

STURBRIDGE ZONING BOARD OF APPEALS

MINUTES OF

Wednesday, January 12, 2005

Present: Theophile Beaudry
Mary Blanchard
Robert Cornoni
Pat Jeffries
Ginger Peabody, Chairman
Bruce Sutter

Absent: Marge Cooney

Also in Attendance Nancy Campbell, Clerk

G. Peabody opened the meeting at 7:00 PM and read the agenda. The minutes of December 15, 2004 were reviewed.

Motion: to approve the minutes of December 15, 2004, as written, by M. Blanchard
2nd: P. Jeffries
Discussion: None
Vote: All in favor

The Board members introduced themselves.

CORRESPONDENCE

Dawn Toon Letter – dated 12-20-04 – RE: Guaranteed Roofing & Building Maintenance Co. – zoning complaint for 20 Ponton Street. The Board agreed to have the Chairman draft a letter to the Zoning Enforcement Officer requesting he look into the matter.

PUBLIC HEARING – 01-12-05-1V/SP – YANKEE SPIRITS – TO REPLACE THE EXISTING 42 SQUARE FOOT GROUND SIGN WITH A 39 SQUARE FOOT GROUND SIGN AT A HEIGHT OF 21 FEET, 1 INCH AT THE CURRENT ZERO SETBACK; TO REPLACE A SECOND PRIMARY 50 SQUARE FOOT WALL SIGN WITH A 194 SQUARE FOOT BANNER SIGN; AND TO REPLACE A THIRD 26 SQUARE FOOT WALL SIGN WITH A 35 SQUARE FOOT BANNER SIGN AT 376 MAIN STREET

G. Peabody opened the public hearing at 7:05 PM and read the legal notice. She asked the representatives for Yankee Spirits if they would like to proceed given there were only six members in attendance and that the special permit would require five affirmative votes for approval. The decision was made to proceed.

Hazel Wood Hopkins, of Sign Permit Consultants, Worcester, MA, and Larry Lauretano, of Lauretano Sign Group, Terryville, CT, began with the special permit request presentation by stating the following –

- Ground sign – no change to location, present sign constructed prior to sign regulations passed in 1986; color and stroke revisions had been made to the sign based on suggestions from the Design Review Committee; and the increase in height was to accommodate the new peak.

The Board took issue with the advertising of the liquors at the bottom of the sign, asked the purpose of the advertising names, if revenues were paid for the advertisement and how close the sign would be to the telephone wires. L. Lauretano stated that naming the liquors helped identify the business and brought in customers. He was not sure about the revenues and would check with Yankee Spirits. The Board felt Yankee Spirits was a well known business and did not need the product recognition; that the height issue could be eliminated by removing the product names; and that the present sign was visible in both directions at its present height. H. Hopkins submitted a photo to the Board of the original layout showing the corporate colors as the applicant had requested. She stated that the Design Review Committee preferred the sign not identify product names.

- “Yankee Spirit” Banner Sign – existing sign measured 50 square feet with the replacement sign measuring at the absolute maximum area (a rectangle drawn around the entire banner) a calculation of 194 square feet; measured visually the sign would be 84.5 square feet; this sign was far more in keeping with the colonial look of the Town; the building was very long and “deeply” set back from the street thus not a typical store front.

Comments from the Board – the sign should have better lighting; concerned that there was no attempt made to meet the measurements of the present oversized sign; and that the proposed sign was more tasteful.

H. Hopkins maintained that the size of the sign was deceiving because the span was similar to the existing sign. The objective of the sign was to draw people to the complex once they have entered the lot.

- Redemption sign – H. Hopkins requested a reduction in the size of this sign to 30 square feet and if the Board agreed that the redemption center was an entity of its own, she would like to withdraw the request and apply for a permit by right. The Board agreed that the redemption center was a business separate from Yankee Spirits.

Motion: to allow the withdrawal of the redemption center sign without prejudice, by M. Blanchard
2nd: P. Jeffries
Discussion: None
Vote: All in favor

H. Hopkins asked for a short recess and then accepted an offer from G. Peabody to continue the public hearing. G. Peabody asked that H. Hopkins come back to the Board with different options for the design of the banner sign identifying Yankee Spirits. Members of the Board felt the height of the ground sign should be brought into conformance since it was being redone.

Motion: to continue the public hearing for Yankee Spirits to January 26, 2005 at 8:00 PM, by M. Blanchard
2nd: P. Jeffries
Discussion: None
Vote: All in favor

G. Peabody noted she had met with the Chairman and a member of the Planning Board to discuss issues for its report relative to the Stoneleigh Woods project as required under the Town’s Zoning Bylaws. G. Peabody read the issues as presented to the Board by the Planning Board.

NEW BUSINESS

There was none.

OLD BUSINESS

Request for Determination Fee – G. Peabody had discovered that provisions set forth under Chapter 40, Section 22F (approved at 2004 Annual Town Meeting) provided that the Board did not need approval from the Board of Selectmen (BOS) to set a fee for Request for Determination applications. In two previous attempts, she had been denied approval from the BOS for the Board to set such a fee. She asked the Board to review this provision for discussion on fees at its next meeting.

Kopelman and Paige, Confidential Letter – RE: RRI – G. Peabody asked that the Board allow the Chairman to draft a letter to the Town Administrator requesting that the Zoning Board of Appeals provide input on this matter.

Motion: to allow the Chairman to draft a letter to the Town Administrator requesting that the Board provide input relative to the RRI Confidential Letter from Town Counsel, by M. Blanchard

2nd: M. Cooney

Discussion: None

Vote: All in favor

N. Campbell noted that an escrow account in the amount of \$10,000 must be established for the Windgate at Sturbridge project per Condition #23 of the Decision. It was agreed that the remaining \$3,010.00 on deposit with the Town could be applied toward the \$10,000. N. Campbell would discuss with the Finance Director the recommended procedure for setting up the new account and then contact Steven Paquette to obtain the additional funds.

M. Blanchard mentioned the upcoming election in April and noted that two terms were up on the Board, hers and that of P. Jeffries. Also up for reappointment was T. Beaudry.

Motion: to adjourn, by M. Blanchard

2nd: P. Jeffries

Discussion: None

Vote: All in favor

Adjournment at 7:55 PM