

Meeting called to order at 7:00 p.m. by Chairman Morton.

Present: Chair, Matt Morton, Richard Ford, Jill Newick, Ralph Estes, Russell Cooke, Edna Mosher, John Frink, Town Planner, Tom Morgan and Building Inspector, Charlie Smart..

Correspondence: There was no new correspondence.

Minutes: Motion made by Russ Cooke and seconded by Jill Newick that the minutes of December 15, 2003 be approved. Motion carried.

Public Hearings:

- A.) Request by Hyder Management and Poyant Signs to erect a freestanding sign 2 feet from the Woodbury Avenue right-of-way where Articles VI & XI of the Zoning Ordinance require a 75-foot setback. Subject property is the Star Center, 2184 Woodbury Avenue. Richard Westerbend, Regional Vice President of Poyant Signs presented the request for Town Fire Tire to erect a sign. Stated they had a permit to erect a sign at the requested site and had begun excavation when they were stopped and advised of the 75-foot setback requirement. Stated they had submitted a site plan to the Building Inspector that showed the location of sign and there was no discussion that this was a problem. They obtained their permit and their fees and proceeded to erect the sign. There was nothing in the sign code that indicated setback requirement or they would have come before the Board immediately. Since this happened the other tenants in the building have expressed their desire to be identified on a sign so the sign has been revised to allow for tenant panels. They still would like to have the sign in the same location as the 75-foot setback puts sign back too far. Applicant states that sign have won National recognition. Pole would be 8 ½ feet back from right-of-way. Representative of Pella was present to provide proposal for a freestanding sign to be erected nearer the Mall. Owner had given verbal agreement to this sign five years ago however nothing had been done. Ordinance allows only one freestanding sign. Town Fair representative stated that Mr. Hyder had approved the erection of their sign. Variance is needed for the setback requirement, not for the sign itself. Chair asked if Pella was agreeable to the new sign. Representative said she was interested in a sign in the location they preferred. It was her understanding that if a sign was to be erected all tenants would have say in the location of the sign and they were never told. Town Fair Tire representative stated that Mr. Hyder asked them to include the other tenants on the Town Fair Tire Sign. This was not acceptable to the Pella folks. Felt location would not be effective. There was discussion between Board and applicants regarding a compromised location for the sign that would be agreeable to all tenants. Parties agreed on a location that did not require

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action by the Board. Request was withdrawn. Chair advised applicant that if they ran into a problem with footage they could come back with a new request.

B) Request by Wilbur Goins for a variance from Article V of the Zoning Ordinance in order to put a dwelling over his detached barn at 77 Old Post Road. Request calls for a one bedroom, bathroom, and kitchen/living room combination to allow for a relative to live there. Building Inspector stated that Ordinance requires that building be attached to main house. Would require a connecting breezeway. An uncovered walkway would not be considered a connection. There was discussion regarding hardship provision, whether the fact applicant is not renting to relative. Smart also reminded Board that whether there is a connection to the two buildings or not, they would need to look at whether septic system could take care of the new addition. Chair stated in view of building inspector's comment, the Board would have to determine whether a variance could be given due to the hardship provision. Morton asked if applicant had asked his neighbors. He had and no one was opposed. Cooke and Frink recused themselves from voting. Newick moved that variance be approved, Mosher seconded. Chair went through the five criteria and Board felt it met all criteria. Motion carried.

There being no other business, Frink moved and Mosher seconded that the meeting be adjourned. Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Sandra W. Sweeney
Secretary