

1 ZONING BOARD OF ADJUSTMENT
2 268B MAMMOTH ROAD
3 LONDONDERRY, NH 03053
4

5 DATE: NOVEMBER 18, 2009
6

7 CASE NO.: 11/18/2009-2
8

9 APPLICANT: CROWNING HOLDING, INC.
10 PO BOX 412
11 LONDONDERRY, NH 03053
12

13 LOCATION: 527 MAMMOTH ROAD, 15-184, C-I
14

15 BOARD MEMBERS PRESENT: YVES STEGER, ACTING CHAIR
16 JIM SMITH, VOTING MEMBER
17 MICHAEL GALLAGHER, VOTING ALTERNATE
18 LARRY O'SULLIVAN, CLERK
19

20 ALSO PRESENT: RICHARD CANUEL, SENIOR BUILDING INSPECTOR/
21 ZONING OFFICER
22

23 REQUEST: AREA VARIANCE TO ALLOW AN ADDITIONAL 9.58
24 SQUARE FEET FOR AN EXISTING OFF-PREMISE SIGN
25 WHERE A MAXIMUM OF 25 SQUARE FEET IS ALLOWED
26 BY SECTION 3.11.6.3.6.3.
27

28 PRESENTATION: CASE NO. 11/18/2009-2 WAS READ INTO THE RECORD WITH THREE
29 PREVIOUS CASES LISTED.
30

31 YVES STEGER: Do we know what those restrictions were [re Case 12/19/2007-3]?
32

33 LARRY O'SULLIVAN: I don't have it here.
34

35 JAYE TROTTIER: Yeah, I've got it here. Right there.
36

37 LARRY O'SULLIVAN: I thought I remembered this. Yes, let's see, under section...actions
38 granted..."The variance shall cease and become invalid if the Special Exception granted for
39 Case No. 12/19/2007-2 on December 19, 2007 was [sic]terminated." And that is the restriction.
40 So, in effect, if the special exception was changed or something happened to the special
41 exception, the variance was bust.
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43 YVES STEGER: Okay. But the special exception has not been changed or...?
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45 LARRY O'SULLIVAN: Well, let's see...

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YVES STEGER: Okay. Who will be presenting for this case?

[pause]

YVES STEGER: So before we start, you understand the rules about continuance because we are only four (4) and you need three (3) in favor?

MARK PHILLIPS: Yes, sir.

YVES STEGER: So, would you like to continue or state your case?

JACQUELINE PHILLIPS: State our case, please.

YVES STEGER: Good.

JACQUELINE PHILLIPS: My name is Jacqueline Phillips, 317 Winding Pond Road, Londonderry, NH. This is my father, Mark Phillips.

MARK PHILLIPS: Of the same address, 317 Winding Pond Road.

YVES STEGER: So, if you could, I would like you to explain in general what it is that you would like us to approve and then after that, go through every single point of law, all five points of law, to indicate to us that you have met those points of law.

JACQUELINE PHILLIPS: Well, it's pretty simple. Basically, we're just looking for increased square footage on the existing post and actually, I have copies of the picture of the sign for all of you if you would like to see it.

YVES STEGER: Yes.

LARRY O'SULLIVAN: Absolutely. Please.

JACQUELINE PHILLIPS: Okay.

JIM SMITH: Can we clarify one point? This is saying thirteen (13) square feet and then the application says...it was advertised at nine (9).

YVES STEGER: Yeah, well, she'll go through it, you know? So...

JIM SMITH: Well, I mean, is that...? Richard? On the application, it says thirteen (13) square feet and the way you advertised it was 9.58.

RICHARD CANUEL: Oh. I don't know the difference. Couldn't tell you.

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YVES STEGER: Okay.

RICHARD CANUEL: I guess maybe we'll hear that during the hearing.

JACQUELINE PHILLIPS: Yeah, I didn't even notice that but, yeah, we actually are requesting more than the nine point eight five (9.85) that was on the letter that was sent.

LARRY O'SULLIVAN: Can I ask about the sign? Is there an addition...is, in addition to the existing sign, is that what's being...is happening, you've added the lower part of the sign?

MARK PHILLIPS: We're requesting to add signage below this current sign.

LARRY O'SULLIVAN: Below this current sign?

JACQUELINE PHILLIPS: Yes.

MARK PHILLIPS: Yes, sir.

YVES STEGER: So, okay. We'll ask the questions later. Please.

