

Zoning Board of Appeals Minutes, 12/07/2016

Zoning Board of Appeals Minutes December 7, 2016 Auditorium

Members in Attendance: Chair Ethan Berg, (EB); Robert Fuster Jr. (RFjr); Ned Douglas, (ND); Cliff Snyder, (CS); Al Harper (AH)

Absent with notification: Shawn Leary Considine (SLC)

Staff in Attendance: Gwen Miller, Land Use Director & Town Planner, (GM); Peggy Ammendola, Land Use Clerk, (PA)

Approve minutes:

October 24, 2016-Tabled as there wasn't a quorum.

November 2, 2016-Approved by consensus

GM provided to the Board notes on all three of the petitions.

Eli H. Newberger, 132 Lime Kiln Road (Map 27 Parcel 34) Special Permit under Sections 5.3.3 and 5.3.5, "Nonconforming Structures" and "Nonconforming Single and Two-Family Residences" to extend and enclose a front entryway and to construct a platform to support a 10X20 shed.

Presenting the application were Mr. and Mrs. Newberger and their contractor, Josh Allentuck. Mr. Newberger gave a history of the property which they purchased 11 years ago as a second home. They have been before the Conservation Commission due to wetlands. They will now be living here year round and due to the climate would like to enclose the entryway to create a mudroom. The property is pre-existing, non-conforming and everything proposed is within the setbacks.

The Newbergers stated that Ed Merritt, an abutter told them that he had no objections to their proposals.

No members of the public were present and there was no correspondence.

AH made a motion to close the public hearing and RFjr seconded the motion.

RFjr made a motion to grant the petition as request. AH seconded the motion and the Board voted to approve 5-0.

My Four Daughters LLC, 25 Pittsfield Road (Map 17 Parcel 37) Special Permit and/or Variance under Section 7.2 "Signs" to permit signs for additional vendors and to exceed the 36 square foot maximum for a sign in the C-3A district.

Presenting the application were Steve Morrison and his daughter Ashley Morrison. The proposed sign is designed to have six vendors, and at this time have five who will be working out of this location. If the number of vendors increased to over six, the signage would be redesigned to be smaller, i.e., the space for vendors' signs will not increase.

EB made a motion to close the public hearing and RFjr seconded the motion. The Board voted to agree 5-0.

No members of the public were present and there was no correspondence.

RF made a motion to grant the Special Permit under Section 7.2 Signs to grant the change from the previously approved sign with the same conditions for the previous decision which was filed August 26, 2016. In that decision the Board approved the 10 foot setback and special permit for the sign with the following conditions:

- Sign will be wood, compatible with other signs in the neighborhood
- The Morrison logo will remain intact
- Sign will not be internally illuminated and will be supported by two wooden posts consistent with the current building codes
- Height is to not exceed 11.5 feet

CS commented that he would prefer that a uniform font be used on the vendors' signs, but that he would not press the point. AH agreed that if at all possible, he would like that there be uniformity with the signs. He would rely on the Morrison's good judgement to have an aesthetically pleasing sign. Mr. Morrison said that the lettering of the vendors may be a part of their logo. Ms. Morrison said that their goal is to keep as uniform as possible.

The Board voted to approve 5-0.

Brushwood LLC, 70 Pittsfield Road (Map 17 Parcel 40-1), Special Permit and/or Variance under Section 7.2 "Signs" to permit the location of the "Marriott" sign within 20 feet of Pittsfield Road.

Presenting the application was Joe Toole. Also present were: James Callahan of Callahan Sign Company, Colin Toole, Mauer Desai, Sunjay Desai, Dilip Desai and Usha Desai.

Mr. Toole presented a visual of the proposed sign and stated that a 35 foot setback puts it so far back that it isn't visible for travelers heading north until they are at the driveway entrance. The main concern is safety. He stated that his sign would not be any closer to the highway than any other signs in the area and it will not diminish the aesthetics of the property. The proposed sign is just under the allowed size of 36 square feet. It will be lit internally, giving the effect of a backlit LED. Mr. Callahan presented a small model of the freestanding sign and said that the lighting is subdued, not projected. There will be a sign on the Marriott building that measures 24 square feet. It, too, will be internally lit.

There were no members of the public present nor was there any correspondence.

EB made a motion to close the public hearing. CS seconded the motion and the Board voted to agree.

RFjr made a motion to grant the Special Permit as requested within 20 feet of Pittsfield Rd. with size specifications and lighting specifications as presented. AH seconded the motion and the Board voted to approve 5-0

The meeting was adjourned at 8:15 PM.

Respectfully submitted,
Peggy Ammendola