

SHARON ZONING BOARD OF APPEALS MINUTES OF APRIL 10, 2019

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, April 10, 2019 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: Abe Brahmachari, Joe Garber, and Steve Weiss, and Steve Cohen. Mr. Brahmachari is acting as Chair in Mr. Ruskin's absence. Mr. Barth is absent.

7:04 P.M. Town of Sharon Board of Selectmen, 280 South Main Street, Case No. 1838 – New Hearing

Mr. Brahmachari read the Legal Notice. Case will be continued until May 8, 2019.

7:06 P.M. Weston and Sampson Engineers, 25 Tiot Street, Case No. 1839 – New Hearing

Mr. Brahmachari read the Legal Notice. Case will be continued until May 8, 2019.

7:08 P.M. Sky Digital Inc., 395 Old Post Road, Case No. 1837 – Continued Hearing

Mr. Brahmachari read the legal notice, a letter from Kevin Davis, Agent of the Board of Health, dated March 21, 2019, and a letter from Greg Meister, Conservation Administrator, dated March 20, 2019.

Mr. Cohen asked for clarification regarding whether this case is part of the Zoning Bylaw, or part of the Sign Bylaw. It's Chapter 221-17 of the General Bylaw per applicant's counsel.

Atty. Robert Shelmerdine, Sharon, MA, Counsel for the applicant, introduced Dave Gannon, Sky Digital, Inc., Wallingford, CT. Counsel also provided a handout: a printout dated January 21, 2019 from Mainstreet GIS, LLC.

The Billboard will face I-95 north eastern direction only. They seek sign permit and variance as maximum billboard height is 60 feet and they seek 80 feet. Property owned by GIRI Sharon Inc., in the Light Industrial Zone within the Groundwater Protection District.

The business at 485 Old Post Road has a static billboard 605 feet away from proposed Billboard. Mr. Shelmerdine stated that Sharon has no maximum or minimum distance requirements, but there is a state regulated distance from static to digital billboard of 500 feet, and digital to digital billboard of 1,000 feet. The closest digital billboard to proposed digital billboard is 1,058.15 feet at 1058 General Edwards Highway.

Elevation of ground is 248 feet and immediately opposite is 261 feet, So the pole location is already starting 13 feet below grade. Travelling on I-95 South towards Exit 9, the grade dips.

Bridge blocks views. First view is of billboard at 1050 General Edwards Hwy., then 395 Old Post Road. Variance is needed because trees are in the way and elevation is 13 feet below grade where pole is to be located.

They can show substantial hardship because 60-foot billboard won't be seen long enough to make it cost effective due to building costs. Counsel cited two similar cases: 1050 General Edwards variance and May 2018 22-foot variance to 10 Merchant Street for digital billboard.

Abutters acknowledged and they do not have anything to add.

Discussion that maximum size is 720 square feet and proposed billboard is 672 square feet. Grade dips 13 feet. Financial hardship is not something board considers. It is a one-sided billboard. Attorney asked whether adding billboards is detrimental to the neighborhood, but it's a Commercial Zone. Discussion of whether to approve variance to grade level which is 13 feet, or full 20 feet requested as requested by applicant.

Mr. Brahmachari confirmed applicant's counsel will write the decision.

Applicant asked to close the hearing.

Mr. Brahmachari moved to close the hearing. Mr. Garber seconded the motion. The Board voted in favor of closing the hearing (4-0-0).

Mr. Brahmachari moved to approve Case No. 1837, Sky Digital Inc., 395 Old Post Road, permitting the Applicant a sign permit for an electronic billboard and a related height variance for the sign structure, pursuant to Section 221-17 of the Sign Bylaw. The plans include a plot plan from Silva Engineering Associates, Bridgewater, MA, dated February 5, 2019, and Preliminary Drawing from RMG Outdoor Inc., Phoenix, AZ, dated January 9, 2019.

Mr. Garber seconded the motion.

The Board voted 3-0-0 in favor of the plans (Cohen, Brahmachari, Garber).

Minutes:

March 27, 2019 Minutes approval held until April 24 meeting due to revisions requested.

It was moved, seconded, and voted to adjourn.

The meeting adjourned at 7:55P.M.

Respectfully submitted