

**Official  
As of 07/09/12**

**HOOKSETT PLANNING BOARD  
MEETING MINUTES  
HOOKSETT MUNICIPAL BUILDING  
Monday, June 18, 2012**

**CALLED TO ORDER**

Chair J. Gryval called the meeting to order at 6:00pm.

**ATTENDANCE – PLANNING BOARD**

Chair John Gryval, Town Administrator, Dr. Dean E. Shankle, Jr., Frank Kotowski, Town Council Rep. Susan Lovas Orr, Town Administration Rep. Leo Lessard (DPW Director), Martin Cannata, David Rogers, Tom Walsh, and Robert Duhaime.

Excused: Vice-Chair Dick Marshall

Absent: Yervant Nahikian.

**APPROVAL OF MINUTES OF 06/04/12**

*T. Walsh motioned to approve the minutes of 06/04/12. Seconded by F. Kotowski. Vote 6 in favor. L. Lessard and M. Cannata abstain.*

J. Gryval: David Rogers will be voting tonight in place of Dick Marshall.

**PUBLIC HEARING – WAIVER REQUEST FOR PARKING**

**1. Norman & Elizabeth Goulet (#12-16)  
41 Londonderry Tpk., Map 49, Lot 9**

Waiver request to Development Regulations section 15.01 5) Parking Standards.

Richard Rogers, Cornerstone Painting Contractors, Inc.: I have property under agreement contingent upon my ability to increase the square footage of the building. I am looking to raise a section of the roof approximately 480 sq. ft. using the same foot print. There are four (4) legal parking spots now, and I would need an additional parking spot for the additional sq. ft. I am looking for waiver of this additional spot.

J. Gryval: This is not a retail outlet.

R. Rogers: Cornerstone Painting Contractors, Inc.'s customers are hospitals, corporations, colleges, etc. We go to the customers, they don't come to us. This site would be using for storage of equipment, one full-time office manager, and two sales people (myself and another sales person).

J. Gryval: Will your trucks have indoor parking?

R. Rogers: We have one truck. Employees have their own vehicles and go directly to the job site in the morning. For night parking there will probably be none or maybe one.

M. Cannata: The CEO needs to deal with this, can he comment on it?

Matt Labonte, CEO: There is the ability to tandem park two vehicles comfortably to achieve five spots.

D. Shankle: There is no retail now. Is there any chance down the road that if this person leaves and the use changes there will be a parking issue?

J. Gryval: We can grant the waiver contingent upon this business being in there.

R. Duhaime: Grant waiver for this owner only, and if a new owner comes in with a change of use they will have to meet the parking requirement (5 spaces).

**Open public hearing**

No comments.

**Close public hearing**

*M. Cannata motioned to grant the waiver to Development Regulations section 15.01 5) Parking Standards to allow 4 parking spaces when 5 are required, contingent that should this painting contractor business leave the 5 parking spaces will revert back to being required. Seconded by L. Lessard.  
Vote unanimously in favor.*

*Waiver above per RSA 674:44 (III) (e)*

**PUBLIC HEARING - WAIVER REQUESTS FOR SIGNAGE**

2. **Dempar Enterprises, Inc. (#12-14)**  
**“RILEY’S”, 1575 Hooksett Rd., Map 14, Lot 16**  
Waiver request to Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards.

Ralph Demicco, Dempar Enterprises, Inc.: Riley’s has been in business for 38 ½ yrs. The question that has arisen is regarding Gold Dog Enterprises. It is a LLC registered with the State of NH about 1 yr. ago. They are not retail. They own machine tools with other NH companies and bring parts into our premises and sells them for profit. They procure significant firearms to military type enthusiasts. It is a viable business that pays taxes. Their impact on our traffic is none. I am asking the Board for a waiver of the sign size allowable for 4 tenants, which we believe we have.

R. Duhaime: This is in the PZ, therefore they should have a monument sign.

R. Demicco: We are reducing the height by 50% and the total is 79.5 sq. ft. when allowed is 100 sq. ft.

Cathy Champagne, Jutras Signs: The only tenant that didn't fit the criteria of a tenant according to the Town is Gold Dog.

