

**Town of Milford**  
**Zoning Board of Adjustment**  
**October 15, 2020**  
Case 2020-26  
MVC EYE CARE (ASRT LLC)  
Variance

**Present:** Jason Plourde, Chair

Rob Costantino, Vice Chair

Tracy Steel

Michael Thornton

Karin Lagro

Lincoln Daley, Director of Community Development

Darlene Bouffard, Recording Secretary

**Excused:**

Wade Campbell

Joan Dargie (Alternate)

Paul Dargie, BOS Representative

Chairman Plourde welcomed everyone and declared a State of Emergency as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, the Board of Adjustment is authorized to meet electronically. This meeting is held in accordance with the applicable New Hampshire State statutes, Town of Milford ordinances, and the Zoning Board of Adjustment Rules of Procedure. He stated that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, he confirmed that the Board is:

- a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

Chairman Plourde continued by stating that there were four cases to be heard tonight. He then proceeded to summarize the hearing process, rules, and procedures for Board Members, applicants and the general public. J. Plourde asked members if they are in agreement to not review minutes this evening. A poll was taken: R. Costantino yes; M. Thornton yes; T. Steel yes; K. Lagro yes; J. Plourde yes. J. Plourde asked all in attendance to mute themselves unless speaking.

Chairman Plourde stated that all votes that are taken during this meeting must be done by Roll Call vote. He started the meeting by taking roll call attendance. He asked each member to state their name and state whether there was anyone in the room with them during this meeting, which is required under the Right-to-Know law: Rob Costantino at home alone; Tracy Steel at home alone; Karin Lagro at home alone, Mike Thornton at home alone; Jason Plourde in the Community Development office at Town Hall in a room adjacent to Lincoln Daley's office. .

**Case #2020-26**

Classic Signs Inc. and ASRT, LLC for the property located at 583 Nashua Street, Milford Tax Map 44, Lot 11 is seeking a Variance from the Milford Zoning Ordinance, Article VII, Sections

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7.06.9.E.1.e.iii and iv to construct an 87 square foot free standing sign with a total height of 18.5 feet on the subject property located in the Commercial Zoning District.

J. Plourde stepped down from the Board for this application. R. Costantino stepped up as Chairman for this case. R. Costantino asked about the Ponemah Hill Road case that was continued. J. Plourde explained that case was also continued to November 5, 2020. R. Costantino asked who is representing the applicant for this discussion. Cliff Conti from Classic Signs stated he is representing the applicant. L. Daley set up the screen sharing for the meeting. C. Conti described the plan to add to the existing sign, a small amount of height will be added to the structure to help Dr. Chauvette promote his MVC business. This is a medical and retail office on this property; C. Conti reviewed the criteria and he noted this has little impact to the area and will provide fewer signs for this site. Many options were looked at but combining the signs was decided upon. Street visibility is important for this building. C. Conti asked for questions from the Board. R. Costantino said this would combine signs but he asked if two separate signs are allowed? R. Costantino asked if signs are supposed to be combined? C. Conti responded that he went with an off premise sign, when talking with Cumberland Farms and the owner of the property, they agreed a combined sign would be the best option. L. Daley said it is one monument sign that is shared by multiple businesses. R. Costantino asked if multiple signs are allowed? L. Daley responded only one monument sign is allowed. The off premises sign is allowed but the idea is to work with Cumberland Farms to combine the signs because MVC does not have frontage. R. Costantino understands that it has to be combined with the existing sign.

M. Thornton said it is a compromise to have their sign seen by the people driving by. M. Thornton asked if the Cumberland sign and MVC sign grossly exceed the sign regulation? L. Daley responded they are asking for 12 sf of additional area, the maximum size is 75 sf, this is an enlargement of the size, they will add 3.5' additional feet of height. K. Lagro indicated the visuals are effective and the description was thorough. R. Costantino said these signs are more for confirmation, the Shaws plaza sign has many signs on it. C. Conti said we want to make it easier for customers to find MVC. T. Steel said the presentation was thorough and explained why they want to add to the existing sign.

R. Costantino said the size of the sign does not seem appropriate. The signs in the other plaza are only 12', this is large compared to others. The Shaws plaza sign is right there and identifies the whole property. C. Conti explained this is not for one of the tenants, it is for the back lot, and they need to have a decent sized sign since it is for a whole lot not just a tenant. L. Daley asked for Cliff to explain other signs in the corridor regarding comparables. C. Conti said the MVC logo has been reconfigured to make it similar to the other signs. R. Costantino said this is much larger than the other signs in the area, it looks like it could be smaller. M. Thornton asked what is the maximum sized sign that would be permitted? C. Conti answered 75 square feet; and noted on a lot of corporate signs there is a lot of white space.

