

Town of Franklin



Design Review Commission

**Tuesday, July 25, 2023
Meeting Minutes**

Chair Sam Williams called the above-captioned meeting to order this date at 7:00 PM, as a remote access virtual Zoom meeting. Members in attendance: Chair Sam Williams, Vice Chair Paul Lopez, Cassandra Bethoney, Amy Adams. Members absent: Associate James Bartro. Also present: None.

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.

Swearing In of Members

Town Clerk Nancy Danello performed the swearing in for Commission members.

1. **Berkshire Hathaway – 391 East Central Street** – Recover 135”x36”x48” awning – white graphics. Install 165” x33” sign cabinet to existing roof railing.

Ms. Nicole Handricken of Sign Design stated that they wanted to recover the existing awning that was blue and put a black cherry awning with Berkshire Hathaway. Chair Williams stated that awning signs are supposed to be 10 sq. ft. or less of signage. He stated that it looks like the awning is over the 10 sq. ft., but the lettering is less than 10 sq. ft. Ms. Handricken discussed the size of the Berkshire Hathaway letters; she stated that she agreed that it was 25 high by 39 wide which is just under 7 sq. ft. She stated that they wanted to put a sign and attach it to the roof railing. Mr. Lopez asked about the installment which is listed as TBD. Ms. Handricken explained the attachment method. Ms. Bethoney asked about the location of the awning and the sign. She stated that it seemed like a lot of logo in close proximity. Chair Williams stated that they are allowed an awning and a wall sign. Mr. Lopez stated that he agreed it was a lot of sign.

Chair Williams reviewed the way it reads in the schedule of signage. He stated that if they make a motion to approve, it is on the condition that the applicant provide the dimensions around the words and make sure that the dimension is less than 10 sq. ft. Ms. Handricken stated that they can do that. Ms. Bethoney suggested the applicant make sure the weight of the sign can be held by the railing. Ms. Handricken stated absolutely. Chair Williams stated that he is confident the applicant will make sure the railing will work for the sign.

Motion: To **Approve** the sign mounted on railing as submitted. Motioned by C. Bethoney. Seconded by P. Lopez. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-YES. Voted 4-0-0.

Ms. Handricken stated that she can send the measurements tomorrow to show it is under 10 sq. ft.

Motion: To **Approve** the awning sign on the condition that the logo portion is under 10 sq. ft. and measurements must be submitted to confirm that. Motioned by P. Lopez. Seconded by A. Adams. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-NO; Adams-YES. Voted 3-1-0.

2. Artistic Gems Nail Salon – 139 East Central Street – Replace existing sign panel.

Mr. Cam Afonso of Signs by Cam, Inc. stated that this is straightforward. He stated they will be replacing the existing face and using existing poles, brackets, and flood lights on the bottom. He confirmed this is a new business.

Motion: To **Approve** the sign package as submitted. Motioned by C. Bethoney. Seconded by P. Lopez. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-YES. Voted 4-0-0.

3. Gardner – 125 Constitution Boulevard – Replace existing monument and wall sign faces to reflect rebranding.

Mr. Andrew Clark of Expose Signs & Graphics stated that this is a straightforward changing of graphics. He said that it used to be Gardner-Connell, and now it is just Gardner. He reviewed that they have an existing ground sign and are just changing out the faces with no change in size or color; they are just removing the Connell. He stated that they have an existing building sign on the front entrance canopy; it will be in the same space as they are just removing the old one and applying new lettering.

Chair Williams stated that existing businesses, if they are not changing use or occupancy, are allowed to have grandfathered signs. He stated that he spoke to Building Commissioner Gus Brown about this today. He said that Mr. Brown stated he had a discussion about this with the Town Attorney and per a state court ruling around 1992 or 1995, you cannot tell a company that wants to change a sign in place that they can no longer have that sign. So, if it is not a new business, they are allowed to keep the signage in the location and size that they have. Mr. Lopez stated that he is concerned about this ruling. Chair Williams stated that he looked up the ruling and it seems right. He stated that the Town Attorney is just trying to do his part.

Ms. Bethoney asked if this applies to illumination standards as well. Chair Williams stated that is a question he needs to ask. Mr. Lopez stated that he was going to look up the ruling. Mr. Clark stated that the ground sign is internally illuminated; they are just swapping out a translucent face with a translucent face. Chair Williams stated that for public safety, we like to have white backgrounds made opaque so they do not shine super brightly. He stated that we sometimes ask people to change color schemes. He asked if there is any way to do this so the letters would be illuminated and the white opaqued. Mr. Clark stated that he was given the client's brand standards. He stated that they were just swapping out the logo. He stated that the building and the signs are deeply buried in an industrial area where illumination is not a consideration for driving situations.

