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MILLBURY BOARD OF APPEALS

MINUTES

DATE: 1/29/14

TIME: 7:00 p.m.

Present: Chairman R.Valentino, H. Proodian, P. Nigosian, A. Lewandowski, R. Simmarano

Petition for Jodi Healy

4 Sutton Rd., Millury, MA for Sp. Permit

Having complied with the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, relative to advertising and notifying abutters, the Meeting was declared open by Chairman Richard Valentino.

P. Nigosian, V. Chairman – This is a continuation of a meeting held on December 11, 2013 for Jodi Healy, for 4 Sutton Rd., for Sp. Permit for a sign.

Attorney M.C. Moscows – You have pictures of the sign, and this is for a special permit. The sign meets the requirements. I am here making a request that you grant the special permit under 34.6. We have provided pictures of where the sign will be located. I think this sign would be beneficial in this area, which is mostly industrial. It would be helpful to the location, and it would provide her identification at this location.

P. Nigosian – Would Town Planner or Building Insp wish to speak regarding this?

Building Insp. – We have a couple of questions at this location that might be related. I did watch the tape from last week. I am here to answer questions about the site. The next part of this is an expansion of pre-existing, non-conforming use. They are permitted 546 s.f. They are requesting to operate in a 900 s.f. space, which is determined to be an expansion of the currently permitted space.

Attorney M. – This is a sp. Permit for just the sign. This is a 900 s.f. building with plenty of parking, and I cannot follow this statement that some issues or any other matter before you might effect this decision for the sign. You must make your decision based only on the sign and 34.6. I strictly object to this.

J. Healy

Sign pg.2

P. Nigosian – I move that you should only talk about the sign. If there are any issues about the extension, you should bring it up later. Do you think the sign would cause a detriment?

Building Insp. – No. I do not see any problems, but I think there are more questions for you to decide.

Town Planner – ((I had to step out of the room for a few minutes, and recorder failed to record)).

J. Healy – There is no animation, no picture showing, just a sign that has a message and is lit.

A. Lewandowski – If you have the sublease approved, would you need any additional sign?

J. Healy – Not at this time. If there was another sign, it would still go through the permit process., It would be treated separately.

Attorney M.– I believe it would be. It is 25% average of the three windows in the front.

J. Healy – I would close the center window, and put the sign on that location on the face of the building.

Building Insp. – Is there anything in the by-law that it should stay at one message before changing?

P. Nigosian – Did you resolve the issue regarding the advertisement for the sign company?

J. Healy – That contract was just a good faith contract. If you permit the sign, you can restrict advertising from outside vendors.

I would still like to do a community board because it works well in other communities.

Attorney M. – We really just need it for her, but it may be beneficial for the community.

R. Simmarano – I think it is well thought out, and I do not have any problem with it.

H. Proodian – I do not want to hurt your business, but I do feel that this is a very busy intersection. That is why I asked about moving it, it might make me be more in favor if it was moved.

Motion made by H. Proodian and seconded by R. Simmarano to close the public hearing, unanimous.

Jodi Healy

Sign Pg. 3

A. Lewandowski – I have a safety problem, and if this sign changes every 5-7 seconds, if you are going up Main Street and you see something interesting, are you going to stop your car to see what time it is. I do not have a problem with the sign.

H. Proodian – I like the sign, I just do not like the location.

R. Simmarano - - The safety issue with that intersection is the flow of traffic coming into town. The traffic to the left goes pretty freely.

Motion was made by R. Valentino and seconded by H. Proodian to grant the special permit for real estate office only at 4 Sutton Rd., Millbury, MA. The Board voted 3 in favor and 2 opposed, (R. Valentino, H. Proodian). Motion was denied.

Richard P. Valentino
Paul N. ~
R.J. Simmarano
Dan Lewandowski