

**FRANKLIN HERITAGE COMMISSION
REGULAR MEETING AND PUBLIC HEARING
CITY HALL- BASEMENT MEETING ROOM
Wednesday, July 14th, 2014 at 7:00 p.m.**

MINUTES

Call to Order: The meeting was called to order at 6:00 p.m.

❑ **Salute to the Flag**

❑ **Roll Call**

Present: Councilor Glen Feener, Michael Mullavey, Bob Lucas, Paul Trudel, Richard Lewis (Planning and Zoning Director) and Planning and Zoning Assistant Angela Carey.

Absent: Jeff Whitney.

Public: George Dzujna and Carolyn Parker.

❑ **Approval of Minutes:** February 12, 2014 Heritage Commission Meeting

MOTION: Member Trudel moved and Member Mullavey seconded to approve the minutes of the February 12, 2014 Heritage Commission regular meeting. Bob Lucas amended the minutes to include changing on page 1, fourth line under new business, left hand side to west side, and to also change Vault to vault in the same paragraph. All were in favor of approving the amendment to the minutes.

New Business

❑ **H14-02:** VSH Realty Incorporated (Cumberland Farms), Owner; Carolyn Parker, Applicant, requests approval to install LED Pump Toppers with “Smart Pay” alternator, on property located at 233 Central Street, Tax Map/Lot # 117-076-00, New Map N8, B-2 Zone (High- Density Business and Commercial District).

Public Comment

Carolyn Parker, Applicant, was present to speak. She apologized for the sign she brought not working; however, it began working quickly thereafter. She stated that most of the Cumberland Farms have the large Smart Pay/Regular pay signs at the road and then the pump toppers as well. The proposal at this location is just the pump toppers, and the main pylon sign would remain as it is. She stated this is a pre-existing gas station and today gas stations would not be put on such small lots and there would be approximately 50 between the roadway and the pumps so the pump toppers would not be seen from the roadway.

The property is located in the business zone and is in the historic downtown overlay district. The current pump toppers are manual, and in order to change them the lanes for the pumps have to be shut down and cones put in. The digital pump toppers would allow for the changing to be done from the building, which creates a safer environment for the employees during snow and ice and due to traffic.

She stated the sign she brought in this evening is set to change every six seconds, but this could be changed from anywhere from 0-60 seconds. The toppers are only meant to be seen from the pumps and not from the roadway.

She stated that she noticed the town crier up the street, which changes every few seconds and you have a hard time reading it before it changes. The pump topper is small and will only let people know they can become members and save \$0.10 per gallon.

She stated the sign she brought in is set at 2, on the brightness level, and a normal topper is set at 6. She stated the one with her has one layer of film over the wording in the middle and on the right end side there are two layers of film to dim it even more.

Questions from the board consisted of:

1. The board asked for confirmation that the main sign was not being changed and Ms. Parker stated it was not.
2. How many layers of film were on the right side of the sign and Ms. Parker stated there was two.
3. If the lights will be visible in the daylight and Ms. Parker stated it would be, just dimmer.
4. If the current sign that was brought this evening was set at 2 and Ms. Parker stated it was and the scale goes up to ten.
5. What the scale of brightness of the lettering was and it was stated this cannot be controlled and that is what the dimmers are for.
6. If the proposed pump toppers would be the same size as the existing and Ms. Parker stated they would be.
7. If there would only be two pump toppers and Ms. Parker stated that was correct, one for each pump.
8. If the condition of the film deteriorates and Ms. Parker stated she wasn't sure and that she hopes the film is durable.
9. The board asked what the other option was to let people know about the smart pay prices and Ms. Parker stated that it would be a big metal price sign, which is more like a temporary sign but would be on the premise a lot.

Member Trudel asked Richard Lewis is the Zoning Board saw the sign with the film. Richard Lewis stated that they saw the same display, that they made one motion to deny that failed and one motion to approve the failed and then the Zoning Board continued the application until the Heritage Commission heard the application. He stated the Zoning Board, if the application is approved by the Heritage Commission, would make a decision at the August 6th meeting.

