I. **ZBA Case 14-01** Applicant is seeking a special exception to Article 2.3.10.5 of the signage ordinance to allow the Aspen Dental building additional signage as it can not be recognized from NE, NW, & SW if only allowed signage on one elevation. Property is located at 17 Lowes Drive in the Regional Commercial District. Tax Map R24 Lot 1-3.

Chairman Brown stated the ZBA can not process this as a special exception, which it was advertised as, since it is not specified anywhere in the ordinance that signage has a special exception category. The Board can not permit a special exception unless it is permitted in the zoning ordinance under certain circumstances. The Board's only option is to process this request as a variance and requested Anchor to submit a variance application addressing the five (5) criteria for a variance. The reference Anchor made to 2.3.10.5 deals with self standing signs. I believe the Article 2.3.8, dealing with the 10 percent of the facade rule for additional signage, is the proper reference for this appeal."

Mr. Funderbook stated the issue is only being allowed one elevation and requesting multiple elevations for signage.

Joe Funderbook from Anchor signs representing Aspen Dental. Mr. Funderbook stated Aspen Dental is seeking a variance for additional signage on their building located at 17 Lowes Drive. Currently a sign has been installed on the building facing Rte 3/11 (E. Main Street) which is difficult to see when driving east and west. Aspen would like to locate 2 additional signs in the NE and SW elevations of the building. These signs will be similar to the one already installed. The signs being requested by this variance are primarily for visibility purposes. When approaching the building from either direction you see the side elevations, the NE elevation will be the main entrance to the building. Also when entering onto Lowes Drive you can not read the sign on the front of the building so a person can locate Aspen Dental. Mr. Funderbook presented pictures of the building from the intersection of Lowes Dr showing the difficulty of reading the sign on the Aspen building. Mr. Funderbook stated the Chili's and Pizza Hut has several signs on the different elevations.

Chairman Brown asked if Aspen was not going to utilize the self standing sign at the intersection. Mr. Funderbook explained that sign is for the Lowes, Chili's and Kohls. This parcel has a different owner.

Mr. Funderbook addressed the five (5) criteria:
1.) **Interest**: signage will not detract from the visual aesthetics of the area, but will enhance.
2.) **Spirit**: signage requested is not excessive, nor would it affect safety concerns of distracting or obstructing traffic.
3.) **Justice**: signage would afford Aspen Dental reasonable advertisement opportunity and would be compatible and appropriate to the surroundings.
4.) **Values**: Aspen Dental signage has a clean, professional look on a new building of tasteful design, and adds civic beauty to the area.
5.) **Unnecessary Hardship**: Aspen Dental building is located between other businesses and is set back from the road significantly. It does not have the exposure that adjacent businesses have. Proposed signage would mediate this disparity. Proposed signage would be within code requirement for additional signage (sec2.3.8) of the 10% of each facade.

Chairman Brown asked for clarification of the drive pattern into the building and asked if there would be any type of directional signs to the Aspen Dental building.

Mr. Plessner feels that signs on the sides of the Aspen building signs should be smaller than the front facade and suggested a small size sign. If the signs for other 2 locations are 32 sq ft in size it would fit into sign parameters.

Chairman Brown hearing no additional questions or concerns from the Board opened the discussion to public comment.

Mr. Helwig did not feel these signs are an issue but would help with the public to located the building.

Hearing no addition comments from the public, closed the hearing to the public.

After a discussion Chairman Brown asked for motion.

Mr. Plessner made motion to **GRANT** the variance for Article 2.3.8 to install additional signs on the NE and SW sides of the building with the lettering to be the same size currently on the SE facade of the building being approximately 36 inches in height.

Hearing no discussion motion was seconded by Mr. Demass. Vote taken motion passed by 4 affirmative votes.

Minutes: Chairman Brown brought the meeting minutes of the November 19, 2013 to the floor for review and approval. Ms. Sumner asked for a correction noting she was not present for this meeting.

Motion was made by Mr. Plessner and seconded Ms. Yeo to accept the minutes with the noted corrections. Vote taken, motion passed by 4 affirmative vote with Ms. Sumner abstaining from the vote.

Correspondence: NH Town & City Jan/Feb issue.

Chairman Brown adjourned the meeting at 6:40 pm.

Minutes prepared by Augusta Marsh