JACQUELINE PHILLIPS: Well, yeah, that's basically our request is to add signage below this existing sign on the existing post. It's pretty simple. Would you like me to go through the points of law now or...?

YVES STEGER: Yes, please.

JACQUELINE PHILLIPS: Okay. The proposed use would not diminish surrounding property values? Is that it or...? Is that the first one?

JAYE TROTTIER: Yeah.

JACQUELINE PHILLIPS: Yeah, okay. Because the sign already exists on the premise. The new sign will be confined to the existing posts and will be similar in format and appeal as the pre-existing sign as to not detract from the ambiance of the area. (B), Granting the variance would not be contrary to the public interest because the extent of the public interest in regards to this request is the effect on the surrounding property values. It has already been established that granting the variance will not adversely affect surrounding property values. (C), Special conditions exist such that literal enforcement of the ordinance results in unnecessary hardship. An area variance is needed to enable the applicant's proposed use of the property, given the following special conditions of the property. At this point in time, it is not the said premise that has the special conditions. The variance is for the benefit of the other businesses on Coal Pocket Road. These businesses are situated hundreds of feet from the main road such that they are not visible to the public. These businesses require signage as every traditional business does in order to make their location known and to attract business. A sign is needed to enable the

135 proposed commercial use of these properties. The benefit sought by the applicant cannot be
136 achieved by some method reasonably feasible for the applicant to pursue other than an area
137 variance because, as stated above, the benefit being sought is to make the public aware of the
138 locations of the businesses on Coal Pocket Road with the fringe benefit of attracting business. A
139 sign is the most reasonably feasible way to accomplish this. Granting the variance would do
140 substantial justice because granting the variance would cause no harm but only benefit to the
141 businesses of Coal Pocket Road, therefore substantial justice is met. The use is not contrary to
142 the spirit of the ordinance. The reason for restricting the amount of square footage, I'm
143 assuming, for a sign was so that a massive sign would not be erected which would detract from
144 the ambiance of the area and possibly diminish property values. Since this would still not occur
145 if the variance is granted, granting it would not be contrary of the spirit of the ordinance.

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147 YVES STEGER: Thank you.

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149 JACQUELINE PHILLIPS: You're welcome.

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151 YVES STEGER: We're gonna have questions now.

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153 JACQUELINE PHILLIPS: Put that political science degree to work, huh?

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155 YVES STEGER: This current board...

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157 JACQUELINE PHILLIPS: Yeah.

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159 YVES STEGER: ...what are the sizes?

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161 JACQUELINE PHILLIPS: I believe I submitted with the application the dimensions. I thought I
162 did, but if I remember right, it's about eight and a half (8.5) feet or...yeah, about eight (8) feet
163 across and...

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165 MARK PHILLIPS: No, it's not that.

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167 JACQUELINE PHILLIPS: No?

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169 MICHAEL GALLAGHER: There is a drawing in here.

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171 LARRY O'SULLIVAN: There is a drawing.

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173 JACQUELINE PHILLIPS: There is, okay.

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175 YVES STEGER: There is a drawing?

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177 MICHAEL GALLAGHER: Yeah.

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179 JIM SMITH: Yeah.

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181 MICHAEL GALLAGHER: At the bottom of the page.
182
183 YVES STEGER: Okay. So it's six (6) feet...
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185 LARRY O'SULLIVAN: Six (6) feet, seven and a half (7.5) inches, it says, by eight and a quarter
186 (8.25) high.
187
188 YVES STEGER: Mm-hmm.
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190 JACQUELINE PHILLIPS: And I believe that's from edge of post to edge of post.
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192 YVES STEGER: Okay.
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194 MICHAEL GALLAGHER: Your property is the garage?
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196 MARK PHILLIPS: Yes, sir.
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198 YVES STEGER: Now, the Crowning Holding is the entity that owns the off-premise?
199
200 MARK PHILLIPS: Yes, sir.
201
202 JACQUELINE PHILLIPS: We are representing them.
203
204 YVES STEGER: And which business is owned by Crowning Holding?
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206 MARK PHILLIPS: The Wallboard.
207
208 JACQUELINE PHILLIPS: They own the property of Wallboard.
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210 YVES STEGER: Okay.
211
212 JACQUELINE PHILLIPS: And all the surrounding property except for ours.
213
214 LARRY O'SULLIVAN: Now this is an off-premise sign?
215
216 JACQUELINE PHILLIPS: Yes.
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218 LARRY O'SULLIVAN: So you obviously have the permission. The landowner put this here.
219
220 MARK PHILLIPS: Yes, sir.
221
222 JACQUELINE PHILLIPS: Yup. They signed it.
223
224 LARRY O'SULLIVAN: Okay.

