

ZONING BOARD OF ADJUSTMENT
268B MAMMOTH ROAD
LONDONDERRY, NH 03053

DATE: MAY 15, 2013

CASE NO.: 5/15/2013-2

APPLICANT: JAMES A. AND DARLENE M. CORDARO
11 WILLOW STREET
DERRY, NH 03038

LOCATION: 10 KENDALL POND ROAD; 6-47-1; AR-I

BOARD MEMBERS PRESENT: JIM SMITH, CHAIR
LARRY O'SULLIVAN, VOTING MEMBER
JAY HOOLEY, VOTING MEMBER
NEIL DUNN, CLERK

REQUEST: VARIANCE TO REPLACE AN EXISTING 3.5 FOOT X 15 FOOT (52.5 SQUARE FOOT) NON-CONFORMING SIGN WHERE A MAXIMUM OF 6 SQUARE FEET IS ALLOWED FOR A NON-RESIDENTIAL USE IN A RESIDENTIAL ZONE ACCORDING TO SECTION 3.11.6.4.1.2.

PRESENTATION: At the opening of the meeting, the Chair announced to all applicants on the evening's agenda that with only four Board members in attendance, they have the opportunity to request a continuance to the June 19, 2013 meeting when there could be an opportunity to present to a five member Board.

CASE NO. 5/15/2013-2 WAS READ INTO THE RECORD WITH SIX PREVIOUS CASES LISTED.

LARRY O'SULLIVAN: Do we remember what the restrictions were [on previous case 5/16/2012-3]?

NEIL DUNN: It had to do with...I don't know. We sat there. You don't remember?

[See page two for restrictions on previous case 5/16/2012-3].

JAMES SMITH: Okay. Who will be presenting?

DARLENE CORDARO: My name is Darlene Cordaro and this is my husband, Jim.

JAMES SMITH: Okay. Do you want to give us a little background, then we'll go from there?

DARLENE CORDARO: Well, we just purchased the building to put a child care there and they have the sign on the side of the building and we just thought that we were going to be able to do the same as what they had. And it was brought to our attention that we could not, so that's why we're here tonight.

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JAMES SMITH: Okay.

LARRY O'SULLIVAN: You have a picture here of the building with the sign down but you can still see the shadow.

DARLENE CORDARO: Yeah, you can still see the outline of it.

LARRY O'SULLIVAN: And prior to that, we have a sign that has colored pictures of "Learn, Play, Grow Together"...

DARLENE CORDARO: Mm-hmm.

LARRY O'SULLIVAN: ...and so forth. Is that what you're planning on...?

DARLENE CORDARO: That's what we would like to.

LARRY O'SULLIVAN: Okay. And this is how big?

DARLENE CORDARO: We would like to put it in the area that was already there. The 15.5 by 3.5, I think it was.

NEIL DUNN: That's why I couldn't see the sign when I drove by. The sun setting and it was faded where it was removed.

JAYE TROTTIER: I can show you those two restrictions.

LARRY O'SULLIVAN: Did you find the restrictions? Great. Thanks.

NEIL DUNN: If you would care, Board member...

LARRY O'SULLIVAN: I do.

NEIL DUNN: The question came up of the 5/16/2012-3 case and what the restrictions were. The motion was made to grant case 5/16/2012-3 as presented, pending the sale of the property to Darlene and James Cordaro and pending Planning Board approval.

LARRY O'SULLIVAN: That was it?

NEIL DUNN: That was it.

LARRY O'SULLIVAN: Thank you.

NEIL DUNN: Thank you, Jaye.

JAMES SMITH: Richard? If this building was in a commercial district, what would be the permitted size of the sign on the wall?

