

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

DATE: NOVEMBER 19, 2014

CASE NO.: 10/15/2014-2

APPLICANT: JBY REALTY GROUP LLC
37 BEACON HILL ROAD
WINDHAM, NH 03087

LOCATION: 150 NASHUA ROAD, 6-65A, C-I WITHIN THE ROUTE 102 PERFORMANCE
OVERLAY DISTRICT

BOARD MEMBERS PRESENT: JIM SMITH, CHAIR
JACKIE BENARD, VOTING MEMBER
JIM TIRABASSI, VOTING MEMBER
ANNETTE STOLLER, VOTING ALTERNATE
BILL BERARDINO, VOTING ALTERNATE
NEIL DUNN, ACTING CLERK

REQUEST: VARIANCE TO ALLOW AN INCREASE IN AREA FOR AN EXISTING
FREESTANDING SIGN WHERE THE SIZE IS OTHERWISE RESTRICTED TO 50
SQUARE FEET BY THE PROVISIONS OF THE ROUTE 102 PERFORMANCE
OVERLAY DISTRICT, SECTION 2.6.1.7.6.5.3.2.

PRESENTATION: Case No. 10/15/2014-2 was read into the record. (The ten previous cases
associated with Map 6 Lot 65A were read into the record by the Clerk at the
October 15, 2014 meeting).

JIM SMITH: This is a continuation. Normally, we would read all of the preceding cases into the record. They have
already have been and we've continued it. So the applicant, will you identify yourself?

JAY YENACO: Sure Jay Yennaco representing 150 Nashua Road, JBY Realty Group. I reside at 37 Beacon Hill Road,
Windham, New Hampshire. Coming back again, thank you for having me back, regarding a...my existing freestanding
sign at 150 Nashua Road. Looking to increase the square footage of the existing sign. Any of you that are familiar with
the property, the property is...was not built for the same use it is in currently, the state it is in now. It was built as a one
use building. The sign was put up as a one use building with possible additional tenants. It is now a tenanted building,
so we have multiple signs, multiple uses in there. We're fortunate in there with the economy now to have the building
full finally, so we are looking for an additional space to continue to allow the message reader board that has always been
there to just be brought down so the tenants, the five (5) tenants get the use out of that additional reader board. Last
time we talked, we ended up...the case ended up getting continued mainly for one main reason and that was to
determine some figures, some calculations. It really just came down to a numbers game. Where we were at, there
were some issues with the potential measurement of the sign currently, what the Town has on file. The overlay district,
I was just made aware of about seven (7) business days prior to the last meeting. Prior to that, I believe I was, I had sixty
five (65) square feet that was usable feet because that's what my sign permit was permitted for at the time. The Town
has on record when the sign was permitted and installed in 2007 for 58.67 feet currently. After discussing in the
meeting quite at length, we discussed that I also didn't necessarily agree with the 58.67 feet because that was not the

50 actual signage. Some of the additional square footage I believe was in there was directional usage and the poles and so
51 forth. So we decided to continue that case at that time so we could kind of go back and regroup. I think Richard could
52 do that, go out to the site, take a look and kind of come back here, so that's where we are at today. I have some...I have
53 some sheets here for you, if you'd like [See Exhibit "A", hand drawing of the current reader board]. That is a crude but
54 accurate drawing of what the actual reader, what the actual signage is, advertised signage now that is displayed signage.
55 Each panel is 11.56 square feet, 92.5 inches in width, 18 inches in height which comes out, I come out to 46.25 square
56 feet. So I guess we have...there's a few questions here at 46.25 square feet, if Richard agrees that I'm in and around
57 that area, and I've currently...the Town feels that I have you know 58.67 feet, I'm looking to add 11.56 feet. So that
58 would bring me to a grand total of 57.81 feet that I actually need to add to my message reader board, which is two (2)
59 percent less than the sign feels...the Town feels as though I have on file now. So I'm not even sure if I need a variance?
60

61 JIM SMITH: Okay, Richard do you have? Have you seen these numbers he presented?
62

63 JAY YENNACO: I tried contacting the...earlier in the week, and we actually didn't catch up.
64

65 RICHARD CANUEL: Yeah, no I haven't seen what he actually is proposing at this point
66

67 [Overlapping comments]
68

69 JAY YENNACO: In that...that correlations...I just think you have in this case, you have a picture of the sign. I mean it's
70 pretty self-explanatory that it...how it matches up. I also, I guess I can be corrected if I'm wrong; we went over this last
71 time. I don't know if I'm a...I don't believe I'm a preexisting non-conforming sign. I think I'm just an existing, non-
72 conforming sign because this went in after the Overlay District.
73

74 JIM SMITH: Richard what's your...?
75

76 RICHARD CANUEL: Yeah, if I can ask a question the applicant? So the sign as it exists today is 46.25 square feet?
77

78 JAY YENNACO: Yes.
79

80 RICHARD CANUEL: Okay, so it meets the provisions of the overlay district now because it's less than fifty (50) square
81 feet. Okay, alright, that clarifies it for me. Thank you.
82

83 JIM SMITH: Currently is she...are you saying 57.26? Okay, is that accurate?
84

85 [Overlapping comments]
86

87 JAY YENNACO: 57.26 square feet would be the total signage with the peak, the poles, the outside. That would be the
88 total square footage of that sign.
89

90 [Overlapping comments].
91

92 JAY YENNACO: A portion of that isn't counted toward square footage because, you know, the top peak with the address
93 is directional. You know, I don't believe you'd count the actual structure that holds the sign up?
94

95 JIM SMITH: Okay, Richard?
96

97 RICHARD CANUEL: Yeah, that peak area where it's just the address of the building would not be included as far as the
98 sign area is concerned.
99

100 JIM SMITH: So, what we're at is 46.25, and you want to add 11.56 to it?
101

102 JAY YENNACO: Which would bring me to 57.81. I'm allowed fifty (50), in the overlay district, so, you know, barring all
103 these numbers have changed since the original application; I would certainly want to round that up just so I'm not off by
104 inches. I would rather round that up to sixty (60) square feet. I'd be looking for a variance for ten (10) beyond the
105 Overlay District. If I was still in conformance of that Overlay District based on the fact that I have a...
106

107 JIM SMITH: I don't know. Did we go through the five (5) points of law on the last time around?
108

109 JAY YENNACO: I think so. Yeah, we did, I believe? I mean there not going to be quite as accurate today, I mean as far as
110 the numbers are concerned, but the general premise would be the same. I don't know if I mentioned in the last... I
111 believe I mentioned in the last meeting as well. This is an interior illuminated sign. The additional piece I would be
112 adding would not be. It would just be. It would just add to the bottom and flush with the rest of the sign, but I wouldn't
113 be trying to add additional light to the sign, or creating additional you know...
114

115 JIM SMITH: So, okay.
116

117 JACKIE BENARD: So the height will not change?
118

119 JAY YENNACO: No.
120

121 JACKIE BENARD: The poles are not changing?
122

123 JAY YENNACO: No.
124

125 JACKIE BENARD: It's stationery?
126

127 JAY YENNACO: No, it's...
128

129 JACKIE BENARD: It's going to stay exactly as it is?
130

131 JAY YENNACO: I think you have the two...I think you have the two, yeah.
132

133 JACKIE BENARD: Yeah, okay.
134

135 ANNETTE STOLLER: You're saying you're not...
136

137 [Overlapping comments]
138

139 ANNETTE STOLLER: Yeah, and you're not going to add any light to it? How are you going to sell that to a tenant?
140

141 JIM SMITH: Well?
142

143 ANNETTE STOLLER: I mean, wouldn't you want it all equal, is my question.
144

145 JAY YENNACO: I would love it to be all equal. I mean, I would certainly, I'll ask for that of course, but I don't have to
146 have that. That is, if that's something the Board would wish to, you know, have it's not a deal breaker for me. I would
147 certainly love the opportunity to keep it illuminated, but I don't know if that would be the case?
148
149 JIM SMITH: Okay, the way you're presenting it, the new tenant's sign would go where the reader board sign was? So
150 that would be illuminated?
151
152 JAY YENNACO: Correct, yup.
153
154 JIM SMITH: Then the reader board would then not be illuminated?
155
156 JAY YENNACO: Correct.
157
158 NEIL DUNN: So if there's nothing on the reader board, is it a sign Richard?
159
160 [Laughter]
161
162 RICHARD CANUEL: Well, that's...
163
164 [Overlapping/laugh]
165
166 NEIL DUNN: I mean...
167
168 RICHARD CANUEL: Yeah, it's a sign, I mean that's, you know, changeable signage, if you will, sure.
169
170 NEIL DUNN: I just, I don't know for some reason that hit me.
171
172 JIM SMITH: Well, I think the logic of trying to get people to use reader boards was to limit the request for temporary
173 signs.
174
175 NEIL DUNN: Okay.
176
177 JIM SMITH: That is what the object was. It didn't quite work out that way, I'm afraid. So we're talking about ten (10)
178 feet over the allowed amount, at this point.
179
180 JAY YENNACO: The current...correct. The current in the group, the 102 Overlay District.
181
182 JIM SMITH: Yeah.
183
184 JAY YENNACO: We're talking 1.33 additional feet from what the Town currently has on file that I have. Feels as though I
185 have. But the variance would be for ten (10) feet additional [Indistinct].
186
187 JIM SMITH: Okay, any other questions from the Board?
188
189 NEIL DUNN: So Richard, is that accurate? The Town records show that was a 58.67 square foot sign?
190
191 RICHARD CANUEL: Existing as a 58 square foot sign?
192

