

CONWAY PLANNING BOARD

MINUTES

DECEMBER 11, 2014

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CONWAY PLANNING BOARD

MINUTES

DECEMBER 11, 2014

A meeting of the Conway Planning Board was held on Thursday, December 11, 2014 beginning at 7:02 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Porter; Selectmen's Representative, Carl Thibodeau; Vice Chair, Steven Hartmann; Kevin Flanagan; Ray Shakir; Town Planner, Thomas Irving; and Recording Secretary, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Hartmann made a motion, seconded by Mr. Shakir, to approve the Minutes of November 13, 2014 as written. Motion unanimously carried.

AGENDA ADDITION

Mr. Porter made a motion, seconded by Mr. Hartmann, to address an extension of conditional approval request between items 1 and 2 on the agenda. Motion unanimously carried.

1675 WMH, LLC – FULL SITE PLAN REVIEW (PID 235-85 & 86) FILE #FR14-08

Mark Lucy of White Mountain Survey and Engineering and Roger Williams, Project Manager for OVP Management, appeared before the Board. Robert Barsamian and Lisa Green, the owners, and Derek Lick of Sullaway & Hollis, the owner's Attorney, were in attendance. This is an application to demolish all existing buildings and construct 51,546 square feet of shopping center in four buildings and associated infrastructure at 1675 & 1699 White Mountain Highway, North Conway (PID 235-85 & 86).

Mr. Lucy stated they are demolishing 67,750 square footage of retail space and constructing 51,446 square feet of retail space. Mr. Lucy gave an overview and stated that there would be restaurant space in building N which is on the former Timberland property. **Mr. Shakir made a motion, seconded by Mr. Flanagan, to accept the application of 1675 WMH, LLC for a Full Site Plan review as complete. Motion unanimously carried.**

Mr. Lucy stated the Board may wonder why we are proposing 285 parking spaces when we only need 207. Mr. Lucy referred to a letter to the Board dated 11-24-14 regarding alternate parking. Mr. Lucy stated there is an agreement in the chain of title in favor of the Merlino's lot for 33 parking spaces. Mr. Lucy stated they are proposing 45 additional spaces should the need arise for additional parking for PID 235-89.

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Mr. Shakir asked if you are permitted for 67,750 square feet of retail space why is only 51,445 square feet proposed and not taking full advantage of all the permitted square footage. Mr. Lucy stated there is an obligation to provide parking for Rick Luciano of Merlino's; and there are an additional 45 spaces that some would say are needed for the abutting property. Mr. Shakir asked if there is a conflict between the permitted space and the parking space. Mr. Porter stated the site was permitted in 1987 for 67,750 square feet, and because they are coming in under the square footage that was approved it really doesn't matter.

Mr. Thibodeau asked in regard to the connecting drive to PID 235-89 is there any direct future development for that site or is it held in reserve for some time in the future. Mr. Lucy stated that is part of Settlers' R2 and there is no new development proposed at this time. Mr. Irving asked if it is their intention with this project to make the physical connection to PID 235-89. Mr. Lucy answered in the affirmative. Mr. Irving stated that the Board may want to consider under §123-4.A.5 that the connecting drive on the Settlers' R2 property is insignificant relative to the development.

Mr. Thibodeau made a motion, seconded by Mr. Flanagan, that the Planning Board determined that based on the provisions of §123-4. A. 5 [File #NA14-08], regarding applicability, that the construction of a connecting drive on the Settlers' R2 property [PID 235-89] is not subject to a Minor or Full Site Plan Review because it has been demonstrated that the change of use and/or physical changes to the site are insignificant relative to the existing development. Motion unanimously carried.

Mr. Irving stated the project is proposing 285 parking spaces; this lot requires 207 parking spaces and 33 parking spaces are dedicated to Mr. Luciano's property. Mr. Irving stated that the existing site currently has a demand for 376 parking spaces. Mr. Irving stated there is a lower parking demand than what was previously approved. Mr. Lucy agreed.