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94 RICHARD CANUEL: For a single use, it would be 50 square feet.
95
96 JAMES SMITH: Okay.
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98 LARRY O'SULLIVAN: So this is roughly the same. Three and a half by 15.
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100 JAMES SMITH: No, it works out to be 52,5.
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102 RICHARD CANUEL: Fifty two and a half, yeah.
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104 LARRY O'SULLIVAN: So even in the commercial zone, this is too big.
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106 RICHARD CANUEL: That's true.
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108 LARRY O'SULLIVAN: Had you considered...one of the things that we must do is we must consider alternatives.
109 We have to ask you about your alternatives. Had they been considered?
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111 DARLENE CORDARO: With the...?
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113 LARRY O'SULLIVAN: With the signs.
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115 DARLENE CORDARO: With the sign, a six square foot, I don't even think we're going to be able to be seen with
116 the name. I had, again, we had no idea that we weren't going to be able to do that. We just thought because
117 it was already there and it was not commercial, that we were going to be able to do the same thing. So...
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119 LARRY O'SULLIVAN: Okay, so had you considered something smaller?
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121 DARLENE CORDARO: If we do something smaller, I don't think that it's even going to...
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123 LARRY O'SULLIVAN: So this is the minimum size, then, in effect, that you feel comfortable with?
124
125 JAMES CORDARO: We could adjust the size. If 50 foot or 45 square feet works, I'm sure we can work within
126 that size. I mean, we're more than happy to work with the Board. But like she's concerned with the six square
127 foot, you'd drive by that and if you blink, you'd miss it.
128
129 LARRY O'SULLIVAN: Well, that's a residential area, so...
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131 JAMES CORDARO: Yeah.
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133 LARRY O'SULLIVAN: ...that's why we have these restrictions is, you know, you got a variance to begin with. I'm
134 sure you're well aware now that the regulations that the Town has is to protect public interest, public safety,
135 things along those lines. Now the distractions that a sign like that like you're proposing as opposed to what
136 was there, before we had a destination. People would be looking for it. A place to worship.
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138 DARLENE CORDARO: Mm-hmm.

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LARRY O'SULLIVAN: They're not going to be potentially not knowing that you're there unless you do things to make them aware of it. Again, you're on a road that's right on the edge of the commercial area, so you've got residential neighbors and we need to be considerate of that. All these things are what we're taking into consideration here and hope you do, too. So thank you for being able to work with us on that.

JAMES SMITH: Who designed the sign?

DARLENE CORDARO: I just drew it up real quick to have something, and idea of what we would like.

LARRY O'SULLIVAN: So this isn't exact, like...

DARLENE CORDARO: No.

LARRY O'SULLIVAN: ...that you would propose?

JAMES CORDARO: We are working with New Hampshire Signs of Londonderry.

LARRY O'SULLIVAN: So would this sign be lit?

DARLENE CORDARO: No.

LARRY O'SULLIVAN: By any external or would it be back lit or...? That wouldn't be allowed anyway, right?

RICHARD CANUEL: No.

DARLENE CORDARO: No, it would just be on the building like the other sign was.

LARRY O'SULLIVAN: Mm-hmm.

JAY HOOLEY: Are you proposing...it looks like the other sign, each letter was attached, this on a rectangular sign board of some sort or painting this directly onto the building?

DARLENE CORDARO: We're not sure. We were still waiting to hear from the sign company, so we're not sure exactly what would be the best or...and I guess we're looking to you guys for a suggestion. Again, we were not...because the Church had had it, we just thought that we were going to be able to do something similar to what they had, so...

JAY HOOLEY: Richard, viewing the design of this sign, were it painted directly on the building, how would we determine the square footage? I know from the outermost letter...?

RICHARD CANUEL: Yeah, if it's individual letters and symbols, it's the rectangular area that would encompass that sign, so basically, if you were to put those images on a board and attach the board to the building...

JAY HOOLEY: You measure the board. So it would be essentially that same rectangular area that would be occupied by those letters.

