



## TOWN OF WARE

Planning & Community Development  
126 Main Street,  
Ware, Massachusetts 01082  
t. 413.967.9648 ext. 118 f. 413.967.9627

Meeting Minutes from **March 23, 2016**

### Zoning Board of Appeals

Board of Selectmen's Meeting Room, 126 Main Street, Ware, MA 01082

- Present:** Chuck Dowd, Greg Eaton, Phil Hamel, Lew Iadarola (Chairman), David Skoczylas (Alternate)
- Staff:** Karen Cullen, Director of Planning & Community Development  
Judi Mosso, Assistant to the Director
- Public:** Roy St. George

Chairman opened the meeting at 7:00 pm.

#### 1. Administrative

- a. Approval of Minutes, October 28, 2015 – L. Iadarola had inquired if the Board voted to accept the applicant's withdrawal. J. Mosso informed the Board that the applicant (Boudreau, V-2015-04) had e.mailed her requesting that his application be withdrawn, that she notified the Board of his request the same day, but the Board did not formally vote to accept the withdrawal. The Board agreed to leave matters as they are and if the matter comes up again, they will revisit it at that time. Minutes were accepted by consensus.
  - b. Approval of Minutes – February 24, 2016 - Minutes were accepted by consensus.
  - c. CPTC Conference – There was brief discussion about the conference, sessions, affordable housing and "tiny homes".
2. V-2016-01 - Roy St. George, Moulton Insurance Agency, Inc., additional secondary sign at 143 West St. – Chairman opened the hearing at 7:07 and legal ad was read into the minutes. Mr. St. George spoke about his application for a variance to Zoning bylaw section 6.5.7.A for one additional secondary sign in order to have the maximum

exposure for his business and capture traffic from both directions, not just one. There is a primary sign on the front of the building but it is not as visible to motor vehicle traffic. The sidewalk (freestanding) sign is less visible to traffic. The Board reviewed the bylaw and discussed the size limits for this zone. It was noted that the two proposed secondary signs would be less than the square footage of what is allowed for one secondary sign in the bylaw.

**Motion** by P. Hamel to approve the second secondary sign for V-2016-01 with no conditions and with the following findings:

1. Owing to circumstances relating to the location of the property, and particularly its location on a major commercial thoroughfare with a high density and traffic volume, strict adherence to the signage requirements of this bylaw would cause practical difficulty and unnecessary hardship to the petitioner by reducing the visibility of the signage notifying the public of what type of business is in the building; this could create hazardous conditions for the traveling public if customers were unable to identify the building early enough to safely move into the center turn lane or signal their intended turn into the site. The Board noted that the applicant could install a taller freestanding sign which might address this concern, but that would add to the general sign clutter in the area and detract from the aesthetic quality of the site.
2. Given the unique circumstances of this property, being a small parcel unlike those surrounding it, strict adherence to the Zoning Bylaw would not provide adequate signage to inform the public as to the occupants of the site.
3. The Board finds that the proposed secondary signs are each less than half the square footage permissible for a secondary sign in the HC District, and together are still less than the allowable amount for a single secondary sign.
4. Granting the requested relief will not be materially detrimental to the public welfare or injurious to the property in the neighborhood in which the property is located.

Seconded by G. Eaton. So voted 5/0/0.

The applicant was informed about the appeal period and decision process.

**Motion** by D. Skoczylas to close the public hearing at 7:35. Seconded by P. Hamel.

3. Miscellaneous – There was brief discussion about nonconformities under section 1.9.3; and possible future applications.

**Adjourned** at 8:03.

**Documents reviewed:**

- October 28, 2015 minutes
- February 24, 2016 minutes
- V-2016-01 application

**Documents received:**

List of classes taken by G. Eaton at the CPTC conference

*Respectfully submitted by Judith P. B. Mosso  
Assistant to the Director*

Minutes approved on: \_\_\_\_\_

Lew Iadarola \_\_\_\_\_

Phil Hamel \_\_\_\_\_

Chuck Dowd \_\_\_\_\_

Greg Eaton \_\_\_\_\_

George Staiti \_\_\_\_\_

David Skoczylas \_\_\_\_\_