

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

Minutes of October 15, 2014

Hearing on the petition of Larry Abramoff of 34 Chiltern Hill Dr., Worcester, Ma. for a Special Permit to increase the sign size from 30 to 50-square on property located at 803 Main Street, Leicester, Ma.

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

Alternate members present: Jim Reinke

Meeting called to order at 8:45pm

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

Mr. Hathaway noted having a business relationship with one of the tenants and asked if he should recuse himself from this hearing.

Mr. Larry Abramoff felt confident that Mr. Hathaway would rule on this petition fairly.

Instructions were given on hearing procedures

Mr. Buckley read the Notice, Application and a letter from the Building Inspector

Submitted into evidence: a Registered Plot Plan, the green and white return receipts from the Certified Mailing to abutters, and pictures of the proposed sign

Correspondence received: Site Consideration from the Building Inspector that was read into the record by Mr. Orth.

Mr. Orth opened the hearing to the applicant to present his petition.

Mr. Larry Abramoff said there was a sign on the property now that is approximately 3-feet by 4-feet.

Mr. Orth asked if it was the same sign that currently advertises the Driving School.

Mr. Abramoff said yes and they want to put in a two-sided illuminated sign. He felt it would improve business and make it more visible.

The business is located at the bottom of a hill, both ways, where traffic tends to pick up speed and they don't see the sign until it's too late and end up passing the building.

The sign will be in the same location, subject to findings of dig-safe, and will be replacing the existing sign.

Mr. Kirwan asked what the height was of the existing sign from the ground, to the first panel of the sign itself.

Mr. Abramoff said approximately 6 to 8-feet.

Mr. Kirwan asked why the applicant felt the new sign would improve public safety.

Mr. Abramoff said the current sign isn't illuminated, although it does have some lighting on it. He explained that illuminated signs show up better and is substantially bigger in size. Also, it would avoid from people having to slam on their breaks when trying to find his business.

Mr. Buckley asked what the hours would be for the sign to be lit. Mr. Abramoff said felt the sign would probably stay lit until 11pm-12am. He didn't think there were any residential properties where the lit sign would interfere. There may be a concern about the cost on keeping

the sign lit for a prolonged period of time. His guess was probably from dusk to 11 or 12 midnight.

Mr. Buckley asked if there would be any movement or animation to the sign.

Mr. Abramoff said no, it will be a static sign.

Mr. Reinke asked if any correspondence was received from the Police Chief.

Mr. Orth said it's usually on the LED Signs he would send the Board something.

Mr. Kirwan asked if there would be any signs on the building itself.

Mr. Abramoff said there are signs on the building.

Mr. Kirwan asked if those signs play into the total square footage amount.

Mr. Abramoff said yes, according to the Building Inspector.

Mr. Hathaway said it would fit into the certain amount of square footage of the frontage of the building.

Mr. Reinke asked if the existing sign had any obstructed.

Mr. Abramoff said no the current sign is not at all restrictive.

Mr. Hathaway asked if the Board was okay with the time frame for the sign to be lit.

Mr. Abramoff said his concern with having a restriction on the sign being lit was if a new business came in that would require the sign to be lit longer.

Mr. Orth said his only concern was that a sign being lit at dusk is a lot different from a sign being lit at 2am. With the LED signs, it can be brought down to 5% and he wasn't sure if it could be done with this sign. His concern was the brightness interfering with driver's vision.

Mr. Abramoff pointed out that there were streetlights on the lot, as well as having pretty powerful parking lot lights. He noted that he has never heard of any problems elsewhere with this type of sign.

Mr. Orth asked for any further comments or concerns; hearing none, asked for a motion.

MOTION: Mr. Buckley moved to approve the petition of Larry Abramoff of 34 Chiltern Hill Drive, Worcester, Ma. for a Special Permit to increase the sign size from 30 to 50 square feet on property located at 803 Main Street, Leicester, Ma.

SECONDED: Mr. Reinke – 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. Buckley to close the hearing

SECONDED: Mr. Kirwan – Discussion: None

VOTE: All in Favor

Meeting adjourned at 9:05PM

Respectfully submitted:

*Barbara Knox*

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**General Minutes**

Approval of minutes

9/24/2014

Tabled to next meeting

**Correspondence/General Board Discussion**

- Sept. Building Permits and Occupancy Permits Issued
- FY16 Capital Improvement Requests

Meeting adjourned at 9:30pm

Respectfully submitted:

*Barbara Knox*

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