

**TOWN OF CUMBERLAND  
PLANNING BOARD MEETING MINUTES  
Tuesday, November 19, 2019 – 7:00 pm**

**A. Call to Order:** Chairman Auclair opened the meeting at 7:04 pm and welcomed new Planning Board member Lee Buffinton.

**B. Roll Call: Present:** Paul Auclair, Lee Buffinton, Bill Kenny, Steve Moriarty, Jason Record, Joshua Saunders & Ann Sawchuck. **Staff:** Carla Nixon - Town Planner, Christina Silberman - Administrative Assistant & William Shane - Town Manager.

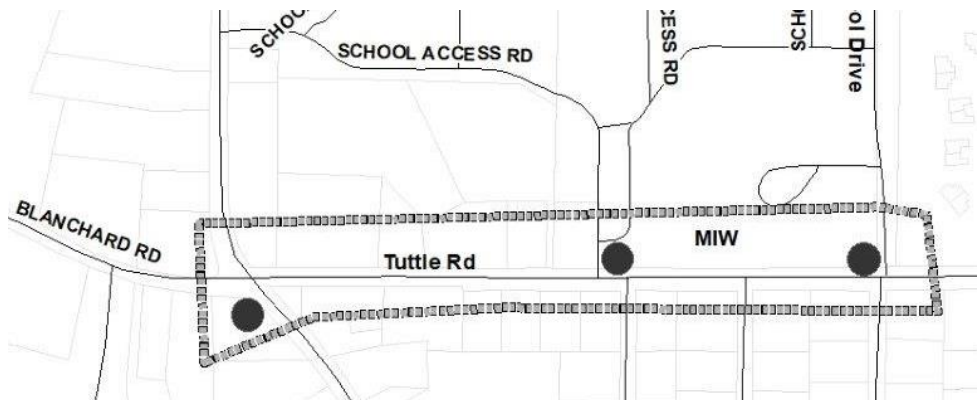
**C. Approval of the Minutes of the September 17, 2019 Meeting:** Ms. Sawchuck noted a correction to the prepared minutes. Mr. Moriarty moved to approve the minutes of the September 17, 2019 meeting as amended, seconded by Mr. Kenny and **VOTED, 6 yeas, 1 abstained (Buffinton) - motion carries.**

**D. Staff Site Plan Approvals:** None.

**E. Minor Change Approvals:** None.

**F. Hearings and Presentations:**

**1. Public Hearing:** To make a recommendation to the Town Council for creation of an Institutional Use (IU) Overlay District in the Town center.



Proposed location of Institutional Use Overlay is outlined on above map.

Chairman Auclair introduced the item and explained that some language is missing for this item that the Board needs to review so the item will be tabled.

Ms. Silberman reported that there are members of the public present that wish to speak on this item.

Chairman Auclair opened the public hearing.

Kathy Brooks, Linden Court, said she is here in her capacity of head of the Cumberland Meadows Homeowners' Association. Ms. Brooks said she received a copy of the overlay district outline and it appears that the overlay district impacts the Cumberland Meadows property and they are not okay with this. Mr. Brooks requested that the overlay district end at the school property and does not go onto the Cumberland

Meadows property. Chairman Auclair replied that the Board noted this at the end of their earlier workshop.

Greg Smith, 279 Main St., said that he and his wife both object to the overlay district wrapping around Main St. and coming into the Congregational Church area. Mr. Smith referred to headlights from vehicles leaving the Church shining into his windows as well as light from the traffic light at the intersection and said he worries about the same thing with regards to the Church. Mr. Smith said he understands the limitations in the language on the type of signs that would be allowed but once the Town allows this type of permitted use it can be difficult to control it. Mr. Smith said that vistas and the appearance of downtown are very important. Mr. Smith encouraged the Board not to allow this at the Church. Mr. Smith cautioned the Board about the language regarding public and nonprofit use.

Sharon Halligan, Cumberland Meadows resident, is concerned with a sign at the Middle School that she may be able to see from her windows. Chairman Auclair said that the Board cannot say where a sign may be located. Ms. Halligan asked how many signs there would be. Chairman Auclair said he thinks there could be four signs. Ms. Halligan commented that we live in a nice historical center, Norman Rockwell postcard town, and now there could potentially be six LED signs and she asked that the Board consider this.

Greg Smith said that he disagrees with allowing six LED signs in this area.

Chairman Auclair closed the public hearing.

