



BOARD OF APPEALS
TOWN OF FOXBOROUGH
40 SOUTH STREET
MASSACHUSETTS
02035

**Foxborough Zoning Board of Appeals Minutes
May 21, 2015**

Members present: Chairman Neil Forster, Vice Chairman Barney Ovrut, Member Kris Behn and Building Commissioner Bill Casbarra

Chairman Forster opened the meeting at 7:00 p.m. in the Media Center of the Foxboro High School, 120 South Street.

7:00 p.m. 91 Washington Street Investors LLC request a Special Sign Permit under Foxborough General Bylaws Section 15(B) Signs III.C.1.a. for a billboard sign as permitted under Table 15-1: Permitted Signs at 91 Washington Street. The property is located in the S-1 Special Use District and the Economic Development Area Overlay District. The applicant Mike Saegh, President of Foxstar, was represented by Atty. Frank Spillane. Atty. Spillane explained that this property is in the S1 District and the Economic Overlay District. The proposed billboard will be 672 square feet and will be non-static with exterior illumination; the illumination will be from the top of the sign. A national sign company will be placing the ads on the billboard.

Atty. Spillane reviewed the location of the current billboards on Route 1, there is currently one electronic billboard and the rest are static.

This land is currently used for parking for stadium events and contains no structures. The proposed billboard will be 500 feet from the next closest sign as required by state regulations. Later this evening, a second billboard will be proposed that will be 500 feet from this one.

The billboard will be ten feet from the lot line, but will be moved back if conditions require it. The closest residence is 1,900 feet away from the property and is separated by woods.

In regards to the impacts in the area, there are six existing billboards in the area so Atty. Spillane feels that there will be no impacts on the character of the area. The improvements to the area include taking down trees which will improve the site lines on Route 1. The benefit to the town is the additional tax revenue to both the town and the state. Atty. Spillane feels that the requirements of 15.2 have been met. This billboard is located in Sign District 1 of the Sign Bylaw.

They will be using quality construction materials and energy efficient lighting. They will be using a center post design with 24 feet on each side. The edge of the sign will be no less than 10 feet from the road layout.

There were no abutters present.

A motion to close the Public Hearing was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

The Board immediately moved into deliberations.

A motion to approve the Special Sign Permit with the following conditions 1. The permit will run with the applicant until it has been constructed and may not be transferred to any other applicant during this time, 2. There can be no modifications to the approval without approval of the Zoning Board, 3. The applicant will obtain any required permits from the Office of Outdoor Advertising and

the Building Commissioner, 4. The sign shall not exceed 672 square feet, nor exceed 50 feet in height and will be placed no less than 10 feet from the road layout and 500 feet from any other billboard, 5. The sign shall be illuminated by floodlights either at the top or the bottom with no light wash beyond the sign, 6. The sign shall be constructed with features and designs as shown on the plan and situated on the property as shown on the plan that shall be signed by a registered engineer, 7. The applicant shall establish a bond in the amount of \$10,000 for future removal costs if necessary, 8. Before construction the permit runs with the applicant, if the applicant transfers the property in the future subsequent to construction, the new owner shall be required to post a new bond in an amount to be determined by the Board to pay the cost of the sign removal if it becomes necessary was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

7:10 p.m. Starfox Realty Trust requests a Special Sign Permit under Foxborough General Bylaws Section 15(B) Signs III.C.1.a. for a billboard sign as permitted under Table 15-1: Permitted Signs at 95 Washington Street. The property is located in the S-1 Special Use District. The applicant, Michael Saegh, Trustee of Starfox Realty, was represented by Atty. Frank Spillane. Atty. Spillane explained that this billboard will be located 500 feet beyond the previously approved billboard on a separate lot. This lot is located in the S1 District but not the Economic Overlay District. Mr. Saegh explained that he is the Property Manager and Equity Partner at 91 Washington Street and one of two trustees for the 95 Washington Street property.

Atty. Spillane stated that this sign will also be located 25 feet from the lot line

No abutters were present.

A motion to close the Public Hearing was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

The Board immediately moved into deliberations.

A motion to approve the Special Sign Permit with the following conditions 1. The permit will run with the applicant until it has been constructed and may not be transferred to any other applicant during this time, 2. There can be no modifications to the approval without approval of the Zoning Board, 3. The applicant will obtain any required permits from the Office of Outdoor Advertising and the Building Commissioner, 4. The sign shall not exceed 672 square feet, nor exceed 50 feet in height and will be placed no less than 10 feet from the road layout and 500 feet from any other billboard, 5. The sign shall be illuminated by floodlights either at the top or the bottom with no light wash beyond the sign, 6. The sign shall be constructed with features and designs as shown on the plan and situated on the property as shown on the plan that shall be signed by a registered engineer, 7. The applicant shall establish a bond in the amount of \$10,000 for future removal costs if necessary, 8. Before construction the permit runs with the applicant, if the applicant transfers the property in the future subsequent to construction, the new owner shall be required to post a new bond in an amount to be determined by the Board to pay the cost of the sign removal if it becomes necessary was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

GENERAL BUSINESS

The Board reviewed the minutes of April 16, 2015.

A motion to approve the minutes of April 16, 2015 as amended was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

The April 30, 2015 minutes will be reviewed at the next meeting of the 40b project on June 4, 2015.

The Board reorganized.

A motion to nominate Neil Forster as Chairman was made by Mr. Ovrut and seconded by Mr. Behn. The motion carried 3-0-0.

A motion to nominate Barney Ovrut as Vice Chairman was made by Mr. Forster and seconded by Mr. Behn. The motion carried 3-0-0.

A motion to nominate Kris Behn as Clerk was made by Mr. Ovrut and seconded by Mr. Forster. The motion carried 3-0-0.

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Diana Gray

Signed on behalf of the Board

Kristofor Behn, Clerk