

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

DATE: JULY 21, 2010

CASE NO.: 7/21/2010-2

APPLICANT: ORCHARD CHRISTIAN FELLOWSHIP
PO BOX 1163
LONDONDERRY, NH 03053

LOCATION: 136 PILLSBURY ROAD, 6-18-2, AR-I

BOARD MEMBERS PRESENT: VICKI KEENAN, CHAIR
NEIL DUNN, VOTING MEMBER
JIM SMITH, VOTING MEMBER
MICHAEL GALLAGHER, VOTING ALTERNATE
JOE GREEN, NON-VOTING ALTERNATE
JAY HOOLEY, NON-VOTING ALTERNATE
LARRY O'SULLIVAN, CLERK

ALSO PRESENT: RICHARD CANUEL, SENIOR BUILDING INSPECTOR/ZONING OFFICER

REQUEST: SPECIAL EXCEPTION TO ALLOW AN OFF-PREMISE SIGN IN ACCORDANCE WITH THE PROVISIONS OF SECTION 3.11.6.3.6

PRESENTATION: Case No. 7/21/2010-2 was read into the record with no previous cases listed.

KEN GLASIER: Good evening. Thank you for the opportunity to come and to speak with you tonight. My name is Ken Glasier. I am the Pastor of Orchard Christian Fellowship and I am the person of record as the owner of the property. Our PO Box is 1163, Londonderry, New Hampshire. Our location of the property: 136 Pillsbury Road, tax map 6, parcel 18, zoned two (2). And we are asking for a variance to allow us to put an off-premise sign on our property. We currently have our offices at another location and we do not have any building on this property, so the law requires us to come and ask for a variance in regards to that. It would be an eight (8) foot square sign, no more than thirty (30) degrees apart from each other to form one (1) sign, fifteen (15) feet from Pillsbury Road property line. The purpose of our sign is to indicate where Orchard Christian Fellowship is currently meeting. It would be placed near but not next to Londonderry Presbyterian Church parcel. The sign design, if you don't have a copy of it, I do have copies for everyone. The sign design is before you there and this would be prepared by a professional sign company. It would be up to us to have it installed but it would be installed in a suitable manner for a sign, aesthetically pleasing. And on the

map that some of you are looking at [see Exhibit "A"], on the bottom corner of our parcel, towards Pillsbury, you'll see a circle and that's the place where we propose to put the sign that we're asking for.

VICKI KEENAN: Do you have anything else you'd like to add?

KEN GLASIER: I don't believe so. I struggled with a bit with the form to see precisely what the five (5) points of law are, but I hope I covered them all.

VICKI KEENAN: I think so. I'm sure the Board will have some questions and I'm sure we'll pick some things up as we go. Okay?

KEN GLASIER: Great. That's fine.

VICKI KEENAN: Why don't we bring it back to the Board for questions?

NEIL DUNN: Could you describe the sign that you're planning to put up again a little bit more? I'm not really clear what it is. You said two (2) sided at an angle or something?

KEN GLASIER: Yes, the law allows us to put two (2) signs in sort of "V" shape. The angle of the signs can be no greater than thirty (30) degrees and they would be two (2), two (2) by four (4) signs, affixed on wooden frame with posts in the ground and it allows people to sort of seeing it coming this direction and seeing it coming from the other direction.

LARRY O'SULLIVAN: Is there any direction on this? I mean, it says "Meeting at Matthew Thornton School." Is that sufficient?

KEN GLASIER: Yes. Yeah. It primarily is to allow us greater name recognition in the community, just to let folks know where we're meeting.

LARRY O'SULLIVAN: As opposed, just on Sunday with the two "A" type signs that you have in...

KEN GLASIER: Yes. Right. Yes.

VICKI KEENAN: Mm-hmm?

JAY HOOLEY: Just want to be...the sign will look like this?

KEN GLASIER: You know, the dimension of it might be a little bit different because...

JAY HOOLEY: No, and that's fine...

KEN GLASIER: Yes.

JAY HOOLEY: ...but am I understanding that you actually want two (2), one (1) facing this way and one (1) facing this way?

KEN GLASIER: Correct.

JAY HOOLEY: Would that not constitute two (2) separate signs?

KEN GLASIER: Not according to the law.

RICHARD CANUEL: No.

JAY HOOLEY: No? Okay. As long as they meet in the middle?

RICHARD CANUEL: By definition, or by the provisions in our ordinance for freestanding signs...

JAY HOOLEY: Yup.

RICHARD CANUEL: The sign is the overall square footage of the sign face, which would allow it to be two (2) sided, parallel...

JAY HOOLEY: So even though it's physically two (2) structures...okay.