193 NEIL DUNN: Well, we're referencing in the original application in and to reference, I don't...does the Town have on
194 record somewhere...?
195
196 RICHARD CANUEL: Yeah, we do. Unfortunately, I didn't have that file with me.
197
198 [Overlapping comments]
199
200 NEIL DUNN: No, no, it was more to his point that it's...
201
202 JAY YENNACO: Just for a point of reference; that number came from that 58.67...was derived from the last meeting...the
203 Town wouldn't...I think Richard had the file with him, so...
204
205 NEIL DUNN: Okay.
206
207 JAY YENNACO: Or I got it prior to it. Maybe it didn't have it. It was prior to the meeting?
208
209 NEIL DUNN: And as far as a preexisting use, the sign was up before the overlay?
210
211 RICHARD CANUEL: I haven't been able to determine that [Laughter] .The sign was there for a considerable numbers of
212 years. The Overlay District went into effect in 2002, so it's questionable whether the sign existed prior to or not. If it did
213 exist prior to provisions of the Overlay District that would make that an existing, non-conforming sign which means
214 there couldn't be anything done to that sign without a variance anyway.
215
216 NEIL DUNN: Yeah, I'm just trying to trying to narrow in to see what other options, if any, there were.
217
218 JIM SMITH: Okay, any other questions from the Board?
219
220 ANNETTE STOLLER: Just one, your expansion of the size. Is it going to push the signage downwards? Is that what I'm
221 seeing on the picture?
222
223 JAY YENNACO: Yes, correct. Yup, correct, and correct. This, where it says "new tenant sign," that actually is just the
224 current reader board. Nothing happens; you just take the panel out and put the panel in.
225
226 ANNETTE STOLLER: Got it.
227
228 JAY YENNACO: So nothing changes there. The addition is on the new display at the bottom correct. And the sign, just
229 for clarification, the sign was put up in 2007, I believe. I bought the building in 2007. The building was built in 2004.
230
231 NEIL DUNN: So that would have been...
232
233 JIM SMITH: Okay, anyone in favor of this that would like to speak? Anyone who has either got questions, or is in
234 opposition? Will you approach the mic and identify yourself, name and street address?
235
236 ANN CHIAMPA: Ann Chiampa, 28 Wedgewood Drive. Could you just read out the section 2.6.1.7.6.5.3.2, exactly with
237 the wording of that, so I'm sure it's brief?
238
239 NEIL DUNN: Yes, it says "for three (3) or more tenants structures: fifty (50) square feet".
240

