

ASHFIELD ZONING BOARD OF APPEALS

Thursday, September 5, 2013

Town Hall, Ashfield

7:00 p.m.

Case #: 2013-3

Summit Distributing, LLC

240 Mechanic Street, Lebanon, NH 03766

Continuation of deliberation on application for Variance/Special Permit for proposed site improvements at 244 Main Street: a proposed canopy with a setback of less than 25 feet and a freestanding sign to replace an existing non-conforming sign also within the 25-foot setback.

MINUTES

Present: ZBA members: Stuart Harris, Chair; Mollie Babize; Alan Surprenant; Kit Nysten (alt); Anne Yuryan (alt)
Tom Frawley, president of Summit Distributing
Members of the public: Cindy Carney; Phil Nolan; Doreen Nolan; Doug Field; Alan Rice; Del Haskins; Doug Mollison; Penny Mollison.

The hearing was opened at 7:03 p.m.

On August 27 the ZBA received an email from Hüseyin Sevinçgil, Senior Project Engineer, the text of which is below:

Mr Harris:

It was a pleasure meeting with you and the ZBA at the Tuesday August 20 ZBA meeting.

The following comments were raised by the board members:

- 1. Provide a solution to improve the ponding situation between the property and the Post Office.*
- 2. Provide a plan showing the building setbacks of buildings across the street and a few hundred feet in either direction.*
- 3. Provide a summary of the existing versus proposed sign illumination for the proposed freestanding sign.*
- 4. Show the limit of repaving on the Site Plan*
- 5. Provide the proposed canopy peak height and the existing building height.*

Below are our answers to the five (5) comments:

- 1. We have provided a note on the plan directing the contractor to provide a swale in the pavement during resurfacing of the site to allow the water to drain towards the existing catch basin in the road.*
- 2. We have prepared the attached Building Setback Plan which identifies the proposed building setback to the edge of road for the proposed overhead canopy and the average setbacks for 16 adjacent properties along Main Street. Please note that the proposed canopy is setback 29' from the edge of the existing road and that the average setback for buildings along Main Street is 32' to the edge of the road.*

3. The existing freestanding sign has approximately 25 sf of illuminated space. The previously proposed 52 sf internally illuminated freestanding sign has been modified to a new 42 sf monument sign as shown on the attached Preliminary Site Plan. The new sign will have approximately 21 sf of illumination for the Gas and Convenience Store and the 21 sf gas price sign will be illuminated by LED lights, whereby the numbers will be lit on a black background. The new sign will incorporate a peaked roof and will have a brick base.

4. The limit of repaving has been shown on the Preliminary Site Plan.

5. The existing store is approximately 17'-6" high and the proposed canopy will be 24' high.

We believe that these revisions address the ZBA comments and look forward to meeting with you on September 3.

Attached to the email (and to these minutes) were two documents:

- Revised Preliminary Site Plan dated 8/27/13 showing the area to be repaved and a new design for the sign
- Building Setback Plan—an overhead view of Main street showing the setback of other structures on both sides of the street in the vicinity of 244 Main.

Mr. Frawley brought large versions of the revised site plan and the setback plan for the board and public to see, and reiterated the changes to the plan and responses to the board's questions that were communicated in Mr. Sevinçgil's email. (See above.)

Mr. Frawley left at 7:16, and the board continued deliberations.

There is already a structure over the gas tanks supporting the fire suppression system and lighting. (**Structure:** A combination of materials for permanent or temporary occupancy or use with a vertical dimension of at least 2 feet and at least one dimension over six (6) feet, such as, but not limited to, a building, tower, tank, tunnel, platform, swimming pools, shelters, piers, wharves, bins, recreational courts, satellite dishes.) Therefore, a special permit, not a variance is needed to grant permission for the canopy over the gas tanks. A special permit is also needed for the new sign.

Consideration of criteria in Section 7 of the bylaws: the canopy will not overload any public water, drainage, or sewer system or other municipal services; the impact on adjoining premises of sound, light, odor, noise will not be affected by the canopy—in fact, the light pollution will be ameliorated by the canopy; the proposal will not require topographic change, removal of trees or shrubs, and will improve drainage at the site; the canopy will not cause pollution; it will not affect traffic safety; Summit has designed the canopy to fit in with the architecture of the store. So the canopy and the associated replacement of pumps and storage tanks will improve lighting at the pumps, storm water runoff, fire safety.

The sign is a non-conforming structure, and the proposed new sign will not increase the non-conformity. It will be in the same location as the old sign and will be only 10 feet high, thus decreasing its intrusiveness. It will be turned off when Neighbors is closed.

Mollie made a motion to approve a special permit for the gas station at 244 Main Street as noted in the site plan dated 8/27/13 for a new canopy, recessed lights, fire suppression system, and sign. Alan seconded. The motion was approved unanimously.

The minutes from the 8/20/13 public hearing were approved unanimously with corrections.

Meeting adjourned at 8:12.

Respectfully submitted by Kit Nylén

Next meeting is scheduled for Thursday, September 12 at 7:00 in Town Hall.