

Zoning Board of Adjustment
Wednesday, July 17, 2019
Walpole Town Hall
7 pm

Present: Chair Jan Galloway Leclerc, Vice-Chair Myra Mansouri, Clerk Judy Trow, Pauline Barnes.
Alternates: Bob Anderson. **Absent:** Don Sellarole. Board member Tom Murray came in a few minutes late.

Roll Call: Ms. Leclerc called the meeting to order at 7 pm. She asked alternate Mr. Anderson to fill in for the missing Board member. Mr. Murray came in a few minutes late. Mr. Anderson stepped down.

Recording: Marilou Blaine. These minutes are unapproved and will be reviewed at the August 2019 meeting for corrections, additions and/or omissions.

Minutes: Ms. Barnes made one correction on page 1. The first paragraph under New Business had a floating "M" at the end of the sentence. There should be an "r" after the "M" to make the word "Mr." Ms. Trow made a motion to approve the amended minutes. Mr. Murray seconded the motion and it passed.

Old Business: Dollar General: Map 12, Lot 13, Red Barn Lane and Main Street. Signage.

Action Signs in Rensselaer, NY is making two signs for a business – Dollar General - on property that is on the corner of Red Barn Lane and Main Street. There will be one sign attached to the building and another free-standing sign on a 19-foot pole and 60 feet from the edge of road. Signs are 100 feet from one another.

At the June meeting it was decided that one sign is 32.17 square feet and that exceeds the 32 square-foot limit for signs in a commercial district so the sign company would need to come in for a variance. The Board felt if a person gets a permit for a sign that is .17 square feet above the permitted limit without applying for a variance then it would create a precedent for someone to ask for one .25 square feet above the limit and that could snowball into more square feet. So it was decided that Dollar General would need a variance for one of the signs. The sign company and the representative for Dollar General were notified.

In two letters dated July 9, one letter from the sign company and another from the representative of Dollar General, both agreed to follow the rules of the ordinance and will not be requesting a variance. Dollar General's Gary Eucalitto of Harwinton, CT., said he "agrees that all work will be done in compliance with all applicable laws, codes and ordinances, and any stipulations or restrictions listed on the permit."

Ms. Barnes had a question about the word fluorescent and if that was the same as a tubular gas sign, which, according to Article IV, Section 3 is not permitted. Mr. Anderson and Mr. Jeffrey White, who was in the audience, explained that it's back lit and in a housing. Mr. Vose said, "You will not see the bulb." These are acceptable or permitted in signage.

Later in the meeting, a motion was made to approve the two signs, the motion was seconded and approved by the rest of the Board.

New Business:

Variance: Peter King, 46 Dearborn Circle, Map 12, Lot 55-22. Proposed garage – Setback less than 20 feet from the property line. Mr. King was not at the meeting. Ms. Jodi Daigle, an employee in the Town Offices, received a call from Mr. King on Wednesday saying to tell the ZBA that he would not be at the meeting because he was not ready to go ahead with the project. The secretary received an email.

Pamela Little, 42 Main Street, next to the library, 45.5-inch-by-25-inch sign. The sign is one sign between a couple of posts that can advertise multiple uses of businesses at this address. The ordinance says all the signs combined shall not exceed 32 square feet.

Ms. Little showed a picture of her sign and said there was one other sign between the multiple use sign post.

Mr. Murray said that it conforms with the ordinance and made a motion to approve the sign as specified by Ms. Little. The motion was seconded and the Board voted to approve Ms. Little's request.

Avanru Development LLC request for 32-square-foot temporary sign at the corner of Red Barn Lane and Main Street. The signage is required by the NH Housing.

The sign says "The Residence at Abenaki Springs PH II". It includes all the names and addresses of the people involved in the project at 17 Avery Lane. Those names are the architect, construction manager, manufacturer of the building, capital partners, surveyor, civil engineer, engineering associates and the bank that is financing the project.

There was some discussion about the sign being too close to the Dollar General sign. There is an ordinance that says signs must be 100 feet apart. It was decided that since this was a temporary sign, which will come down in six months, the 100-foot rule could be waived.

Ms. Mansouri made to approve the sign with the condition that it be removed six months after it has been put up. Ms. Leclerc seconded the motion and the Board voted in favor of the motion.

Map and Ordinances: The ZBA had a workshop meeting about matching a recently printed Avitar map with zoning districts. There was discussion of the many problems with the Avitar map and it was not accurate. "They are following property lines and not the districts," Ms. Leclerc said.

Mr. Vose agreed and said that when they started looking at Residential A in Drewsville, some of the property lines of the Residential A lots crossed into the commercial district.

Ms. Leclerc said she thinks she should go to the Select Board to discuss the problem because the Select Board is waiting for the ZBA to coordinate the Avitar map with the Zoning Ordinances. She was reminded that the Select Board was having a Public Hearing on Thursday regarding the paving of the dirt section of Old Drewsville Road and that many people were planning to attend that meeting. She will be on vacation for the next two weeks after that.

Ms. Mansouri decided she could go to the Select Board's meeting the following week to discuss the maps and she asked Mr. Ernie Vose to go with her.

During the meeting it was also discovered that not all of the amendments to the zoning ordinances, which had been voted on at Town Meeting and approved by the voters were entered into the zoning ordinances. Mr. Vose cited as an example the vote in 1991 on the Pinnacleview property on Main Street in the commercial district. It is not mentioned in the ordinances and it's not reflected on the Avitar map.

An additional problem is in the typing from one year to another by many different people over the 40-plus years since the 1968 date that the zoning ordinances were adopted. An example is in one description of a boundary in the commercial district in the village. In describing the commercial district in Article VI, Section F, No. 6, Union Street has been omitted. It was in the original ordinance, but at some point it was omitted. It is not know when this occurred.

Another problem is the tax cards. Many of the tax cards have the use of the property on the card and not the zoning district. The Board understands that the property must be taxed on its use, but the correct zoning district should be on the tax card and a notation made of its current use. When that use stops, it should also be recorded on the tax card.

What should the Zoning Board do about all these problems? Ms. Trow said the Zoning Ordinances have to

be accurate. It's what the Board is all about. It was decided to have a workshop on Thursday, August 1. Board members, starting at 1 pm, will go through each of the Town Reports and check to see if a vote came up for an amendment to the zoning ordinance. Then that person has to check the following year to see if the amendment was approved. If it was, that Board member should photocopy the page with the year and the amendment. Some of the amendments will not have the boundary lines printed but that information can be found in the Planning Board or Zoning Board minutes. There are eight Board members who will be doing this so that means that every Board member will need to check about five years worth of town reports.

New Alternate: Ernie Vose, who has served on the Zoning Board for several years but resigned last year because of time restraints, was back to serve as an alternate. Ms. Trow made a motion to approve the appointment of Mr. Vose as an alternate to the ZBA. Ms. Mansouri seconded the motion. And the Board unanimously approved of the nomination. Everyone was glad to see Mr. Vose return. Welcome back Ernie.

Mr. Murray made a motion to adjourn. Ms. Trow seconded the motion and it carried.

Handouts: NHMA Sign Dos and Don't s

Respectfully submitted,
Marilou Blaine
ZBA Secretary

cc: ZBA, WPB, North Walpole Commissioners, Walpolean.
Posted: Inside the Town Offices, on the bulletin board outside the Post Office.

Next meeting Wednesday, August 21, 2019