241 ANN CIHAMPA: Okay, right now it's slightly less than fifty (50) square feet?
242
243 JAY YENNACO: Currently?
244
245 ANN CHIAMPA: Currently? No, isn't there a new provision that businesses within a multi-use building can have
246 something such as an A-frame sign as a reader board? Um, I'm asking Richard?
247
248 RICHARD CANUEL: If you'd like me to respond, sure.
249
250 JIM SMITH: Yeah.
251
252 RICHARD CANUEL: Yes, because it is a multi-tenant commercial use they are allowed to have what's called the A-frame
253 sidewalk signs, if you will adjacent to the building.
254
255 ANN CHIAMPA: Okay, so if they put the new sign where the reader board sign is now instead of putting additional space
256 on that sign for a reader board, they could have an A-frame without a variance?
257
258 RICHARD CANUEL: Yes, they could.
259
260 ANN CHIAMPA: So that's something to think about also. Instead of adding additional space on that large sign out front,
261 they could have an A-frame sign as a reader board instead of a variance for a larger sign. I just wanted to make that
262 comment. Thank you.
263
264 JIM SMITH: Okay. I'll ask Richard this; wasn't that type of sign more addressed to the strip mall to be placed in front of
265 the individual units?
266
267 [Overlapping comments]
268
269 RICHARD CANUEL: Well, that was the original intent, but the way the ordinance reads, it says any multi-tenant
270 commercial occupancy, each tenant is allowed to have one (1) of those A-frame sidewalks signs, if you will.
271
272 JAY YENNACO: Is it a certain distance from the sidewalk?
273
274 RICHARD CANUEL: It can be no further than six (6) feet from the store front entrance.
275
276 ANNETTE STOLLER: But how many feet from the road?
277
278 RICHARD CANUEL: The measurement is not from the road because the building structure itself would...
279
280 [Overlapping comments]
281
282 RICHARD CANUEL: ...would have been applicable with setbacks but...
283
284 ANNETTE STOLLER: Right and it's viewed as temporary signage anyway.
285
286 JAY YENNACO: I mean, it's a, you know, a nice additional option to businesses that are off the street in a, for instance,
287 across the way at Crossroads Plaza. I think it's a great addition as an A-frame, but for my use, you know, I have Route
288 102 going by quite some distance to set it all the way back within six (6) feet of the actual building, it really wouldn't be

289 suitable for my tenants for what I have...what I'm looking for. I actually think it would be more tactful to have it as
290 additional to the sign...to have additional...have five (5) tenants five (5) A-frames in front of the building.
291
292 [Laughter]
293
294 JAY YENNACO: I know Salem has run into the A-frame battle...
295
296 [Overlapping comments]
297
298 JAY YENNACO: ...you know, over the years, and it's an ugly one, not to [Indistinct]. It's an ugly one.
299
300 JIM SMITH: Okay, any other questions, or comments? If not, I'll bring it back to the Board. Any further questions?
301
302 ANNETTE STOLLER: I don't see a substantial change here.
303
304 JIM SMITH: Okay, does anybody want to go over the five (5) points of law?
305
306 JIM TIRABASSI: I had a question.
307
308 JIM SMITH: Yes.
309
310 JIM TIRABASSI: Based on the signage square footage area, does the sign frame have a certain height?
311
312 JIM SMITH: Yes, there is a maximum height.
313
314 JIM TIRABASSI: Okay, there is a maximum height.
315
316 JIM SMITH: Yeah, but in this situation, he's going down.
317
318 JIM TIRABASSI: Right, but so he...it can be at a certain height, but within that height, there's only the square footage.
319 Okay, that is all I wanted to find out.
320
321 JIM SMITH: What is it now? Ten (10) feet height?
322
323 RICHARD CANUEL: Yeah, because it's the Overlay District. It's limited to ten (10) foot height maximum.
324
325 [Overlapping comments]
326
327 JIM SMITH: Okay, so it's a ten (10) foot high max, multi-unit would be fifty (50) feet.
328
329 JAY YENNACO: Right, fifty (50) feet yeah, I got that, just...
330
331 JIM SMITH: That's what we're a variance from.
332
333 JAY YENNACO: Right.
334
335 JIM SMITH: So what we're looking at is to add enough so that he can get it up, get that additional area, okay. Anyone
336 else? In that case, we'll close the public hearing and go into deliberation.

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DELIBERATIONS:

JIM SMITH: Neil, you weren't here, so do you have any questions?

NEIL DUNN: No, I don't, I was just reading the five (5) points. I read them previously. I guess my biggest thought would have been by lowering it, did we change...make any safety issues? But it's off 102. It's not near any other their entrance or exits. It doesn't impact anything from that point of view. Typically, I like to think I'm pretty in line with the sign ordinance, but when you hear, you know, the thought was he had fifty eight (58) something and that he was that close, and it sits out in this big open front yard, you know, as far as most businesses go stacked on each other. The A-frames don't make sense with the five (5) tenants back there unless, again, it's more to the strip mall. I guess, but in a strip mall you'd only see them if you were walking by. This does give him more visibility, so I'm not concerned with any of the safety stuff, so from the five (5) points of law, I guess it gets back into that, you know, how much signage do we want on the road?

JIM SMITH: Well, you don't...when you look at the scenario, and this wasn't brought up too much, the only other way that he could do it would be to take and reconfigure the sign totally, reducing the area of each of the segments so that instead of having it divided into four (4) segments divided into five (5) segments.

