

Town of Newington, NH  
ZONING BOARD OF ADJUSTMENT

Meeting Minutes – September 30, 2013

- Call to Order:** Chair Matt Morton called the September 30, 2013 meeting at 6:30 PM.
- Present:** Matt Morton, Chair; Ted Connors; Ralph Estes; Planning Board Rep, Justin Richardson; Town Planner, Tom Morgan; and Jane Kendall, Recorder
- Absent:** John Frink and Alternate, Justin Flynn
- Public Guests:** Mr. Donny Wirth, Zoning Specialist with Site Services Enhancement; Don Sezatela, District Manager for Party City; Steve Shaver and Andy Shakley with Sig Sauer; Maria Stowell, Engineering, Pease Development Authority
- Minutes:** *Ted Connors moved to accept the Minutes of the September 16, 2013 meeting with corrections. Ralph Estes seconded the motion, and all members voted in favor.*

Chairman Matt Morton announced that as chair, he usually didn't vote, but he would for this meeting because they were short of the usual five Board members.

**Public Hearings:**

A) Request by Urstadt Biddle Properties, Inc., Allen Industries, Inc. and Party City for a variance from Article XI Section 3 of the Zoning Ordinance to allow a 308 square foot wall sign where the ordinance permits a sign no larger than 113 square feet. The building is located at 2060 Woodbury Avenue Tax Map 27, Lot 18.

Mr. Donny Wirth, Zoning Specialist with Site Services Enhancement came before the Board with a request to remove iParty's sign, and replace it with a larger sign for new owner, Party City so it would be more visible to oncoming traffic. Town Planner, Tom Morgan asked what the relationship between iParty and Party City was, and Don Sezatela, District Manager for Party City said they were two different companies, but Party City has since bought iParty out.

Mr. Wirth said a line of trees on site blocked the current 88 square foot sign. Chairman Morton asked if they had asked the property owner if they could trim the trees, and Mr. Wirth said the owner did not want to alter the shape of the trees.

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Chairman Morton said the trees would grow more in a couple of years and the sign would be completely obscured in a couple of years. Planning Board representative, Justin Richardson asked why they didn't move the sign further to the left to move it away from where the trees blocked the view, and Mr. Wirth said that would cause the sign to be off center.

Mr. Wirth said iParty's sign was mounted against a purple background, but Party City's signage would consist of individual letters against the cement stucco background. Mr. Morgan said the size guidelines were adopted by drawing around the perimeters of the words, and the proposed sign would be 308 square feet.

Mr. Wirth submitted and read through their reasons the increased size would meet the Five Criteria for granting the variance.

Mr. Richardson asked if the property was leased from the same group that ran the Crossings at Fox Run, and Mr. Morgan said Hubbard Real Estate owned this parcel. Ted Connors said the Crossings at Fox Run, this parcel, and the Fox Run Mall were run by three different owners. Mr. Richardson said one of the considerations in looking at special conditions would be to look at surrounding properties, saying they had to be careful with approving signs based on "bigger being better" because all merchants would use that argument. Mr. Wirth responded by referring to the Macy's sign that was larger and did not have trees blocking its view. Mr. Morgan said the ordinance says the size of the sign is relative to the size of the store.

Mr. Connors said Party City was also set back further than some of the other businesses so that also created a unique situation. He said the store brings revenue to the Town, the sign would not create a safety issue, it would barely be visible, and it was not offensive.

Ralph Estes asked what size lettering the other Party City stores used, and Mr. Wirth said it varied between 60", 66" and 72". They were proposing 72" letters for this sign for improved visibility because their store managers received calls on a weekly basis saying they couldn't find the store. Mr. Morgan said the Town of Newington also receives calls from people who were lost as well, but larger lettering would not change that. Mr. Richardson said they could grant the variance, but there was no guarantee that the trees wouldn't be cut down any time soon. Mr. Wirth agreed, and said they could consider the 60" letters, but said the trees were still an issue at this time. Morgan said he had dealt with the landlord over the years and found them to be reasonable. He also said they would need to determine the overall square footage and keep to that. Chairman Morton asked when they anticipated completion, and Mr. Wirth said they planned on having it done by November.

***Justin Richardson moved to grant the request by Urstadt Biddle Properties, Inc., Allen Industries, Inc., and Party City for a variance from the Zoning Ordinance to allow a wall sign not to exceed 210 square feet and letters not to exceed 60" as presented at 2060 Woodbury Avenue, Tax Map 27, Lot 18, and for the revised drawing to be submitted to the Town Planner. Ted Connors seconded, and all were in favor.***

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B) Request by Sig Sauer to erect five signs totaling 234 square feet in an area where Part 306.01(d) of the PDA Zoning Ordinance allows a maximum aggregate sign area of 200 square feet. The property is located at 72 Pease Boulevard.

Mr. Richardson said he worked for a law firm that represented a former Sig Sauer employee, and although he didn't believe it would have an affect on his hearing their proposal, he said he would recuse himself if they wanted him to. Steve Shaver of Sig Sauer said it would not be necessary.

Mr. Shaver said Arboretum Drive would be one of the main entrances for southbound traffic from Route 16 once the Spaulding Turnpike Expansion project was complete, and they wanted to put a sign at the rear of their building for truck deliveries. Mr. Connors asked when they anticipated the road to be complete and Andy Shakley of Sig Sauer said by 2015. Mr. Richardson said they would like to see a traffic study letter from the American Association of Traffic Safety to be sure the sign doesn't obstruct the line of site from the curb cut. Mr. Shakley said the sign would be 25' back from the edge of the travel way. Maria Stowell from the PDA said the right of way is 80' from the centerline. Mr. Richardson said the sign placement should be listed as a condition.

Chairman Morton asked if the sign would be smaller than the sign in the front, and Mr. Shaver said it would be 100 square feet.

***Ralph Estes moved to grant the request by Sig Sauer to erect five signs totaling 234 square feet with the condition that the sign be minimally set back 25' from edge of traveled way off Arboretum Way at the rear of their 72 Pease Boulevard location. Ted Connors seconded, and all were in favor.***

**Adjournment:**            *The meeting adjourned at 7:50 p.m.*

**Respectfully**

**Submitted by:**        Jane K. Kendall, Recording Secretary