L. Daley indicated the sign is part of the original site plan and this was the theme of the site, the columns are not part of the square footage. R. Costantino said it takes up room when looking for a sign. L. Daley said the ZBA should focus on the sign, not the columns. T. Steel asked about the directional signs and who regulates those? C. Conti said that is through the State and has certain requirements. K. Lagro said this sign does not bother her, the building is so far back, you cannot see any other identification of the business because the building cannot be seen, this is a

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1 small increase to the sign. L. Daley said we try to reduce clutter on our main corridors, but this  
2 building has no frontage and no visibility and to share a sign that exists reduces sign clutter.  
3 Having one building sign is what Milford strives to do. K. Lagro added that the sign there now  
4 does not block any visibility. By not lowering the sign it will not affect the visibility. It seems  
5 thoughtfully designed. R. Costantino would like it to be shorter and narrower. T. Steel asked if  
6 would be a hardship that the sign cannot be put on the property because there is already one on  
7 it? C. Conti said this is critical to the developer of this lot because they do not have visibility  
8 from Route 101A. T. Steel said at the Shaws plaza they have frontage and you can see the names  
9 of each business when driving by, but this lot is behind other buildings.

10  
11 Seeing no further ZBA comments, J. Costantino opened the meeting to the public. J. Plourde,  
12 Woodhawk Drive, explained when the previous sign was before the ZBA, he voted against it, but  
13 this is a different case. The MVC building is hidden in the back behind Cumberland Farms, they  
14 used the granite theme for the site lines when designing the sign. J. Plourde does not have an  
15 issue with this. Please consider the criteria, this will not be much different than what is there  
16 now, this is a totally different situation than the Shaws plaza and this is two different owners  
17 working together. Another point made by J. Plourde was there is a "No Turn on Red" sign at the  
18 traffic light at Cumberland Farms; there should be another sign on the "arm" of the light. There  
19 were no other public comments. R. Costantino closed the public portion of the meeting.

20  
21 R. Costantino asked if there is anything else from the applicant before deliberations? C. Conti  
22 indicated he has worked for months on this and has been working with Cumberland Farms and  
23 we were able to come up with a solution that works for everyone and for the business that has no  
24 frontage.

25  
26 **DELIBERATIONS:**

27  
28 1-K. Lagro indicated the two parties have come up with this solution that is in the best public in-  
29 terest and it meets the signage requirements for the new lot and sight lines are not impacted; M.  
30 Thornton has been driving behind people that are looking for a business trying to read the small  
31 signs and it is not fun; T. Steel agrees with K. Lagro that it will not affect sight lines, the sign is  
32 set back from the intersection and cars have a clear sight line at the intersection; R. Costantino  
33 appreciates the comments about sight lines and is trying to keep the spirit of the ordinance.

34 2-R. Costantino said the spirit of the ordinance is maintained; T. Steel agreed, making it taller  
35 will not affect the sight lines; M. Thornton agreed the spirit of the ordinance is maintained; K.  
36 Lagro said the ordinance wants to avoid too many signs or too large of a sign but this is two par-  
37 cels using one sign.

38 3-M. Thornton indicated this compromise allows substantial justice to be served; K. Lagro said  
39 no solution would bring any other conclusion; T. Steel said there cannot be another sign on the  
40 parcel so the compromise allows substantial justice to be served; R. Costantino agrees and there  
41 would be no gain for the public by denying this application

42 4-K. Lagro said this is a small increase in the size of the sign, this will not diminish the value at  
43 all; M. Thornton agrees this will not affect the value; T. Steel said this is a commercial retail area  
44 of town, this is appropriate and uses what exists; R. Costantino said this would not affect the val-  
45 ue of surrounding properties.

46 5-T. Steel said this is a hardship because there is no frontage; M. Thornton agreed; K. Lagro said  
47 there is hardship because of lack of frontage because of the area it is in, there is no availability to

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have off site signage; R. Costantino thinks they are trying to fit the sign in an existing monument sign but it does not affect safety.

**VOTING:**

1-T. Steel yes; K. Lagro yes; M. Thornton yes; R. Costantino yes.

2- M. Thornton yes; R. Costantino yes; T. Steel yes; K. Lagro yes.

3- T. Steel yes; K. Lagro yes; M. Thornton yes; R. Costantino yes

4- M. Thornton yes; R. Costantino yes; T. Steel yes; K. Lagro yes.

5-K. Lagro yes; T. Steel yes; M. Thornton yes; R. Costantino yes.

T. Steel moved to approve Case 2020-26. K. Lagro seconded. A poll was taken: K. Lagro yes; T. Steel yes; M. Thornton yes; R. Costantino yes.

R. Costantino stated Case 2020-26 has been approved, there is a 30-day appeal period which is November 15, 2020.

Motion to Approve: \_\_\_\_\_

Seconded: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**THE MINUTES OF 2020-26 ON 10/15/2020 WERE APPROVED**