185
186 LARRY O'SULLIVAN: Okay, so then the measurement where it said "Kingdom Hall of Jehovah's Witnesses" is
187 the same as...as what's being requested?
188
189 DARLENE CORDARO: Mm-hmm.
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191 RICHARD CANUEL: Yes.
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193 JAY HOOLEY: Okay, I just want to be clear. You're not looking for "Ms. Darlene's Early Learning Center and
194 Child Care" to be the size of the King...and then all the remainder to be in addition to that?
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196 DARLENE CORDARO: No, the whole thing would be...
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198 JAY HOOLEY: You're changing the shape and looking for approximately a similar total square footage.
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200 DARLENE CORDARO: Yes.
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202 JAY HOOLEY: A narrower but taller....Okay.
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204 LARRY O'SULLIVAN: No other changes to the building, though?
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206 DARLENE CORDARO: No.
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208 LARRY O'SULLIVAN: Can I ask if you had talked to the Planning Board about the sign?
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210 DARLENE CORDARO: No.
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212 JAMES CORDARO: No.
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214 DARLENE CORDARO: We thought we had to get the permission from you before we talked to them.
215
216 LARRY O'SULLIVAN: Is that true, Richard? I thought the Planning Board now has, when you're doing a site
217 plan, they can do all kinds of things with signs.
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219 RICHARD CANUEL: Well, not if it requires a variance. If the sign is not going to be conforming to the
220 ordinance, then the Planning Board doesn't have the authority to circumvent the ordinance, so it would still
221 require a variance.
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223 JAMES SMITH: They could approve a six square foot sign.
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225 LARRY O'SULLIVAN: That was it, yeah. Gotcha.
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227 JAMES SMITH: The reason I asked about the commercial; 52.5 evidently just happened to be what the other
228 measured. I think, in looking at this, if we compare it to the commercial zone, I think we should limit it to no
229 more than the 50 feet...
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231 DARLENE CORDARO: Okay.
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233 JAMES SMITH: ...because that's what a commercial zone would get.
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235 DARLENE CORDARO: Mm-hmm.
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237 JAMES SMITH: Whether we grant it or not, that would be another issue. Have you discussed how the sign's
238 going to look with the sign company yet?
239
240 DARLENE CORDARO: No, we haven't. They were waiting for us to get the okay.
241
242 JAMES SMITH: Okay.
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244 LARRY O'SULLIVAN: The problem with that is that if you don't provide us with some similar rendering, you
245 may have to come back. If it's significantly different.
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247 DARLENE CORDARO: When we [indistinct].
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249 LARRY O'SULLIVAN: What you provided so far...
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251 DARLENE CORDARO: Mm-hmm.
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253 LARRY O'SULLIVAN: ...is a colorful picture with black letters spread over what appears to be a rectangular area
254 and that's what we would assume that your sign builder or maker is going to be posing for you as well.
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256 DARLENE CORDARO: Right.
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258 LARRY O'SULLIVAN: So we're making the assumption it's going to look something like this. If it didn't look
259 something like this, we'd be...I don't know if it would be the...
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261 JAMES SMITH: Before you go down that route, Richard, if we granted the variance for say, 50 square feet,
262 they then have to go to the Planning Board. Would they then review the sign at that point?
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264 RICHARD CANUEL: Not at this point. I mean, their site plan has already been approved.
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266 JAMES SMITH: Oh, it has?
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268 RICHARD CANUEL: Sure. Yeah, they're done with that process.
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270 JAMES SMITH: So they never discussed signs?
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272 RICHARD CANUEL: No.
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274 LARRY O'SULLIVAN: That's why I asked.
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276 DARLENE CORDARO: We didn't think it was going to be an issue. We didn't know that we needed to do that
277 because the Church was not commercial, so we thought it wasn't going to be an issue.

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279 LARRY O'SULLIVAN: Talk to your realtor.

280
281 [Laughter]

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283 DARLENE CORDARO: We're learning a lot.

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285 JAMES SMITH: So at this point, whatever is submitted to you, you would be able to approve?

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287 RICHARD CANUEL: Well, whatever the Board approves.

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289 JAMES SMITH: Yeah, within that.

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291 RICHARD CANUEL: Sure.

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293 JAMES SMITH: Right. Okay.

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295 LARRY O'SULLIVAN: Well, our expectations are something similar to what's being presented, so...You know,
296 there's always a wild card when we say it is a variance.

297
298 RICHARD CANUEL: Yeah. I think the key factor would be the maximum square footage more than anything
299 else.

300
301 JAMES SMITH: Yeah. My only suggestion is most signs are too complicated. And what I'm saying is you need
302 to look at the road, the speed of the people going by it, how long they can see the sign, which kind of governs
303 how much they can read. So if you keep the sign relatively simple, it will work. If it gets too
304 complicated....because I always remember one sign they had up on 293, it was for the Highlander, it was great
305 big billboard. It had a list of amenities on one side. I went by that multiple times, never read the list because I
306 could never make up my mind which line to read. Then I finally figured out it was about six to eight seconds
307 from the time you saw it until I was by, so signs need to be careful on how you put them together. So what
308 I'm suggesting is, your sign company, you should listen to them...

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310 DARLENE CORDARO: Mm-hmm.

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312 JAMES SMITH: ...when it comes to the design. Well, I think with us, I would be comfortable with a variance
313 based on a 50 fifty square foot.

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315 NEIL DUNN: I'd like to hear the five points.

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317 LARRY O'SULLIVAN: Me, too.

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319 JAY HOOLEY: Yeah.

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321 JAMES SMITH: Oh, right. Yeah. Let's go through the five points, then we'll go from there.

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JAY HOOLEY: Mr. Chairman, prior to her beginning, I think you said, and I apologize if you already covered this, but you mentioned as each applicant came up, you reminded them that there were only four members present.

JAMES SMITH: I thought I did but maybe I haven't.

JAY HOOLEY: Okay.

JAMES SMITH: You understand you have to get three out of four?

DARLENE CORDARO: Right.

JAMES SMITH: Okay. You have your choice, if you don't want to...Okay. You can go through the five points.

DARLENE CORDARO: Okay. We're requesting a variance to replace the Kingdom Hall of Jehovah's Witnesses sign with Ms. Darlene's Early Learning Center and Child Care. The variance will not be contrary to the public because it would just be replacing the preexisting sign. The spirit of the ordinance is observed. The requested sign will be the same dimensions as the previous or smaller, in this case, and would not be intrusive to the neighborhood. We believe that because of the size of the parking lot and the building, a bigger sign is needed to make it easier for the community to find us. The values of the surrounding properties are not diminished. The values of the surrounding properties would not be diminished because we would be replacing what has already been there. A new sign for the child care would have the same dimensions as the previous sign. We are a commercial business in a residential neighborhood and would like to replace a sign that was previously allowed with the same dimensions. The proposed is a reasonable one, whereas there has been a sign of this size on the building since it was built in 1974 and we are only requesting the same size signage.

LARRY O'SULLIVAN: One of the things about Kingdom Hall sign was that it didn't jump out. It wasn't obtrusive. You didn't even know that it was there unless you were looking for it. That was what they were looking for, to advertise or to get people to identify that building. They really weren't looking for drive by's to swing by or stop in.

DARLENE CORDARO: Mm-hmm.

LARRY O'SULLIVAN: That's a significant difference from that you're proposing because they had a single color sign back against the wood on the wall. To get into the detail, the square footage is still going to be the square footage that you would be suggesting here, but...or that we would allow or be close to, anyway. But the colors and the way that this is going to jump out makes it different. Again, you're in a residential area, but on the edge of it. So that's something that we need to be considerate of, too.

DARLENE CORDARO: Okay.

NEIL DUNN: Mr. Chairman, if I may?

JAMES SMITH: Sure.

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368 NEIL DUNN: Kind of to Larry's point, you're mentioning that there was an existing sign there of that same
369 square footage, if you will. Would you object to having the "Ms. Darlene's Early Learning Center and Child
370 Care" in the same format as was there? Kind of to Larry's point, if somebody's looking for you, it's a good size
371 sign, it's visible and you won't have that color, Las Vegas strip popping out at you.
372
373 DARLENE CORDARO: Okay. That would be fine.
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375 NEIL DUNN: You know? Like, just the same thing, like the Jeho...they had before, you know, just either black
376 or whatever color letting that's not quite as 'in your face,' I guess that would be...you would be fine with
377 something maybe of that...?
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379 DARLENE CORDARO: I could do that.
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381 JAMES SMITH: Any other comments? Questions? Observations?
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383 LARRY O'SULLIVAN: Let's make sure we covered all the points. Because this one could be...well, did you from
384 anybody...any abutters?
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386 JAMES SMITH: No [indistinct]. No one here. No letters, right?
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388 LARRY O'SULLIVAN: It should be fairly easy to replace the Kingdom Hall sign. I think there's going to need to
389 be a restriction as to the...I don't know how to put it. I don't know how we can do it legally, either. What we
390 could say about colors or the materials or something like that, if that can be specified, but...
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392 JAY HOOLEY: Editing the content?
393
394 LARRY O'SULLIVAN: Right. Well, not editing content. We don't care about that. It's the color and the
395 materials, I suspect. Right? Now, I don't want to get tied up with it either, so...
396
397 JAMES SMITH: Was this on the side of the building facing...?
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399 LARRY O'SULLIVAN: Facing the parking lot.
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401 NEIL DUNN: The IGA. Way back when.
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403 LARRY O'SULLIVAN: 1983.
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405 JAMES SMITH: Any other comments?
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407 NEIL DUNN: I'm good. Anybody in the crowd?
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409 JAMES SMITH: Well, we're in...
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411 LARRY O'SULLIVAN: We feel comfortable...
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413 JAMES SMITH: We're in deliberation at this point, so we can't...
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415 NEIL DUNN: No we're not.
416
417 JAY HOOLEY: No we're not.
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419 LARRY O'SULLIVAN: Yeah, we haven't [indistinct].
420
421 [Overlapping comments]
422
423 LARRY O'SULLIVAN: We didn't hear from the...
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425 JAMES SMITH: Oh. Okay. Want to approach the microphone?
426
427 PAULINE CARON: Pauline Caron, 369 Mammoth Road. I'm a member of the Heritage Commission and I just
428 want to tell you that the Heritage Commission frowns on brightly colored signs. So you might want to take
429 that into consideration. Thank you.
430
431 JAMES SMITH: Any other comments? Questions? Okay. We'll close the public hearing at this point then.
432
433 DELIBERATIONS:
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435 LARRY O'SULLIVAN: Okay, so how do we word...I see absolutely no reason why we wouldn't at least allow
436 something that would be the same size as the commercial district, so...
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438 JAMES SMITH: I agree.
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440 NEIL DUNN: And of the same style or format? Do you want to...?
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442 LARRY O'SULLIVAN: As was prior, you mean? I don't know how that would work.
443
444 NEIL DUNN: Well, the points were made that the existing sign was there, so if we kept it in the same look and
445 I don't know if you would say "genre" or "style" or "lettering." Again, I see where you're having trouble
446 wording it. I do agree that anything too bright and flashy, although that apparently wasn't under the purview
447 for the neighbors across the street because there's a lot of colorful, flashy signs.
448
449 LARRY O'SULLIVAN: Down the street.
450
451 NEIL DUNN: Bright colors. Well, no across the street in the plaza behind there with that...
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453 LARRY O'SULLIVAN: [Indistinct]
454
455 NEIL DUNN: ...Edible Arrangements and all those. I mean, there's color there and...however, because the
456 argument was made in the five points that it was replacing an existing one, I think keeping it kind of subdued,
457 if you're looking for the place, it will be large enough. You'll see it. So, yeah, I guess just to get a handle on
458 how we reel that in. I'm going through the five points. The applicant did state it would be, you know, it's

459 serving the same purpose the previous sign did, which wasn't hollering in your face. It doesn't affect property
460 values. The special conditions, it's right on that border of the commercial/residential, AR-I. So any thoughts
461 on how we reel it in?
462
463 JAY HOOLEY: If I could ask a question to Richard. Had the sign been reviewed by the Planning Board, would
464 there have been some process whereby the Heritage Commission would have seen it?
465
466 RICHARD CANUEL: Sure. Yeah.
467
468 JAY HOOLEY: Okay. But this coming up after the fact simply as a "replacement" for the existing...in some
469 fashion, circumvented that?
470
471 RICHARD CANUEL: That's right.
472
473 JAY HOOLEY: Okay.
474
475 LARRY O'SULLIVAN: Were you thinking, Jay, that it would be logical for us to put a restriction that it be
476 approved or presented to the Heritage Commission for their approval? I don't see the additional need for a
477 step in there.
478
479 JAY HOOLEY: I'm just kind of sorting it out in my head how it might have otherwise played out and what might
480 have come to us differently. So that hopefully we end in the same place.
481
482 JAMES SMITH: I think of anybody to review it, it would be the Planning Board, not the Heritage Commission.
483 The Heritage Commission may give input to the Planning Board, but...
484
485 LARRY O'SULLIVAN: I understand.
486
487 JAMES SMITH: ...the Planning Board would be the one to make any actual decision. So...
488
489 LARRY O'SULLIVAN: Are you talking about colors and...
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491 JAMES SMITH: Well, irregardless of whether it's a colored sign...
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493 LARRY O'SULLIVAN: You're not talking about size?
494
495 JAMES SMITH: ...or whatever, it still would be normally the Planning Board, if it was to go through that
496 process. They would get input, much like we did from the...Heritage Commission like we got from the
497 Conservation, but the Heritage Commission wouldn't have the yea or nay on the sign. They would just make a
498 recommendation. So I...I think that's going beyond...
499
500 LARRY O'SULLIVAN: Well, I don't think the Conservation Commission [indistinct].
501
502 JAMES SMITH: ...going beyond what...
503

504 LARRY O'SULLIVAN: Okay, so you don't feel as if we should put a restriction that they should review...should
505 be reviewed by the Heritage Commission? Okay.
506
507 JAMES SMITH: If anybody, by the Planning Board.
508
509 LARRY O'SULLIVAN: I can understand.
510
511 JAMES SMITH: But...
512
513 LARRY O'SULLIVAN: But they're already finished with the Planning Board. They're not going to go back. This
514 is a simple...this really is a variance. Just a variance here.
515
516 RICHARD CANUEL: Yeah, you know, they've already gone through the site plan review process at the Planning
517 Board, so there's really no criteria for them to go back to the Planning Board. So with respect to the Heritage
518 Commission, it wouldn't unreasonable to require review by them prior to permit approval.
519
520 JAY HOOLEY: Would that require them to return here?
521
522 RICHARD CANUEL: Nope.
523
524 JAMES SMITH: No.
525
526 JAY HOOLEY: No. Just...okay.
527
528 RICHARD CANUEL: No. When the permit application is submitted to my office, I would forward it to the
529 Heritage Commission for their review and comment and go from there.
530
531 PAULINE CARON: The next...
532
533 JAMES SMITH: Want to go to a mic, Ma'am?
534
535 PAULINE CARON: The next meeting of the Heritage Commission is the fourth Thursday of this month, which is
536 two weeks from tomorrow. Is it two weeks from tomorrow? Or one week, whatever. The fourth Thursday.
537
538 LARRY O'SULLIVAN: Sounds reasonable to me. I've never heard of a Board looking for work, though.
539
540 JAY HOOLEY: You mean besides Cons Comm?
541
542 JAMES SMITH: Okay.
543
544 NEIL DUNN: Mr. Chairman, I'd like to make a motion to grant case 5/15/2013-2 with the restriction that the
545 sign be no larger than 50 square feet as allowed in a standard commercial zone and upon review of styling and
546 color or review and approval of the Heritage Commission.
547
548 LARRY O'SULLIVAN: I'll second it.
549

550 JAMES SMITH: I...

551

552 NEIL DUNN: Do you want me to withdraw it and talk more?

553

554 JAMES SMITH: Yeah, I think we ought to talk a little bit more.

555

556 NEIL DUNN: Okay. I'll withdraw it, sir.

557

558 LARRY O'SULLIVAN: You don't have to withdraw it. I'll just withdraw the second. Right? So that we can have

559 a discussion.

560

561 JAMES SMITH: Okay. I just have a hard time giving the Heritage Commission the ability to say yes or no on the

562 total design of the sign. I just think that's an overstep of what they should be doing. If they reviewed it and

563 made a recommendation but not necessarily approval, maybe I could live with that, but...

564

565 LARRY O'SULLIVAN: How would take that, Richard? Because that would be the process, right?

566

567 RICHARD CANUEL: Well, you know, in the normal course of things, if this were a new site plan that went

568 through the review process with the Planning Board, the Planning Board would review the sign and they

569 would get comment form the Heritage Commission on the design of that sign. Being that we've got an

570 existing site where it was a modification of the site plan, the sign issue wasn't brought up. So, as I said, in

571 respect to the Heritage Commission, I don't think it's too unreasonable to ask for their review and opinion on

572 the design of that sign. Simple because they're not going to make a recommendation back to the Planning

573 Board at this point in time, being that the site plan approval has already passed.

574

575 LARRY O'SULLIVAN: So the Heritage Commission takes a look and says, 'Okay, this is way too colorful. Cut

576 back on the colors,' or something along those lines. Or pictures or images or something...and instead of

577 words, because I think that would be what the objection would be. You would be the one who would say 'The

578 Zoning Board had this intent'?

579

580 RICHARD CANUEL: Sure. Yeah.

581

582 LARRY O'SULLIVAN: So then it wouldn't have to come back here and they go ahead and get their sign taken

583 care of.

584

585 RICHARD CANUEL: Yeah, I don't see any reason why it would have to come back to the Board.

586

587 LARRY O'SULLIVAN: Good.

588

589 RICHARD CANUEL: I mean, unless the Board desires that, you know. Unless the Board wants the design to go

590 to the Heritage Commission and then come back to the Board with a recommendation. That's up to you.

591

592 NEIL DUNN: Jim, would you prefer the motion limit the purview as far as only color only or...?

593

594 JAMES SMITH: No, I just think if they're going to review it, they should make a recommendation, but they

595 shouldn't have the ability to say 'it has to be this' or 'it has to be that.'

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LARRY O'SULLIVAN: Well, I don't think that's what they exist for, either, though.

JAMES SMITH: I don't think it's within...because I think part of what I'm having a problem with is when you look at a sign, you have to also look at what it's trying to do, how it's functioning and it's not just a simple process to design a sign. I've seen signs...the person who was having the sign built has some ideas. They talk with their sign person. He tries to talk them down or talk them into something else. They end up doing one thing and a lot of times, it never really works the way it's supposed to. And you need to have that ability to talk with the sign company and come up with a reasonable sign design that's going to function and actually accomplish what it's supposed to.

LARRY O'SULLIVAN: That's what you would have preferred to have seen tonight.

JAMES SMITH: Yes, exactly. It would have been much better if we had something that really showed what you were trying to put on the wall, rather than just a very basic idea, I guess, for want of a better way of saying it.

NEIL DUNN: So if we were to give the applicant direction that we're leaning towards the same style and format as what they were replacing and to bring us a final design and continue the case, you would feel better?

JAY HOOLEY: I would suggest if you're going to continue the case and bring it back, that you get the input of...you're looking for recommendation only, but...

JAMES SMITH: Yeah.

JAY HOOLEY: ...if we end this, who are they going to give that recommendation to?

JAMES SMITH: That's my problem.

NEIL DUNN: Well, that's what I'm saying. If we go back...come back with a design that we can approve...

JAY HOOLEY: You'd rather have a recommendation from Heritage come back to us?

JAMES SMITH: Yeah, I think it would be more...because then we could take it and it would be a situation where you, the owner of the building, your sign company, the Heritage Commission gets together, you put your heads together, come up with some sort of a design and there's a back and forth and then it would come back to us. I think that would be a better approach, rather than just throw it off to the Heritage Commission.

