

**DESIGN REVIEW COMMISSION
MINUTES OF MEETING
February 19, 2019**

TOWN OF FRANKLIN
TOWN CLERK

A meeting of the Design Review Commission was held on Tuesday, February 19, 2019, at 7:00 PM, at the Franklin Municipal Building, 355 East Central Street, Room 205, Franklin, Massachusetts. Members present were Mark Fitzgerald, Chairman, Claudine Fitzgerald, and James Bartro.

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Mark Fitzgerald, Chairman, opened the meeting at 7:00 PM.

Mark Fitzgerald authorized Associate Member James Bartro to vote.

1. Envoy Mortgage – 6 Main Street – Envoy Wall Sign

Chairman Fitzgerald stated that as of 7:02 PM no representative was in attendance; he would allow three more minutes. As of 7:07 PM, no representative was present.

Motion: To **Table** the submission until a future date. Motioned by M. Fitzgerald. Seconded by J. Bartro. Voted (3-0-0).

2. Estes Express Lines – Sign on Building

Cam Afonso of Signs by Cam represented Estes Express Lines with a sign package. He stated that this is a large building in the industrial park and the sign will not be able to be seen from the road; it will face the woods. It provides directions for the truck drivers to see at night.

Motion: To **Approve** the sign package as submitted. Motioned by C. Fitzgerald. Seconded by J. Bartro. Voted (3-0-0).

3. Envoy Mortgage – 6 Main Street – Envoy Wall Sign

Chairman Fitzgerald stated Stephen Boucher, a representative from Envoy Mortgage, was now in attendance. He noted that this submission has been before Design Review several times and there have been many non-appearances. Mr. Boucher confirmed the sign has already been erected on the building; he stated he could not confirm if it was approved by the building inspector. He said it was a year ago and he could not remember if he pulled a permit or not. He said he did not know anything about this until he submitted for a business license and Building Commission Gus Brown said he would not approve it until the sign issue was cleared. Chairman Fitzgerald stated that whenever a modification to a building is going to be made, including signage, it is a permissible event. He stated that this is in the Downtown Business District. He reviewed the sign bylaw 185-20 which states sign allowance is 10 percent of the facade. Mr. Boucher said this sign was made to the same size as the sign that was previously up and it would not have lighting. Chairman Fitzgerald stated that if in the future it were to have lighting, it would require going through the permit process. Commission members agreed that as the sign is already installed, prior to permit issuance they would want to know the attachment method the sign company used; a sketch provided to the Building Commissioner would be acceptable.

Motion: To **Approve** the sign package with the stipulation that a drawing and description of the sign's fastening method to the building is provided to the Building Commissioner prior to the permit being issued. Motioned by J. Bartro. Seconded by C. Fitzgerald. Voted (3-0-0).

4. Amego – 122 Grove Street – New Wall Sign – Reface Existing Freestanding Sign/Install New Post & Panel Directional Signs

Bob Gill, Amego; William Masiello, Architect; Jeff Kwass, ViewPoint Sign & Awning, addressed the Commission and provided a description of the signs, sign locations, and sign lighting. Commission members discussed the sign wording and locations. Chairman Fitzgerald noted that the sign did not look very large in relation to the building. He confirmed this is in the Industrial zone and is a residential school with people being

dropped off and picked up. He recommended the applicant be prepared for people arriving for pick up at the same time, and make sure the lines of cars do not spill into the road and block other businesses.

Motion: To **Approve** the sign package as submitted. Motioned by J. Bartro. Seconded by C. Fitzgerald. Voted (3-0-0).

- 5. Amego School Residences** – Washington Street between #714 and #724 – 6 New (6-7) Bedroom Boarding School Residences Including Maintenance Building and Common Building
William Masiello contacted the team earlier in the day asking that their sign application be tabled to the March 5, 2019, Design Review Commission meeting.

General Matters: Commission members discussed that the recent cold weather caused many signs in town to become unlit. It was noted that in the Edwin's Plaza/Shiva Market the signs have been out for a few months. Chairman Fitzgerald stated he would send an email to Building Commissioner Gus Brown requesting that he inquire with the owner what the problem is with their signs and ask that they have it repaired. In addition, he stated he received a call from Mr. Brown this afternoon and they discussed some of the things that have been contentious between the Commission, the Town Attorney, and the Building Commissioner. He stated he expressed the Commission's displeasure with certain rulings that have come out of the Town Attorney's office concerning pylons, counts and quantities, and with the Town Attorney stating that LCD displays are not intended to attract and therefore they are permitted. He stated that he took issue with this because exactly in the bylaw, and he will quote for the record, Town Bylaw 185-20 section E2, disallows LCD and LED signs outright except to display one price of gasoline at a gas station. That is the only allowance in town for LCD and LED displays. For the Town Attorney to say that they are permitted is erroneous and we will stand by that position. Concerning section HD31, where the Town Attorney has interpreted the only instance of the word pylon in the bylaw to mean that the town permits unlimited pylons, we disagree with because it is clearly stated several points in the bylaw that 60 sq. ft. is the maximum. If someone wishes to put that 60 sq. ft. divided up among 100 poles, they can do that math and put the 60 sq. ft. among the 100 poles. We consider that a loophole, and if someone wishes to do that, it is not disallowed. To allow 60 sq. ft. on unlimited amounts of pylons, is in error. It is inaccurate and we will not approve any sign packages except by exception through this Design Review Commission. He stated that he believes the rest of the Design Review Commission supports that. Commission members J. Bartro and C. Fitzgerald stated that they support Chairman Fitzgerald. Chairman Fitzgerald stated that lastly, the Town Attorney regarding the use of the word "intent" on the Speedway displays has stated that it is not the intent to attract passersby. Chairman Fitzgerald stated that the sign bylaw, and he believes the town bylaws, forbid us from determining intent of signage. So, we reject that outright and we treat that these LCDs not only are they specifically prohibited in the bylaw, but even if there was some sort of way around it, they are billboards. They are doing third-party advertising on those screens. They are not advertising exclusively Speedway and Speedway products. They are advertising for candy bars, automobiles, housing developments, and anything else that may be on network TV; that is a billboard and that is also disallowed explicitly by the town bylaws. Mr. Bartro stated it should be looked at under the noise bylaw as they are tremendously loud. Chairman Fitzgerald stated they have been asked several times by the Building Commissioner to turn them down; he thinks they have rejected that request. Chairman Fitzgerald stated that with that in mind, he also plans to not entertain any further submissions from Speedway Corporation concerning signage until they are brought into compliance. Commission members J. Bartro and C. Fitzgerald stated they agreed.

Motion to **Adjourn** by J. Bartro. Seconded by C. Fitzgerald. Voted (3-0-0). Adjourned at 7:39 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary