

**DESIGN REVIEW COMMISSION
MINUTES OF MEETING
April 23, 2019**

TOWN OF FRANKLIN
TOWN CLERK

2019 MAY 22 P 12: 20

A meeting of the Design Review Commission was held on Tuesday, April 23, 2019, at 7:00 PM, at the Franklin Municipal Building, 355 East Central Street, Room 205, Franklin, Massachusetts. Members present were Mark Fitzgerald, Claudine Fitzgerald, Ralph Niemi, and James Bartro.

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

Mark Fitzgerald authorized Associate Member Jim Bartro to vote.

1. Five Star Franchise dba Jersey Mike's – 471 West Central Street – Illuminated Window Sign
As of 7:32 PM, the applicant had not appeared for the scheduled 7:00 PM meeting.

2. Central Auto Body, Inc. – 291 Washington Street – Exterior Wall Signs
Mario Castagna, Thinkbox Graphics, Inc., and Peter Delsignore, applicant, stated that exterior wall signs are going to be added to the building; there is currently one sign, but it is not enough. The new signs match the old sign. Chairman Fitzgerald noted the sign attachment method was not indicated. He stated that the size, colors, and fonts all look good. Mr. Castagna stated that they include the attachment method on the building permit; he indicated the sign material is aluminum.

Motion: To **Approve** the sign package as submitted with the contingency that the applicant provide the spec sheets for the signs with how they are attached to the building before getting the building permit. Motioned by C. Fitzgerald. Seconded by J. Bartro. Voted 4-0-0.

3. Rockland Trust Mortgage Center – 470 King Street – Remove and Replace Existing Signage
Heather Dudko of Philadelphia Sign Company, representing the applicant, confirmed existing signs for Blue Hills Bank are being replaced with Rockland Trust signs. She reviewed the five signs that are being replaced. She stated that she thinks the ATM kiosk will remain active, but she is not replacing or adding any signage to it. Chairman Fitzgerald asked her to confirm with the applicant if the ATM kiosk will remain active; if so, they should sign and brand it with Rockland Trust. If the kiosk is not going to be active, it should be signed for customers to know to keep out as it is not active.

Motion: To **Approve** the sign package as submitted. Motioned by J. Bartro. Seconded by R. Niemi. Voted 4-0-0.

Ms. Dudko stated that she would like to ask an unrelated question. She stated that she was before the Design Review Commission on January 8, 2019, for the Speedway LED pricing board. At the meeting, it was left that Speedway and the Building Commissioner had some issues to work out before the Design Review Commission would write an approval for them to go ahead with the permit. She stated that she has been told that whatever issue there was, it has been resolved. She asked what the Design Review Commission feels is the next step to verify and confirm the issue has been resolved so the Commission can write the approval so the applicant can apply for the building permit. Chairman Fitzgerald stated that as this item has been introduced, he will discuss it. He stated that he has had phone conversations with Building Commission Gus Brown and Town Attorney Mark Cerel. Chairman Fitzgerald stated that he disagreed with Mr. Cerel's position. He stated that he was going to review with the Design Review Commission members the memo he had written to counter Mr. Cerel's position that the billboards that have been placed on the pumps are not signage. Chairman Fitzgerald stated that a review of the Outdoor Advertising Association of Americas Specs and Standards calls them billboards; they are signage. The intent and purpose of them is to advertise third-party products unrelated to the petroleum distribution

industry. The Design Review Commission counts them as signage. He stated that he has expressed this to Mr. Cerel who says no, these are not signs. Chairman Fitzgerald said that he asked Mr. Cerel for the case law that he claims there is. Chairman Fitzgerald stated that Mr. Cerel has not been able to explain it to the Design Review Commission that it is not signage other than that it was signage because he said so. Chairman Fitzgerald stated that he has encouraged Mr. Cerel to attend a meeting or email the case law in full. Chairman Fitzgerald stated that between all Speedway's signs, Speedway would be over the allowed sign limit. He stated that until someone provides the Design Review Commission with information that states they are in error because of this law or ruling, the Design Review Commission does not understand Mr. Cerel's position. He noted he is delivering a memo this evening to the Town Planner indicating the Design Review Commission's position that these are signs. Ms. Dudko thanked Chairman Fitzgerald for explaining this.

