



## **PLANNING BOARD**

**Town Hall**

**195 Main Street**

**Maynard, MA 01754**

Meeting was recorded

Minutes: March 27, 2012

Attending: Greg Price (GP), Michael Bingley (MB), Max Lamson (ML), Jason Kreil (JK), Bernard Cahill (BC) and Richard Asmann (Building Commissioner)

7:05 – GP opened the public meeting with the continued deliberations of Peyton’s request for Sign Special Permit

GP – different towns and cities do allow illuminated signage up to 1000 Nits; I have done some research we didn’t want to issue a permit that is opened ended; we had discussion of having a dimmer function could we right a decision with a maximum of 1000 nits; start with board members

How much signage is on Jam Time? about 50 square feet, maybe a little over, they did not apply for a special permit; the three signs fell in the 50 square feet; that space was Victory Market with signage, 220 square feet at that location; 12% was the maximum allowed with the old sign bylaw;

JK went over past signage on that location.

Are we considering option B - yes

When could you turn off the lights - 11:30 p.m. you are proposing no lighting around River Edge; much smaller signage than originally proposed; Bar Restaurant Lounge sign not being illuminated; having a dimmer in place; the applicant was receptive to this option; the new sign bylaw was untouched; this was completely rewritten in 2006.

MB I am fine where it is with this signage; if a internally illuminated sign was going to be permitted this is the best location. This is not the first illuminated sign in town.

BC – The lights in the parking lot look washed out – are the actually parking lot lights on timers – they go out about 12:30 a.m. I wish the applicant had submitted what the surrounding area looks like at night.

ML – why are they requesting a waiver for internally illuminated signage because the bylaw states no internally lit signage – are we setting a precedent with this; I want to make sure that we are justified by making this argument. Digital signage is different than this type of signage. RA – this is not setting a precedent you cannot use this for any other case. In this location I think it can handle this type of signage; this signage is consistent with the 62 corridor. Some board members agree with the dimension of the signage over the front door.

RA – reminded the board that they need to have findings in their decision all findings need to be voted on.

BC – some towns passed an overlay district regarding signage; something for the board to consider in the future.

GP – does the board feel that it could make a decision – suggestion – take one area at a time then you could make findings on these points; size of the building; distance from the street.

Scale from the front of the building – 50 square feet – is it too small; two separate signs – it is in portion for the scale of the building. It is a smaller sign over all – less signage and illuminated area; location back from the road; consistent with the district; offset the street; parking – no availability of signage on the road; no place to put a directory sign; terms of size; offset, scale of the building; no directory sign;

Illumination: offset, district, we can control the illumination on the signage; time and density; neon sign on the residence it is in a business area; recognize them as part of your business district they need to advertise and identify themselves, the bylaws maybe too restrictive; time is always in the bylaws – cannot operate beyond the bylaws - total illumination is only 70 square feet – no 76 square feet whatever that percentage is 66% so your findings could say that you are illuminating 40% the total signage; Option C – ML wants to approve C that shows without the Bar, Restaurant, Lounge; to start with and possibly come back if they have no complaints; if we do that would mean that they would be up to the square footage and then they would have to come back in; the downside the whole issue they may adopt; it looks like the restaurant is not occupied; some people might not know that it is Bar, Restaurant and Lounge;

BC – in my head I am separating it as two different signs and I know that I have consider it as one sign and I don't have a problem with it as long as the entire signage is not internally illuminated. It is a big building.

Control of illumination; internally illuminated same as other signs on the site;

JK Motion to approve the sign – Option B – based on size and illumination on the plan as option B – MB 2<sup>nd</sup> – any further discussion – no – 4-1 (opposed ML) – Motion passed.

Any party of interest can appeal this – Zoning Enforcement Officer, BOS, abutters; no members of the board can appeal this decision.

Two sets of minutes that have been received today and I didn't have time to review. Hold off on minutes to next time.

0 Pine Street – storm water permit changes are incorporated in these plans.

Complaints – if there are complaints the Zoning Enforcement Officer would handle them; details in the decision. First finding – lighting – the lighting intensity; would be handled by a dimmer switch, if a complaint

is made it would be handled by the ZEO; would you go into a bar when the lights were not on; they said they turn them off at 12:30 a.m. he offered at 11:30 – you might want to think about that; terms of the findings – did you all vote on the findings 4-1 or all in favor; lets vote on the findings

Scale of the building relative to size of the site –

Offset the building from the road for additional size for the business

No opportunity for free standing signs because of the sidewalk

Granting the special permit ??

Lighting will be controlled by dimmer switch that can be turned down if there are complaints.

Lighting will only be on

The offset relative to the lighting

Consistent with other signage on the site; is that true

Time of lighting – what the bylaws state that it should stay on to the restaurant closes in the bylaw and if there is complaints that would have to dim it down; they are open until 2:00 or 1:00 – do the parking lots lights go off at 12:30 – I can't imagine turning the parking lots off if the restaurant is still opened; he said 11:30 p.m. – Lights until midnight - The applicant said until 11:30 – Jason voted no on the first finding – is at 11:30 or at closing – they agree on closing time; he has to dim the lights. Do the other buildings keep their signage all night – they do but they do not have as much signage.

JK motion to adjourn – 2<sup>nd</sup> MB - 8:00 motion passed.