Matt Labonte, CEO: We researched all 4 companies through the Secretary of State's office. The following met the criteria for tenant: 1) Riley's, 2) Gold Dog Enterprises, and 3) Riley's Law Enforcement (could not find a business listing, but could fall under tenant criteria). However, Dempar Enterprises, Inc. is a viable NH business, but does not fall under the guidelines of a tenant. The applicant (C. Champagne) came to me with this and I came up with 3 tenants (not 4 as stated on waiver request).

R. Demicco: Dempar is the owner of the real estate. It is an entity in the true sense of the word. I pay my taxes through Dempar. To keep cost down, I have 2 rental properties (families) on the site and all improvements are done through Dempar. From an accounting standpoint, Dempar has been around since 1987.

M. Labonte: Dempar didn't fall into the definition of a tenant.

D. Shankle: The appropriate place for appeal of number of tenants is through the CEO (ZBA) not here.

J. Gryval: The CEO states 3 tenants. The Board should vote on the number of tenants, before we go further with the signage.

R. Demicco: Lucca USA melted into Gold Dog and still has assets.

J. Gryval: According to the CEO, if the Board says 3 tenants, then you can appeal through the ZBA.

C. Champagne: I was advised I could go to Planning for a waiver or ZBA for an appeal.

D. Shankle: To the ZBA you would be arguing 4 tenants vs. 3 tenants. By coming here, you are conceding you have only 3 tenants and want the Planning Board to grant your waiver for 4 tenants.

D. Rogers: You have not appealed 4 tenants with the ZBA. We are here tonight on the sign issue.

D. Shankle: If you want to think about how you want to approach this, you can go to ZBA for a tenant appeal first.

C. Champagne: I would like to see if we can have a conversation of a remedy here tonight. I am open to suggestions.

R. Duhaime: If I was voting on it tonight (alternate not voting), I would ask staff ( Jo Ann) about her Town Planner comments, because they are not quite clear. If she was here, I would feel more comfortable. Referred to Zoning Ordinance Article 10-A PZ for landscape and sign installations. There are requirements for landscaping under the monument signage.

J. Gryval: The issue before the Board tonight is they are allowed 3 tenants and are asking for 4 tenants.

C. Champagne: We do landscaping under our signs.

S. Lovas Orr: You are preferring to stay before the Planning Board assuming there are 4 businesses?

J. Gryval: The CEO has already determined there are 3 tenants. You are able to put a sign for 3 tenants. You are looking for a sign for 4 tenants. You want to exceed the regulations.

S. Lovas Orr: You are saying 4 businesses; 2 of which are retail.

C. Champagne: There are actually 5 businesses.

R. Demicco: Yes, 2 are retail.

S. Lovas Orr: Business and purpose for a larger sign is visibility, so people can find them. If you have businesses that don't need to be found, then the need for extra space for all those businesses seems unnecessary.

C. Champagne: I have a real estate holding company and Jutras signs at my business. When my bank comes to see me, they want to see me for the real estate holding company. They don't care about the sign business. For delivering packages or mail, even if only 2-3 times per year, the name exists and the sign is an identifier. It doesn't have to all be equal in size.

D. Rogers: The only way you are requesting a waiver before us is for 3 tenants. For you to be here you have agreed there are 3 tenants. If you say there are any more tenants, it is an issue before the ZBA.

D. Shankle: For 3 tenants we are going to allow you to have a 50 sq. ft. sign and 10 ft. in height. You really need to think if this is in your best interest.

C. Champagne: Tonight if we are basing our sign on 3 tenants, then what if we go to the ZBA and they say no to the 4 tenants, we are back where we started.

J. Gryval: You want a sign bigger than what is allowed.

C. Champagne: The proposed sign we have here is 50 % less in height, and 10% less in sq. ft. If we agree there are 3 tenants for the sake of this conversation, can the Board act on our waiver?

D. Rogers: Are you asking for us to take an informal vote? If we take a formal vote and deny it, you get what is allowed in the regulations for 3 tenants (50 sq. ft. & 10 ft. height).