RICHARD CANUEL: ...or separated no more than thirty (30) degrees, so...

JAY HOOLEY: Okay.

VICKI KEENAN: And so each side is...

RICHARD CANUEL: From what I understand, that is what they plan to do.

JAY HOOLEY: Okay.

JIM SMITH: Okay.

VICKI KEENAN: So each side would be four (4) square feet.

KEN GLASIER: Eight (8) square feet. Two (2) by four (4).

VICKI KEENAN: Two (2) by four (4). Okay.

JIM SMITH: Okay.

VICKI KEENAN: Any other questions from the Board? Okay, seeing none, why don't we take it out to audience. Is there anyone here to speak for or against the application? No? Okay, we'll bring it back to the Board for discussion.

DELIBERATIONS:

JOE GREEN: Anybody find that thirty (30) degree stipulation?

LARRY O'SULLIVAN: We've had that before.

JOE GREEN: Okay, but I don't see it in... Can anybody find it in the law?

LARRY O'SULLIVAN: In our regulations?

JOE GREEN: Yeah, I don't see it anywhere.

RICHARD CANUEL: Section 3.11.5.1.2.

VICKI KEENAN: I'm so impressed.

RICHARD CANUEL: I'm reading it right from the book.

[laughter]

VICKI KEENAN: I was like "wow." Richard, I have a question; 3.11.6.3.6.4 says that "shall have a maximum surface area of eight (8) square feet."

RICHARD CANUEL: That's right.

VICKI KEENAN: So he's got two (2) sides...

LARRY O'SULLIVAN: That's not...

RICHARD CANUEL: Yeah, that's right. That's...

LARRY O'SULLIVAN: That's not what we've considered before.

VICKI KEENAN: Okay.

RICHARD CANUEL: Yeah, as long as they don't exceed that thirty (30) degree separation, they're still considered that one (1) sign...

VICKI KEENAN: Gotcha.

RICHARD CANUEL: ...and that total eight (8) square foot applies to both of those sign faces.

VICKI KEENAN: Okay. Alright.

RICHARD CANUEL: As a single freestanding sign.

VICKI KEENAN: Understood. Alright. Just wanted to be clear. Okay. This is...I have no questions, I have no concerns over this.

LARRY O'SULLIVAN: Me neither.

NEIL DUNN: Jim, is this part of the Historical District or anything? Is there any input from the...I know the Morrison House and all that going...I'm sorry. I called you Jim.

JIM SMITH: I'm here, he's over there.

NEIL DUNN: I apologize for that. Is this, Richard, is this part of the Historical District?

RICHARD CANUEL: That particular property? No. There's no established structures there, so it was never established as a historic property, because of that reason. It's just a vacant lot.

NEIL DUNN: But it is on either side?

RICHARD CANUEL: Yeah.

LARRY O'SULLIVAN: Is there a sidewalk in front of our property?

KEN GLASIER: There's a foot path that goes around there and we would put the sign fifteen (15) feet behind our property line. It wouldn't be any hindrance to the foot path in any way.

LARRY O'SULLIVAN: Fifteen (15) feet.

KEN GLASIER: If you know the property, there's a bit of a rise that goes right off the foot path...

LARRY O'SULLIVAN: Mm-hmm.

KEN GLASIER: ...and we would put the sign up on the rise.

VICKI KEENAN: Any other discussion? Okay, is there a motion?

LARRY O'SULLIVAN: I make a motion to approve case number 7/21/2010-2, to allow an off-premise sign in accordance with the provisions of Section 3.11.6.3.6, as presented.

VICKI KEENAN: Is there a second?

MICHAEL GALLAGHER: I'll second.

VICKI KEENAN: Any discussion regarding the motion? Okay, there's a motion to grant a special exception to allow an off-premise sign and a second. I'm gonna go to a vote, okay? All those in favor, signify by saying 'aye.'

LARRY O'SULLIVAN: Aye.

JIM SMITH: Aye.

MICHAEL GALLAGHER: Aye.

VICKI KEENAN: Aye. Opposed?

NEIL DUNN: Aye.

VICKI KEENAN: Abstentions? Okay.

RESULT: THE MOTION TO GRANT THE SPECIAL EXCEPTION WAS APPROVED,
4-1-0 WITH NEIL DUNN IN OPPOSITION.

RESPECTFULLY SUBMITTED,

LARRY O'SULLIVAN, CLERK
TYPED AND TRANSCRIBED BY JAYE A TROTTIER, SECRETARY

APPROVED AUGUST 18, 2010 WITH A MOTION MADE BY LARRY O'SULLIVAN, SECONDED
BY JOE GREEN AND APPROVED 5-0-0.