225
226 YVES STEGER: What about the additional signs that you want to add? Which businesses are
227 those?
228
229 JACQUELINE PHILLIPS: That's for our business.
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231 YVES STEGER: Your business too?
232
233 MARK PHILLIPS: That's for L-Town Garage, sir.
234
235 JACQUELINE PHILLIPS: Yeah.
236
237 YVES STEGER: Okay. Any other questions from the Board?
238
239 MICHAEL GALLAGHER: It looks like the bottom of your sign would be pretty close to the
240 ground, huh?
241
242 JACQUELINE PHILLIPS: It is actually raised slightly there. We just need to do some mowing.
243
244 MARK PHILLIPS: Correct.
245
246 MICHAEL GALLAGHER: Have you folks tried to get together with Wallboard Supply and see
247 if they could make their...?
248
249 JACQUELINE PHILLIPS: Unfortunately, the size of their sign takes up just too much to put,
250 you know, any reasonable sign for ours. And no, we have not contacted them directly with that
251 but I would not think that they would want to.
252
253 MARK PHILLIPS: They have given all indications that they would like to maintain the space
254 [inaudible] previous [inaudible].
255
256 JACQUELINE PHILLIPS: Yeah.
257
258 LARRY O'SULLIVAN: Well, they've gotten a variance for that. There is also a variance for an
259 off-premise sign, right? So you have a sign that has been granted a variance, right?
260
261 JACQUELINE PHILLIPS: Well, Crowning Holding has, yeah.
262
263 MARK PHILLIPS: For two (2) signs there, correct?
264
265 JACQUELINE PHILLIPS: Yeah.
266
267 MARK PHILLIPS: Originally it was for two (2) signs if I understand. Before Wallboard ever
268 arrived, actually, wasn't it?
269

270 JACQUELINE PHILLIPS: Yeah, I believe so.
271
272 MICHAEL GALLAGHER: Is the Wallboard Supply, are they Crown Holding also, or do
273 Wallboard Supply rent from them?
274
275 JACQUELINE PHILLIPS: They lease that property from Crowning Holding.
276
277 MARK PHILLIPS: Yes, sir.
278
279 LARRY O'SULLIVAN: And what's your relationship with Crowning Holding?
280
281 JACQUELINE PHILLIPS: Business associates.
282
283 MARK PHILLIPS: Just on a personal level. We've gotten along with each other quite well
284 and...
285
286 LARRY O'SULLIVAN: Okay.
287
288 JACQUELINE PHILLIPS: Neighbors.
289
290 MARK PHILLIPS: Just extending the consideration to us. Nothing more, nothing less.
291
292 LARRY O'SULLIVAN: Okay, their first variance was to have a sign that was larger than
293 requested...larger than allowed. So this is now a second variance for an even larger sign.
294 So...and that was less than two (2) years ago. Is there new business on that road?
295
296 MARK PHILLIPS: Well, L-Town Garage has been there for a considerable amount of time and
297 we did not need signage before because I was actually trying to...I don't know if you recall, stay
298 under the radar with the type of vehicles that I was maintaining.
299
300 LARRY O'SULLIVAN: Mm-hmm.
301
302 MARK PHILLIPS: We had a long discussion on whether we should...because Crowning would
303 also consider giving us a totally separate sign, not onto this. It was actually our desire not to
304 have...ask for additional signage beyond this particular location, for one, not to block their sign
305 whatsoever, number two, just not to have signs all over the place and try to restrict them to one
306 spot that was designed for it. So, we thought about it long and seriously as far as aesthetic-wise,
307 what we thought would be more attractive if we were gonna have to look at signage.
308
309 LARRY O'SULLIVAN: Well, I remember your case for the auto business [see Case No.
310 8/20/2008-2].
311
312 MARK PHILLIPS: Yes, sir.
313
314 LARRY O'SULLIVAN: And the intention was to be wholesale.

