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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **October 03, 2012**
8 **Municipal Center, Selectmen's Meeting Room**
9 **10 Bunker Hill Avenue**
10 **Time: 7:00 PM**
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13 **Members Present:** Mike Houghton, Chairman
14 Bob Baskerville, Vice Chairman
15 Jeff Hyland, Secretary
16 Bruno Federico, Selectmen's Representative
17 Jameson Paine, Member
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19 **Members Absent:** Tom House, Alternate
20 Mary Jane Werner, Alternate
21 Christopher Merrick, Alternate
22

23 **Staff Present:** Lincoln Daley, Town Planner
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25 **1. Call to Order/Roll Call.**

26 The Chairman took roll call
27

28 **2. Review/Approval of Meeting Minutes.**

29
30 a. September 5, 2012
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32 Unfortunately, the incorrect minutes for September 5, 2012 had been submitted for
33 review. Mr. Daley recommended that the Board look at the amended version of the
34 minutes at the next meeting. The Board agreed.
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36 Before moving onto agenda item number 3, Mr. Houghton shared with the Board that the
37 public hearing for 9 Frying Pan Lane had been continued until the 17th at the applicant's
38 request. Mr. Daley confirmed that he had received a letter dated October 1st from the
39 attorney that represents Mr. Kirk Scamman. The letter requests a continuation until
40 November 7th allowing the applicant time to prepare the necessary materials for
41 submission in a timely manner. Mr. Houghton confirmed it was November 7th and not
42 October 17th as he stated earlier. Mr. Daley confirmed it was.
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1 Mr. Baskerville made a motion to approve the continuation of Kirk Scamman, 9 Frying
2 Pan Lane, Stratham, New Hampshire, for the property located at 6 Frying Pan Lane, Tax
3 Map 9, Lot 113. The motion was seconded by Mr. Paine. Motion passed unanimously.
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5 **3. Public Meeting(s).**
6

7 **a. Zoning and Land Use Amendments – Workshop**

8 i. Zoning Ordinance, Section VII. Signs.

9 Mr. Daley began saying he had modified the purpose of intent as he felt that the previous
10 iteration was somewhat short and required additional explanation in trying to meet the
11 character of the community. To address this Mr. Daley elaborated Section 7.1, points a
12 through g.

13 Mr. Daley continued that the definitions have been kept virtually the same as the last
14 version; however he had made modifications to Section 7.3 and the next few sections. In
15 the current regulations there isn't really an explanation of the process to follow that
16 details administration and the permit procedure process for a sign application or permit.
17 Mr. Federico noted that a specific number of days is mentioned in which the Code
18 Enforcement Officer has to complete the administration of a permit. He asked what
19 happens if the Code Enforcement Officer is on vacation for 2 weeks. Mr. Deschaine
20 said the amount of days is in line with the Building Permit sections and if the Code
21 Enforcement Officer does go away, he makes arrangements to make sure the permits are
22 covered.

23 Mr. Daley continued that the amendment then addresses the review procedure once a sign
24 is installed. Mr. Baskerville referred to the section relating to signs for a new
25 development and read; all new signage related to new development, which may require
26 site plan approval and conditional use and not exempted in Section 7.2.1. Mr. Daley said
27 he needed to go back and change some of the references sections and said it should read
28 Section 7.5. "Exempt Signs".

29 Mr. Daley has added a new section under, "Exempt Signs" which is a compilation of
30 signs that are exempt in the current ordinance and identifying additional ones by
31 comparing the Stratham ordinance with neighboring ordinances for signage. Mr. Daley
32 then moved on to "Prohibitive Signs" saying he had added a few more to the section
33 based on past discussions such as rotating and inflatable signs.

34 The next amendment addressed was the enforcement of sign violations which is
35 somewhat new. The calculation of sign sizes has been clarified also.

36 Mr. Houghton asked who was responsible for the expense of signs being removed. Mr.
37 Daley said it would be at the owner's expense. Mr. Deschaine said it would be wrong to
38 presume that the owner of the property is the owner of the sign. Mr. Baskerville asked
39 what would be done if a sign belonged to a tenant and the tenant moved elsewhere, but
40 left the sign behind. Mr. Paine asked that if after written notification should the Board
41 establish the number of days or leave it as a gray area.
42

1 Mr. Houghton made the observation that in Section 7.5 of Section 7 of the Ordinance, he
2 wouldn't try to replicate enforcement practices if they are already spelled out in the
3 Ordinance. Mr. Deschaine said it is currently in Section 22 but is rather sparse. Mr.
4 Baskerville said it may be better to state that signs will be enforced as currently stated in
5 Section 22 with some added enforcement more relative to signs. Mr. Deschaine referred
6 to mounted signs saying there is a loop hole. He asked when a painted sign on one's truck
7 becomes a sign. What is the difference between that and a mounted sign on a truck? He
8 questioned how practical it was to chase a truck with a sign on it plus the police need to
9 be involved also. Mr. Baskerville asked Mr. Deschaine if he had a recommendation. Mr.
10 Deschaine said that past boards have just skipped the issue. Mr. Baskerville referred to
11 the current wording that says if these types of signs are conspicuous they are in violation
12 of the code. Mr. Hyland suggested enforcing a time limit so for example a trailer may
13 not be parked for more than 24 hours. Mr. Daley said he had experienced somebody who
14 moved their truck after 24 hours only to be back soon afterwards with the explanation
15 that they had moved it. Mr. Daley said the ordinance was really referring to affixed signs
16 on vehicles and perhaps a size limitation would suffice to clear up any ambiguity. Mr.
17 Houghton said he doesn't feel stipulating the size of the sign will achieve much but
18 agrees inserting a length of time would be good as long as it says the sign cannot be
19 located on the property any longer than a period of time yet to be determined. Mr.
20 Baskerville felt this could cause problems if the sign is obnoxious. Mr. Merrick felt it
21 should be left as it is.

22 Mr. Paine referred to 7.5b, enforcement. He said a definitive decision wasn't made as to
23 whether it should be the owner of the property or the sign owner who should incur the
24 expense of violation. He felt that the person who put the sign up should be responsible.
25 Mr. Houghton said that he felt there could be an issue with enforcing that.

26 Mr. Daley continued referring to the section addressing general standards and criteria for
27 signs. He said it details the measuring of areas for signs and breaks it down into free
28 standing and mounted signs on buildings. It also addresses heights of signs. Mr. Daley
29 then moved onto non conforming signs. This section addresses continuance of
30 maintenance, when one can be altered or replaced and the removal of non conforming
31 signs. Mr. Daley explained that under the section "General Regulations" it goes into
32 what is allowed in each individual district. Mr. Deschaine referred to the section about
33 grandfathering signs under "Non Conforming Signs" and said it should go before Town's
34 Legal Counsel for review.

35 Mr. Daley said he had included institutional signs under General Regulations.

36 Mr. Daley then ran through the changes for free standing signs in various districts which
37 incorporate past discussions with the Board. He highlighted the fact that if a lot has a
38 frontage of 300 feet or more on one of the areas of frontage, they can have 2 signs there,
39 1 sign on the boulevard and 1 free standing sign on the back, which would amount to 4
40 free standing signs. Mr. Daley said he needed to look at how many free standing signs
41 are allowed on a lot.

42 Mr. Houghton commented on the sign height not exceeding 20 feet above grade. He
43 asked if it was currently 35 feet. Mr. Daley said that it is currently 20 feet. Mr.
44 Houghton wondered how many non conforming signs the Town would end up with. Mr.

1 Paine asked Mr. Daley if he knew what heights adjacent towns allow. Mr. Daley said he
2 would put together a spread sheet. Mr. Merrick said he felt that 20 feet in height was
3 acceptable.

4 Mr. Deschaine talked about the section that addresses home occupation and signs in the
5 residential/agricultural zone. Mr. Daley said that wasn't changing and a person may have
6 a 4 feet square sign. Mr. Deschaine pointed out that it doesn't say what type of sign is
7 allowed such as free standing. Mr. Daley said he would clarify that in the Ordinance.
8 Mr. Deschaine also commented that a lot of the language is dependent on the tables, and
9 if the tables were going to be eliminated, some of the detail will be lost. Mr. Daley said
10 he could re insert some of the tables to provide additional clarification on certain uses.

11 Mr. Daley talked about projecting signs next. He explained that the permitted area for
12 projecting signs shall be one square foot for each 5 linear feet of the building or front
13 façade to which it is attached and not to exceed 32 square feet. The signs are not to be
14 higher than 8 feet and not be erected on a roof. They shall not project further than 5 feet
15 from the exterior wall. If a lot is located on a corner of an intersection of 2 streets, 2
16 projecting signs could be permitted so they must be a minimum of 100 feet apart.

17 Mr. Hyland asked if there would ever be a condition where a build to line exists and the
18 Town takes over the ownership of the right of way to the building facades in which the
19 sign is projecting 5 feet into. Mr. Merrick asked if any engineering plans would be
20 required for a projecting sign permit application. Mr. Daley said there doesn't have to be
21 a plan certified by an engineer in the current version. Mr. Baskerville agreed something
22 should be put in the Ordinance to cover this. Mr. Daley said that as part of the application
23 process, a plan would need to be provided. Mr. Paine suggested a line be put into the
24 Ordinance stating that all signs will be subject to review by the Town's Building
25 Inspector. Mr. Houghton said some clarification was needed under projecting and free
26 standing signs about engineering requirements.

27 Mr. Daley spoke next about event signs and the time period to display them and periods
28 when they can be displayed. Mr. Daley explained that the major difference is that in the
29 current ordinance, the maximum allowed is 8 days and they have 14 days in which to
30 display it. Mrs. Mitchell commented that it would be helpful if business signs had their
31 street numbers displayed too. Mr. Hyland thought it was required by 911 to show the
32 street number. Mr. Deschaine said that if a number is put on the sign, then the street
33 address has to be on the sign also. The Board discussed encouraging numbering and
34 destination plazas. Mr. Deschaine said the problem is that businesses in plazas would
35 prefer to be recognized individually.

36 Mr. Daley moved on to signage on walls. He explained it is based on the size of linear
37 frontage. In some cases it has been restricted because some buildings can be narrow or
38 set back. To address those lots that are set back from a primary road of access, a
39 multiplier based on the distance from the roadway itself has been introduced which
40 allows business owners to increase their square footage.

41 The next topic concerned maintenance and non conforming signs. Mr. Daley has made a
42 slight modification to explain this section more clearly. Mr. Baskerville referred to the
43 multiplying system Mr. Daley has added to the ordinance. He commented on the foot
44 note at the bottom of Section 5 and confirmed that if a business came out with less than

1 25 square feet of linear frontage, they would be allowed at least 50 square feet of signage.
2 Mr. Daley confirmed it to be so. Mr. Baskerville asked about somebody who might have
3 a business that has 26 square feet of linear frontage and asked if they would only get 26
4 feet of signage. Mr. Daley said he would amend it to read “businesses with under 50
5 square feet of linear frontage would be allowed up to 50 square feet of signage.”

6 Mr. Houghton referred to buildings that could have 3 frontages; he felt there hadn’t been
7 enough discussion around that. Mr. Daley said one idea might be to stipulate a maximum
8 square footage for each classification of sign. He isn’t sure yet what the percentage
9 breakdown would be at this point. The Board then discussed the suggested distance of
10 100 feet between signs on a lot with more than one frontage. Some members felt 200 feet
11 would be more appropriate for freestanding signs. Mr. Deschaine asked for a decision on
12 what determines a frontage. Mr. Federico suggested giving the business owner the
13 option of choosing what is primary frontage and which is secondary. Mr. Hyland said
14 that last time they discussed L.E.D. lighting. Mr. Daley said the Board had decided to
15 place that in the prohibitive signs section. Mr. Federico said if L.E.D. signs change only
16 once a day or several times a day, it isn’t distracting. Mr. Daley said if the Board allows
17 for those types of signs, it may be a prevalent theme seen in the Gateway District and in
18 the Town Center area and is that something the Board would like to see. The Board said
19 it wasn’t and Mr. Hyland said he was concerned that as time goes on, the signs could get
20 brighter and brighter. Mr. Baskerville wasn’t sure how the brightness could be policed.
21 Mr. Deschaine considered the appearance of lettering signs versus L.E.D. signs and felt
22 that due to costs, that L.E.D. signs probably wouldn’t become prevalent. Mr. Merrick
23 said L.E.D. signs require less maintenance and energy, but they are brighter and his
24 vision is a sign of a more defuse nature not bright points making up a letter. Mr.
25 Baskerville felt it was best to leave it out of the Ordinance for now.

26 Mr. Federico made a motion to continue this meeting on October 17, 2012. Motion was
27 seconded by Mr. Hyland. Motion carried unanimously.

28 ii. Zoning Ordinance, Section VIII. Residential Open Space Cluster Subdivision &
29 Subdivision Regulations.

30 iii. Zoning Ordinance, Section III. Establishments of Districts and Uses:

31 1. Town Center District – Potential Rezoning Of Parcels and Expansion of
32 District.

33 2. Professional / Residential District – Evaluation and Analysis of Uses Within
34 District.

35 iv. Steep Slope Protection Overlay District.

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37 **5. Miscellaneous.**

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39 a. Report of Officers/Committees.
40 b. Member Comments.
41 c. Other.

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43 There were no miscellaneous items to report.

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6. Adjournment.

Mr. Baskerville made a motion to adjourn the meeting at 8:40 PM. Motion seconded by Mr. Paine. Motion was carried unanimously.