

MINUTES OF THE SELECTMEN'S MEETING - August 3, 1992

Present for the meeting which began at approximately 6:00 p.m. were Selectmen Dodge, Piments and Johnston with Sandra Gandron taking minutes.

The first appointment of the evening was scheduled with Town Counsel David and Leslie Nixon also there were Planning Board Chairman Harold "Bo" Strong, Planning Coordinator Claire Dane, and Planning Board Alternate Philip Consolini. The meeting was to discuss legal action that had been taken with regard to Jay Marden's failure to complete construction on a cistern required by his subdivision of property on Hooper Hill Road, a situation that has been ongoing for several years. The pertinent issues being work to date on the cistern was totally unacceptable to the Town from the standpoint of quality construction, and the inability of the Town to reach agreement with Jay on how and when the cistern would be completed for acceptance by the Town. Discussion ensued on the entire matter, and ended with Leslie agreeing to put together a list of what the Town required in order that the matter be settled, this list to be presented at a scheduled court hearing before a judge the next morning. It was also agreed that a chronology of the events regarding the matter would be compiled by Claire and given to Dave who would be representing the Town the next morning in court.

Building Inspector Robert Milliard was next in to meet with the Board of Selectmen to discuss the general issue of signs especially as they are placed in and around the village area.

Bob also told the Board that he had investigated the cars parked in front of the home of Michael Bergeron on River Road to determine their registration status. Although there were three cars in question, there was only one that was unregistered.

Discussion began on the issue of signs, Bob stated that he had contacted George St. John, Wildwood Campground, who told him he had the blessing of the Board of Selectmen when he originally erected his sign on the corner of Old Coach Road and Route #13, Bob went on to state that Friendly Beaver Campground contended that they had a state permit for their sign also in the same location. The Alphabet Soup Company sign, in the same location as the two noted, is most likely on the property of the proprietor which is permitted. Bo stated that the owner of the Good Neighbor Bakery, who had been reported as having illegal signs, was applying to the state for permission so that the signs already erected on Route #13 might remain.

AP Luv
MSB

Selectman Johnston reviewed the procedure he had followed when he erected signs advertising his shop, the signs being located in Goffstown giving directions to his shop.

Discussion continued with the comment that the telephone company generally ignores signs posted on poles unless the wires need to be accessed at which time the signs are removed and placed on the ground. Bob continued his review of the existing signs by stating that he had contacted Lou Maynard, Molly Stark Tavern, who expressed more concern with regard to the treatment of the Fire Department and the sign that they place monthly on the site of the Babson Memorial advertising their breakfast.

Continuing Bob stated that he had sent letters to the offenders in the village area indicating that the signs must be removed, the time allowed having past; Bob asked if the Board would entertain more flexibility in potentially allowing the signs to remain until such time as the ordinance might be reviewed and possibly presented for revision at the Town Meeting in 1993. Bob realized that the Board would have to vote to temporarily suspend enforcement of the current ordinance. Most distressed with regard to the removal of signs was Kitty Houghton, Good Neighbor Bakery, who stated that the erection of signs on routes coming towards New Boston directing passersby to her shop, had markedly improved her business, and she was very distraught at the prospect of having to remove these signs. She had written to the Board of Selectmen stating that she had no idea when she purchased the signs and erected same that she was not in keeping with any ordinance, contending that the thought never occurred to her.

Selectman Dodge questioned whether our local zoning was overridden when signs were placed in the state right of way. Selectman Johnston stated that the state has guidelines and was of the opinion that they would most likely work with a community in a situation such as this. He further offered the opinion that most of the signs being discussed would not fit the criteria of the state guidelines.

Bob stated that there was no question that most of the signs discussed were in violation of the current ordinance, but maintained that the decision must be made by the Board of Selectmen as to whether the ordinance would be subject to potential revision at the 1993 Town Meeting, and until such time enforcement would be more flexible, or the reverse would be that the Board would instruct him to strictly enforce the present ordinance.

Selectman Pimenta stated that the Business Association was investigating options that would allow village businesses to advertise their location on the approaching routes; and yet keep in mind the intent of the ordinance is to insure that roadways are not cluttered with a multitude of advertising. Selectman Johnston suggested that the sign owners fill out permits so that a record would be available of the existing signs until such time as the ordinance might be revised and voted on. He contended that the Board should be flexible; however, he was not willing to ignore or condone the signs. In this regard, Selectman Dodge suggested that the Board might publicly declare a moratorium until such time as action might be taken on a revision. Selectman Johnston still supported his suggestion that a permit be filled out, with Selectman Dodge countering that, in his opinion, no purpose would be served with this suggestion. More discussion ensued on what immediate action could be taken. The question was then discussed as to where the complaint had originated, which was believed to be, but not substantiated, a member of the Planning Board.

Lou Maynard, Molly Stark Tavern, arrived and discussion continued on existing signs and the question of them being "grandfathered", also the issue of signs such as those advertising the "Apple Barn" falling under an agricultural definition. Selectman Johnston quoted the ordinance and discussion ensued on the "Apple Barn" signs with Selectman Johnston maintaining that the signs originally advertised agricultural products i.e. produce; however, now this business sells a much larger variety of items.

Selectman Dodge reviewed the discussion for the benefit of Lou Maynard, and stated that there had not been an outpouring of complaints with regard to the issue of these signs. Lou described his sign located on the corner of Clark Hill Road and Route #13 contending that it was placed at this location for purposes of visibility. He stated that he did not have an answer for the dilemma, but maintained that local businesses should be helped most especially in light of the current economic times. Discussion then turned to Selectman Johnston's suggestion that some sort of a single sign be erected at points entering New Boston advertising local businesses in the village area.

Lou contended that the issue should be kept in what he termed "the proper perspective", and maintained that the Fire Department sign and the 4-H signs placed on the site of the Babson Memorial were not proper even if the organizations advertised were non-profit; and, further that any resulting plan should treat every sign the same.

In response to Lou's comments and the fact that they were regularly placed on the site of the Babson Memorial, Selectman Johnston described the purpose of trimming the Babson Memorial site was to aid traffic visibility in the area, and stated that too many signs would also cause a problem. Selectman Dodge pointed out to Lou that alternatives had been discussed such as a central location for all businesses to advertise with no conclusions being reached with regard to size and the fact that the effectiveness of the sign that could be lost if there was too much to read. He concluded by contending that the bottom line was whether the Board of Selectmen would vote to issue a moratorium for the time being or vote to enforce the ordinance as it is currently written.

Lou suggested such things as a standardized sign in specific colors, similar to those authorized by the State, with application being made to the Building Inspector, limiting the number to be erected on various routes. Selectman Pimenta told Lou that the Business Association intended to suggest alternatives. Selectman Dodge pointed out if the Board voted to declare a moratorium then the entire issue could be studied prior to Town Meeting. Bob suggested that the signs be limited to legal community businesses in an attempt to keep the number of signs to a minimum.

Selectman Dodge moved that a moratorium vote be called for by the Board of Selectmen, although he realized that it may not be legal for the Board to make such a declaration. If the Board called such a moratorium it would be with the realization that a revision of the existing sign ordinance would be presented at Town Meeting. He expressed his own willingness to support this motion based on his opinion that to remove the signs now could cause unnecessary economic hardship to local businesses in the present poor economy. The Board of Selectmen were in agreement with Selectman Dodge's motion, which was duly seconded and unanimously voted by the Board. Bob agreed to draft proposed changes in the ordinance for the review of the Selectmen. It was determined that if the number of signs mushroomed as a result of this vote, the issue would have to be re-addressed. Selectman Johnston stuck with his suggestion that permits be filled out and contends that the ordinance still should be basically followed from the standpoint of application, etc., to which there was no disagreement. There was discussion that instructions not to enforce the existing sign ordinance by the Building Inspector be delayed until changes could be proposed. Selectman Dodge stated that if a citizen requests that the ordinance be enforced, consideration would have to be given to such a request.

The discussion ended with Lou bringing up his dismay with regard to the Fire Department sign and the 4-H sign and complained about the "Hoyt" signs advertising outside painting that have been placed on several sites both in and outside of New Boston.

John Halvatzes was in to discuss the construction of ball fields on the town-owned land across from the Transfer Station. He presented to the Board a sketch drawn to scale. Discussion ensued as to what would be included in the area i.e. a soccer field, baseball field, fencing, and the hope that the program can be expanded to include 14-16 year old hardball. John expressed satisfaction with the size of the area.

John was asked what the next step would be and burying the stumps was discussed. John would like to work on the parking area next and will make phone calls to organize the necessary specifics. He would like to start stumping and grubbing the area. Selectman Dodge suggested that he pick a date, line up people and he offered to help move necessary equipment.

John stated that they would be erecting a sign having already filled out a permit to do so. The Selectmen supported the idea with Selectman Johnston suggesting that it be set back 5' from the pavement on its own post, to which Selectman Dodge agreed.

John left expressing his appreciation for the support of the Board of Selectmen for the project.

Philip Consolini had remained at the meeting in order to hear if the situation with Arrowwood Drive and owner of the development Dana Lorden would be discussed. The deadline for completion of the road having passed on July 31st and the Planning Board by letter to the Selectmen requesting that the lot held in escrow be deeded to the town and auctioned, the proceeds used to finish the road. All of which had been agreed to in writing by the Lorden's. Philip was adamant in his statement that he would not go through another winter with that road not being maintained by the Town and would take whatever might action necessary. Selectman Dodge suggested that Dana be allowed to proceed having been in contacted with the Selectmen's Office, and that stronger action be held until next Monday evening as long as preparation was still going forth readying the road for pavement.

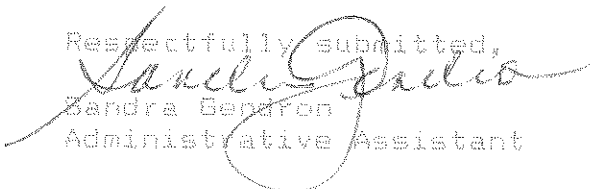
Selectman Johnston contended that if the lot were taken by the Town then commitment would have to be made to the

residents that the Town would provide maintenance, and he supported Dana finishing the project the he started, especially from a financial standpoint, agreeing with Selectman Dodge's proposal.

The Board approved \$370. for a new security panel for the Highway Garage realizing that further funds might be necessary to tie the system into Honeywell as is the case with other town building security and fire systems.

Checks were signed, mail was reviewed and the meeting was adjourned at approximately 10:30 p.m.

Respectfully submitted,


Sandra Genaron
Administrative Assistant