Ms. Bethoney stated that they are not asking the applicant to change the white, what we are asking is that behind the white that it is at night the light is cast only through the letters. Mr. Clark discussed the request. He noted that it is not a significant change as what is existing. He stated that the applicant did not provide an assessment on when the lighting was turned on. He reiterated that there are only industrial buildings in the area; there is no residential anywhere near the space.

Mr. Lopez stated that maybe they have to approve it because it is a pre-existing condition, but he is also uncomfortable with that given that he does not know exactly what the rule is. Ms. Bethoney stated it is a light pollution consideration. Chair Williams discussed signs with white backgrounds

and color lettering. Mr. Clark discussed the color palette. He discussed the location of the road to the sign and stated that it is at least 40 ft. to 50 ft. off the road; he does not think it presents a safety issue. He stated that he can ask the applicant if they will turn it off at 9 PM or 10 PM. Mr. Lopez stated that would be his preference to see what could be done about the illumination and resubmitted the package with a different option. Mr. Lopez stated that he does not know the person who wrote the bylaw and it does not say anything about the reasons behind the rule it just says that an internally illuminated sign cannot have a white background. He said he wanted to look at the law that Chair Williams referenced regarding grandfathering and said he wanted the applicant to come back in two weeks after he had a chance to look at the law. Mr. Clark stated that it is a clear case of changing exactly what is currently there for a newer graphic revealing the change of ownership. He stated that he is confident that the applicant will not want to change their colors, but he can ask while the Commission reviews the bylaw.

Chair Williams stated that they could break apart the application package. He stated that he thinks the building sign is okay for approval; it is just squaring away what to do with the ground sign. Mr. Clark stated that he would be open to moving forward whatever is possible for the client and the rest in two weeks. Discussion commenced on what Mr. Clark would discuss with his client regarding light pollution. Mr. Clark noted that they are already set back 50 ft. from the road. Mr. Lopez stated that they look at what the bylaw says, and he asked the applicant to come back with a second option for the illumination.

Motion: To **Approve** the building sign as submitted. Motioned by P. Lopez. Seconded by C. Bethoney. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-YES. Voted 4-0-0.

Chair Williams stated that they would not vote on the other portion of the application and ask that the applicant come back with it rather than voting and denying. Mr. Clark asked if it would be an option to reduce some of the light. Chair Williams stated that he was not sure. Mr. Lopez stated he would want to see the drop down in brightness. Mr. Clark discussed options such as the day/night vinyl.

4. Big Y – 348 East Central Street – Rebrand Big Y with new logo signage – reface existing pylon sign, replace existing building signs.

Mr. John Renzi of Graphic Impact Signs, Inc., representing Big Y stated that he discussed with Building Commissioner Gus Brown the 1996 ruling regarding the Town of Danvers. He stated that this is something he is accustomed to in dealing with different municipalities and how it deals with signage. He discussed the ruling decision regarding pre-existing conditions for signage in square footage and illumination. He stated that this ruling applies to his application as well. He discussed his application package which includes building signage and freestanding signage. He stated that they would be refacing the free-standing signage which is the corporate standard. He reviewed the new Big Y branding and logo. He stated that the illumination on the free-standing sign is existing. He stated that they already explored this with three other municipalities, and they went with the full lighting and not the opaque background. He explained the perforated vinyl and that it does not work. He explained that there will be a significant change to the building signage. He stated that the existing signage is 332.5 sq. ft. He discussed that part of Big Y's process of rebranding is that simple is better. He explained that they have reduced the signage and reduced the overall square footage to 173.95 sq. ft. They are going with one logo on the building. He referenced the application package. He explained that as the original sign package was done in 2012, in speaking with Mr. Brown, the Big Y could go with a package up to the 332.5 sq. ft., but Big Y does not want to do that. He asked the Commission to review and approve the package for rebranding.

Chair Williams confirmed that the Table & Vine does not light up. Ms. Bethoney stated that she appreciates the simplification of the signage. She asked if the building face was being redone. Mr.