315
316 MARK PHILLIPS: Wholesale with some retail and never display anything and if anybody has
317 stopped by, sir, we have met the letter of the law and the intent.
318
319 LARRY O'SULLIVAN: Okay, so the point of the sign?
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321 JACQUELINE PHILLIPS: This is for the repair business, sir.
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323 MARK PHILLIPS: So people can just find us for repairs. It's...
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325 MICHAEL GALLAGHER: Right, I think you were in last for actually selling vehicles. Is that
326 what...?
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328 MARK PHILLIPS: For the retail license. We had wholesale there, we asked for a variance on the
329 retail license because it's very limited.
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331 MICHAEL GALLAGHER: Okay, so this is for...well, you're trying to attract for your...
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333 MARK PHILLIPS: Well, this is to identify the building,
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335 MICHAEL GALLAGHER: ...for your repair side. Is that...?
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337 MARK PHILLIPS: Primarily, yes, sir.
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339 LARRY O'SULLIVAN: "Primarily." We don't want to encourage the public...
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341 MARK PHILLIPS: Well we...
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343 LARRY O'SULLIVAN: ...at your business for wholesale, right? You can do retail...
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345 MARK PHILLIPS: Well, we [inaudible] wholesale. Yes, sir. Correct.
346
347 LARRY O'SULLIVAN: Okay.
348
349 MARK PHILLIPS: There may end up being...it could be slight by-product. I can't sit there and
350 say someone's not gonna see a car there and ask me about it. That would be...I'd be
351 misrepresenting. But am I gonna be sitting there putting signage in them, sitting there trying to
352 entice people to come there for that purpose? No.
353
354 LARRY O'SULLIVAN: Well, that's not the reason that you're here either.
355
356 MARK PHILLIPS: That is correct, sir.
357
358 LARRY O'SULLIVAN: I understand. I'm just ensuring that...

359
360 JACQUELINE PHILLIPS: We would like just like a sign for our business.
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362 MARK PHILLIPS: Just to identify us. That we exist.
363
364 LARRY O'SULLIVAN: Well, we typically don't put restrictions on what's put on a sign but I
365 think that might be something that...
366
367 MARK PHILLIPS: Oh, it'll be just "L-Town Garage-Inspections," is what we want on the bottom
368 and maybe the price of an inspection. That was our...
369
370 JACQUELINE PHILLIPS: We don't wanna...
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372 MARK PHILLIPS: ...the design that we were gonna submit.
373
374 JACQUELINE PHILLIPS: Yeah. It is not for advertising cars.
375
376 LARRY O'SULLIVAN: So the message is exactly what was submitted?
377
378 MICHAEL GALLAGHER: "L-Town Garage" and then it says "message board" and...
379
380 MARK PHILLIPS: Yeah, we wanna do "inspections," like "\$19.95" on the bottom and that's it.
381
382 MICHAEL GALLAGHER: Oh, okay.
383
384 MARK PHILLIPS: "State inspections." I don't know if anybody's ever seen our spot but with
385 the rules that you gave us...
386
387 MICHAEL GALLAGHER: Yeah, I stopped by today. Yeah, I saw...
388
389 MARK PHILLIPS: Everything is right to the "T" as far as signage and everything else and...
390
391 MICHAEL GALLAGHER: Yeah, I mean, I didn't measure the sign, but...
392
393 MARK PHILLIPS: Well, no, no...
394
395 MICHAEL GALLAGHER: No, I see where you are and I understand why you're...
396
397 MARK PHILLIPS: But there's no banners or me trying to advertise or anything.
398
399 MARK PHILLIPS: Right. No.
400
401 MARK PHILLIPS: Very good. Thank you, sir.
402
403 LARRY O'SULLIVAN: That wasn't the reason for that question or the comment.

404
405 MARK PHILLIPS: Oh, no, no, but, you know, if we met the intent last time, I felt that should
406 possibly carry over.
407
408 YVES STEGER: Any more questions?
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410 MICHAEL GALLAGHER: No. It looked good.
411
412 YVES STEGER: Jim?
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414 JIM SMITH: Just to address what Larry was saying. One of the rules is you can't have more
415 than one (1) off-premise sign on a lot, so you would be limited to one (1) sign on this lot.
416
417 LARRY O'SULLIVAN: Mm-hmm.
418
419 MARK PHILLIPS: Okay.
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421 LARRY O'SULLIVAN: And so what, this additional sign then would be considered an
422 extension to the sign?
423
424 JIM SMITH: Right.
425
426 LARRY O'SULLIVAN: That exists already. I understand.
427
428 YVES STEGER: Okay. Is there anybody in the public who would like to ask questions or speak
429 in favor of the applicant? Seeing none, anybody who is opposed to this application? Seeing
430 none, we'll bring it back to the Board for more questions.
431
432 LARRY O'SULLIVAN: I think we should get some input from Richard on this one, too.
433
434 RICHARD CANUEL: What sort of input do you need?
435
436 LARRY O'SULLIVAN: Well, this is an off-premise sign that's approved for a business that is
437 adding another business. This isn't a mall.
438
439 RICHARD CANUEL: No, see, our ordinance doesn't restrict how many people can advertise
440 on a particular sign. We don't restrict or control sign copy. So basically, all we're looking for is
441 one (1) off-premise sign with an increased area, basically.
442
443 LARRY O'SULLIVAN: Okay.
444
445 YVES STEGER: Yeah, that was actually the reason I asked my original question is, how many
446 more people are gonna get on there?
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448 JACQUELINE PHILLIPS: Well, there's only the two (2) of us on the road, so...

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YVES STEGER: Okay. Thank you. This is the end of the public questions. We're gonna get into the deliberation mode at this time. Thank you.

MARK PHILLIPS: Thank you very much.

JACQUELINE PHILLIPS: Thank you.

DELIBERATIONS:

LARRY O'SULLIVAN: We have an issue regarding the thirteen (13) square feet versus nine point five-eight (9.58) square feet as advertised.

YVES STEGER: Yes, and I did the calculation in their proposal and it is effectively thirteen point two (13.2) feet.

RICHARD CANUEL: It is.

YVES STEGER: So...

LARRY O'SULLIVAN: So we're either gonna approve nine point five-eight (9.58)...or not, because that was what was posted.

YVES STEGER: No, actually...

LARRY O'SULLIVAN: You have the option. You do have the option. We do have, as a Board, I guess, the option to say, 'well, it's three and a half (3.5) square feet more...'

YVES STEGER: So, essentially, before we discuss the potential restrictions, we need to see if they met the five (5) points of law. That's the thing that is the most important.

JIM SMITH: I'd like to ask Richard one more. Is the discrepancy the result of just an oversight?

RICHARD CANUEL: Yeah, that's all it was. I was looking at the original application, comparing it to what the square footage of the existing sign was, which is different from what the application actually was for the variance. So, basically, the Board should be reviewing what was presented for the variance, which is the thirteen point two (13.2) square feet, whatever it comes out to.

YVES STEGER: Thirteen point one six-six-six-six-six...(13.16666...). I just did the calculation.

JIM SMITH: Just so we clarify that one point.

RICHARD CANUEL: Yeah.

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YVES STEGER: So, as far as I'm concerned, they are asking for thirteen (13) and the rest...

JIM SMITH: Yeah.

YVES STEGER: ...because this is very clear in that page, so...So, what did you think about the points of law? Impact on property value?

LARRY O'SULLIVAN: I think we've already covered that with the two (2) years ago variance.

YVES STEGER: Okay.

LARRY O'SULLIVAN: And I don't believe that the thirteen (13) square feet is measurably negative to the neighbors. I think the public interest is actually gonna be served by the sign, as she mentioned, just to let them know that there's a business there so people don't go driving down that skinny road unnecessarily.

MICHAEL GALLAGHER: Or drive by it also. I agree with you, it is kind of in an area that's hard to find. As a matter of fact, the first time, their last case, I never found it. Seriously, I was boppin' around there and didn't realize, you know...

LARRY O'SULLIVAN: So I don't have any issues with any of the points.

MICHAEL GALLAGHER: I don't either.

YVES STEGER: Okay. Now the special conditions of the property. That's a little more difficult to...

LARRY O'SULLIVAN: That's why I mentioned that it's...we've already approved the conditions for the previous variance of the...I would suspect that it would be a logical inference then to go to the next step and say the addition to this existing variance was accomplished by the same land and location, so, I don't suspect there'd be an issue.

JIM SMITH: Yeah, you've got a very unique situation there that you got three (3) distinct lots. Nothing is really on the front lot. All the activity is on the rear two (2) lots, neither of which have any access to the road. So that's kind of an unusual configuration.

YVES STEGER: So that automatically justifies the number two (2)? They are not really other ways to do it.

JIM SMITH: No, there is no other way.

YVES STEGER: It would do justice. And it's probably not contrary, so I think the only issue I have is thirteen (13) square feet additional on twenty five and a half (25.5). That's just not a small addition.

