



BOARD OF APPEALS  
**TOWN OF FOXBOROUGH**  
40 SOUTH STREET  
MASSACHUSETTS  
02035

**Foxborough Zoning Board of Appeals Minutes  
May 18, 2017**

Members present: Chairman Barney Ovrut, Members David Brown and Kris Behn, Alternates Kurt Yeghian and Kim Mellen

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

**7:00 p.m. Lauren Cronin of Viewpoint Sign and Awning seeks a Special Sign Permit pursuant to the Code of the Town of Foxborough, chapter 213 - Signs, to alter a legal pre-existing nonconforming freestanding sign for Dunkin Donuts by installing an electronic message board in excess of Table 15-3. The property, located at 127 Main Street is in Sign District 2.** John and George Primpas, owners of the franchise, Sean Donovan of Viewpoint Signs and Ben Barr of Watchfire LED Signs were present. This application is to install an Electronic Message Center (EMC) sign to the existing Dunkin Donuts sign on Main Street. The EMC would be 3' x 5' and take the place of the "Drive Thru" currently on the sign. The new sign will be slightly larger than the current sign, the current sign is 37 sq. ft. and the new sign will be 55 sq. ft. They feel that this sign will allow them to better promote their business. Mr. Barr noted that this location has three frontage roads and the bylaws would allow them to put three freestanding signs but they would rather have the EMC sign.

The owners would like to promote community events as well as their products; Dunkin Donuts is trying to rebrand as a lunch and dinner option instead of just breakfast products. The sign will not have any animation or flashing lights and will dim automatically at night. The location currently has three wall signs, two driveway signs and one freestanding sign.

John Primpas, co-franchiser of the property, stated that they hope to capture more business by promoting their products on this new sign. The business is currently open from 5:00 a.m. – 10:00 p.m.

The signs will replace the existing double-sided stationary internally illuminated drive thru signs; those signs will be moved to the building and they already have permits for those signs. The existing signs were installed prior to the current sign bylaw so they are considered pre-existing non-conforming signs. The EMC will be located on both sides of the sign, back to back.

The Board reviewed the requirements for EMC signs. The sign cannot have any flashing movement and cannot exceed 10 changes per minute. The sign can only advertise products for this specific location, no general advertising is allowed. The sign will slightly increase the overall square footage of the existing sign but the Board members feel it will be appropriate size for the area.

Abutter Patty Moore of 132 Main Street had questions about lighting at night. The sign will be off when the business is closed and will automatically dim at dusk. The owners are willing to have a discussion with the neighbors to discuss light levels if the Board requires it.

The Board also discussed the other signs on the site, pennants and sandwich board type signs. The applicants stated that Dunkin Donuts require that signage but they can negotiate with them to get them removed to reduce the visual clutter.

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

The Board immediately moved into deliberations, Board members would like to see conditions to require the removal of the point of purchase signage and for illumination levels on the EMC.

A motion to approve the Special Sign Permit as outlined this evening with conditions that the EMC be constructed as shown on the plans on the current freestanding sign, the EMC only be used for public announcements and to advertise products that are sold in the Dunkin Donuts on the property, the illumination levels will be lowered at dusk and turned off when the business is closed, the levels can be adjusted at the Building Commissioners request if needed and the Point of Purchase signage on the property be removed once the EMC is installed was made by Mr. Behn and seconded by Mr. Brown. The motion carried 3-0-0.

The Board has 45 days to write a decision and also noted there is a 60 day appeal period.

**GENERAL BUSINESS**

**Executive Session Minutes October 20, 2015**

This meeting was to discuss strategy regarding litigation on the Domain Comprehensive Permit decision. The matter has since been resolved and the minutes can be released.

A motion to release the Executive Session Minutes from October 20, 2015 was made by Mr. Brown and seconded by Mr. Behn. The motion carried 5-0-0.

**Minutes - April 20, 2017**

The Board reviewed the minutes of April 20, 2017.

A motion to approve the minutes of April 20, 2017 as submitted was made by Ms. Mellen and seconded by Mr. Brown. The motion carried 5-0-0.

**Board Reorganization**

The Chairman, Vice Chairman and Clerk all agreed to stay in their current positions for the year.

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

Respectfully Submitted,

Diana Gray

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Signed on behalf of the Board

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Kristofor Behn, Clerk