Any sign or sign structure which is or becomes in disrepair in the opinion of the Selectmen shall, upon order of the Selectmen, be repaired or removed by the owner within thirty (30) days of written notice.
- (b) No sign shall be placed in a manner that will endanger traffic by obscuring the view, by confusion with official signs, by glare or by flashing light, or by any other means.
- (c) No sign shall project beyond the property line or extend over or into a right of way unless a variance is granted by the Board of Adjustment. No such variance shall be granted unless the Board of Adjustment finds that the proposed projecting sign will not interfere with traffic or pedestrian travel and will be in keeping with the character of the surrounding neighborhood.
- (d) Signs shall be lighted only by directed light external to the sign. Light sources to illuminate signs shall be fully shielded, and must meet all requirements of the Outdoor Lighting Regulations (3.15). Signs using neon, tubular gas, moving or flashing or similar lights, or EMC (Electronic Message Center) lighting shall not be permitted in any district.
- (e) No signs shall be affixed to any utility owned pole or traffic sign.
- (f) Two-sided signs shall be considered a single unit, and only one surface shall be considered in determining the area.
- ~~(g) Off premises signs (a sign that pertains to business, industry or activity that is not located at the premises on which the sign is located) shall not be permitted except as provided for in 4.6 (Directional Signs).~~
- ~~(h) Official town, state or federal signs shall be exempt from these regulations.~~

(ig) Non-commercial signs on private property are permitted.

#### **4.5 Governmental Signs**

Signs that are constructed, placed or maintained by the federal, state or local government or pursuant to governmental regulation are allowed provided they meet governmental standards and requirements. These include but are not limited to:

- (a) Signs required by the federal, state or local government if property owner wishes to warn of a danger or to prohibit access to the property.
- (b) Numerals identifying the address from the street to facilitate the E911 system.
- (c) Traffic control and directional signs determined by the Selectmen, a local land use board or the NH Department of Transportation to be necessary or desirable and regulated by the responsible governmental agency.
- (d) Signs on property owned by federal, state or local government are exempt from the sign ordinance.

#### **4.6 Commercial Signs**

- (a) Except as noted in 4.6(e) no more than three on-premise signs may be displayed advertising the business of the owner or operator upon the premises wherein the business is operated. The cumulative total of signs shall not exceed twelve square feet in area. Off premise advertising is not permitted.
- (b) A business providing on-site premise service to a property owner may display one sign not to exceed four (4) square feet in area only as long as the service is being provided.
- (c) In-home or home based business signs are permitted as provided in Sec. 3.9.1 and 3.9.2
- (d) Road side farm stands signs are permitted as provided in Sec. 3.16.
- (e) Boundary signs less than 20 square inches identifying ownership or executory interest are allowed.

#### **4.4 On-Premise Commercial Signs**

- ~~(a) On-premise signs identifying the business of the owner or operator upon the premise wherein the business is operated shall be limited to no more than twelve square feet in size. If more than one sign is attached to a single signpost, the cumulative total of signs shall not exceed twelve square feet.~~
- ~~(b) No more than three on-premise signs may be displayed advertising the business of the owner or operator upon the premise wherein the business is operated.~~
- ~~(c) In-home or home-based business signs as allowed for in 3.9.1 and 3.9.2.~~
- ~~(d) Road-side farm stand signs are permitted as provided in section 3.16~~

#### **4.5 Temporary Signs**

- ~~(a) Temporary commercial signs for contractors, tradesmen, and real-estate are allowed at the location where work is being performed for the duration of the project they represent. Such signs shall not exceed six square feet and shall be removed within fourteen (14) days of the completion of the project.~~

~~(b) Temporary signs, other than those covered in 4.5(a), such as those announcing a single event or activity, occurring either on or off premises are allowed with express permission of the property owner, if under six square feet in size and posted for a period not to exceed twenty one (21) days in a 365 day period. Temporary signs no greater than 100 square feet may be allowed with written permission from the Board of Selectmen.~~

~~(c) Political Signs: shall be allowed in accordance with state legislation (RSA 664:17).~~

#### 4.6 Directional Signs:

~~(a) The Selectmen shall determine location, standard sign specifications, and fees. Signs shall indicate the name of the business and necessary directional information only.~~

~~(b) Where the Selectmen determine that the public convenience and necessity so require, directional signs to businesses and other facilities within the town may be placed in the town right of way.~~

~~(c) There shall be no more than one signpost for any location.~~

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#### **7.10.2 Restaurants (interior alterations).**

An existing building may be altered for use as a restaurant. The exterior appearance of the building shall be essentially unchanged. ~~In addition to a provision for handicap parking, adequate off-street parking shall be provided in a discreet area(s), away from the street, appropriately landscaped to maintain the character of the area. Buildings and parking areas shall be set back at least 75 feet from side property lines. Water and sewage disposal facilities must meet the standards required for new construction.~~ So called drive-up/drive-through, fast food eating establishments or operations offering drive-up/drive-through services shall not be permitted.

**Within the Village district, on street parking located outside public travelways may be allowed if the lot cannot reasonably accommodate on-site parking. Adequate sewage disposal facilities must be approved by the state. Water and sewage disposal facilities must meet the standards required for new construction.**

**Outside the Village district, adequate off-street parking shall be provided in a discrete area(s) away from the street, appropriately landscaped to maintain the character of the area, in addition to a provision for handicap parking. Buildings and parking shall be set back at least 75 feet from side property lines. Water and sewage disposal facilities must meet the standards required for new construction.**

#### **7.10.3 Convenience Stores.**

General or convenience stores in existence on January 1, 1998 may be allowed to utilize up to 30% of their operating space for the preparation and/or sale of deli and other take-out foods provided that water and sewage disposal facilities are adequate for the intended use. No additional provision for parking is required. New convenience/general stores which include areas for the preparation and/or sale of take-out foods may be permitted under Section 7.12. **Up to five chairs with a table may be available for use but not for service.**

**7.12 Retail Stores, Offices and Businesses.**

Retail sales and service businesses and business and professional offices may be established by special exception provided that they are designed to meet the needs of the district and are in scale with the existing land uses in the district. No outside storage or display of equipment or merchandise shall be permitted. ~~Adequate off-street parking shall be provided.~~ **On street parking located outside public travelways may be allowed if the lot cannot reasonably accommodate on-site parking.** Site plan review approval must be obtained from the Planning Board.

KEY:

EXISTING ORDINANCE LANGUAGE

~~DELETED LANGUAGE~~

NEW LANGUAGE