538
539 LARRY O'SULLIVAN: It's half again as much, right?
540
541 YVES STEGER: Yeah.
542
543 JIM SMITH: Well, you could also argue if this was one contiguous lot, they would then be
544 allowed, what, sixty (60) some-odd square feet?
545
546 RICHARD CANUEL: Sixty five (65) square feet total.
547
548 JIM SMITH: Right. So it would still be less than what you would normally see in a commercial
549 district.
550
551 YVES STEGER: For an off-site?
552
553 JIM SMITH: No...
554
555 YVES STEGER: Oh, no, I mean, if it was on their site.
556
557 JIM SMITH: Yeah. If it was one big, contiguous lot.
558
559 YVES STEGER: They would be allowed sixty five (65). That makes sense.
560
561 LARRY O'SULLIVAN: That's also the reason why we have limitations for the size, so...
562
563 YVES STEGER: So actually, that makes a good special condition then. The fact that there are
564 three (3) individual lots that cannot have frontage to have a normal business sign, correct?
565
566 JIM SMITH: Yeah.
567
568 YVES STEGER: Sounds good. Would somebody care to make a motion?
569
570 LARRY O'SULLIVAN: One of the things that I would like to be able to do is to make a motion
571 that would limit the verbiage on the sign 'cause we can do that to "as presented," the L-Town
572 Garage with a small message board underneath. That's, again...
573
574 YVES STEGER: Okay, as presented.
575
576 LARRY O'SULLIVAN: The intention, rather than...
577
578 MICHAEL GALLAGHER: Right.
579
580 LARRY O'SULLIVAN: ...leave the inclination for what we were trying to avoid with the
581 wholesale business...

582
583 YVES STEGER: Mm-hmm.
584
585 LARRY O'SULLIVAN: That, I think, is more in the public interest than allowing it, so...
586
587 YVES STEGER: Okay, so, it would be "as presented."
588
589 LARRY O'SULLIVAN: Right. "With verbiage as presented."
590
591 YVES STEGER: And do we need to add again the restrictions about the...
592
593 LARRY O'SULLIVAN: Special, yes.
594
595 YVES STEGER: ...the special exception?
596
597 LARRY O'SULLIVAN: Yup.
598
599 YVES STEGER: Okay, so we need to put that...
600
601 JIM SMITH: What was the special exception for?
602
603 LARRY O'SULLIVAN: To allow the off-premise sign. "Requested by Crowning Holding,
604 special exception to allow an off-premise sign on" the contiguous, on the next door lot.
605
606 JIM SMITH: Okay.
607
608 LARRY O'SULLIVAN: So the variance was for the size prior...
609
610 YVES STEGER: Yup.
611
612 LARRY O'SULLIVAN: ...and the special exception was the location.
613
614 YVES STEGER: Correct.
615
616 LARRY O'SULLIVAN: I have that right, Richard?
617
618 RICHARD CANUEL: Yes.
619
620 YVES STEGER: Yup. Makes sense.
621
622 LARRY O'SULLIVAN: Okay. Any discussion on my suggestion?
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624 JIM SMITH: No.
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626 YVES STEGER: No.

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LARRY O'SULLIVAN: Okay, I'd like to make a motion to approve case 11/18/2009-2 with...the same restriction as to the special exception, that the special exception goes away, so does the sign, to allow the additional thirteen (13) square feet as presented, with verbiage as presented.

YVES STEGER: Anyone wants to second that?

JIM SMITH: I'll second.

YVES STEGER: Okay, we have Larry...has made a motion to grant and Jim has seconded. Any more discussions? No? All in favor, say 'aye.'

LARRY O'SULLIVAN: Aye.

JIM SMITH: Aye.

MICHAEL GALLAGHER: Aye.

YVES STEGER: Aye. All against, say 'nay.' Okay.

RESULT: THE MOTION TO GRANT CASE NO. 11/18/2009-2 WITH RESTRICTIONS WAS APPROVED, 4-0-0.

RESPECTFULLY SUBMITTED,

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

APPROVED DECEMBER 16, 2009 WITH A MOTION MADE BY LARRY O'SULLIVAN, SECONDED BY YVES STEGER AND APPROVED 4-0-2 (VICKI KEENAN AND NEIL DUNN ABSTAINED AS THEY HAD NOT ATTENDED THE MEETING).