



Zoning Board of Appeals

Minutes of Tuesday, January 25, 2017 – 6:00 PM

Board of Appeals members present: Charles Dudek, Gerry Mann, Osa Flory & Marcianna Caplis

Public Present: Tom Raschi Jr., Tom Raschi, Brenda Roberson, Jasmine Gomez, Jim Locke & Chris Flory

Decision Meeting 23 Main Street-Thomas Raschi

This meeting was called to make a decision on the Special Permit application by Thomas Raschi at 23 Main Street, Williamsburg. The Special Permit was requested to install oversized signs.

(CD) noted the decision would be made by (CD), (OF), and (MC). (GM) recused himself as he is a neighbor of Mr. Raschi.

(MC) spoke about the intention of the current sign bylaws. In her opinion, the bylaws are not adequate for anyone who owns a business.

(GM) was on the Committee when the Zoning Bylaws were written in 2003. Regarding signs, they were just “copied over” from the Protective Bylaws. It was noted that in 2013 the Planning Board made some changes to the sign bylaws that were adopted at the Annual Town Meeting.

(CD) stated that good faith and good intentions were used by Mr. Raschi in putting up the signs and it was an honest mistake that he made in installing the oversize signs. He does not feel that there was intent to violate the bylaws. He noted that the bylaws state what size a sign may be. The signs that were hung are extensive and exceed the bylaw. The Zoning Board of Appeals is constrained by the bylaws and that is what they need to make their decision by.

(CD) stated due to the facts above he needs to vote to deny the application.

(MC) stated the bylaws are not helpful to the community regarding signs. She has trouble agreeing with what (CD) said. (MC) made a motion to approve the application. There was no intent to violate the bylaw. There was a hardship due to the expense of the signs. Motion was seconded by (OF). The vote on the motion was:

(MC)-Yes

(OF)-No

(CD)-No

The motion was denied. (CD) stated to the applicant that any decision has to be unanimous. A Special Permit must have approval of all three Board members.

Motion made (CD) to deny the application based on the fact that the signs exceed the allowable size allowed by the zoning bylaws.

Mr. Raschi stated he had a picture of the sign that these signs replaced. He asked if he could show it to the Board. He wanted them to see how difficult it is to read the previous sign and why he needed new signs. The Board looked at the picture. It was noted it was a safety issue.

The motion made by (CD) was seconded by (OF). The vote on the motion was:

(CD)-Yes

(OF)-Yes

(MC)-No

The application for the special permit fails as there was not an agreement. The application was denied. (MC) asked to write a paragraph with her dissenting opinion to include in the decision.

(GM) stated that there is selective enforcement regarding signs. (CD) disagrees. The Planning Board will be consulted in possibly rewriting the bylaws regarding signs. There was some discussion regarding enforcement of the bylaws.

Motion made (MC) and seconded (OF) to approve the Minutes of 9/22/16. Motion so voted.

Motion made (MC) and seconded (OF) to approve the Minutes of 11/2/16. Motion so voted.

Motion made (MC) and seconded (OF) to approve the Minutes of 11/15/16. Motion so voted.

Motion made (MC) and seconded (OF) to approve the Minutes of 12/20/16. Motion so voted.

Motion made (MC) and seconded (OF) to adjourn. Motion so voted.

Respectfully submitted,

Brenda Lessard, Secretary