

WEARE PLANNING BOARD
Draft Minutes of the Meeting
Of December 17, 2015

Present: Craig Francisco (Chairman), Frank Bolton (Vice Chair), Bruce Fillmore (Member), Frederick W. Hippler (Exofficio), John Vanloendersloot (alternate), Chip Meany (Land Use Coordinator), Tina Ripley (Minute Taker)

Guests: Marc Pinard

I. Call to order.

The meeting was called to order at 7:00 p.m. by Craig.

II. Other Business

Craig made John a voting member. Craig said William Boisvert would like to continue his

Craig motioned continue William Boisvert to January 7, 2016. Frank moved it. John seconded. Motion passed. 5-0-0

III. Public Hearing

Craig opened the public hearing or Worthley LLC. Craig said the Planning Board is being asked to give recommendations to the Selectmen. Craig read parts of Bruce's notes as follows: "Worthley LLC was issued a variance on October 6, 2015 from Zoning Board of Adjustment to utilize a portion of Class VI roadway for private drive, and further authorizing the lot owner to improve that section to the Town of Weare's driveway standards. Subject to the following requirement: 1) That a sign be posted at the beginning of the Class VI section of the road, stating that it is in fact a Class VI roadway, 2) That a deed be recorded at the HCRD that this section of Worthley Road is not town maintained, 3) That the upgraded section of Worthley Road be upgraded to the Town of Weare's driveway standard". Craig also read "While the contents of item 1 & 3 are fairly evident, the content of #2 is a bit vague. I would propose that the language requirements by the ZBA be placed in the deed transferred to subsequent owners of the lot.

Craig said while the variance does say deed, he thinks it should be a document. Chip said it has to be a recorded deed. Craig said a deed would transfer property and said you can record a document that is not a deed. Chip said whatever it is; it has to reflect the status of the road and required maintenance.

Mark Pinard said what they typically do is record a covenant. Craig said he believes from town attorney they need the limitation of liability. Mr. Pinard said he can put in any language from variance and anything the Planning Board requires and Bill Dresher's needs.

Craig said from the site walk, he didn't see any wetlands concerns, no grade concerns, no drainage concerns, and no construction issues with the driveway. John said he concern was the old growth trees in the roadway. Craig said they are going to have to meet the driveway standards, which are 14' wide and 18' clearance. John asked if the Board of Firewards has made a comment. Chip said he thinks it is 18' 2" and 2'

Bruce asked about RSA 674:41 C1. Bruce said he didn't think it could be on a case by case basis, and that it had to be on a section of the road or the whole road. Chip said it is by case by case basis. Craig said they would have to get approval to remove a part of the stonewall, which is about 30'

Craig said he has seven items 1) removal of stonewall 30' wide, 2) construction per the plans dated 12/10/15, 3) attorney review, 4) approval from Board of Selection for cutting of trees, 5) Board of Fireward review 6) DPW review and limiting it to 420' 7) no runoff of water to abutters property.

Bruce made a motion that Worthley LLC be authorized, use, upgrade, construct & maintain as access to a driveway up to 450' commencing from the end of the Class VI Road known as Worthley Road to just past the property line, above the ZBA comments: 1) Selectmen give approval for removal of stonewall 30' wide, 2) construction per the plans dated 12/10/15, 3) attorney review, 4) approval from Board of Selection for cutting of sizeable trees, 5) Board of Fireward review, 6) DPW review, 7) no runoff of water be directed off Class VI Road to abutters property. John seconded for comment. John seconded. Motion passed. 5-0-0

IV. Zoning Ordinance Changes

Craig opened the public hearing for zoning changes.

Article 34.10.2.2 Craig said the sub-committee went from 12' to 20' for sign surface and 6' to 10' for sign height. John said since we dropped the height in Residential and Rural/Agricultural District, why don't we drop it down in Village to 6 or 8' Craig said his thought, is while the Village District is still rural, it is also a significant portion of the Commercial District of the Town. John said he knows the issue with 6' was the snow build up last year. The Board agreed to "One (1) sign to contain no more than two surfaces, and each surface to contain no more than twenty (20) square feet, shall be allowed on a lot containing one business. If free-standing, the height of such sign shall not exceed six (6) feet from the center line elevation of the road. If attached to a building, the tops of the sign shall be no more than 75% of the height of the building."

Article 34.10.2.3 The Board discussed the height of the sign. The Board agreed to "If there are two or more businesses on a lot, one (1) free-standing sign to contain no more than two surfaces and each surface to contain no more than twenty (20) square feet, plus an additional 8 square feet per business, indentifying the lot/plaza and each business, shall be allowed on the lot. Such sign shall not exceed eight (8) feet from the center line elevation of the road width and not to exceed 48 square feet. In addition, each business

may erect one (1) sign to contain no more than two surfaces, each surface to contain no more than twelve (12) square feet, to be attached to its building on the lot either parallel or perpendicular to a vertical wall of the building or to be placed on the roof of a farmer's porch. No part of any sign attached to a wall shall be higher than 75% of the height of the building.

Article 34.10.3.2 – The Board talked about the hours to leave the sign lights on for a business. The Board decided right now to leave the Article the way it is. The Board decided to remove free-standing. The Board agreed to –One (1) primary sign, to contain no more than two (2) surfaces, and each surface to contain no more than thirty-two (32) square feet, shall be allowed on a lot containing one business. Notwithstanding the provisions of Article 34.9.5 and 34.9.6, in addition, there may be a sixteen (16) square foot changeable letter sign mounted under the primary sign for a total of forty-eight (48) square feet. No part of any sign attached to a wall shall be higher than 75% of the height of the building.

Article 34.10.3.4 – The Board talked about the difference between portable and moveable letter signs. The Board also talked about message board and changeable letter signs. The Board agreed to –If there are two or more businesses on the lot, one (1) free-standing sign to contain no more than two surfaces and each surface to contain no more than thirty-two (32) square feet, plus an additional 16 square feet per business, identifying the lot/plaza and each business, shall be allowed on the lot. The maximum size is ninety-six (96) square feet. Notwithstanding the provisions of Article 34.9.5 and 34.9.6, in addition, there may be a sixteen (16) square foot changeable letter sign mounted under the primary sign per lot. In addition each business shall be allowed a sign not to exceed sixteen (16) square feet, each such additional sign to be attached to its building on the lot either parallel or perpendicular to a vertical wall of the building or to be placed on the roof of a farmer's porch. No part of any sign attached to a wall shall be higher than 75% of the height of the building. The height of any free-standing sign shall not exceed twelve (12) feet from the center line elevation of the road.

Article 34.10.4.2 – John brought up Neal's first question about the moveable letter sign and the Board discussed it. Craig said we are taking out the ground level part of the Article. John said we to remove independent here as well. Craig brought up Neal's comment regarding the free-standing sign height. The Board agreed to –A maximum number of two (2) signs, the total combined surface area of which shall not exceed one hundred (100) square feet, shall be allowed on any one lot containing one business. Notwithstanding the provisions of Article 34.9.5 and 34.9.6, in addition, there may be a sixteen (16) square foot changeable letter sign mounted under the primary sign for a total of one hundred sixteen (116) square feet. If there are two or more businesses on the lot, then in addition each business shall be allowed a sign not to exceed twenty (20) square feet, each such additional sign to be attached to a building on the lot either parallel or perpendicular to a vertical wall of the building. No part of any sign attached to a wall shall be higher than 75% of the height of the building. The height of a free-standing sign shall not exceed twelve (12) feet to the center line elevation of the road.

Article 34.10.4.4 6 Will be for multiple business on one lot. John asked if there will ever be an instant where there is something similar to Article 34.10.3.4 in Industrial Zone for multiple lot and asked if they should have provisions for it. John asked about copying Article 34.10.3.4. The Board agreed to 6 If there are two or more businesses on the lot, one (1) free-standing sign to contain no more than two surfaces and each surface to contain no more than thirty-two (32) square feet, plus an additional 16 square feet per business, identifying the lot/plaza and each business, shall be allowed on the lot. The maximum size is ninety-six (96) square feet. Notwithstanding the provisions of Article 34.9.5 and 34.9.6, in addition, there may be a sixteen (16) square foot changeable letter sign mounted under the primary sign per lot. In addition each business shall be allowed a sign not to exceed sixteen (16) square feet, each such additional sign to be attached to its building on the lot either parallel or perpendicular to a vertical wall of the building or to be placed on the roof of a farmer's porch. No part of any sign attached to a wall shall be higher than 75% of the height of the building. The height of any free-standing sign shall not exceed twelve (12) feet from the center line elevation of the road.6

John said that Neal added Article 34.12 Severability: 6If any provision of this Article 34 is determined to be unconstitutional, the other provisions shall continue in effect. Craig said that Neal added definitions for bed and breakfast and modified hotel definition. John said Neal modified the special exception Article 19.1.

V. Minutes

Bruce made a motion to approve the minutes as amended to include the date for 12/12/15 site walk for Maplewold Drive. John seconded. Motion passed. 3-0-2

Bruce made a motion to approve the minutes as amended to change spelling of 6Worthly6 to 6Worthley6, remove Rickly Hippler and add Marc Pinard 6was representative6 for the landowner, for 12/12/15 site walk for Worthly Road. John seconded. Motion passed. 3-0-2.

Frederick motioned to approve the 12/10/15 minutes as amended. John seconded. Motion passed. 4-0-1

John motioned to accept 11/19/15 as amended. Frank seconded. Motion passed 3-0-2

VI. Adjournment.

John motion to adjourn at 9:42 pm. Frederick second. Motion passed.

Respectfully submitted,

Tina Ripley

Minute Taker