

PLANNING BOARD	JANUARY 16, 2024, 7:00 PM
TOWN OF HAMPTON FALLS	TOWN HALL

FINAL

A. CALL TO ORDER:

Chairman Santora called the meeting to order at 7:06 PM.

B. ROLL CALL:

Present (5): Todd Santora, Chairman; Edward B. Beattie, Selectmen's Representative; Abigail Tonry, Member; Lisa Brown-Kucharski, Member; Jon Ringel, Member; Will Lojek, Member.

Non-voting (3): Glenn Coppelman, RPC Circuit Rider Planner; Mark Sikorski, Building Inspector; Rachel D. Webb, Assistant Administrator.

Absent (3): Eric Cimon, Vice-Chairman; Andy Brubaker, Alternate.

C. PUBLIC HEARINGS:

Chairman Santora reopened the Public Hearing that was continued from the Planning Board meeting of December 19, 2023, regarding the proposed Sign Ordinance zoning amendments, for consideration for the March 2024 ballot. He explained that R. Webb had incorporated the changes requested by the Planning Board at the December Planning Board meeting in blue highlight, and the minor clarification changes requested by the Planning Board's Land Use attorney, Cordell Johnston, in green highlight.

G. Coppelman confirmed with R. Webb that the full text of the proposed changes would be posted at Town Hall, and also on the website.

Chairman Santora read through the proposed changes (noted in yellow highlight here) to the proposed sign ordinance as follows:

- 1) **DIGITAL SIGNS:** New Definition: Add Art. I, **Sec. 4** – Digital Sign. A digital sign is a video-style panel, one or two-sided, capable of displaying either text or photos. Digital signs, if utilized, would **only** replace the Change Panel portion of a sign as defined in **Art. IV., Sec. 3.2.2.2.4. Either** method of panel—digital or manual change panel--would be allowed per sign.
- 2) **DIGITAL SIGNS:** New Section Art IV, Sec. 3.3.3.1 Digital Sign Art. IV, Sec. 3.3.3.1.2 As per Zoning Article IV section 3.2.1.6 no moving, flashing or animated signs are permitted. Images displayed on the digital sign must be static and non-moving. This prohibition includes blinking or scrolling text or animated images. Frequency of change between static images on sign shall be no closer **than** 1 minute apart. This change time may be adjusted by the Code Enforcement Officer as necessary to minimize effects on neighboring properties or distraction to persons traveling on public roads.
- 3) **DIGITAL SIGNS:** Art. IV, Sec. 3.3.3.1.3 Brightness output of the digital sign must be reduced to a **minimum maximum** of 50% after dusk. This brightness level may be adjusted by the Code Enforcement Officer, including a requirement that signage be turned off between midnight and dawn, as necessary to minimize effects on neighboring properties or distraction to persons traveling on public roads.

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- 4) DIGITAL SIGNS: Art. IV, Sec. 3.3.3.1.6 Upon approval of digital sign application, all other methods of signage except primary business sign are prohibited, excluding political signs.
- 5) DANCING SIGNS: New definition: Add Art. I, Sec. 4 - Dancing Sign. A dancing sign is a fan driven tube sign meant to actively “dance” or move when in operation.
- 6) SIGN BOARD OR SANDWICH BOARD SIGNS: New definition: Add Art. I, Sec. 4 - Sign Board or Sandwich Board. A Sign Board or Sandwich Board is a freestanding sign normally folded open and self-supporting. The sign message may appear on one or both sides of the board.
- 7) FEATHER FLAG SIGNS: New definition: Add Art I, Sec. 4 - Feather Flag Sign. A feather flag sign is a temporary upright outdoor sign made of flexible lightweight fabric with a sturdy frame that is affixed to a pole driven into the ground or supported by an individual stand, which contains language for advertisement, greeting, or other messaging purposes.
- 8) BANNER SIGNS: Amend the title of Art. IV, Sec. 3.2.1.5 existing heading: Banners for Single Business in “BDS, BDN and TCD Districts”, to read: Art. IV, Sec. 3.2.1.5 proposed heading: Banners for Single Business in “BDN and BDS Districts”.
- 9) BANNER SIGNS: Amend the title of Art. IV, Sec. 3.2.2.5 existing heading: Banners for Multi-Business in “BDS, BDN and TCD Districts”, to read: Art. IV, Sec. 3.2.2.5 proposed heading: Banners for Multi-Business in “BDN and BDS Districts”.
- 10) Amend Art. IV, Sec. 3.3.2 Billboard signs, Dancing signs, and Feather signs are not permitted in any district in Town.
- 11) TABLE OF SIGN TYPES” New section Art. IV, Sec. 3.4 Table of Sign Types:

Amend the Town of Hampton Falls Zoning Ordinance to add a new Art. IV, Sec. 3.4, Table of Sign Types, as shown below. If any other zoning amendment affecting a sign type is defeated, the table will be modified accordingly.