Mr. Saunders moved to table the Planning Board's recommendation to the Town Council for creation of an Institutional Use (IU) Overlay District in the Town center, seconded by Mr. Moriarty and **VOTED, 7 yeas, unanimous - motion carries.**

**2. Public Hearing:** To make recommendation to the Town Council to amend Section 315-63 of the Sign Ordinance to permit Electronic Messaging Signs in the proposed Institutional Use (IU) Overlay District and to make amendments to Section 315-63 B (Sign Ordinance Definitions).

Chairman Auclair introduced the item and noted that this is related to the first item.

Mr. Moriarty said that in his judgement, the Board cannot begin to talk about permitting signs in an overlay district that does not exist.

Mr. Record said that he would like to hear the Board's comments.

Mr. Moriarty said that he was surprised to see this on the agenda since there had not been any activity on internally illuminated signs since two years ago. The Sign Ordinance was amended two and a half years ago and he is not aware of any problems with it. Mr. Moriarty said that this proposal is uncomfortably close to spot zoning and this crosses over the line. This is creating a use zone for the sole purpose of allowing the school district to post two more signs. Mr. Moriarty does not think the Town should do this.

Mr. Moriarty said he was at the School Board meeting last night and there was a lot of talk about the School website. A member of the Town Council asked why the Board no longer published and made available to the public, at places like Food Stop, their

agenda. The answer was that it is on the website. If parents of students need to know what is going on, it is there on the website. If a sign is allowed to change once every five minutes, a driver will see one, maybe two, messages. Mr. Moriarty does not see the need for more signs. If the Town did this overlay zone to allow these signs for this part of Town, there is no rationale for refusing comparable requests from every other part of Town. Mr. Moriarty asked what kind of Town we want. Mr. Moriarty said that he does not think that he can be convinced that this is a good idea.

Mr. Kenny said that when he saw this, he went to the Comprehensive Plan and on page 10 it says that the people of the Town love the character of the Town and how it looks. Mr. Kenny said he doesn't see where illuminated signs fit with this. Mr. Kenny thinks the Board can vote on this tonight and stop it in its tracks.

Mr. Record said he has concerns about the payoff on a \$30,000 sign as far as how much it costs to have someone go out to change the letters. This cost is hard to justify. Mr. Record said he has concerns with the overlay district, it seems arbitrary and not equitable to other places in Town. Mr. Record is concerned about rural character and said he is not sure this is needed.

Mr. Saunders said that he is not philosophically opposed to an electronic messaging center sign. He is not convinced that, at the illumination levels, this is going to change the character of the Town. Mr. Saunders said that the overlay district is overly restricting. If the Town is okay with this sign, the Town should look at allowing it in a zone and not as an overlay district. Mr. Saunders said this gets uncomfortably close to spot zoning and he is uncomfortable with that.

Ms. Sawchuck said that she does not see why these signs are necessary. The Town is always concerned with the amount of illumination being shed when the Board is looking at plans and she asked what this would do. Ms. Sawchuck said these are big signs and there are homes across the street. Ms. Sawchuck wondered if these would be a problem for the homeowners and said limiting this as an inconvenience only to those homeowners is hardly fair. If the Town is going to do this, it should be allowed everywhere.

Ms. Buffinton said it would help everyone to see, at night, an example of a conventional sign with lights shining down on it compared to an electronic sign. Ms. Buffinton said that there are real concerns about creating a district to do something very specifically for a few people. Ms. Buffinton said that she lives practically within sight of the High School sign that is glaring and distracting. That sign could be fine-tuned to be a wonderful message board using some of these proposed concepts. Ms. Buffinton said that this proposal could set a precedent and be manipulated. Ms. Buffinton said that she thinks the Board needs a lot more information to justify this. Ms. Buffinton would like to see what the Board can do to remediate current problems that may exist with some signs.

Town Manager Bill Shane noted that because of the advertising issue this item is a do-over. It is obvious that a majority of the Board are not in support of this item. Mr. Shane will let the Town Council know tonight where this item went, what the concerns are and see if the Council wants to continue with the application for the December meeting.

Mr. Saunders moved to table any recommendation to the Town Council to amend Section 315-63 of the Sign Ordinance as well as any recommendation to Section 315-63 B (Sign Ordinance Definitions), seconded by Mr. Moriarty and **VOTED, 7 yeas, unanimous - motion carries.**

**G. Administrative Matters/New Business:** None.

**H. Adjournment:** Mr. Moriarty moved to adjourn the meeting at 7:37 pm, seconded by Mr. Kenny and **VOTED, 7 yeas, unanimous - motion carries.**

A TRUE COPY ATTEST:

---

Paul Auclair, Board Chair

---

Christina Silberman, Administrative Asst.