Mr. Porter asked for public comment; Maureen Soraghan, representing Rick Luciano, submitted a letter to the Board with no date, but regarding "*1675 White Mountain Highway, North Conway NH Full Site Plan Review*". Ms. Soraghan stated there was an agreement in 1988 that has a lot of provisions. Ms. Soraghan stated there is a parking easement for customers and employees; there is a perpetual driveway easement across the Luciano property from Route 16 to this property, which has a cross-easement; and there is a responsibility for landscaping and paving.

Ms. Soraghan stated they have a concern with the food and beverage portion of this application as part of the agreement states that the only food items to be sold on that property would be items you'd find in a vending machine. Ms. Soraghan stated they are also concerned with demolition and construction vehicles, access to the property from Route 16 and Barnes Road, and noise and the containment of noise. Ms. Soraghan stated there is an application to merge the two lots and that has concerns in that the plan states that all easements and restrictions would apply to both lots, so the 1989 agreement would still be in effect.

Ms. Soraghan stated that signage is another issue; the steer is iconic and they want to make sure that it is not blocked. Mr. Porter stated that the Planning Board does not deal with signage. Ms. Soraghan stated that she contacted Friendly's and they were unaware that this was happening;

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were told by Town Office that notice was sent. Ms. Soraghan stated that you will likely be hearing from Friendly's. Ms. Soraghan stated that they would also like to know more about the merger application.

Mr. Irving stated in regard to parking, they have a private civil agreement. Mr. Irving stated with this plan expect they are going to formally provide that restriction on this plan. Mr. Lucy stated that they could add that note to the plan. Mr. Irving stated there is an easement that is recorded that will clarify the easement. Mr. Lucy stated that it is already in the chain of title; see sheet C1.1, and there is no intent to diminish.

Mr. Irving stated the driveway will require cross-easements for shared driveways on the plan. Mr. Lucy agreed. Mr. Irving stated there are mutual cross-easements that are a matter of record. Mr. Lucy stated that they are prepared and ready to be recorded. Mr. Irving stated the landscaping and paving is the responsibility of the applicant.

Mr. Irving stated that the food beverage agreement is a civil agreement; the Board does not regulate as they are all permitted uses and we are not in the business of enforcing civil easements. Mr. Irving stated demolition is not something the Planning Board regulates; it would be regulated under Chapter 88, the Building Code, which is enforced by the Board of Selectmen and the Building Inspector.

Mr. Irving stated in regard to the lot merger, the Board will be seeing a form to merge the two properties should you grant the waiver to allow the two driveways. Mr. Irving stated if the waiver for the two driveways is granted there is nothing to preclude the Board from granting that merger request. Mr. Irving stated in regard to the abutter notice, the abutter was noticed in accordance with State law and they have not contacted us.

Mr. Flanagan stated that the Town does not have a noise ordinance. Mr. Williams stated he is on site every day and consider Rick a friend, he can call. Sherry Luciano asked whether they will be allowed to have another food and beverage space on the site. Mr. Porter stated that is a civil matter, and outside of the Board's purview. Mr. Flanagan stated in terms of parking there is a difference as it does not indicate restaurant space. Mr. Irving agreed, and stated they are seeking an alternative parking standard for a shopping center which includes several uses.

Gordon Leedy, Jr. of VHB stated he is a Landscape Architect and Planner representing Bellevue Properties. Mr. Leedy submitted a package to the Board dated December 11, 2014 from Emily Gray Rice. Mr. Leedy stated this application abandons the site plan for parking on PID 235-86 & 89. Mr. Leedy stated if you take the existing condition for Settlers' R2 [PID 235-89] and the existing development on PID 235-85 & 86 there is a total of 588 parking spaces required.

Mr. Porter asked what does your finding have with the former L.L. Bean site. Mr. Leedy stated that we are concerned that there is an overall reduction in parking in this plan from what was approved previously. Mr. Porter stated there is a 20 year difference between the approvals; and he thinks the reduction of floor space is a benefit. Mr. Leedy stated that the overall parking is significantly less than what was proposed just 6 months ago.

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Mr. Leedy stated there is a connection shown between PID 235-89 and this development. Mr. Irving stated we are talking about an application that was withdrawn. Mr. Lucy stated that the application including PID 235-89 has been withdrawn. Mr. Irving stated there was only a conditional approval, not a final approval, and it has been withdrawn.