3.4 Table of Sign Types.

The following table lists the various sign types and whether each type is permitted or prohibited in each zoning district, with references to the applicable sections of the Zoning Ordinance. A table of sign types presented in a matrix format lists various sign types and whether each sign type is permitted or prohibited in each zoning district, along with the reference to the Zoning Ordinance for further detail.

A.Tonry asked if these proposed changes are “significant”, or are they considered clerical, and Chairman Santora responded that Cordell Johnston determined these proposed changes to be clerical, and the Planning Board can move forward.

G. Coppelman stated that most of the proposed changes are just being more particular about the references to sections, so it is administrative as opposed to substantive. Chairman Santora explained that R. Webb prepared sample wording for the ballot of all changes proposed, for reference.

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A.Tonry inquired whether the proposed changes included interior window signs, and M. Sikorski responded that they did not.

Chairman Santora opened the Public Hearing for Public Comment, and there was none.

Chairman Santora closed the Public Hearing for Public Comment.

There was discussion about whether to make a motion to move the entire proposed sign ordinance to ballot as a single motion, or whether to vote on each sign type, and the decision was to vote on each sign type.

1)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding digital signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

2)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding dancing signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: W. LOJEK

UNANIMOUS

3)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding sign board or sandwich board signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

4)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding feather flag signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

5)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding banner signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

6)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding applicable rules for all signs.

MOTION: L. BROWN-KUCHARSKI

SECOND: W. LOJEK

UNANIMOUS

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7)MOTION: To move to warrant in March 2024 the proposed sign ordinance as amended, with the changes discussed tonight, regarding the Table of Sign Types.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

Chairman Santora reiterated that Attorney Cordell Johnston proposed minor administrative changes to the proposed sign ordinance, in addition to the vape shop definition, so that it will read better for the ballot, by adding the word “primarily”

Vape Shop Definition and Table of Uses: Amend Article I, Section 4, Add definition of “**Vape Shop**” means any premises **primarily** dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of electronic smoking devices, liquid nicotine, liquid nicotine containers or vapor products.”

D. REVIEW AND APPROVAL OF PREVIOUS MEETING MINUTES: December 19, 2023.

MOTION: To approve the Planning Board Minutes from December 19, 2023, as written.

MOTION: L. BROWN-KUCHARSKI

SECOND: J. RINGEL

UNANIMOUS

E. OTHER BUSINESS:

1) Chairman Santora mentioned an interesting article in today’s Seacoast Online, regarding a Portsmouth Planning Board member potentially facing removal, amid issues of impartiality. He stated that apparently the Planning Board member was running a protest about a development, and the person was warned, and he proceeded, so that now the Selectmen are contemplating the conduct.

2) Follow-up on 41 Lafayette Road, compliance with Site Plan:

M. Sikorski stated that there are very clear steps laid out in the Minutes from December 19, 2023, to bring the Site Plan into compliance. He continued that the only thing that was promised to be completed today was the capping of the stone wall. M. Sikorski said that the weather has not recently been cooperative for that type of work.

M. Sikorski stated that the other things on the violation list have been addressed, namely:

- the storage of the recycled asphalt onsite has been removed;
- the trucks are now parked in the appropriate locations, out back overnight; and
- the oil trucks have been removed.

M. Sikorski said that the owner has responded to the requests of the Planning Board and said that he would pass along any updates of communications from the owner regarding the stone wall completion.

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F. ADJOURNMENT:

MOTION: To adjourn at 7:25 PM.

MOTION: L. BROWN-KUCHARSKI

SECOND: W. Lojek

UNANIMOUS

NEXT PLANNING BOARD MEETING scheduled Tuesday, February 27, 2024, at 7:00 PM.

These minutes prepared by Rachel D. Webb, Assistant Town Administrator.