Renzi stated that they will be repainting the buildings so it looks very clean and approachable. Ms. Bethoney stated that the signage does not feel to her like it is a one-to-one change. Chair Williams stated that it is in the Commission's favor. Ms. Bethoney stated that she does not know if they can lean on that law. She stated that many of the Commission's applications are replacing existing. Mr. Lopez discussed how the Commission has approved signs for buildings like this, and he is okay with what is being presented for building signs for this. Chair Williams discussed when they approved the Dunkin Donuts sign package.

Ms. Bethoney discussed the free-standing sign and the words Your Family Market on the proposed signage. Mr. Renzi stated that this makes people aware this is a supermarket, not some other kind of store. He stated that this is what is used at other locations. Ms. Bethoney stated that she feels it should be smaller. Mr. Renzi explained that the font is a thin-stroke font so it needs to be larger. Chair Williams stated that you want to make sure it is legible. Discussion commenced by Commission members about the size of the sign and the lettering and white space around the text for the Your Family Market.

Mr. Renzi discussed Table & Vine which is only at certain locations; Franklin is one of the locations. He discussed the size of the Table & Vine words. Mr. Lopez stated that he has the same concerns as with the previous applicant regarding the court case of grandfathered signage. He stated that he is not comfortable approving anything today as he just learned about it.

Chair Williams stated that we can give conditional approval and then get clarification from the Town Attorney. Mr. Lopez explained that he is worried about conditional approval. Chair Williams suggested breaking up the sign package.

Mr. Renzi discussed if the sign was not illuminated. He discussed the grandfathering and what was previously approved for illumination; the illumination is something that they cannot take away. He discussed the decision in the court case. He suggested the Commission read the case. Chair Williams stated that they would balance helping businesses move forward and not be difficult and balance with the best interest of the town.

Motion: To **Approve** the building sign as submitted. Motioned by P. Lopez. Seconded by C. Bethoney. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-YES. Voted 4-0-0.

Chair Williams said that they would hold off on a vote of the free-standing sign until we can get more information. He stated that this is new ground for us. Mr. Renzi discussed that when the approval is given by the Commission to reduce the sign size down to 173.95 sq. ft., Big Y can never go back to the larger size without getting a variance. Chair Williams discussed that the applicant should return to the August 8, 2023, Commission meeting.

GENERAL MATTERS

Marshalls - 200 Franklin Village Drive – Replace existing Marshalls wall sign.

Chair Williams requested Commission members consult an agenda from a previous meeting for this item. Mr. Lopez stated that it did not have white illumination background. Chair Williams shared his screen and showed the application information.

Mr. Tony Lafo of American Sign, Inc. stated that there is an existing 6' 6" Marshalls channel letter sign. They are replacing it with a duplicate sign with same colors and style. The current is about 12 years old and has some electrical issues and is fading and dirty. He stated that they are removing what is there and putting up a replacement.

Chair Williams stated that this could almost bypass the Commission as it is a maintenance issue. Mr. Lopez and Mr. Bethoney stated agreement.

Motion: To **Approve** the sign package as submitted. Motioned by P. Lopez. Seconded by C. Bethoney. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-YES. Voted 4-0-0.

Approval of Minutes: July 11, 2023

Motion: To **Approve** the July 11, 2023 Meeting Minutes as presented. Motioned by P. Lopez. Seconded by C. Bethoney. Roll Call Vote: Williams-YES; Lopez-YES; Bethoney-YES; Adams-ABSTAIN. Voted 3-0-1.

Old Business

Chair Williams stated that Jim Bartro was spearheading the effort to revise the bylaws. He stated another item to address is to read the bylaws. He stated that he will reach out to Director of Planning and Community Development Bryan Taberner to discuss the issue of grandfathering because it is an issue above our volunteer pay grade. He discussed where to find the Town bylaws on the website.

New Business

Ms. Bethoney stated that every public meeting we are hearing that I have to share a screen and this is the only committee where we do not do that typically, and actually it is super helpful for everyone to be looking at the same thing. She stated that she was curious if it is something that Maxine Kinhart can do as part of her duties or someone can be appointed to screen share if Maxine is busy taking notes. Chair Williams said that when we do bigger packages like site plan reviews, we often give screen sharing ability. He stated that he could share the screen. Ms. Bethoney stated that many commissions have it collated like we do and run through all of it. Chair Williams stated that it is a good idea to share the screen.

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

Meeting adjourned at 8:24 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary