

Official

HOOKSETT ZONING BOARD OF ADJUSTMENT
Tuesday, August 13, 2013
HOOKSETT MUNICIPAL BUILDING

CALL TO ORDER

Vice Chair Duhaime called the meeting to order at 6:30 pm.

PLEDGE OF ALLEGIANCE

ATTENDANCE

Michael Simoneau, Richard Bairam, Roger Duhaime, Jackie Roy, Gerald Hyde, James Levesque,
Council Rep.

EXCUSED

Don Pare, Phil Denbow, Chris Pearson

STAFF

Jo Ann Duffy, Town Planner

APPROVAL OF MINUTES

July 9, 2013 Regular Meeting – *R. Bairam moved to approve minutes, seconded by J. Roy.
Motion carried.*

July 23, 2013 Special Meeting – *R. Bairam moved to approve minutes, seconded by J. Roy.
Motion carried.*

NEW PUBLIC HEARINGS

3-3 EAST POINT INDUSTRIAL PARK

2 Sutton Circle

IND

Case #13-11

Map 49, Lot 3-3

A variance is requested from Article 20, Section E.4 to permit a 107.21' SF illuminated wall sign.

Roland Paradis, C&S Signs, 5-4 Christine Drive, Hudson, NH 03051 representing 3-3 East Point
Industrial Park, P.O. Box 128, Candia, NH 03034

R. Duhaime: Is it internally lit?

R. Paradis: Yes, LED. It has black lettering during the day and lights up off white at night. (logo
and lettering.)

J. Roy: Is this a standard United Rentals sign or do the signs vary by location?

R. Paradis: They are made custom for each location.

J. Roy: Is the "A" how it looks?

R. Paradis: No, that identifies that particular sign on the plan; that has nothing to do with the look of the sign.

M. Simoneau: How many signs? Is there one sign or two?

R. Paradis: Just one main sign.

M. Simoneau: Nothing over door or next to the door?

R. Paradis: Just an awning.

R. Duhaime: No other signage anywhere else?

R. Paradis: Shows existing awning replaced with their name on it. That's all they need for a sign; you want to be able to see where it is. If you look at the drawing, it isn't oversized.

R. Duhaime: It looks proportional for a commercial building in that area.

No public input; No abutters

J. Levesque: What are "E" and "C" on proposed conditions? Is "C" the sign on awning? That is not on the variance.

R. Paradis: The lettering on the door and the awning.

M. Simoneau: Jim, I am assuming "E" and "C" are in code. Is there a "B"?

R. Paradis: I believe that is an interior sign.

M. Simoneau: All we are looking to add today is "A?"

R. Duhaime: Yes.

J. Levesque: If we don't include "C" and "E" they won't be able to put that on.

J. Duffy: Because they have 2 frontage points (one on Sutton Circle and one on East Point, they can have 2 signs. The other one meets the size requirements and the second one does not. That is the one that requires a variance.

M. Simoneau motioned to grant with regards to case 13-11 a variance to request from Article 20, Section E.4 to permit a 107.21' SF illuminated wall sign. Seconded by G. Hyde. Motion carried.

BASS PRO SHOPS Case #13-12
2 Commerce Drive Map 37, Lot 43-1
MUD #3

A variance is requested from Article 20-A, Sections B.10 to permit a freestanding signage ("ranger tower") in conjunction with the proposed Bass Pro Shops Sportsman's Center.

J. Duffy: They resubmitted their application; the only change, I believe, from last time they were here is to the section of the zoning ordinance and height has changed.

Austin Turner, Tetra Tech, representing One Bemis Road Realty, LLC (Michael King)
If you recall, last time we were here we filed under section 28 B-9 (building signage). We thought it more appropriate to file under signage section of the ordinance. Subsequent to our previous hearing, some of the board were out there about a month ago to get a site line, based on that we adjusted height of tower from 67' to 95' because we are so close to canopy. We wanted to have visibility of the sign.

R. Duhaime: Do you have any pictures of the balloon test?

A. Turner: No, all the balloons that floated were below the canopy of trees, and you couldn't see anything. It wasn't worth taking pictures.

J. Roy: Do you know if this falls within the fall protection with the state DOT requirements with respect to the parking lot and 293?

A. Turner: The state asks we keep the height of tower 95'; we propose it to be 120' from the property line and another 120-130 feet to the actual travel way. So it is well outside the fall zone.

J. Roy: How about the parking lot itself? Because it is closer to the parking lot than 293.

A. Turner: 100 feet from the parking lot. Where we are siting is the flattest spot with the least disturbance. It's where we floated balloons.

J. Roy: I understand the increase for the height; is 100' adequate for the fall zone to that parking lot?

A. Turner: That part of the parking lot is spill over. It should not be utilized once the store is in operation for a while.

R. Duhaime: The tower signage – is it the same size as what we previously approved?

A. Turner: Yes, we only increased height. Still working to figure out what the actual foundation will be. It was 24 feet square and we increased it by 8 feet to accommodate the taller structure so it is about 32 feet at this point.

R. Duhaime: 81 square feet per sign in original calculations?

A. Turner: Yes.

J. Levesque: How many sides?

A. Turner: Bass Pro Shops logo on all 4 sides.

J. Roy: Are we approving/not approving the sign and the building department approves structure?

J. Duffy: Yes, you are approving the height and size. We previously discussed putting up a surety for dismantling should Bass Pro leave that site.

A. Turner: I talked to Bass Pro representatives, and they will put together a document that will tie them to the structure and signage if they vacate. They will remove it in the event they leave.

J. Duffy: It can be considered condition of approval.

R. Duhaime: What is the height and width of logo sign?

A. Turner: I do not have the specific dimensions, but I can get that. I know that it's 81 square feet from the top to base, so maybe it's 8x10. They are measuring it conservatively - the rectangle around the sides, approximately 8x10.

R. Duhaime: What about the top of tower itself?

A. Turner: It's about the same.

J. Levesque: Above tree line, to make it look more like a ranger tower, it should have some stairs maybe just above tree line.

A. Turner: We were considering installation of some kind of access in order to facilitate maintenance at some point; we will provide human access, but the full plans are not complete yet.

J. Levesque: Stairs will make it look like ranger tower.

A. Turner: We don't want to invite people who shouldn't be there. Obviously it will be gated or fenced.

J. Levesque: The sign guy can bring his own ladder for the first 25 feet or so to get access to the stairs.

A. Turner: I can talk to Bass Pro about that.

R. Duhaime: One concern, the size of sign seems larger than before – not proportional to the tower as it was before. Not going to see much of the ranger tower, it will just look like 4 big signs.

A. Turner: Internally lit with LED lamps.

R. Duhaime: My concern is they will lose it.

A. Turner: I can talk to them about dressing it up to make it look more like a ranger tower.

Public Input:

Claire Parker, 8 Goonan Road, abutter

Will these lights be on 24/7 on the sign? Will they be visible from 3A?

A. Turner: It will only be lit up during operating hours, every night.

C. Parker: Will you see it from 3A?

A. Turner: You might see a little bit from 3A but it's tucked back.

C. Parker: Thank you.

Dave Smith, NH DOT Bureau of Turnpikes

I am looking for confirmation that the sign is outside of DOT's turnpike right of way; will that need any turnpike clearing or any encroachment from the turnpike facility whatsoever?

A. Turner: No, the right of way has been cleared.

Richard Houle, 9 Goonan Road

I am just curious where the sign will be when coming up from 293 North. How far in advance will you see the sign? You have the 293 turn not too far from the sign. People coming from 93 will not see sign in time and cut across lanes of traffic at the last minute. Traffic will be turning

on 293 coming to 93 to get off at exit 10 to get to the site. How far in advance will the people see the sign and will there be any time to react.

A. Turner: There will be no directional signage, only the Bass Pro logo. There will be plenty of time - the next available exit is 10.

R. Houle: If they can see it way in advance, you should be able to see it a long way down before you get to the cutoff.

J. Roy: I think it's closer to parking lot than fall zone; fall zone is 120'; that is part of the planning board decision.

R. Duhaime: It is in a tough location. There is no visibility at all from the highway; this gives them some visibility. As long as it looks like a ranger tower and not just too much signage for the building.

A. Turner: I'll speak to the design team and make sure they incorporate feedback from this meeting.

R. Duhaime: They have never done anything like this before right? I think the sign is a little big for the ranger tower.

M. Simoneau: The goal is the sign and the ranger tower is the sign.

G. Hyde: Would the ranger tower be made out of wood? This looks like a cell phone tower.

R. Duhaime: What are they planning on making it out of?

A. Turner: I believe we submitted a sample photo with the previous application. Steel or aluminum; top may have had some wood components. I can have more details for building department.

M. Simoneau: Looking at their other sites, they take time to make it look right. I hear your concern about metal vs. wood being aesthetically pleasing to eye. Everything we have looked at has been professionally presented. I think they will do a good job.

A. Turner: Everything is going to be consistent with the building. It has not been pushed to the next level design without approvals. It will be consistent with the building architecture.

M. Simoneau: It will become a landmark in time; 5, 10, 15 years down the road, people will say I'm going to the Hooksett location of Bass Pro shops (tied with Hooksett name and vice versa). Hopefully it will be a nice, clean landmark.

R. Duhaime: It matches what you have already done and falls in line with the rest of the building.

***J. Roy motioned for a variance for case #13-12, Bass Pro Shops, a variance is requested from Article 20-A, Sections B.10 to permit a freestanding signage (“ranger tower”) in conjunction with the proposed Bass Pro Shops Sportsman’s Center subject to final placement with proper fall zone approved by the Planning Board and proper surety for dismantling the tower by Bass Pro Shops with the tower to be attached only to the Bass Pro Shops business.
Seconded by R. Bairam.***

A. Turner: I will make sure they incorporate all the feedback – material for the building and some kind of access to the tower.

R. Bairam: Just to the tree line so coming down the road it looks consistent.

Motion carried.

NICHOLAS & AMY MERCIER
35 Goffstown Road
LDR

Case #13-13
Map 22, Lot 29

A variance is requested from Article 4, Section E.1 to permit a 25’ 10” front setback.

Nicholas Mercier: I am also speaking on behalf of my wife who is working tonight. I have some aerial photos of the property and proposed structure.

R. Duhaime: This is a current picture right?

N. Mercier: Yes, that is from Google. I also have a more recent one from last weekend.

J. Roy: With the proposed structure on it?

N. Mercier: No, just a Google picture but I do have a proposed structure drawing in this packet.

J. Roy: Is the new structure going to be pretty much the same distance from road as the existing?

N. Mercier: Yes.

R. Duhaime: Why can’t the house get moved back?

N. Mercier: There is an existing pool and patio that was on the property that we are trying to maintain. There is about a 25’ descent to the next lower level; if we push the house further

back we would have to remove the pool and put fill back in. I have a letter we submitted to the abutters and they are both in favor of the proposal of our house.

R. Duhaime: Are you moving it back?

N. Mercier: Yes as far as we can get it.

J. Roy: Is there a turnaround for vehicles? It can be a dangerous road.

N. Mercier: Our neighbor Tom Barrett has had his fence taken out 2 or 3 times this year. The Schroeders live next door. What we want to propose is we want to retain the existing location of the driveway and potentially put either a turn around on our property or a second exit on the Schroeder's property. Backing out onto Goffstown road is dangerous. We want the ability to either turn around or a way to enter Goffstown Rd. face first.

Public Input/Abutters

Robert Schroeder, abutter to proposed building

What they have done has been an asset to the neighborhood and the community. The fact they are making it more conforming, I would urge the board to approve the request for a variance.

J. Roy: The driveway should be finalized with an entrance or exit. I see where you have proposals and would suggest it would be conditioned to the additional exits.

N. Mercier: We can provide that to you and the building department.

J. Duhaime: Is there any problem getting a second entrance?

J. Duffy: No, Public Works approves the driveway permits. I'm sure they would be willing to work with him.

N. Mercier: We staked the house on the lot with sticks and figured out how we would work the arc or second entrance. We do not want to take down any more trees than we already have. Next week Boisvert Bros is coming to clean up the property and then we can assess with the architect what our options are.

G. Hyde: Which side of the house is not conforming? The proposed garage side is conforming?

R. Duhaime: Yes

N. Mercier: The biggest issue is the far right front corner has been difficult for the surveyor to lay out in an arc. We are currently setback at 25'10"; the previous house was 23'. I understand the point about non-conforming.

G. Hyde: I am uncomfortable saying as a board that we are requiring you to add more driveway to give you the variance since the garage side is conforming as it is.

R. Duhaime: I know Goffstown Rd; I would urge you as far as that is concerned – you are going to see increase in traffic. I don't know what town's plan is for the road in the future, but you want to plan ahead now to avoid problems later.

***R. Bairam motioned in case # 13-22 to grant variance requested from Article 4, Section E.1 to permit a 25' 10" front setback. Seconded by G. Hyde
Motion carried.***

R. Duhaime: When the put in the performance zone, there was no relief; the planning board ruled. The way it is now, if something happens in the performance zone and they want to appeal they would come to zoning first?

J. Duffy: This is not a regular appeal, it is an appeal of the ordinance itself then they would go to the zoning board. Now they can appeal an administrative decision (made by the code enforcement officer); this also allows them to appeal it but the time frame (to go to the zoning board and planning board) is now coordinated. The appeal process time may overlap and they would lose the 30 day appeal with zoning if they were tied up planning or vice versa. Everything would stay in place until the appeal process goes through. I think David Boutin introduced that legislation.

***M. Simoneau motioned to adjourn. Seconded by J. Roy.
Motion carried.***

ADJOURNMENT

Meeting was adjourned at 7:22 pm.

Respectfully submitted,

Tiffany Verney
Recording Clerk