### **Open public hearing**

George Graveline, 3 Dove Rd. & President, Granite Hill III-2 Homeowner's Assoc.: The association owners have been abutters to this property since 1987. I haven't been able to read all of the regulations. For the size of this gun, in trying to be part of the aesthetics, this gun is not even close. My biggest concern is why use a gun to publicize tenants. I am a gun owner myself for recreation and enjoy guns, but this sign is too much for me. I have lived here for 11 yrs. now. I own a pretty good gun. This gun on the sign has everything you want. I am not opposed to guns, but am opposed to a 9 ft. gun. I think Riley's can do a little better on the sign. For size are they competing with McDonald's? You are the same size. I don't understand why it is so big. Everybody knows Riley's has been around for years. Can anything be done with the gun size? Also I am concerned on the Memorial Blood Drive section of the sign, have you ever had one?

M. Cannata: Are you responding on your own personal reaction or the reaction from other people "members of the association"?

G. Graveline: I spoke with members and the reaction is the same as mine. It is always the size of the gun.

L. Lessard: We are only talking about the size of the sign now.

G. Graveline: The size doesn't have to be bigger.

### **Close public hearing**

***L. Lessard motioned to deny the waiver request for 4 tenants at 80 sq. ft. and 11 ft. height and only allow the 50 sq. ft. and 10 ft. height. This denial is based on Article 10-A PZ signage. Seconded by M. Cannata.***

C. Champagne: I thought I would have an opportunity to further discuss the sign, before you motioned.

F. Kotowski: I am trying to figure out what hardship would be for you wanting a larger sign.

R. Demicco: The sign presently there has been there since the 1960's. It is old and somewhat unsightly. I thought it would be welcomed. Question on hardship, I don't know. I would have to think about that.

T. Walsh: I know we have regulations to follow and the intent is to clean-up sign pollution. Sometimes regulations go too far. I see the applicant's point. The dimensions are a great reduction in height and is a monument sign.

M. Cannata: There is nothing in the regulations for old and outdated signage requiring they be updated. This sign was increased in appearance not that long ago. McDonald's is grandfathered and a whole other issue.

***Vote 6 in favor, 2 opposed (F. Kotowski & T. Walsh). Motion carried (waiver denied).***

***Waiver above per RSA 674:44 (III) (e)***

R. Duhaime: We do want to encourage development along the PZ. There will be development, it is a matter of time. A different applicant will come in and it will change the appearance of the site. The PZ area allows for negotiation.

F. Kotowski: For the style of the sign, the Board has to be careful about their comments on what you can and cannot put on a sign. You should be able to put a hamburger on a sign and if you have a gun shop, you should be able to put a gun on the sign.

D. Shankle: Now that we turned down the sign waiver and they are allowed only a 50 sq. ft. & 10 ft. height sign, is there anything else to vote on?

J. Gryval: At 50 sq. ft. is there another design you would like to come back with?

S. Lovas Orr: A point was made that Riley's is a landmark and a real value to that is the sign. If it were my business, I would think about changing your design. Don't underestimate the value of heritage.

C. Champagne: In talking to a lot of people about their businesses, the earned reputation as a "landmark" can't be underestimated. However, old signs are just old signs and can be historic. You can take a picture and hang it on your wall, but you have to keep moving forward as a business.

R. Duhaime: We want to see him develop this site, however there are other aspects. When you grant just the sign (vs. site plan) that is all you are going to get. As far as street trees, islands and safety, what are the incentives? The gun on the sign, it is Riley's, I have no problem with that. The size is another item. We are here for the benefit of the Town.

J. Gryval: Robert, you are saying this sign does not meet requirements?

R. Duhaime: There needs to be 4 ft. landscape all around a PZ sign.

M. Cannata: Your existing sign does not have tenants now or in the past?

R. Demicco: No.

D. Rogers We only voted on the size of the sign, not the design.

G. Graveline: On the lower part of the sign, are they going to be advertising for other tenants?

J. Gryval: As far as we are concerned, there are only 3 tenants unless the ZBA says otherwise.

R. Duhaime: Is this an electronic sign (Memorial Blood Drive area)?

C. Champagne: I am sure we can all think of one electronic sign we don't like. To think of one you like is harder. The Verizon Wireless center in Manchester is a great electronic sign. These signs can all be programmed to do what you like.

