

Town of Newington, NH
ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Monday, May 7, 2018

- Call to Order:** Chair Matt Morton called the May 7, 2018 meeting at 6:30 p.m.
- Present:** Chair Matt Morton; Ralph Estes; John Frink; Catherine Latchaw; Edna Mosher; Town Planner, Gerald Coogan and Jane Kendall, Recorder
- Absent:** Brandon Arsenault and Meredith Hoyt
- Public Guests:** Bill Gregsak with Gregsak Engineering; John Bernier with Bernier Construction

New Business:

Chair Morton announced that Jim Weiner had recently resigned from the Board and that the Board needed to elect a Co-Chair or Vice-Chair to run meetings on the occasion that he could not attend.

Edna Mosher nominated Ralph Estes as Vice-Chair. John Frink seconded the motion and all were in favor.

Town Planner, Gerald Coogan informed the Board that the new 2018 Zoning Ordinance manual was available for Board members.

Public Hearing: Request by 25 Piscataqua Drive, LLC regarding their property at 25 Piscataqua Drive, Tax Map 22, Lot 27 for the following variances:

- 1) ...from Article X, Section 6 to allow one freestanding sign to be located within the 75-foot setback.
- 2) ...from Article X, Section 4 to allow two free standing signs on one lot
- 3) ...from Article X, Section 6, to allow the second freestanding sign to be located within the 75-foot setback.

Bill Gregsak with Gregsak Engineering and John Bernier with Bernier Construction appeared before the Board on behalf of Wilcox Industries. Mr. Gregsak handed out a packet

Town of Newington, NH

ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Monday, May 7, 2018

to the Board and explained the proposed location of the signs that would serve to identify their new entrances.

Mr. Gregsak explained that the second informational sign would be by the new Wilcox Way entrance that CEO, Jim Teetzle donated to the Town.

Board member, Edna Mosher asked if the sign was digital and Mr. Bernier said that it was. Board member, John Frink stated that the Town didn't want any distracting signs and that the print needed to be stationary long enough to read. Mr. Coogan read from Ordinance that said it couldn't be a moving sign, but it could change after a period.

Board member, Ralph Estes asked if the sign would change frequently and Mr. Bernier replied that notices would stay for a period.

Mr. Frink asked if they were looking for help and if the sign would change as employment needs changed. Mr. Gregsak replied that they were and that it would.

Ms. Mosher asked if there would be any other lighting on the sign and Mr. Gregsak replied that he didn't think there would be. Mr. Bernier suggested that be a condition of approval.

Mr. Estes asked if Wilcox Way would eventually be the main entrance. Mr. Bernier replied that deliveries would eventually be directed to the back. He added that Eversource donated the land to the Town and Wilcox Industries donated the engineering and construction to extend Shattuck Way to Wilcox Way and connect to the Newington Waste Water Treatment Plant. He added that it would be up to the Town to complete the final connection to Gosling Road.

Chair Morton asked if there would be a directional sign to the new entrance. Mr. Bernier said most people entering were making deliveries and they were required to identify themselves and receive instructions at the guard shack.

Mr. Frink commented that the current access was on Piscataqua Drive and he thought they might need to direct change of deliveries to the rear, but it wasn't the Board's purview to design. Mr. Coogan noted that a 4x4 foot directional sign was allowed by right.

Mr. Estes asked if an additional sign would be necessary on Gosling Road eventually. Mr. Gregsak replied that it would not because most people required appointments and didn't just show up.

Mr. Frink asked if the sign on Wilcox Way would be behind the fence and Mr. Gregsak replied that it would not because the secure fence was high, and the sign would need to be higher.

Chair Morton asked about the height and Mr. Gregsak replied that it would be around 16.5 feet.

Mr. Estes stated that he had done a site walk and agreed that the suggested location of the sign appeared to be the only place that it could go.

Mr. Estes asked if any issues had been raised by abutters and Mr. Coogan replied that they had not. Mr. Bernier added that abutter, Anthony DiLorenzo had been very cooperative during construction.