Mr. Thibodeau asked where you got 588 parking spaces required. Mr. Leedy stated the parking spaces on Settlers' R2, PID 235-89, and what is required on PID 235-85 & 86. Mr. Irving stated he is referring to properties that have nothing to do with this application.

Mr. Leedy stated the second issue pertains to this plan; there is a connection between 235-89 and 235-85 & 235-86. Mr. Leedy stated the driveway isn't connected today, but understand that the regulations require interconnections. Mr. Leedy stated that the concern we have is if that is connected it would potentially create additional traffic on Common Court and respectfully request some sort of traffic assessment on what those impacts might be. Mr. Leedy stated they are also concerned with pedestrian traffic between the two properties as this is being built as an annex to Settlers' Green. Mr. Leedy stated if the expectation is to park here and access the other Settlers' Greens complexes, then there should be a more feasible way to get there.

Mr. Porter asked if this wasn't the Barsamian group and he bought and developed this property would you be here making these arguments. Mr. Leedy answered in the affirmative. Mr. Irving stated the provision that you are addressing is a requirement for a connecting drive; and the purpose is so they do not have to go onto Route 16. Mr. Leedy stated their concern is the increase of traffic on Common Court.

Mr. Irving asked if a portion of Common Court was a Town road. Mr. Lucy answered in the affirmative; from McMillan Lane east to the North-South Road is Town Road and from the North-South Road west to McMillan Lane is a private road. Mr. Irving asked who owns the private road. Mr. Lucy answered my client. Mr. Thibodeau asked Mr. Leedy if they didn't want traffic going by their hotel. Mr. Leedy stated that there is a maintenance agreement for the road between his client and the applicant. Mr. Porter stated that is a civil matter.

Mr. Shakir stated he is concerned with the southern entrance. Mr. Irving stated that the minimum driveway width is 20 feet and they exceed the minimum by 4-feet. Mr. Shakir stated a wider access to Route 16 would be a safer situation. Mr. Lucy stated the NHDOT allowed some alteration during this process, but can make adjustments; however, we are already at 25% green space and widening the driveway will reduce that. Mr. Thibodeau stated he thinks the access is adequate and would rather see the green space remain.

Mr. Porter read a request for an alternative parking standard pursuant to §123-21.A.2.a. **Mr. Shakir made a motion, seconded by Mr. Porter, to accept the parking standard alternative pursuant to §123-21.A.2.a.** Mr. Porter asked for Board comment; Mr. Hartmann asked what the Town requires based on the ordinance. Mr. Irving answered 258 parking spaces plus the 33 for Mr. Luciano, so 291 parking spaces total. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

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Mr. Irving read the standards to grant a waiver pursuant to §123-43. Mr. Irving read a waiver request for §123-20.C. **Mr. Hartmann made a motion, seconded by Mr. Flanagan, to grant the waiver request for §123-20.C.** Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

Mr. Irving read a waiver request for §123-20.F/§131-67.C.8.b. **Mr. Thibodeau made a motion, seconded by Mr. Shakir, to grant the waiver request for §123-20.F/§131-67.C.8.b.** Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

Mr. Irving read a waiver request for §123-28. **Mr. Hartmann made a motion, seconded by Mr. Shakir, to grant the waiver request for §123-28.** Mr. Porter asked for Board comment; Mr. Hartmann asked if all the power to the subject parcel is underground. Mr. Lucy answered in the affirmative. Mr. Shakir asked if the area where there are overhead utilities are going to be torn up. Mr. Lucy answered in the affirmative. Mr. Shakir asked why they can't run conduit underground. Mr. Williams stated the power company usually does not like to go underground and then back up; and there is a large pine tree in that area.

