

Zoning Board of Adjustment
Minutes
June 11, 2014

Members Present: Wayne Flynn, PJ Cyr, Lenny Knowles and Steve Roy

Members Excused: Keith Roberge, Tom Dyar, Rick Eichler and Pat Murphy

Members of the Public: Dave Goyette, John Scarinza (Code Enforcement), Ed Watson & Luc Duguay

Call to Order: Meeting was called to order at 7:07 by Chairman Cyr

Review and Accept Minutes of April 10, 2014 – The minutes were passed over as not enough of the members who were present at that meeting were in attendance tonight.

The Chairman appointed Lenny Knowles to replace Rick Eichler for the meeting. The Chairman informed everyone present that there were only 4 members of the board present and explained that a tie vote would mean an automatic denial and the applicants could that as a basis for an appeal.

Case #01-2014 – Dave Goyette – Variance – 1 Frazer Street

Mr. Goyette chose to continue with the hearing with only 4 members present. Mr. Goyette explained that the house currently has a small cement porch which is crumbling to the point that the steps are virtually unusable, there are no railings and the steps end 3' from the pavement of Frazer Street. They are also extremely narrow and there is concern with being able to maneuver a stretcher out of the house and down the stairs the way they are. He would like to build a new 10 x 18 porch and move the stairs so they land in the driveway. The current cement porch and steps will be removed. Railings will be built to meet code and insurance requirements. At this time, there will not be a roof and the roof over the current steps will be removed. The chairman asked if there was anyone who wished to speak in favor or against the application. Seeing none, he closed the public input portion of the meeting at 7:18 pm. The board members felt that it was a diminution of a non-conforming use, it would create a safer entrance, it was more in compliance than the current steps, the new porch would allow for better winter road plowing, it would create a safer entrance and would add value to the home. The board completed the voting records. On a motion from Wayne Flynn with a second from Lenny Knowles, all members voted in favor of granting the variance. The applicant was informed that any aggrieved party has 30 days to request a rehearing from the board.

Case # 02-2014 – Car Sum EGOR, LLC – Variance – 481 Main Street

The applicant chose to continue with the hearing even though there were only 4 members of the board present. Based on the ordinance, the property would be allowed 5 signs. John Scarinza explained that there are currently 6 Pylon signs that have been permitted since the ordinance took effect. All the signs are on one lot. Luc Duguay explained that there are 6 different dealerships under 1 roof and need to allow each dealership to have their own specific image on the building. They are looking for signs for 4 of the six dealerships (Toyota, Honda, Nissan & Kia) to comply with manufacturers requirements. If the businesses were under separate roofs, they would each be allowed to have a sign per the ordinance. There will be 12 signs total on the building for 6 businesses. If compared to the Chevrolet store just up the street, they have 6 signs for one business. The sign package asks for 500 sq feet as opposed to 1000 which would be allowed if they were under separate roofs. Even though they are under one roof, the manufacturers look at them as separate dealerships. They are the only dealership in the area with 6 distinct dealerships under one roof. The new signage would give better direction to customers by displaying each manufacture's logo on the building. Three of the 12 signs will be directional signs. The overall package would have 6 pylon signs and 12 signs on the building. The chairman asked if there were any members of the public who wished to speak in favor or against the application. There were none. The board discussed the application. Wayne felt that the application was contrary to the spirit of the ordinance as it was designed to prevent an overabundance of signs and the reason for the variance request was financial which cannot be considered a hardship. Steve felt that the plan looked good as presented. John had some concerns with the request because Berlin City Auto Group consistently violates the sign ordinance. For the last 2 years, each spring new signs appear and John has spoken to Ed Watson and Chad Crane regarding this and again there are

cars parked in the State ROW and there are a bunch of little signs on both properties which violate the sign ordinance. This business is the #1 offender of the sign ordinance for temporary signs. John felt that if the board were considering this variance they needed to address the continuing violations. He felt that the board should nail down a complete sign package and then that is all they will be allowed and there should be no more requests for additional signs. He did feel that the total package they have presented is aesthetically better than what is there now and the total square footage of the signs would meet the ordinance if they were looked at as separate businesses. The board completed the worksheets and the chairman called for a motion. On a motion from Steve to grant the variance which received a second from Lenny, the chairman called for a roll call vote: Wayne – No Steve – Yes Lenny – Yes PJ – Yes. The vote was 3 to 1 to grant the variance. The applicant was informed that any aggrieved party had 30 days to appeal the board's decision.

New Business – Wayne attended the annual spring Planning & Zoning conference. There are packages for each of the sessions for new members on the Office of Energy & Planning website and he felt it would be good to get those links to the new members.

Old Business – The chairman would still like to schedule a work session to go over the processes and procedures before the next hearing.

Adjourn – On a motion from Wayne with a second from Lenny all members voted in favor of adjourning at 8:27 pm.

Respectfully submitted
Michelle M. Lutz
Zoning Board Secretary
June 16, 2014

Approved 9/25/2014