

Call to Order: Chairman Morton called the meeting to order at 7:00 P.M.

Present: Chair Matt Morton, Ralph Estes, Vincent Frank, Richard Ford, Edna Mosher, Jill Newick and Tom Morgan, Town Planner.

Minutes: Estes moved to accept minutes of May 15, 2006; Frank seconded. Motion carried.

Correspondence: Morgan advised the Board that he had received a fax from Mr. Mathes stating that he was in support of Roemer's request for signage.

Public Hearings:

A) A request by Ingo Roemer and Jeff Roemer for property owned by Michael Mathes at the corner of Fox Point Road and Nimble Hill Road. Tax Map 17, Lot 11:

- a) A variance from Article XI, Section 3 to permit a four square foot sign in a district where the maximum permitted size is two square feet;
- b) A variance from Article XI, Section 5 to allow a sign 12 feet from the property line where a 40-foot setback is required.
- c) A variance from Article XI, Section 6 to allow an off-premise sign.

B) A request by Ingo Roemer and Jeff Roemer for property owned by Laura Coleman at the corner of Fox Point Road and Beane Lane, Tax Map 11, Lot 20:

Mr. Roemer of Blue Latitudes Dockside would like to put up a new sign the same size as the sign that was previously there for Currents, essentially attaching to the Great Bay Marine sign. Chair asked what the color of the sign would be. Applicant stated the background would be white with black and blue lettering. Estes asked if the Board had granted a variance to Currents. The Chair stated the Board had granted the same request ten years ago. Ford asked about the size of the sign. Applicant stated it would be the exact same size as the sign that was there before. There was discussion regarding request for off-premise sign. Again, it would be attached to the Great Bay Marine sign. Example of signage attached to agenda. There was discussion concerning hours of operation, etc. Applicant stated they would be open for Breakfast at 7:30 a.m., and open Saturday and Sunday at 7:30 a.m. They will be open for lunch and will have beer and wine. They will be closed Mondays. Ford stated he had no objection to request. Chair asked if there was

further discussion or questions. Vincent questioned whether each variance was being acted on separately. Board agreed to address the requests as a group. Ford made a motion to grant variances as advertised. Mosher seconded. Five criteria were covered, motion carried.

C) A request by E. F. Mooney & Associates and Bay Auto Body to allow automobile sales at 436 Shattuck Way where Article V, Section 6 of the Zoning Ordinance does not permit such sales. The property is identified on the assessor's map as Map 7, Lot 12.

Mr. Mooney, representing Bay Auto stated there would be no change to operation. Rather than have to send applications to State to process titles on cars, which take a long time, he would like to have the ability to process titles on site. He will not be a used car dealer. There will be no advertising. Ford question why it was before the Zoning Board. Chair stated the business is in a location that is zoned waterfront, but there is no water there. Ford commented that there were a lot of cars there, were they there to have body work done to them? Applicant stated that he leased 8500 square feet of the building. There were other operations in the building and there were other cars parked there because of these businesses. Applicant has permit for body work, state inspections and mechanic work. The reason this has been brought before the Zoning Board, it went before the Selectmen and one of the selectmen thought there was a problem with the request and it dragged on for some time. It went to the Town Attorney and he ruled there was no problem. Chair went to the Selectmen because it came to his attention from one of the Selectmen and he suggested they send it to the Zoning Board because they have the power to grant variances and it would clear up the whole situation. It really shouldn't be before us, but it has been going on for a long time. Mosher that she did not want to see cars located up front. There was more discussion and suggestion was made that motion should indicate that approval have Mr. Mooney's name and no one else. If he moves this approval can not be transferred to someone else. Mosher just wants to be sure when a motion is made that there is a stipulation that there be no cars out front, no balloons or advertising. Mosher made a motion to grant request by E. F. Mooney & Associates and Great Bay Auto Body to allow them to have a dealer license contingent on no visible displays of cars for sales or signage and that it is not transferable. Frank seconded the motion. Five criteria was covered. All were in favor except Ford who felt this was dumped on the Zoning Board and that it was not a reflection on the owner. Motion carried.

Newick moved to adjourn, Ford seconded, motion carried. Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Sandra Sweeney, Secretary