D. Shankle: I am not sure what we would be voting on at this point. The sign in front of us is a larger size. It needs to be shrunk or something. We can't approve the sign before us.

C. Champagne: For most signs, there is no such thing to shrink it down proportionately. The electronic sign comes in a certain size.

J. Gryval: This sign doesn't meet the regulations. You would be better off to go to the ZBA to see if you have to stay with the 50 sq. ft. or if they will allow 80 sq. ft.

C. Champagne: I will be going to the ZBA. If they say no to the 80 sq. ft., then it is where it is now. If they say yes to 4 tenants, then allowed is 100 sq. ft. and 15 ft. height. Even though Matt says there are 3 tenants, could the ZBA disagree with him?

M. Labonte: Yes.

M. Cannata: If your sign is reduced in size or enlarged, you are going to have to come back with a scale model.

***APPLICANT TO APPEAL CEO TENANT NUMBER WITH ZBA.***

- 3. MFR Industrial Properties, LLC (#12-15)  
"SHOOTERS OUTPOST", 1158 Hooksett Rd., Map 39, Lot 39  
Waiver request to Article 10-A Performance Zone (PZ) I.5 Table of PZ Sign Standards.**

Jim McCloud, 1158 Hooksett Rd., MFR Industrial Properties: We will be opening Shooters Outpost at this site. Currently there are 3 condos: 1) log cabin, 2) pad, 3) document carrier service. First we will move in Shooters Outpost and a tenant, and rent out the property in the back. I have a rental unit or possibly two proposed. If I get sign size I would like, it could be conditional that the 3<sup>rd</sup> business would be built within 24 months on the existing condo.

J. Gryval: How many tenants do you have now?

J. McCloud: When I move in there will be two. I am renting the back building condo #3 (Granite State Shuttle Service).

Caren McCloud: The building is going under significant renovations to include electrical, etc. We want to open in August to be ready for the Fall peak time. We plan on having 4 tenants at that time.

J. McCloud: I would not want more than one sign out front for any business that will be there.

C. Champagne: We are using posts from the log cabin sign. We did add landscaping to show you. I can't promise these exact flowers, but there will be landscaping. We are building a sign for tenants now vs. adding to the sq. ft. later. You can always tell when pieces and parts are added to a sign and it is a significant expense. That was the theory how the sign looks. We are building around the posts.

S. Lovas Orr: You are utilizing existing posts?

C. Champagne: And the foundation is adequate for the sq. ft.

L. Lessard: I would like Matt to talk about this.

M. Labonte: Jo Ann and I had a discussion. There was a previous ZBA variance from 1995 for a 62.5 sq. ft. sign for Don's Sports Center. The sign is not on the same condo lot as Shooters Outpost. The variance is granted for the pad condo lot. The 3<sup>rd</sup> condo in the back has frontage on the side road, but not on Hooksett road.

C. McCloud: The 3<sup>rd</sup> condo out back has the same address as the 2 condos out front.

J. McCloud: I could not see leasing to someone to have their signage on Joanne Drive.

M. Labonte: 62.5 sq. ft. was granted for the overall signage based on measurements back then. Today's measurements would make it 70-72 sq. ft. grandfathered.

J. McCloud: Condo #2 has a large foundation. We have contractor quotes to take out the pad and redo the site. Also there is condo #3, if they ever need signage. We have a management company there too. There will be a gunsmith and Shooters Outpost when



we move in. We are also talking about a police vest vender. We could come up with 4 businesses, before I even talk about condo #2 and condo #3.

C. McCloud: We know this waiver request could be conditional that those businesses come in within a certain time.

L. Lessard: Matt and I had a discussion this afternoon.

M. Labonte: There are 3 signs at the bottom that say tenant. Is there a way to conform to existing heights? You are asking for 15 ft. height. Take out the tenants at the bottom and stay within the 70 sq. ft. that is grandfathered.

J. McCloud: I plan on putting a single-level 5000 sq. ft. log building on the pad site. Grant me a 3 tenant sign and if I don't perform in 24 months I take those down.

D. Shankle: The waiver is requesting 4 tenants at 100 sq. ft. and 15 ft. height.

C. Champagne: Matt, you made the judgment we are allowed 1 tenant.

M. Labonte: Because now there is only 1 tenant.

D. Shankle: We are going to waive from 1 allowable tenant to a total of 4 for the future?

J. McCloud: There will be 2 when I open.

D. Shankle: Is timing always a problem with the number of tenants?

J. Gryval: I don't see why you couldn't come back when you have the future tenants.

C. McCloud: By the time it is manufactured and up and running, we will have 3 tenants.

J. Gryval: The reason why everyone wants to go for more tenants is because you want bigger signs.

F. Kotowski: You want to be proactive and come in one time. The foundation you want to build on will bring in taxes and a business. Discretion is the better part of valor. I know there are regulations there, but I can't see going through this again when they have more tenants.

C. Champagne: If there is no tenant, then that section of the sign will be left blank.

T. Walsh: I see they want to save money and be proactive. It is like the Shaw's plaza tenant that comes in and they change the panel.

R. Duhaime: There was a car dealership at this site before. They said they would take out a couple of parking spaces and add landscaping, but the dealer kept adding more cars.

This is not a monument sign, it is a pylon sign. I like the CVS sign, it is a monument. In Bedford all the signs are the same.

C. Champagne: Bedford has granted more waivers in the last couple of years.

R. Duhaime: For a new sign it is supposed to be a 32 sq. ft. monument sign. He wants to continue with the grandfather and have an electronic sign. I would more favorable if he lowers his sign.

C. Champagne: Matt said we could have a 70 sq. ft. sign.

M. Labonte: The variance is for size and height only. You still need to comply with the ordinance.

R. Duhaime: Granting them a larger sign on this site, if you came in with another tenant and wanted a monument sign, I would give you a separate 32 sq. ft. monument sign.

J. McCloud: I would love to keep one sign.

J. Gryval: The variance as for a 62.5 sq. ft. sign.

M. Labonte: 62.5 sq. ft. was as measured previously. Today's measurement would be 70-72 sq. ft.

C. McCloud: What about condo #2?

J. McCloud: We get taxed on condo #2.

M. Labonte: Condo #3 does not have frontage on Hooksett Rd.

C. McCloud: If someone is looking for them, their address is 1158 Hooksett Rd.

D. Shankle: Each condo owner could come in for separate signs.

J. Gryval: The back condo #3, as far as I am concerned, would need there signage on the side street.

D. Rogers: If tenant panels are removed this would add a minimal expense when occupants are there vs. speculating. Make it closer to 77 sq. ft. now vs. asking for 100 sq. ft.

C. Champagne: Have the 3 tenant panels put off until the future, and bring the sign to 77 sq. ft. The variance allows between 70-72 sq. ft.

J. Gryval: Once the tenant panels are removed, then it is more of a pylon sign than a monument. You really should consider a monument sign. Everyone is saying Rte. 3 is getting cleaned up.

C. Champagne: The sign is pretty narrow, because of the existing posts. To make a monument sign, the part at the bottom will look aesthetically weak "forced".

R. Duhaime: You have read the ordinance?

C. Champagne: The size without the tenant panels, the space does increase underneath as temporary until the tenants come in. We will choose plants that grow and fill-up that area.

J. Gryval: It is still not a monument sign.

L. Lessard: If they take the tenants out, then there is 1 tenant.

M. Labonte: But they do have a variance from 1995.

D. Shankle: The variance was for the entire parcel. Jo Ann wrote that in 2009 it was converted to condos.

L. Lessard: If each condo comes in for signage, it will look like Rte. 9.

M. Labonte: For a free standing sign on their lot for the other condo, I would have to give them a permit.

J. Gryval: The other business in condo #3 has no signage on Rte. 3, and therefore does not need a monument style sign.

***D. Shankle motioned to table this item until two Planning Board meetings from now (August 6, 2012). Seconded by L. Lessard.***

M. Cannata: What determines where a sign goes as well as the size?

M. Labonte: The size and height are governed by the number of tenants. The location is by the Board.

J. Gryval: Location must be on their own property.

M. Cannata: What determines property for a condo?

**Open public hearing**

No comments.