NEIL DUNN: I'm good with that.

JAY HOOLEY: Okay.

JAMES SMITH: Okay.

NEIL DUNN: Does the applicant...

642

643 LARRY O'SULLIVAN: You may want to ask the applicant if they understand...

644

645 JAY HOOLEY: Do you understand what we were just...?

646

647 JAMES SMITH: Okay, so basically what I'm suggesting is that you get together with your sign company, come
648 up with a design that you would like. Tell them some of our concerns and the concern of the Board was you
649 wanted something that's similar in layout and color as to what's already...what was on the building, then have
650 a meeting with the Heritage Commission and go over the thing, go back and forth on whether there should be
651 some coloring or not and come up with some sort of a recommendation similar to what we got from the
652 Conservation Commission, there was a letter from their Chairman or Secretary and it kind of listed down
653 through their concerns, and what was agreed to between your parties, then come back to us and then we'll go
654 from there.

655

656 DARLENE CORDARO: Okay, so...

657

658 LARRY O'SULLIVAN: We don't have any issue with 50 feet...

659

660 JAMES SMITH: Yeah, 50 feet, I think, is an acceptable amount.

661

662 LARRY O'SULLIVAN: Would you say too?

663

664 JAMES SMITH: Yeah.

665

666 JAY HOOLEY: Yeah.

667

668 LARRY O'SULLIVAN: And that it would be unlighted.

669

670 NEIL DUNN: It has to be.

671

672 LARRY O'SULLIVAN: Right?

673

674 JAMES SMITH: Yeah, unlighted.

675

676 JAY HOOLEY: I think the only relief they're actually seeking is the square footage.

677

678 JAMES SMITH: That's all they were talking about.

679

680 JAY HOOLEY: Otherwise complying with everything else so we don't have to restate it, I don't think.

681

682 LARRY O'SULLIVAN: Okay.

683

684 JAMES SMITH: Okay? Can I have somebody make a motion to continue?

685

686 LARRY O'SULLIVAN: You want a continuation motion.

687
688 JAMES SMITH: Yeah.
689
690 LARRY O'SULLIVAN: I make a motion to continue case...is this two?
691
692 NEIL DUNN: Correct.
693
694 LARRY O'SULLIVAN: 5/15-2 until next month.
695
696 JAMES SMITH: Okay, do I have a second?
697
698 JAY HOOLEY: Second.
699
700 JAMES SMITH: All those in favor?
701
702 NEIL DUNN: Aye.
703
704 LARRY O'SULLIVAN: Aye.
705
706 JAY HOOLEY: Aye.
707
708 JAMES SMITH: Aye.
709
710 LARRY O'SULLIVAN: Do you understand what we just did?
711
712 DARLENE CORDARO: Not really.
713
714 JAMES SMITH: Richard, do you understand what we said?
715
716 RICHARD CANUEL: Yes, I do.
717
718 JAMES SMITH: Okay, Richard could give you some guidance...
719
720 RICHARD CANUEL: Yeah, I'll give you some direction.
721
722 DARLENE CORDARO: Okay. Thank you.
723
724 JAY HOOLEY: Rather than a final decision tonight, you're going to review it with some other folks, get some
725 input, and that will come back to us with a recommendation and you may end up somewhere between what
726 you thought you wanted and then removing everything, somewhere there might, you know...
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728 JAMES SMITH: Somewhere in between.
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730 JAY HOOLEY: Yeah.
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732 DARLENE CORDARO: Okay. Very good. Thank you.

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RESULT: THE MOTION TO CONTINUE CASE NO. 5/15/2013-2 TO THE JUNE 19, 2013 MEETING WAS APPROVED, 4-0-0.

RESPECTFULLY SUBMITTED.



NEIL QUINN, CLERK

TYPED AND TRANSCRIBED BY JAYE A TROTTIER, SECRETARY

APPROVED JUNE 19, 2013 WITH A MOTION MADE BY LARRY O'SULLIVAN SECONDED BY JAY HOOLEY AND APPROVED 5-0-0.