

ZONING BOARD OF ADJUSTMENT  
TOWN OF PETERBOROUGH  
Monday, June 6, 2016 – 7:00 p.m.  
1 Grove Street, Peterborough, New Hampshire

Board Present: Jim Stewart, Sharon Monahan, Peter Leishman, Loretta Laurenitis, Peter LaRoche, Peggy Leedberg and Seth Chatfield

Staff Present: Laura Norton, Office of Community Development and Dario Carrara, Code Enforcement Officer

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Chair Stewart called the meeting to order at 7:00 p.m. “Good evening” he said “this is the June stated meeting of the Zoning Board of Adjustment.” He went on to introduce the members and staff and read the Rules of Procedure. He noted he would read the request and ask the applicant to present their case. He noted he would then open the hearing to the public, and if the Board felt they had sufficient information they would go into deliberation “and hopefully make a decision tonight.” Chair Stewart announced that Mr. LaRoche had recused himself and appointed Ms. Leedberg and Ms. Monahan to sit. Chair Stewart then informed the applicant that with one member recused and one absent they had the right to reschedule their hearing for another time and date certain. “We have a quorum” he said “but not full membership.”

Eldon Munson introduced himself as a member of the Board of trustees for Scott Farrar “as well as the Project Director.” He told the members they would like to proceed with the application and thanked the Board for the opportunity to present their case. Chair Stewart then read the request.

**Case No. 1224 Scott Farrar Home** is requesting a Special Exception to erect a twenty square foot sign, as regulated by Chapter 245, Article IV, Section 18 (D) (1) of the zoning ordinance. The property is located at 11 Elm Street, Parcel No. U023-040-100 in the General Residence District.

Mr. Munson began with “most of the information is in the application” adding “the sign was developed by a professional sign company.” He noted the sign was designed to enumerate the address (11 Elm Street) “so people can find us.” He told the members the sign was 20 square feet in size and that it would be perpendicularly placed right across the street from Winter Street. He noted the sign

was two-sided (to be seen up and down the road) and would be illuminated at night by small LED light (illuminating the face of the sign only). "Being able to see the sign from both directions is a way of finding us" he said adding "we do not think it is highly obtrusive."

Ms. Laurenitis noted concern about the sign's distance from the road and asked "is it fitting into the green space?" When Mr. Munson replied "yes." Ms. Monahan asked "won't it block the green space?" "That is an excellent question" replied Mr. Munson as he pointed out the area where the sign was designated to go. "There is a great deal of greenery being placed here" he said adding "we will have bushes on either side of the sign but not in front of it." Ms. Laurenitis asked "how high is it?" Mr. Munson replied "6 feet and one-half inches to the top of the curve of the sign." He looked to the members and said "a bit shorter than I am." "How does that compare to the previous sign?" asked Ms. Laurenitis. Mr. Munson explained the previous sign was carved wood, oval in shape and hung on the large oak tree in the front. "This is a rectangular shape with the number 11 in an oval. It is 75 inches plus the width of the granite post, 37.5 inches tall and 6 feet wide." He went on to say the sign would be located in the same general area as the present construction sign "but it is two-thirds the size of that sign. The present sign is much larger than this would be."

Chair Stewart asked Code Officer Dario Carrara "is this a semi-public building or not?" Mr. Carrara replied "I think it is." Chair Stewart replied "based on what?" Mr. Carrara reviewed the fairly institutional style of the building noting "it is not unlike other public buildings in town and should be treated as such" he said. He specifically cited Rivermead as being similar in zoning and fairly consistent with this building (churches, nursing homes and museums). Mr. Carrara also noted the zoning ordinances did not define what a semi-public building is "but the definition of semi-public use does include a private entity serving public needs."

Chair Stewart asked Mr. Munson about the public aspects of their facility. Mr. Munson noted the facility would have an auditorium for public events "about the size of this room" he said adding "as well as art and fitness rooms that will be open to the public." "What about the ground? Can neighbors still walk around?" asked Ms. Laurenitis. Mr. Munson replied "Yes, we invite that."

Mr. Leishman asked what size sign the application would be able to have without a Special Exception, Mr. Carrara replied "six square feet." Ms. Laurenitis cited Valley Automotive, the Bowling Acres, Laura Campbell Designs and the

Insurance Company building just down the road. It was also noted Elm Street is a mix of Commercial, Family, General Residence and Rural zoning Districts. Chair asked if the applicant needed to complete the special or general criteria for the Special Exception. Mr. Carrar noted just the general criteria of location, activity type and mix, visual consequences, access and process was necessary.

Mr. Munson noted that while the abutters got a written notification of the sign request he had talked to the abutter with the greatest impact. "Bob Sliwa lives right across the street he said" adding "he is the closest neighbor so I asked him how he felt. He asked about how it would be lit and when I explained he said fine, he had no problems with it."

Ms. Monahan suggested they review the criteria. The first of which was location. Mr. Leishman asked about the reasoning for the sign directing the public to the front door. Mr. Munson noted first time visitors and deliveries would access the front door.

Ms. Monahan noted location and visual consequences were issues for her. A brief discussion about the Planning Board's site plan review, screening and landscaping followed. "Was the greenspace a condition of the site plan review?" she asked Mr. Munson. He replied "yes ma'am." Ms. Leedberg agreed noting the shrubs and the sign may be in conflict. Mr. Munson briefly reviewed the screening and landscaping requirements for the entire facility. Reed Hayes of Archetype Signworks introduced himself and told the members the sign was designed to be read 75 feet out in both directions at a speed of 30 miles an hour. "The letter sizes were taken into consideration for space and speed" he said.

Mr. Leishman asked about the original plans for the facility. Mr. Munson noted the plans at the time had copied the old sign plan "but that is not what we wanted" he said adding "at the time we had not developed a scheme for their sign. This new logo fits the new scheme." Ms. Monahan asked "are you keeping the oak tree?" Mr. Munson replied "yes ma'am, the maple tree as well."

Chair Stewart opened the hearing to the public. Matt Waitkins introduced himself as an abutter. "I don't have too much of a problem with it" he said adding "the building is many times bigger than allowed and now a bigger sign is being allowed by Special Exception." Mr. Waitkins went on to note that only the future would tell what the screening would look like. "There is no screening there now so it remains to be seen how *that* will end up. I don't want them continually coming back for changes." Mr. Waitkins went on to note "as far as protecting the oak tree there

should have been a no-fly zone to the fall line of that canopy. Maybe they did that, I don't know I don't go on the property." He concluded by reiterating "I don't have a big problem with the sign I just don't want them doing the eating away and eating away kind of thing."

With nothing further a motion was made/seconded (Stewart/Leishman) to close the public hearing and go into deliberation with all in favor. Chair Stewart read the deliberation statement.

***Deliberation:***

Chair Stewart began by noting "the five guidelines of the criteria have been covered or do not apply." He went on to say the Code Officer had been informed of the location of the sign and expressed no concerns. "I don't see an issue with it for several reasons" he said adding "20 square feet is not that big." He noted the neighbor directly across the street was the most impacted and that he had been contacted and had no concerns. "It fits with the character of the neighborhood, they have consulted with the closest abutter and they've met the criteria in general. I don't see an issue and would vote for it."

Mr. Leishman noted his concerns about the hill visibility distraction. "I have never been a fan of a signs in a residential area" he said adding "but Elm Street is a busy cross street." He concluded "it is a little too big for my taste, I vote against it."

Ms. Laurenitis noted she would vote for approval of the sign. "My real question is whether or not the Scott Farrar is a semi-public building." She briefly reviewed what Mr. Munson had told them about the public access to the building (auditorium, open grounds and walking trails and the presence of similar public buildings in the area).

Ms. Monahan noted "I am not sure about the location. I am not sure it is the best location for a sign." She went on to say "I have nothing against the size of the sign, I am concerned with the conflict with the visual consequences." Ms. Monahan noted the Planning Board's requirements for green space and screening and said "approving this may defeat that purpose." Ms. Monahan noted the entrance is where people get picked up and dropped off. "Shouldn't (the purpose of the sign) be directing people to the parking lot?" she asked. Ms. Monahan concluded that while the size was fine and she liked the perpendicular aspect of the sign, "I feel I would have to go against it."

A brief discussion about the five general criteria for a Special Exception (*location, activity type and mix, visual consequences, access and process*) followed. Chair Stewart suggested the moving of the sign would have more visual consequences to more people, Mr. Leishman maintained the location of the sign should not be at the crest of the hill. Ms. Monahan maintained her concern for the location and the visual consequences.

Chair Stewart asked for clarification of how the front entrance would be used. Mr. Munson replied general visitors to the building. "Our information desk is just inside the front door, along with a small café. This is where we will greet our first time visitors as well. This is the front door to our home," he said.

Chair Stewart confirmed with Ms. Monahan "so the conflict you have is with the landscaping and the sign?" "Yes" replied Ms. Monahan. "You have no problem with the size of the sign?" "No" replied Ms. Monahan. All members agreed the permitted size of a sign in the General Residence District (6 square feet) would be too small so Chair Stewart suggested a site visit. He turned to Ms. Monahan and asked "would you feel better if we have a site visit?" adding "I think it would be a great idea." Ms. Monahan replied "sure, but we have not even heard from Peggy yet."

Ms. Leedberg told the members she felt a site visit would be beneficial. She noted a distraction she had identified when traveling Elm Street from Union Street. "I think a site visit will help me clarify where that is and if it is not in the sign location I have no problem" she said.

A motion was made/seconded (Stewart/Leishman) to cease deliberation and discuss a time and date certain for a site visit to the Scott Farrar building with all in favor.

### **Minutes:**

A motion was made/seconded (Stewart/Laurenitis) to approve the Minutes of March 7, 2016 as written with all in favor.

A motion was made/seconded (Monahan/Laurenitis) to approve the Minutes of May 2, 2016 with the addition of the purpose of the meeting (a training session) to be added with all in favor.

### **Election of Officers:**

A motion was made/seconded (Leishman/Monahan) to re-elect Mr. Stewart as Chairman of the Board with all in favor.

A motion was made/seconded (Stewart/Leishman) to elect Ms. Laurenitis Vice Chair of the Board with all in favor.

**Site Visit:**

After a brief discussion a motion was made/seconded (Stewart/Leishman) to meet at the Scott Farrar facility on Wednesday, June 8, 2016 at 4:00 p.m. for a site visit with all in favor.

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Laura Norton  
Administrative Assistant