[Overlapping comments]

NEIL DUNN: With that same square footage.

JIM SMITH: With the same square footage.

NEIL DUNN: Well actually, he could go up to fifty (50) instead of forty (40).

JIM SMITH: Yeah, and...but now you're talking the cost of another, basically a brand new sign which then gets into a financial burden. So I think it presents a hardship from that point of view. The only other way to do this would be to increase the overall sign to the full fifty (50) square feet and divide it into five (5) segments, which would then reduce the area for each segment slightly, but the cost of that would be, I think, fairly substantial, and the way he's presenting this, he's not increasing the lighted area of the sign, which is always a good thing.

NEIL DUNN: So would you want that as a restriction?

JIM SMITH: No, I don't think we need to.

[Laughter]

NEIL DUNN: Then that could change?

[Laughter]

JIM SMITH: Okay, anybody else?

JACKIE BENARD: Well, I did want to comment that the applicant does state that in his second response, the spirit of the ordinance, that "The square footage of the sign [would] only increase a minimal amount. The only reason this request is being made is we lost the letter reader board, and when we added an additional tenant". Should there be more

385 tenants, and signage becomes even more of an issue, maybe address something so that we can sort of define that this is
386 it? You know if there's, if...
387
388 JIM SMITH: Well, if you wanted to increase the sign even further, he would have to go back to the Zoning Board and
389 design a variance request, and...
390
391 JACKIE BENARD: Okay.
392
393 JIM SMITH: Go through all of this, and so forth.
394
395 JACKIE BENARD: Because, it all hinges on the tenants. So if the tenants increase because the cost to reconfigure the
396 current area and how it's being displayed is, you know, we get into that cost factor, but should there be more tenants...I
397 mean the sign has outgrown...
398
399 JIM SMITH: Well, you know...
400
401 JACKIE BENARD: In the way that's it configured right now. If there should be one (1) more.
402
403 ANNETTE STOLLER: Well then he'd have to come back to the Board.
404
405 JIM SMITH: If he would try to increase the size, he would have to go back and try to get another variance.
406
407 NIEL DUNN: Or, he'd make the...
408
409 JIM SMITH: This also kind of gets into the whole issue of signs.
410
411 JACKIE BENARD: You know, and can you see it?
412
413 JIM SMITH: Exactly.
414
415 [Overlapping comments]
416
417 JIM SMITH: Once you get beyond a certain amount of verbiage on a sign, it becomes impossible to read, and they just
418 don't work. I think if you talk to a sign company, he'll try to talk the person down you know on verbiage rather than up,
419 but right now, we're just looking at whether or not to increase this sign to allow that additional space at the bottom of
420 the board.
421
422 ANNETTE STOLLER: Hope he doesn't have a large snowfall to contend with.
423
424 [Laughter]
425
426 JIM SMITH: Well, if we were in Buffalo, you wouldn't even see the sign any more.
427
428 [Laughter]
429
430 ANNETTE STOLLER: Yeah, so...
431
432 JIM SMITH: So anybody else? Neil?

433
434 NEIL DUNN: Well, I guess the other...I know I don't want it to look like Salem, and busy, and I guess if the message
435 keeper, what do we call them, wasn't there he would still have his new tenant sign. He just wouldn't have the message
436 sign.
437
438 [Overlapping comments]
439
440 NEIL DUNN: What was the terminology we used? I apologize.
441
442 JIM SMITH: Message board.
443
444 NEIL DUNN: Message board. I mean if it wasn't granted then he'd put the tenant sign there and not have the message
445 board.
446
447 JACKIE BENARD: Correct.
448
449 [Overlapping comments]
450
451 JACKIE BENARD: I guess that's sort of where I was leading into.
452
453 NEIL DUNN: Oh, I see I'm sorry about that Jackie. So, I mean there's room there for the new tenant, so...
454
455 [Overlapping comments].
456
457 JACKIE BENARD: There is.
458
459 NEIL DUNN: Maybe it gets back to, is it getting too busy, and how we all feel about signs, or how individually we feel
460 about signs? So, I guess we're, he would have his tenant sign and still keep his message board? I don't know, just a
461 though, I don't know.
462
463 JIM SMITH: I think personally the message board is useless.
464
465 NEIL DUNN: It's kind of low. The fence is there, so...[Indistinct].
466
467 JACKIE BENARD: And the speed on 102 for you to be able to read all of that going down and then hit that last message
468 board. I mean the purpose for this sign is for the tenants. The applicant so states, so we have use, we have room there
469 for the tenant. It's a sacrifice of the message board that we're talking about because he doesn't want to sacrifice, but
470 there is room there to put the new tenant.
471
472 NEIL DUNN: I guess looking at the points of law, the spirit of the ordinance, I guess that's where you were going Jackie?
473
474 JACKIE BENARD: Yeah.
475
476 NEIL DUNN: And, we both ended up at the same place with different verbiage. The response is "The square footage of
477 the sign will only increase a minimal amount. The only reason this request is being made is because we lost a letter
478 reader". Excuse me, "letter reader board when we added an additional tenant". So, it's another one of these self-
479 imposed, 'I want more signage,' and...so I don't know, but more specifically, I don't think it really addresses the spirit of
480 the ordinance?

481
482 JACKIE BENARD: Well, you're right because the spirit of the ordinance, the way I interpret it, was to omit, I guess the
483 word... I don't know if cluster...is busyness too much...
484
485 NIEL DUNN: Well, it's physical size.
486
487 JACKIE BENARD: Because it's...right.
488
489 JAY YENNACO: Can I ask a point of order question, and [indistinct]?
490
491 JIM SMITH: Not at this point.
492
493 ANNETTE STOLLER: In terms of the surrounding community and whether it is an offensive sign, or not, I have to say
494 honestly it's one of the least offensive signs I've seen. Some of them are very difficult to deal with.
495
496 JIM SMITH: Okay.
497
498 JIM TIRABASSI: I do have a question. What if the reader...could the reader board be made half the depth as opposed to
499 the old depth, and would that stay within...?
500
501 JACKIE BENARD: Would you be able to read it? So it may be an unreasonable...
502
503 JIM TIRABASSI: One (1) line as opposed to two (2) lines...
504
505 JACKIE BENARD: Yeah.
506
507 JIM TIRABASSI: Would be visible, and would it stay within the allotted footage that is permitted?
508
509 JAY YENNACO: I'll answer that if you want to bring it back up, I mean...?
510
511 JIM TIRABASSI: Can he answer that?
512
513 JIM SMITH: Yeah, okay...
514
515 JAY YENNACO: So are we opening back up to discussion?
516
517 JIM SMITH: For that.
518
519 JAY YENNACO: Okay, the one line reader board the way it states, I've discussed it with my tenants and that was due to
520 the hardship. I know the hardships are real questions, as the spirit of the ordinance is. My tenants have all... all tenants
521 have stressed the absolute importance in this economy, which is the hardship.
522
523 JIM SMITH: Right.
524
525 JAY YENNACO: We all deal with this hardship every day.
526
527 JIM SMITH: Right.
528

529 JAY YENNACO: That that message reader board has much increased their business over the years. So I don't want to
530 take it away from any of my tenants. It's as important to them as their sign itself. The one (1) line would be helpful, but
531 it would not display the message, and our tenants do feel as though that 102...because they're not going by at sixty (60).
532 They have a stop light. They either have to be stopping, or increasing. It's very readable, so while we're open, I would
533 like to ask another question, if possible?
534

535 JIM SMITH: Okay.

536
537 JAY YENNACO: If you're open to discussion?

538
539 JIM SMITH: Okay.

540
541 JAY YENNACO: If I don't increase my signage beyond the 58.67 the Town has on file, do I need to be here?
542

543 ANNETTE STOLLER: Interesting question.

544
545 RICHARD CANUEL: No. It would not be a variance request at that point.
546

547 JAY YENNACO: Thank you. I'll withdraw my variance request.

548
549 JIM SMITH: You wish to withdraw?

550
551 JAY YENNACO: Please.

552
553 JIM SMITH: Okay.

554
555 JAY YENNACO: Thank you.
556

557 [Laughter]

558
559 RESULT: THE VARIANCE REQUEST OF CASE NO. 10/15/2014-2 WAS WITHDRAWN BY THE APPLICANT.
560

561 RESPECTFULLY SUBMITTED,
562



563
564
565 NEIL DUNN, ACTING CLERK

566
567 TYPED AND TRANSCRIBED BY NICOLE DOOLAN, PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT SECRETARY
568

569 **APPROVED FEBRUARY 18, 2015** WITH A MOTION MADE BY NEIL DUNN, SECONDED BY JACKIE BENARD AND
570 APPROVED 5-0-0.