



**CITY OF DOVER**

## SIGN COMMITTEE – MINUTES

Meeting Type: Regular Meeting  
Meeting Location: 2<sup>nd</sup> Floor Conference Room, City Hall, Dover NH  
Meeting Date: Thursday, April 24, 2014  
Meeting Time: 8:00 am

**MEMBERS PRESENT:** Gary Green (Chair), Lee Skinner, Dan Barufaldi, Erik Roy

**STAFF PRESENT:** Tim Corwin (Assistant City Planner)

The meeting was convened by Green at 8:00 AM. The Chairman noted that there is still a vacancy on the Committee.

### 1. APPROVAL OF MINUTES

*Skinner suggested that the April 17, 2014 be amended to reword Green's question regarding legal opinions. Barufaldi motioned to approve the minutes of April 17, 2014, as amended, Skinner seconded. Vote: Unanimous. Barufaldi motioned to approve the minutes of April 10, 2014, Skinner seconded. Vote: Unanimous.*

### 2. OLD BUSINESS

#### a. Review of Sign Ordinance - Chapter 170-32

##### i. Mill Motif Discussion –

Green: I have asked Tim Corwin to consider extending design standards to gateway districts.

Skinner: Before we talk about what we want to change, I'd like to find out how many businesses have opted for the mill motif, because if not many have, then the mill motif design criteria have not been successful in encouraging the types of signs envisioned by the criteria. The question then is whether to eliminate the mill motif standards or how to make them more attractive to be utilized.

Corwin: Staff is working on compiling information on how many signs have been designed using the mill motif. In my two and a half years with the City, it has been used for very few signs.

Barufaldi: If black and white were added to the three colors permitted under the mill motif requirements, would that make the requirements more attractive?

Roy: What's important for businesses is that it's made clear exactly what the criteria are.

Skinner: If the criteria were to be relaxed, do we have a sense that they would be more frequently used?

Corwin: It's the sign designers who routinely interface with their customers that would probably be in the best position to answer.

Skinner: It would be interesting to take a survey of businesses to ask why businesses have or haven't taken advantage of mill motif.

Roy: Businesses are not going to know what mill motif is.

Green: Is the bonus of doubling your permitted signage a large enough incentive to utilize the mill motif?

Corwin: The mill motif criteria are "buried" in the regulations. Owners and even sign designers might not be aware of them.

Green: Mike Leary told me that the criteria are not only hard to understand, but difficult to implement. We can't do anything about the latter.

Roy: At the start of the permitting process, it should be made very clear to the applicant what the criteria are.

Corwin: I like the idea of having a single sheet containing all of the criteria that can be used as a handout to applicants.



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Green: Page 143 sets forth the permit process – how do these relate to our discussion?

Corwin: The Planning Department has not been strictly enforcing the mill motif permit process. If we start enforcing these permit process requirements, it is my opinion that no one will take advantage of mill motif.

Roy: It seems like most of the business downtown have been following the mill motif design criteria anyway.

Green: The Woodman Museum sign for example would not qualify.

Roy: It appears that the newer businesses in town are moving away from the more traditional signage of Dover's older businesses.

Green: This is something we need to address. And this is why I suggested expanding the criteria along the gateways. If the business owner had an opportunity to go bigger instead of brighter, would he?

Roy: As a business owner, I would go with bright.

Discussion ensued regarding the cost of a sign permit and whether waiving the fee would be enough of incentive. Skinner did not think it would be.

Barufaldi: A lot of the businesses today are chains which have their own branding that may be inconsistent with mill motif.

Skinner: You cannot regulate logos on signs. But it's acceptable to prevent the use of logos when offering a bonus. But you cannot disallow outright.

Barufaldi: Mill motif is a tool that does not seem to be used.

Corwin: The materials requirement may be an obstacle.

Green: We need to decide whether high density urethane should be added as a permitted material.

Barufaldi: The permitted material language is obsolete because 90% of signs are made out of urethane.

Skinner: If the committee would like, I will take the mill motif and rewrite it. But the ultimate question is, has it not been more successful because folks aren't aware of it or is it that it does not appeal to them. A lot of the signs downtown seem close to compliance.

Corwin: An option moving forward is to craft the regulations to prevent the outlier signs, or to have some basic design guidelines for all signs downtown.

Barufaldi: If we're not getting high utilization, then perhaps we move the restriction posts so that the bulk of the signs are in fact in compliance and then set those posts in stone.

Corwin: Agreed.

Skinner: We should see what is the common thread of the 80% of the signs that are attractive.

Green: Should we eliminate the intent paragraph?

Barufaldi: The objective is to move the regulatory goalposts so that we capture more of the existing signs downtown. One way is to move to three colors, plus black and white and adjust the font restrictions.

Roy: Doubling the signage is probably not a significant incentive.

It was agreed that Skinner will prepare a redraft of the mill motif regulations with the input of Corwin.



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### ii. Electronic Message Board/Political Sign Discussion –

Barufaldi asked Corwin for his input on electronic message board signs: size, frequency of change and illumination.

Corwin: The Planning Department does not support electronic message board signs.