C. McCloud: There are 3 condos. If each condo is allowed 32 sq. ft. somewhere on the property, that is 96 sq. ft. combined.

J. McCloud: It depends what the condo documents state.

M. Labonte: Both condo #1 & #2 have frontage on Hooksett Rd.

J. McCloud: It is not fair for condo #3 not to have signage on Hooksett Rd. Between now and then (8/6/12), I will speak with my attorney to have all 3 condos deeded to one sign excluding the ability for each to ask for signage.

*Vote unanimously in favor.*

***CONTINUED TO THE AUGUST 6, 2012 PLANNING BOARD MEETING.***

**OTHER BUSINESS**

**4. PLANNING BOARD GROUP PHOTO**

**5. RECOMMENDATION OF APPOINTMENT TO SNHPC**

F. Kotowski: I recommend Dick Marshall for reappointment as the SNHPC Rep. for another term until 6/2016.

***Board consensus: Unanimous to recommend Dick Marshall for reappointment as the SNHPC Rep. for another term until 6/2016.***

**6. CHANGE OF USE**

None at this time.

**RITCHIE BROS. AUCTIONEERS SIGN**

J. Gryval: Nick made a comment that at our 6/4/12 Planning Board meeting, we didn't have any issue with the Ritchie Bros. signage. We wanted to wait to see the balloon test, before making any formal comments.

R. Duhaime: It wasn't a formal vote.

J. Gryval: We received a memo today requesting the Planning Board comments on the signage. We will add this to our July 9, 2012 Planning Board agenda.

D. Rogers: There were two balloons and they were not easy to see, because of pine trees that are there.

D. Shankle: And the pine trees will be gone.

R. Duhaime: Open road tolling is not done yet. They are taking down trees. This applicant has no screening or landscaping. They could cut all there trees down. When you go through Hooksett and see a 50 ft. height sign on a 25 acre gravel parking lot, for my eyes that is great in Texas, but it doesn't fit the structures here.

### **PZ SIGNS**

J. Gryval: I heard from the Hooksett Banner today about commenting on the PZ signage and I referred them to the Town Planner.

### **SIGNS IN GENERAL**

M. Cannata: What troubled me for waivers relative to signs, I got the impression that we could massage them in addition to what they want above the waiver. This screams inconsistency from our regulations. I don't know if you want to sort it out. I am leaving after my term.

J. Gryval: Example is 3 tenants and now they have 2.

M. Cannata: So long as it relates to our regulations and not what the client is asking for.

J. Gryval: For signage, then they put up temporary signs and fill-up their windows. We have parking requirements and then say you can have outside display within those spaces.

L. Lessard: What I was picking up from Martin is no bribes.

R. Duhaime: There are incentives, because it is in the PZ. Jutras said cars may hit the Twin Smoke Shop sign, but where is the sign? The sign should have the landscaping, but they are not showing the landscaping.

D. Shankle: One thing I would like to see more of is to have more details on the waiver request. When we get our Planning Board packets, there should be enough information for us to make a decision.

S. Lovas Orr: She (C. Champagne) is trying to sell big signs and bigger isn't always better.

T. Walsh: We are not the only ones going through this. There are other towns.

S. Lovas Orr: If we set regulations, we either abide by them or change them. If they are there, we need to abide by them with as many cases as possible.

F. Kotowski: The 1<sup>st</sup> sign was for a gun shop and the 2<sup>nd</sup> was for a gun shop. I don't blame either one of them for advertising their product. They have been paying taxes for a long time. If we are so rigid we can't change, we are shooting ourselves in the foot.

*D. Shankle motioned to adjourn at 8:50pm. Seconded by L. Lessard.  
Vote unanimously in favor.*

**ADJOURNMENT**

Chair J. Gryval declared the meeting adjourned at 8:50pm.

Respectfully submitted,

Donna J. Fitzpatrick,  
Planning Coordinator