

## **Zoning Board of Appeals Meeting Minutes**

Minutes of July 9, 2014

Continued hearing from June 4, 2014 on the petition of Charles W. Entwistle of 790 Main Street, Leicester, Ma. for a Special Permit to install an LED message board and increase the total sign area to the maximum 50-square feet on property located at 800 Main Street, Leicester, Ma.

Members present: David Orth, Chairman; Jim Buckley, Clerk; David Kirwan, Vaughn Hathaway

Alternate members present: Paul Schold, Jim Reinke

Meeting called to order at 8:14PM

Mr. Reinke excused himself from this hearing due to having conflict.

Instructions were given on hearing procedures.

Voting at tonight's hearing: David Orth, David Kirwan, Vaughn Hathaway, Paul Schold and Jim Buckley

Mr. Buckley read the Notice and Application into the record.

Submitted into Evidence: pictures showing size and dimensions of the new sign

Correspondence received: a letter from the Building Inspector, a memo from the Board of Health, Site Consideration from the Building Inspector, a letter from the Police Chief on the standard recommendations for LED Signs. Correspondence read into the record by Mr. Orth.

Mr. Orth opened the meeting to the applicant to present their petition to the Board.

Mr. Andy Serrato of Serrato Signs explained that the existing sign that sits to the far left is approximately 90-square feet of signage. The Entwistles are trying to bring their signs into conformance down to 50-square feet, which is allowed by Special Permit. They are also requesting placing the sign lower, making it more visible to ongoing traffic.

He said there was a question at the last meeting regarding the number of existing signs on the property and the square footage.

*Mr. Serrato submitted additional pictures showing different scenarios of signs and pictures showing what the landscaping will look like in front of the building.*

Mr. Serrato continued. He measured the front of the building, which is 120-feet long by 20-feet high, totaling 20,000-square feet. The Bylaw allows up to 15% of the building area, which is 360-square feet. The existing signs and bearings, which include the canopy, except for the United sign, are 180-square feet. There are State requirements on informational signage for smaller signage that measured 23-square feet, which is under the 360-square feet that is allowed by right.

The existing canopy was done by special permit which included the signage on the canopy. The United sign will be coming down and the existing pylon signs will come down and be replaced with the new LED sign.

This business has been there since 1945 and the applicant has owned it since 1990.

Mr. Schold asked if both of the old signs were being eliminated and the LED will take their place. Mr. Serrato said yes.

Mr. Hathaway asked for clarification. The lower section of 50-square foot sign, where it shows the 800 Main Street address, was that a solid piece. Mr. Serrato said yes, it was solid. It's the pole cover that will go over the existing pole.

Mr. Hathaway asked if that would interfere with traffic.

Mr Serrato said it will sit back about 8 to 10 feet from the road.

The sign itself will be set back around 10 to 12 feet from the road and will sit higher than the existing signs.

Mr. Orth said he had some limitations to mention, one of which was allowing no less than 10-second intervals per animation and then after sundown, the sign needs to be static having no more than 10% of brightness with no animation after dark. His main concern was it becoming a distraction to motorists.

Mr. Serrato said his associate, Ben Barr will speak on that in more detail, but they plan on following the Police Chief's recommendations. During the nighttime hours until 6am, the sign will be set automatically to shut off all the transitioning of the sign.

Mr. Ben Barr explained that they will be following the recommendations the Police Chief noted in his letter, which were all standard requirements used within their industry.

The sign will be set at 7 to 10% brightness at night and go to full brightness throughout the day, but will dim automatically throughout the day, adjusting itself from cloudy and sunny periods.

The sign will operate at 10-second intervals, but changes to that can be made if needed. The 50-square foot will allow for larger lettering, which they consider a safety factor and makes it easier for drivers trying to read the sign while driving by.

Hearing no further discussion, Mr. Orth asked for a motion.

MOTION: Mr. Hathaway moved to approve the petition of Charles W. Entwistle of 790 Main Street, Leicester, Ma. for a Special Permit to install an LED message board and increase the total sign area from 30-feet to the maximum 50-square feet on property located at 800 Main Street, Leicester, Ma. With the condition that it meets all State requirements that govern message sign's interval time changes, allowing for no less than 10-second intervals.

SECONDED: Mr. Kirwan – Discussion: None

VOTE: All in Favor

Instructions were given on the appeal process and the filing of this Decision with the Registry of Deeds.

MOTION: Mr. Hathaway moved to close the hearing

SECONDED: Mr. Kirwan – Discussion: None

VOTE: All in Favor

Meeting adjourned at 8:40PM

Respectfully submitted:

*Barbara Knox*

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