MEMBERS PRESENT:
Chairman Foster Peverly                               Norm Boudreau, Vice-Chair
Calvin Brown                                          Center Sanders
Sandy Plessner

OTHERS PRESENT:
Joe Plessner                                         Don Reed

AGENDA:
7:00 PM      Call to order
              Review Minutes of February 17, 2004
              Correspondence
              Any other business

7:05 PM      ZBA#04-05-Variance for Market Basket. Applicant is seeking a Variance to Article 2.3, section concerning signage, for the installation of one internally illuminated ground sign, which is proposed to be 110.5 square feet in size. Property is located off of Willow Street, Tilton, NH 03276. Tax Map R-24 Lot 7 in the Regional Commercial District.

MEETING:
7:00 PM      Call to order. Chairman Peverly asked if the members had read the minutes of February 17, 2004. Norm Boudreau made a motion to approve the minutes of February 17, 2004. Calvin Brown seconded the motion. No further discussion. All voted in favor.
Chairman Peverly announced it was time to elect a Chairman and Vice-Chairman for the 2004 year.

Calvin Brown made a motion to nominate Foster Peverly to be Chairman. Center Sanders seconded the motion. No further discussion. All voted in favor.

Foster Peverly made a motion to nominate Norm Boudreau to be Vice-Chairman. Center Sanders seconded the motion. No further discussion. All voted in favor.

Sandy Plessner passed out copies of the zoning regulations with the changes approved by the voters at Town Meeting.

7:05 PM           Case #ZBA04-05 for a Variance for Market Basket. Hearing no disqualifications, Chairman Peverly asked the applicant to begin. Don Reed, Barlo Signs representative, began by distributing color photos of the proposed signage.

The applicants responses to the criteria questions were as follows.

1. The proposed use would not diminish surrounding property values because:

   Surrounding area is commercial, with signs equal to or larger than the one we are proposing.

2. Granting the variance would be of benefit to the public interest because:

   It would help motorists easily locate their destination / safely identify the entrance to the property.

3. Denial of the variance would result in unnecessary hardship to the owner because;
   a. A zoning restriction as applied to the applicant’s property interferes with the owner’s reasonable use of the property, considering the unique setting of the property in its environment;

   Signage allowed per code is not sufficient to
identify the super market and its specialty food line. Store is deeply set back. A larger sign is required so motorists can identify where the store is, and where its entrance is.

b. No fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property.

   While 40 square feet of signage may be adequate for small retail properties, it is not sufficient for large scale businesses, with deeply set back store fronts far from the property entrance.

c. The variance would not injure the public or private rights of others.

   Currently, many signs greater than 40 square feet exist in this commercial area, additional signage will not be harmful.

4. Granting the variance would do substantial justice because:

   What is proposed is keeping with the signs in the surrounding area and it would allow the public safe, easy access to their destination.

5. The use or proposed use is not contrary to the spirit of the ordinance because:

   As noted in the purpose of the ordinance, our proposal would promote safety and it would lessen congestion in the streets, specifically the high traffic area at the entrance to Sherwood Drive and Willow Street.

   Mr. Reed stated the signage on the building itself would be decorative only as the building was set back too far from the roadway.

   A discussion on how to get to Market Basket ensued. Mr. Reed stated he felt it would be confusing to people trying to find
the Market Basket entrance; although Market Basket had access from Rt. 3, it was a right turn only access. Mr. Reed continued by saying people coming from the Tilton side, had to know to turn at Sherwood Drive. Mr. Reed stated they were negotiating with other businesses in the area to perhaps placing a sign on one of the other business sign poles to help direct traffic. Mr. Reed stated he felt the sign they were proposing could help as it would allow people to read the sign at a far enough distance so they would know to turn at Sherwood Drive.

Mr. Reed passed out pictures showing the sign at 40 square feet and one at 110 square feet. Mr. Reed felt the 110 square foot sign was appropriate for commercial reasons as well as public safety so people would know where to turn.

Several minutes were spent discussing off premise signage, directional signage and what might be done to improve informing the public on how to enter the Market Basket parking area. Mr. Reed stated his company was working on different ideas and might be back before the Board for a Variance for off premise signage.

Joe Plessner, code enforcement officer, asked Mr. Reed if they would be putting a sign at the entrance to the Market Basket parking lot and Mr. Reed stated he did not know at the present time.

Board members asked if Mr. Reed would consider something slightly smaller such as 75 to 80 square foot as they did not feel the location for the sign necessarily warranted a sign board that large. The temporary signage that was currently there was smaller and quite visible from the road. Mr. Reed stated he could use a smaller lighting mechanism and see what the signage size would be but he was not prepared to do that this evening and wondered if the meeting could be continued. Chairman Peverly stated the meeting could be continued and that the next zoning meeting would be April 20th. Mr. Reed stated he felt that would work as it would still give Barlo enough time to make the sign.

Norm Boudreau made a motion to continue the Market Basket application for a Variance until April 20, 2004 at 7:05 PM to allow Mr. Reed time to configure a smaller sign. Center
Sanders seconded the motion. No further discussion. All voted in favor.

8:30 PM  Meeting adjourned.

Minutes prepared by,
Sandy Plessner