Town of Newington, NH
ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Monday, May 7, 2018

Mr. Gregsak read through his submittal for meeting the criteria for the variance request from Article X, Section 6 to allow one freestanding sign to be located within the 75-foot setback along Piscataqua Drive, stating that the value of surrounding properties would not be diminished, and it would not be contrary to the spirit of the Ordinance because the use of the property would remain the same and that all the abutters were businesses that had or would have signs.

Mr. Gregsak went on to say that granting the variance would benefit the public interest and substantial justice would be served by making signs informing the public of employment opportunities with Wilcox Industries visible.

Mr. Gregsak stated that the proposed use would not be contrary to the spirit of the Ordinance because the overall use Mr. Gregsak stated that denial of the variance would result in the loss of a sign because of the gas, sewer and water lines.

Chair Morton stated that the State Legislature required that the Board make a motion for each variance request, but that the same criteria would be applicable for each request on the same proposal. Mr. Frink suggested going through the criteria for each variance.

Mr. Frink stated that the applicant was needed to show that they had a unique situation, which they did with the presence of the utilities and the mandatory security fence that necessitated the setbacks.

Ralph Estes moved to grant the request by 25 Piscataqua Drive, LLC for a variance from Article X, Section 6 to allow one freestanding sign to be located within the 75-foot setback regarding their property at 25 Piscataqua Drive, Tax Map 22, Lot 27 with the condition that there would be no external illumination on the signage. John Frink seconded the motion.

Mr. Frink reviewed the five criteria for granting the variance, stating that it would not be contrary to the public interest and the spirit of the Ordinance would be observed as the signs would be informative and not distracting.

Mr. Frink went on to say that substantial justice would be done for the 200 employees and visiting vendors

Mr. Frink stated that the surrounding property would not be diminished and denying the request would cause an unnecessary hardship from the utilities that would prevent placing the sign within the setback requirement.

All were in favor and the motion passed 4-0 with Chair Morton abstaining.

Mr. Frink asked if there should be an additional request for a variance from the sign dimension allowance. Mr. Coogan replied that the second variance request was to allow a second sign and was not a request for additional sign dimensions.

Ralph Estes moved to grant a request by 25 Piscataqua Drive, LLC for a variance from Article X, Section 4 to allow two free standing signs on one lot at their property at 25

Town of Newington, NH
ZONING BOARD OF ADJUSTMENT

Meeting Minutes, Monday, May 7, 2018

Piscataqua Drive, Tax Map 22, Lot 27 with the condition that there would be no external illumination on the sign. John Frink seconded the motion.

Ms. Mosher reviewed the five criteria for granting the variance, stating that it would not be contrary to the public interest and the spirit of the Ordinance would be observed because the notification sign would help with hiring.

Ms. Mosher stated that surrounding properties would not be diminished as previously stated and substantial justice would be served because Wilcox Industries was a good business.

Ms. Mosher stated that denying the request would cause a hardship in identifying the second entrance.

All were in favor and the motion passed 4-0 with Chair Morton abstaining.

Ralph Estes moved to grant the request by 25 Piscataqua Drive, LLC for a variance from Article X, Section 6, to allow the second freestanding sign on Wilcox Way to be located within the 75-foot setback at their property located at 25 Piscataqua Drive, Tax Map 22, Lot 27. John Frink seconded the motion.

John Frink reviewed the five criteria for granting the variance, stating that it would not be contrary to the public interest, would be in the spirit of the Ordinance, substantial justice would be served, and denying would cause hardship because the sign would be obscured behind the security fence and the sign was vital to the operation of the business.

All were in favor and the motion passed 4-0 with Chair Morton abstaining.

Minutes:

Edna Mosher moved to approve the Minutes for the April 16, 2018 meeting. John Frink seconded, and all were in favor.

Adjournment: *Ralph Estes moved to adjourn. John Frink seconded the motion and the meeting adjourned at 7:15 p.m.*

Next Meeting: TBA

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

These Minutes were approved and adopted at the October 1, 2018 Zoning Board of Adjustment Meeting.