Barufaldi: The concern is that there will be more and more requests in the future for electronic signs, and we need to define this issue in terms of size, frequency of change and illumination.

Green: I will be meeting with the City Attorney to discuss political signage as well as whether the allowance of electronic message boards can be limited to commodity pricing.

Corwin: I would suggest deciding what you would like to do and then determine whether and how that is legally enforceable. With respect to political signs, the committee should keep in mind that there may be some legal concerns with respect to the City's permitting "non profit" or "civic" signs at certain City intersections, but not political signs.

### iii. Temporary Sign Discussion –

Barufaldi asked Corwin what other concerns he has had from an administrative perspective.

Corwin: The challenge is less administration and more enforcement.

Skinner asked about illegal off-site advertising; Corwin stated that that is an area where the City has had significant success.

Barufaldi: Can a citizen remove temporary sign? Green: The City Attorney has ruled against this.

### iv. General Comments –

Skinner: We can't control what is said but how it's displayed.

Green: In some cases the City has stricter regulations than what is required under state statute, and that's ok, but we'll be meeting with the City Attorney to discuss.

Barufaldi: It's important for Corwin to have input in this process because it is he who administers the regulations.

### b. Begin Page by Page Review

Green asked if there were any issues on page 132. Barufaldi proposed reorganizing the ordinance to remove references to other subsections to facilitate ease of use. Skinner agreed that this would make sense where the reference is made to a short section. Roy stated that the reference to other subsections is not a concern.

Skinner asked if there is ever a time when the Zoning Administrator would say no to a "non profit" sign. Corwin explained the Department's policy on what type of "non profit" sign the Department approves and what the requirements are. Green suggested this policy should be written down. Roy suggested having different sheets on hand for different applicants explaining the regulations for the particular sign for which the permit is sought. Corwin stated that the City Attorney has concerns about subsections C.(1)(d) and (11). Skinner stated that since this has never been a problem before perhaps the language should be left as is. Green stated he was more concerned with the lack of a



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written policy, and the problems are more on the enforcement side which is not what the Committee is focused on. It was agreed that Corwin would work with Roy to put together a non-profit sign policy.

There were no other comments for page 132.

For page 133, Green stated that there has been a lot of discussion on how to measure illumination. Tom Clark will provide information on this at a future meeting. Skinner asked whether the references included in Subsection C(9) can be incorporated directly into this provision. It was agreed to leave as is. Roy stated that it makes sense to leave general provisions in the general section. Skinner asked about “except as otherwise provided in this section” under subsection C(10), and whether there is a section that says here are the signs that you can put in the right-of-way. It should be clear in the ordinance what these types of signs are. Barufaldi asked how it is possible to enforce some of these regulations. Corwin stated that there is, at a minimum, a value to having regulations as a tool to address egregious violations, and when there is a complaint. Skinner agreed using a police analogy, and Green with a speed limit analogy.

Returning to page 132, Green asked whether Subsection C(5)(a) addresses electronic message board signs other than those that flash. Corwin stated that the “flashing sign” definition covers all electronic message board signs whether or not they actually flash. Green stated that he and Steve Bird would take a closer look at this with the City Attorney. Skinner hoped that at the very least the ordinance is amended to permit electronic message board signs for gas stations. He also expressed hope that we allow electronic message board signs in general under certain parameters. The Committee unanimously agreed to make it the policy position of the Committee to support the allowance of electronic message board signs. The Committee agreed it will need to address size, color, intensity, frequency of change, and type of change. Before moving forward, Green stated that the Committee will need a fuller understanding of the legal context for regulating these signs. Flashing signs will be part of a future discussion.

There were no other comments on page 133. Green noted that they are bypassing the diagrams and footnotes until the end. Skinner stated that he would seek new illustrations to replace the current illustrations to make them more clear and readable.

There were no comments on page 134.

On page 135, Skinner suggested taking out the word “so” from subsection D(5). Green asked whether and how this should apply to a business that is open past 9:00 pm or 24 hours. Green suggested that the sign should turn off at their posted sign of closing. Roy asked where the B-1 District is and asked if the Committee could have a zoning map for reference. Corwin stated that he would obtain one for the Committee’s use.

At the next meeting, the Committee will pick up at subsection D(5) on page 135.



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**3. NEW BUSINESS: NONE**

**4. CITIZEN FORUM: NONE**

**5. SIGN COMPANY PRESENTATIONS DISCUSSION**

Green stated the presentations by the sign companies were helpful and the minutes from that meeting should be kept in mind moving forward, especially with respect to the electronic message board issue. Discussion ensued regarding the difference between electronic gas price signs and other electronic message board signs, as well as the desirability of permitting electronic message board signs.

**6. NEXT MEETING**

It was agreed to hold the next meeting on May 8, 2014, at 8:00 am. The meeting will focus on completing the page by page review and that the members would review the pages in advance of the meeting. Skinner stated that he would send out the draft mill motif criteria to Steve Bird to send to the Committee in advance.

**7. ADJOURNMENT**

*Skinner motioned to adjourn at 9:28 AM. Barufaldi seconded. Vote: Unanimous*

DRAFT