Mr. Thibodeau stated unless they have a deeded easement they likely wouldn't be able to do it anyway. Ms. Soraghan asked the height of the wire and if the type of traffic to this parcel will change in nature of vehicles. Mr. Porter stated that he doesn't see a change in the type of vehicles. **Motion unanimously carried.**

Mr. Irving read a waiver request for §123-29.A.2, A.3 & A.4. **Mr. Thibodeau made a motion, seconded by Mr. Shakir, to grant the waiver request for §123-29.A.2, A.3 & A.4.** Mr. Porter asked for Board comment; Mr. Thibodeau asked if they will keep the main sign where it is. Mr. Lucy stated that it would be removed and redesigned. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

Mr. Irving read a waiver request for §123-29.D.1. **Mr. Thibodeau made a motion, seconded by Mr. Flanagan, to grant the waiver request for §123-29.D.1.** Mr. Porter asked for Board comment; Mr. Hartmann stated the requirement is 313 trees, but the applicant is proposing 171 trees; that is 141 trees short of the requirement. Mr. Hartmann stated that it seems a huge amount for that lot. Mr. Irving stated it is a mathematical determination. Mr. Porter asked for public comment; there was none. **Motion unanimously carried.**

Mr. Irving stated that the Board is not approving the signage depicted on the architectural designs; they will be addressed through the sign permitting process. Mr. Williams agreed. Mr. Porter asked for public comment regarding the buildings; there was none.

Mr. Porter asked for public comment regarding the lot merger; Ms. Soraghan read the Restrictions and Easements note that was on the plan and asked when there is a merger into one lot will that same representation hold true. Mr. Lick answered in the affirmative and stated whatever restrictions are on the old Timberland lot remains on the old Timberland lot and whatever restrictions are on the former L.L. Bean lot remains on the former L.L. Bean lot; the restrictions do not apply to the entire new parcel.

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Mr. Irving stated you can merge two lots into one lot as long as you are not creating any non-conformity; and with the granting of the waiver for multiple driveways this is not creating any non-conformity. Mr. Irving stated so there is nothing to preclude the Board to merge the two lots into one lot. **Mr. Shakir made a motion, seconded by Mr. Thibodeau, to sign the lot merger merging PID 235-85 and PID 235-86 into one lot of record.** Mr. Lucy asked that the recording of the lot merger be a subsequent condition of final approval. Mr. Irving stated the applicant does not want this to happen until the project becomes final. **Motion unanimously carried.**

Mr. Porter stated that he does not like the snow storage area in the front island. After a brief discussion, Mr. Lucy agreed to remove the snow storage area along Route 16.

Mr. Porter made a motion, seconded by Mr. Shakir, to conditionally approve the full site plan for 1675 WMH, LLC conditionally upon Town Engineer Approval; NHDES Alteration of Terrain permit and indicate approval number on plan; NHDOT Driveway Permit and indicate approval number on plan; removing snow storage area along the western edge of the property adjacent to Route 16; submitting recorded cross-easements for shared driveways between PID 235-87 & 89 and indicating book and page on plan; shading outdoor display area for Building M, tenant 02 on sheet 3; a performance guarantee for all site improvements; when the conditions have been met the plans can be signed out-of-session; and this conditional approval will expire on December 10, 2015; and a subsequent to final approval condition to record a lot merger merging PID 235-85 and PID 235-86 into one lot of record. Motion unanimously carried.

OTHER BUSINESS

Balsam Ridge Lodge (PID 251-157) – Request to Extend Conditional Approval (File #FR12-01): Mark Lucy of White Mountain Survey and Engineering appeared before the Board. Mr. Hartmann asked why they need another extension. Mr. Lucy stated that this is a young couple that owns a business next door; they received an approval to market the property. Mr. Lucy stated there have been a few lookers, but there has not been a purchase and sales agreement. Mr. Lucy stated since the site plan regulations have not been revised it seems reasonable to extend the conditional approval.

Mr. Hartmann stated so they have no intention of doing the improvements; would have to sell to have improvements done. Mr. Lucy agreed. Mr. Thibodeau stated that he doesn't see a valid reason to deny as there have been no substantive changes to the regulations. Mr. Thibodeau stated nothing is going to change; it's still going to sit there. Mr. Hartmann stated that we grant approvals and waivers with the intention of the property being improved; they are not improving the property they are trying to sell the property. Mr. Hartmann asked what makes it more saleable. Mr. Lucy answered that the plan is already done.

Mr. Flanagan made a motion, seconded by Mr. Shakir, to extend the conditional approval for Balsam Ridge Lodge until January 28, 2016. Motion carried with Mr. Hartmann voting in the negative.

DASAN PROPERTIES LLC – FULL SITE PLAN REVIEW (PID 260-51) FILE #FR14-09

Wes Smith of Thaddeus Thorne Surveys appeared before the Board. This is an application to relocate the well, fuel storage tanks and a diesel pump island; construct additional parking; reconfigure traffic patterns, and associated infrastructure modifications. **Mr. Flanagan made a motion, seconded by Mr. Shakir, to accept the application of Dasan Properties, LLC for a full site plan review as complete. Motion unanimously carried.**

Mr. Shakir asked if this property was for sale. Mr. Smith stated not to his knowledge. Mr. Porter asked for public comment; there was none. Mr. Hartmann asked if any of the new construction was creating waiver requests. Mr. Irving answered in the affirmative and stated the increase of pavement in the front buffer, trees along the western edge of the parking lot, and street trees greater than 15-feet from pavement.

Mr. Porter read a waiver request for §123-20.C; §123-20.F/§131-67.C.8.f; §123-29.A.2 & A.3; §123-29.D.6; §123-29.D.8; §123-30.A.3; and §123-41.C. **Mr. Flanagan made a motion, seconded by Mr. Hartmann, to grant the waiver request for §123-20.C; §123-20.F/§131-67.C.8.f; §123-29.A.2 & A.3; §123-29.D.6; §123-29.D.8; §123-30.A.3; and §123-41.C.** Mr. Porter asked for public comment; there was none. Mr. Porter asked for Board comment; there was none. **Motion unanimously carried.**

Mr. Porter asked for Board comment; there was none. Mr. Porter asked for public comment; there was none.

Mr. Porter made a motion, seconded by Mr. Flanagan, to conditionally approve the full site plan for Dasan Properties, LLC conditionally upon addressing deficiency list dated 12/03/14; Town Engineer Approval; Center Conway Fire Chief approval; Conway Police Chief approval; NHDES Septic Approval and indicate approval number on plan; NHDES Groundwater permit and indicate approval number on plan; updating Waivers granted table as necessary; a performance guarantee for all site improvements; when the conditions have been met the plans can be signed out-of-session; and this conditional approval will expire on December 10, 2015. Motion unanimously carried.

OTHER BUSINESS CONTINUED

Red Barn SC, LLC (File #FR14-03) – Request to amend approval in regard to drainage and certificate of occupancy (PID 235-34): Jim Kaplan of Red Barn SC, LLC appeared before the Board. Mr. Irving stated that the approval included a phasing agreement which required the drainage in the rear parking lot be completed before a certificate of occupancy could be issued. Mr. Irving stated the construction season and winter have collided and Town staff does not recommend opening up the drainage. Mr. Irving stated they would like to have the drainage installed by July 1, 2015; and we will hold surety.

Mr. Hartmann stated he is having a hard time with this one; it didn't become winter until two weeks ago. Mr. Irving stated that the Town Engineer is not recommending opening the ground at this juncture. Mr. Thibodeau asked why it was not completed. Mr. Kaplan stated it was

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somewhat out of our control, as Coleman who we have contracted with stated it was too late in the season. Mr. Kaplan stated we would have liked to have had it done, but the plant was out of the area. Mr. Hartmann stated they agreed to the terms when the site plan was approved.

Mr. Thibodeau made a motion, seconded by Mr. Shakir, to amend the phasing to permit the issuance of a certificate of occupancy with the condition that all site improvements be completed by July 1, 2015. Motion carried with Mr. Hartmann voting in the negative.

Committee Reports:

Sign Advisory Committee – Mr. Thibodeau stated that the committee has not met since the last Planning Board meeting. Mr. Thibodeau stated there have been no substantive changes and asked if these would be Planning Board amendments for not. Mr. Porter stated that he would like to see the issue of feather flags addressed. Mr. Porter stated he is concerned with the measurement of signage and the impact that it will have on existing and future signs. Mr. Porter stated his concern is being a layman, he's a two-dimensional type of guy and can grasp how the Town measures signs today. Mr. Porter stated the new proposal is to introduce a three square measurement. Mr. Thibodeau stated it is not complicated and reviewed how it would be measured.

Mr. Shakir stated it is going from one rectangular measurement to three rectangular measurements. Mr. Shakir stated it gives an individual or business owner more leeway to use creativity in their signage. **Mr. Hartmann made a motion, seconded by Mr. Shakir, to hold a public hearing on January 22, 2015 to address proposed amendment #8 regarding sign measurement. Motion unanimously carried.**

Mr. Thibodeau made a motion, seconded by Mr. Hartmann, to hold a public hearing on January 22, 2015 to address proposed amendment #1 regarding business signs over doors. Motion unanimously carried.

Mr. Porter made a motion, seconded by Mr. Hartmann, to hold a public hearing on January 22, 2015 to address proposed amendment #2 regarding subdivision real estate signs. Motion unanimously carried.

Mr. Porter made a motion, seconded by Mr. Hartmann, to hold a public hearing on January 22, 2015 to address proposed amendment #3 regarding permitted size of election signs. Motion unanimously carried.

Mr. Porter made a motion, seconded by Mr. Thibodeau, to hold a public hearing on January 22, 2015 to address proposed amendment #4 regarding the clarification of the current interpretation of regulations pertaining to election signs. Motion unanimously carried.

Mr. Hartmann made a motion, seconded by Mr. Shakir, to hold a public hearing on January 22, 2015 to address proposed amendment #5, #6 & #7 regarding feather flags. Motion unanimously carried.

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Set public hearing for petitioned zoning amendments and fee amendments to Chapter 88 (Building Code): Mr. Thibodeau made a motion, seconded by Mr. Hartmann, to hold a public hearing on petitioned zoning amendments on January 22, 2015. Motion unanimously carried.

Mr. Hartmann made a motion, seconded by Mr. Porter, to hold a public hearing on fee amendments to Chapter 88 (building code) on January 22, 2015. Motion unanimously carried.

Meeting adjourned at 9:53 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Holly L. Meserve". The signature is written in a cursive style with a large initial "H" and "M".

Holly L. Meserve
Recording Secretary

Amendment 1. Proposed amendments to business signs over doorways:

The purpose of this amendment is to permit doorway signage to project up to 90 degrees from the wall, the intent is to make them more visible to pedestrian traffic.

Amendment applies to 147.13.1.6.10.4, 147.13.2.6.10.4, 147.13.3.6.10.4, 147.13.4.6.10.4, 147.13.5.6.7.4, 147.13.6.7.7.4, 147.13.7.6.7.4, 147.13.8.6.7.4, 147.13.10.6.7.4, 147.13.11.6.7.4 and 147.13.12.7.10.4.

147.13.x.x.x.x Business name and directional signs with a message area of three square feet or less which are located over doorways. Such signs may project from the wall surface.

Amendment 2. Proposed Amendments to Subdivision Real Estate Signs:

The purpose of this amendment is to provide developers and owners of properties within a subdivision to post a real estate sign at the entrances to the subdivision. Only one such sign may be located at each entrance and the sign is neither subject to setback requirements nor requires a town sign permit. As such signs would usually be located on common lands installing and maintaining such signs shall be at the discretion of the subdivision developer or owners association (as applicable).

Amendment applied to all Districts: 147-13.1.6.10.13, 147-13.2.6.10.13, 147-13.3.6.10.13, 147-13.4.6.10.13, 147-13.5.6.7.14, 147-13.6.7.7.14, 147-13.7.6.7.14, 147-13.8.6.7.14, 147-13.10.6.7.13, 147-13.11.6.7.13, 147-13.12.7.10.13,

147.x.x.x.x.x One (1) real estate sign to identify lots for sale at each entrance to the subdivision in which the subject lots are located, not to exceed twelve (12) square feet, and not to exceed eight (8) feet in height nor six (6) feet in width.

Amendment 3. Proposed amendments to increase permitted size (from 12 square feet to 32 square feet) of election signs that are permitted during the 14 week election period:

Amendment applied to 147.13.1.6.10.8, 147.13.2.6.10.8, 147.13.3.6.10.8, 147.13.4.6.10.8, 147.13.5.6.7.9, 147.13.6.7.7.9, 147.13.7.6.7.9, 147.13.8.6.7.9, 147.13.10.6.7.8, 147.13.11.6.7.8 and 147.13.12.7.10.8.

147.13.x.x.x.x Signs with a message area of 32 square feet or less for a government election, with time limits as specified in State law, or if no State law applies, then erected no more than 12 weeks prior to the election and removed within two weeks following the election.

Amendment 4. Proposed amendments to clarify current interpretation of regulations pertaining to election signs:

Amendment applied to 147.13.1.6.11.5, 147.13.2.6.11.5, 147.13.3.6.11.5, 147.13.4.6.11.5, 147.13.5.6.8.5, 147.13.6.7.8.5, 147.13.7.6.8.5, 147.13.8.6.8.5, 147.13.10.6.8.5, 147.13.11.6.8.5 and 147.13.12.7.11.5.

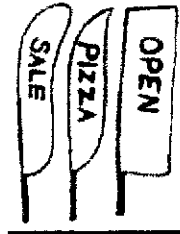
147.13.x.x.x.x Signs, which convey only a non-commercial message, including but not limited to ideological, ~~political~~, social, cultural, or religious message, with a message area of 12 square feet or less.

Amendment 5. Proposed amendments to definition of a feather flag:

The purpose of this amendment is to provide a definition of feather type flags in order to distinguish them from other flags otherwise permitted in the ordinance.

147.15.30 FEATHER FLAG: "feather flag" means a vertical portable sign that contains a harpoon-style pole or staff driven into the ground for support or supported by means of an individual stand. (See Figure 2.)

Figure 2



Amendment 6. Proposed amendments to definition of a flag:

The purpose of this amendment is to exclude feather type flags from the definition of flags that are permitted in the ordinance.

~~147.15.31~~ **147.15.32** FLAG: A piece of flexible fabric of distinctive design which is used as a symbol of a nation, state, province, county, town or religion, or which uses color, form, graphic, symbol, or writing to communicate information of any kind to the public, whether commercial or non-commercial. **Excluded from this definition are Feather Flags as otherwise defined in the preceding subsection.**

Amendment 7. Proposed amendments to prohibit feather flags:

The purpose of this amendment is to include feather type flags as a prohibited form of signage.

Amendment applied to 147.13.1.6.15.2, 147.13.2.6.15.2, 147.13.3.6.15.2, 147.13.4.6.15.2, 147.13.5.6.12.2, 147.13.6.7.12.2, 147.13.7.6.12.2, 147.13.8.6.12.2, 147.13.10.6.12.2, 147.13.11.6.12.2 and 147.13.12.7.15.2.

147.13.x.x.x.x Banners, **feather flags**, pennants, search lights, twirling signs, balloons or other gas-filled figures, and other such materials shall be prohibited, except as specified herein.

Amendment 8. Proposed amendments to sign measurement:

The purpose of this amendment is to increase potential sign dimensions by changing the way signs are measured.

147.15.96 SIGN MESSAGE AREA - The total area used to display a sign's message including all lettering, designs, symbols, logos, together with but not including any support framework or bracing which is incidental to the sign and which is not designed to attract attention. Where the message area consists of letters, symbols, logos or devices affixed to the surface of a wall, building, awning, or window, **or freestanding sign** the message area shall be measured by **the sum of not more than three (3) contiguous rectangles**, a single, continuous, rectangular perimeter drawn to enclose the extreme limits of the sign elements **including appendages**. The message area of one side of a double-faced sign shall be regarded as the total message area of the sign. For double-faced signs, each face must be attached directly to the other.

This is what the selectmen approved; as a final on Dec 9, 2014

Commercial construction \$ 50.00 permit fee plus \$ 8.00 per thousand of construction value.

Residential Construction \$ 40.00 permit fee plus \$.10 per sq. ft.

Residential renovations \$ 40.00 permit fee

Voluntary C/O residential \$ 250.00 at time of permit issue

Septic plan review fee \$ 50.00