George Dzijna stated his question was what the alternative signage would be and that question has been answered. He stated the zoning doesn't allow flashing signs, and he understands not wanting to set precedence; however, it can be set to 8 seconds or more and that wouldn't be a distraction.

Public Hearing was closed.

Board discussion

Member Trudel stated he is in favor of the project and stated that Cumberland Farms predates the ordinance; the sign will be parallel to road so it will not be seen from the roadway on Central Street. He stated if they were asking about the main sign that would be different and this will improve the efficiency

of the business. He stated the regal sign has blinking lights, and he is in favor of the project as it will not be detrimental. He stated there are neon signs at the VFW, the Thai Restaurant and Colcord Auto body. Displaying the price options with a big gaudy sign instead of this sign is not beneficial.

Member Lucas stated he is also in favor. He stated he is however happy there is an ordinance that doesn't allow huge LED signs like in Tilton.

Member Feener stated he looked at the sign in Tilton yesterday and stated this is not objectionable as this will be subtle compared to that if the film is over it.

MOTION: Member Trudel moved and Member Mullavey seconded that the Franklin Heritage Commission approve the application [H14-02] request of VSH Realty Incorporated (Cumberland Farms), Owner; Carolyn Parker, Applicant, requests approval to install LED Pump Toppers with "Smart Pay" alternator, on property located at 233 Central Street, Tax Map/Lot # 117-076-00, B-2 Zone (High- Density Business and Commercial District). The Commission finds that the installation of the proposed signage does not undermine the purpose section of Chapter 78 as spelled out in the draft decision to approve has been reviewed and approved, including any modifications, by the Commission.

Member Lucas moved and Member Trudel seconded to add the following conditions:

- 1. That two layers of the film (to dim the brightness) are to be placed over the entire lighted area. The film layers shall be maintained and replaced as needed.**
- 2. That the brightness level shall not exceed the setting described as 2.**
- 3. That the interval between the changing from smart pay to regular pay shall be set at 15 seconds or higher at all times.**

All were in favor of the amendment to the motion. All were in favor of the motion as amended. Motion passes.

The board then asked that the reasoning and the draft decision be added to the minutes. The decision to approve is below.

Decision to Approve:

The Franklin Heritage Commission finds that the installation of the proposed "pump toppers" by VSH Realty Incorporated and Cumberland Farms satisfies the criteria for a waiver of the Signage paragraph IV.3 of the Regulations and does not undermine the purpose section of the Heritage Commission Ordinance, Chapter 78-8, in that:

- 1. The safeguarding of Franklin's heritage and the protection of the visual character of the municipality are ensured since the subject property is an existing commercial gas and convenience store which pre-dates the regulations and has historically contained multiple advertising components. Further, the proposed signage will not, for any substantial degree, be different in size than the existing pump topper signage. While the electronic characters will flash intermittently, it will not be a visual detriment to the general area.**
- 2. The proposed signage will have beneficial strengthening of the economy since it will promote lower gas prices for its customers, and will not act to lower property values due to the strong commercial look and character of the immediate area.**
- 3. The attractiveness of the community will not be impacted, and the use of the property and the general welfare of the community are not adversely impacted sine the signage is not substantially different than the existing pump topper signage, and due to the strong commercial look and character of the immediate area.**

The conditions are as follows:

- a. **That two layers of the film (to dim the brightness) are to be placed over the entire lighted area. The film layers shall be maintained and replaced as needed.**
- b. **That the brightness level shall not exceed the setting described as 2.**
- c. **That the interval between the changing from smart pay to regular pay shall be set at 15 seconds or higher at all times.**

Old Business: None.

Other Business:

Richard Lewis stated that the Northway Bank renovations the board recently approved are going to be done soon. The scaffolding should be taken down within the next 3-5 days. Member Feener stated it looks nice and this was a good decision by the board.

Public Comment: None.

Adjournment

MOTION: Member Trudel moved and Member Mullavey seconded to adjourn the July 14th, 2014 meeting of the Heritage Commission, at 6:27 p.m. All were in favor and the motion passed.

Respectfully submitted,

Angela M. Carey
Planning and Zoning Assistant