

Town of Franklin



Design Review Commission

**Tuesday, March 28, 2023  
Meeting Minutes**

Chair James Bartro called the above-captioned meeting to order this date at 7:00 PM, as a remote access virtual Zoom meeting. Members in attendance: Chair James Bartro, Vice Chair Sam Williams, Paul Lopez, Cassandra Bethoney. Members absent: Gerald Wood, Associate Chris Baryluk. Also present: Maxine Kinhart, Administrative Staff.

As stated on the agenda, due to the continued concerns regarding the COVID-19 virus, this meeting will be conducted as a remote/virtual Design Review Commission meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link provided on the agenda. This meeting was recorded.

**1. Applause – Gelato & Unique Finds – 34 Main Street – New cover sign replacement panel, blade sign, glass door logo.**

Mr. Rocco Cavallaro of Cavallaro Signs Inc. discussed the current signage. He stated that they are changing the little store they had to a gelato shop and they want a blade sign and change the cover sign. He stated that they want to put a blade sign in addition to the long sign that they have; the blade sign is above the door. Chair Bartro confirmed that there is currently not a blade sign for this particular unit.

Mr. Cavallaro stated that the idea is that the sidewalk traffic will see the blade sign. He stated that this is a 36" x 40" sign. Mr. Lopez stated that he thinks they are allowed only one sign and this would be two signs and the blade sign is not a replacement. Chair Bartro stated that he could not remember when they last put a new blade up as it seems like we are always replacing them. Mr. Williams stated that he could only remember replacement blades. Chair Bartro stated that he could not see the blade called out in the schedule. He stated that if it was on an existing bracket, the Commission would consider it a grandfathered thing. He stated that right now, the way it is written, it seems that we would consider it a wall sign as it is affixed to the wall. Mr. Williams said that he did not see anything in the schedule about blade signs, but asked could it be considered an awning or canopy sign.

Mr. Cavallaro said that he could put an arrow on it, and it could be a directory sign, like an enter here. Chair Bartro stated that if it did not have a logo, it could be a directory. Mr. Williams said that he would prefer the blade sign. Chair Bartro discussed that it seemed rather arbitrary to stop this applicant from having a blade sign when every other unit down there has one. Mr. Williams noted that there is nothing in the schedule for blade signs. Chair Bartro stated that the glass and wall sign are no problem; however, he really cannot say yes to the blade sign. Commission members discussed

the allowed size of the door sign. Mr. Cavallaro discussed the lighting on the building and noted these signs are not lit.

**Motion:** To **Approve** the sign package as submitted with the stipulations that the glass door sign is resubmitted at appropriate square footage under two (2) square feet and it omits the blade sign. Motioned by S. Williams. Seconded by P. Lopez. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Bartro-YES. Voted 4-0-0.

## **GENERAL MATTERS**

### **Discussion: Sign Bylaw Review**

Chair Bartro stated that Director of Planning and Community Development Bryan Taberner and Building Commissioner Bus Brown were attending the meeting to talk about the ongoing discussion about the sign bylaw. He noted that the previous sign application highlighted one of the current sign bylaw issues that need to be addressed.

Mr. Taberner stated that it is always good to work on regulations that are worked with regularly and the need to do some cleaning up. He noted some of the things from the York, Maine, sign standards that may be helpful. Chair Bartro reviewed the process the Commission undertook in brainstorming potential clarifications to the Franklin sign bylaw in open meetings. He discussed that the Commission did not feel the current Franklin bylaw did a good job on setting out how the sign definitions and signage measurements worked. Mr. Taberner reviewed the current bylaw section indicating the dimensional requirements of signs and how to measure the rectangle of proposed signage. He asked if the Commission had thoughts on how to make that section clearer. Chair Bartro suggested giving examples of how various signs are measured. Mr. Taberner stated that the last time they did a change was not that long ago. He stated that he drew a few diagrams about the maximum square footage of the signage that was allowed.

Chair Bartro suggested clarifying language in places where they have gotten into the negative space/positive space conversations with applicants. He stated that if we get into that, in some districts, the sign sizes may be overly constricting. He discussed the Bob's Discount Furniture wall sign. He stated that for the wall sign, the applicant had to go for a variance, and it does not look out of place; all of the signs in that plaza are either grandfathered or went through some kind of variance. He stated that they all look well scaled to the building mass. He stated that he thinks they need to come up with a way to better scale the signage for the building. He stated that Dell is another great example of that; the building is massive, and the restriction of the sign size in that case was that it could not even be seen from the ground, so they went for a variance for their sign.

Mr. Williams discussed his ideas for signage on large buildings and in the plazas. He stated that maybe it is appropriate to have them get a variance from the ZBA. Chair Bartro stated that using the negative space is something that has been done by the Commission for many years. Mr. Taberner reviewed the wall sign regulations. He stated that in reading through what the Commission presented, he wants to work with them on how they want to treat these new sections and add in the language. Chair Bartro asked if Mr. Taberner wanted the Commission to take the existing Franklin sign bylaw and apply some of the bullet points they have come up with in their review of the York, Maine, regulations. Mr. Taberner stated that is what he would want.

Mr. Brown stated that he thinks one of the challenges is that we do not have a definition for multiple tenants in one building. He stated that he treats them as a separate business. He stated that he knows that they are not getting the signage that fits in with the building. He noted the Dell sign and the size of the building. He asked is it the Design Review Commission's job to have them decide the square footage on a sign. He stated that as the zoning enforcement officer, it puts an undue burden on the Commission. It

should be vetted out before it even gets to the Commission so the Commission is not playing referee in the size.

Chair Bartro reviewed the Commission's process where they have put these bylaws into action. He stated that he does not see in the bylaw where it says it has to be the case that they carry the weight, but that is how they have operated to date. He would be open to the idea that the Commission is looking at the aesthetics and not the size issues. Mr. Lopez asked who would take that authority away, who would look at it. He stated that he thinks the Commission is capable of looking at the size of a sign and assessing it. Mr. Brown stated that having more staff would be advantageous in the form of a specific zoning enforcement officer to make sure that every sign that comes before the Commission is vetted out with size, but that is a wish list. He stated that he trusts the judgement of the Commission when the sign does not get before him first.

Ms. Bethoney stated that she wanted to add a thought about size. She stated that in looking at the application, if they continue to deal with sign size, it could be an element on the application. She stated that they do not ask for façade square footage, just the square footage of the sign, so there is really no basis of understanding on how that feels relative to the building. She suggested looking at the application to make sure we are asking for the right information.

Mr. Brown stated that he does not think the town is littered with ugly signs, and the Commission is doing a great job. He stated that if it makes sense to make some changes in the bylaws, then he is all for it. Chair Bartro stated that they do not need to get all six pages of revisions into the bylaw, it is more like there is a prioritization to be done. He discussed the need for more definitions. Mr. Taberner reviewed the sign type definitions that are in the current bylaw. He stated that wall sign and blade sign were not in the current bylaw list of definitions, and they are needed for sure.

Chair Bartro stated that the current bylaw list is not about the structure of the sign itself such as blade sign. He stated that the attached Sign Types list provided in the meeting packet could be a starting point. Mr. Taberner stated that there are certain things that are not in the current bylaw at all and certain things that need to be spelled out more, but he asked do we need to change the whole structure of the document or not. Chair Bartro stated that what they are trying to do is that the sections in the Commission's proposed document are areas that we need to look at, and if they are totally alien to the current, then they may need to be added, but he thinks most of them relate to an existing section of the law, and this would be adding more clarity to it. He asked Mr. Taberner to send to Ms. Kinhart the portion of the list of definitions that he extrapolated from the document so Ms. Kinhart could distribute it to the Commission so they could review and compare it to the list they created. He stated that his propriety items would be a more thorough definition list, more options to the size of the sign types, and a little more clarity on the measurement criteria.

Ms. Bethoney stated that they have run into a few cases where the applicant would like a second-floor sign rather than a first-floor sign such as in the case of industrial or hotel where it makes more sense to have it on the upper level for visibility. She stated that it would be best to have the regulations reflect this. Mr. Taberner confirmed that the wording in this case would need to be revised to straighten out this issue.

Chair Bartro asked if he could email Mr. Taberner a set of notes on this at a latter time, or does it all have to be in the meeting minutes. Mr. Taberner explained that essentially you cannot have a majority of your committee communicating outside of a meeting. He stated that if you have one or two people working on a specific issue and you want to communicate with me directly, as long as it is not a majority of your members, that is fine. He stated that if you are doing something as a committee, you have to do it in a committee setting.

Mr. Taberner discussed that this would be a zoning bylaw amendment, and it has to go through a specific process. He stated that he will work with Chair Bartro on this and put it in the form of an amendment and then the Commission can decide if they want to go forward with it. He stated that if so, the Commission would send the Town Administrator a memo on the proposed changes. He reviewed that it first goes to the Economic Development subcommittee and if they liked it, it would then go before the full Town Council for public hearings, then the Planning Board, then back to the Town Council. He gave his thoughts on the grandfathering concept regarding any zoning issue.

Commission members reviewed some examples of past signage applications that the Commission would have preferred more clarity in the bylaws, such as with grandfathering. Mr. Brown stated that ZBA is a mechanism to appeal any decision, and it has worked in the past. Chair Bartro stated that he appreciates all the input and everyone's attendance at the meeting. He stated that he would collaborate with Mr. Taberner on using the existing bylaw as a basis and add additional words, etc., that hit at the major points of the memo the Commission has started. He stated that then he would bring that back to a Commission meeting for the members to review and provide feedback and then they can talk about next steps.

### **Approval of Minutes: March 14, 2023**

**Motion:** To **Approve** the March 14, 2023 Meeting Minutes as presented. Motioned by P. Lopez. Seconded by C. Bethoney. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Bartro-YES. Voted 4-0-0.

### **Old Business**

None.

### **New Business**

None.

**Motion:** To **Adjourn** by C. Bethoney. Seconded by S. Williams. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Bartro-YES. Voted 4-0-0.

Meeting adjourned at 8:07 PM.

Respectfully submitted,

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Judith Lizardi  
Recording Secretary