4. Shell – 140 East Central Street – Replace Existing Pylon – Add LED Price Panel – Reskin OH Panel – Install LED Pump Toppers

Carolyn Parker, representative for the applicant, stated that Shell has a new image and they are making the gas stations change to that image. This Shell gas station has manual price signs that they would like to change to LED price signs which are allowed in the bylaw. She stated that they are looking to reimage the existing signage at the site. Chairman Fitzgerald noted that it appears that in totality they are putting in a slight reduction of the signage. Ms. Parker stated that the height of the pylon will be the same. Chairman Fitzgerald stated that he does not have a number, but he would like the output lumens on the signs kept below laser level. Ms. Parker explained the lights that will be used. She said that if the Design Review Commission finds they are too bright, just let them know. She reviewed the proposed sign changes. Chairman Fitzgerald noted that he is very pleased that the lights have the ability to function with a dimmer during the nighttime hours.

Motion: To **Approve** the sign package as submitted. Motioned by C. Fitzgerald. Seconded by R. Niemi. Voted 4-0-0.

General Matters:

Chairman Fitzgerald discussed an application submitted by Speedway to the Design Review Commission last December 2018. He noted that a group decision was made and he wants to act upon that decision. He handed the Commission members a memo that he wrote to Jeff Nutting, with Mark Cerel, Bryan Taberner, and Gus Brown on distribution. He stated that with the approval of the four Design Review Commission members in attendance at tonight's meeting, he is going to submit the memo. He asked the Commission members to read the memo to confirm the information is correct. If it is all correct, he would like them to sign the memo so he can submit it tonight as a counter position to Mr. Cerel's position that the billboards atop the pumps are not signage. After the Commission members read the proposed letter, Chairman Fitzgerald asked for a vote.

Motion: To **Accept** the memo prepared by Chairman Fitzgerald so it can be authorized, signed, and submitted on behalf of the Design Review Commission members to Jeff Nutting, with Mark Cerel, Bryan Taberner, and Gus Brown on distribution. Voted 4-0-0.

Meeting Minutes: April 9, 2019

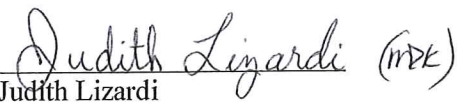
Ms. Fitzgerald explained that at the last Design Review Commission meeting on April 6, 2019, the recorder stopped before the last agenda item. Therefore, she asked that the members provide the details of that agenda item in order for the meeting minutes to be completed. Regarding the agenda item for the Horace Mann Plaza at 265-303 East Central Street, she confirmed that the motion to table the sign was made by Chris Baryluk and seconded by Jim Bartro with a vote of 5-0-0. She noted that there were no General Matters discussed. She stated that the motion to adjourn was made by Chris Baryluk and seconded by Claudine Fitzgerald with a vote of 5-0-0. She stated that the adjournment time was 8:30 PM.

Regarding the agenda item for Dress Code at 58 East Central Street, she confirmed it was Voted 3-2-0 (C. Fitzgerald, R. Niemi, and S. Williams voted Yes; C. Baryluk and J. Bartro voted no).

Motion: To **Approve** the April 9, 2019 Meeting Minutes as presented and corrected. Motioned by C. Fitzgerald. Seconded by R. Niemi. Voted (3-0-1). (Chairman Fitzgerald abstained as he was absent from that meeting.)

Motion to Adjourn by J. Bartro. Seconded by R. Niemi. Voted 4-0-0. Meeting adjourned at 7:55 PM.

Respectfully submitted,


Judith Lizardi
Recording Secretary