

**ZONING BOARD OF APPEALS  
MINUTES OF MEETING  
JUNE 16, 2016**

Town of Bedford  
Bedford Town Hall  
Lower Level Conference Room

**PRESENT:** Todd Crowley, Chair; Angelo Colasante, Vice Chair; Carol Amick, Clerk; Jeffrey Dearing; Michelle Puntillo; Kay Hamilton; Robert Kalantari

**ABSENT:** None

**GUEST:** Jeffrey Cohen, Planning Board Liaison

Mr. Crowley read the emergency evacuation notice. The Zoning Board of Appeals (ZBA) members and assistant introduced themselves.

**PETITION #045-16** – Thien Tran, for Simply Nails and Spa, at 158F Great Road, seeks a Special Permit per Article 39.5 Section 1 of the Sign Bylaw to illuminate wall sign.

**PRESENTATION:** Ms. Amick read the notice of the hearing.

Mr. Tran introduced himself and stated that he was the owner of Simply Nails and Spa, at Bedford Marketplace, and he was requesting a Special Permit to illuminate the sign. The Board talked with Mr. Tran about the details of the sign and the illumination.

Mr. Colasante asked whether the light would be white. Mr. Tran replied that it would.

Mr. Crowley noted that the application included notes from the sign engineer stating that he would measure the illumination after the sign was installed in order to ensure the proper numbers. Mr. Dearing said he thought that was a reasonable way to measure it but wasn't sure how that affected the way the Bylaw was written. Mr. Colasante said that lighting experts had, in the past, determined that testing after the fact was the best way to go about measuring the illumination; he said that he had no problem with that, as they would have to comply with the Bylaw anyway.

Mr. Crowley opened the hearing to the public.

Mr. Cohen said that he thought testing after the sign was installed was a great idea, and thought it might be wise to have that somehow incorporated into the Sign Bylaw.

Mr. Colasante commented that the Sign Bylaw specified that signs may not be illuminated between the hours of 11:00 PM and 6:00 AM, and the Board typically conditioned Special Permits to require the sign be on a timer to ensure that this condition

was met. Mr. Tran said he had no problem with such a condition, as the store hours would probably be 10:00 AM to 7:00 PM and he believed the sign was on a timer anyway.

With no further comments or questions from those in attendance, Mr. Crowley closed the public hearing.

**DELIBERATIONS:**

Mr. Crowley stated that this was a Special Permit application, and the two requirements of a Special Permit were that the project was not injurious or detrimental to the neighborhood and was in keeping with the intent and purpose of the Bylaw. The Board talked more about the details of the sign and concluded that it met these requirements, with the conditions regarding the hours of illumination, the sign being on a timer, and that the Lexan back be clear or white plastic.

Mr. Crowley called for a motion.

**MOTION:**

Ms. Amick moved to grant Thien Tran, for Simply Nails and Spa, at 158F Great Road, seeks a Special Permit per Article 39.5 Section 1 of the Sign Bylaw to illuminate wall sign, substantially as shown on Exhibit 1 (sign design layout), Exhibit 2 (location), Exhibit 3 (design specifications), Exhibit 4 (authorization letter from building owner) and Exhibit 5 (certification from the lighting engineer), and subject to the following conditions:

- 1) The sign shall be on a timer to ensure that the sign will not be illuminated between the hours of 11:00 PM and 6:00 AM;
- 2) Sign engineering company shall test the sign after installation to ensure that it complies with the sign Bylaw;
- 3) The Lexan shall be clear or white plastic.

Mr. Dearing seconded the motion.

Voting in favor: Crowley, Colasante, Amick, Dearing, and Puntillo

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Crowley explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision was recorded, the applicant may illuminate the sign.

**PRESENTATION:** Ms. Amick read the notice of the hearing.

**PETITION #044-16** – Bedford Housing Authority, at 1 Ashby Place, seeks a modification to the Special Permit dated July 26, 1967 to construct new garage on premises.

Mr. Crowley said that no one from the Bedford Housing Authority (BHA) was in attendance, so he was unsure how to proceed. At this time, Mr. Cohen went upstairs to another meeting where William Moonan, a BHA member, was present. Mr. Moonan arrived soon after and stated that he did not know why no one had come to tonight's meeting. He stated that the purpose of the application was to construct a new garage on the premises, because the current one could not house all the necessary equipment. He said that he was, however, uncomfortable speaking any more about the application, as he did not know all the details. Ms. Amick suggested continuing the hearing to the next meeting date; she said she would also like to get a copy of the original Special Permit decision. The other members all agreed on both points.

**MOTION:**

Ms. Amick moved to reschedule Bedford Housing Authority, at 1 Ashby Place, seeks a modification to the Special Permit dated July 26, 1967 to construct new garage on premises to July 14, 2016 at 7:30 PM.

Mr. Dearing seconded the motion.

Voting in favor: Voting in favor: Crowley, Colasante, Amick, Dearing, and Puntillo

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

**BUSINESS MEETING:**

**New Member Observation**

Katherine Shutkin, of 5 Mitchell Grant Way, introduced herself and stated that she was interested in becoming an alternate member of the ZBA. She talked about her background and the members discussed the types of cases the Board typically heard. She said she hoped to become appointed and looked forward to working with the ZBA in the future.

**April 28 Meeting Minutes**

Mr. Crowley called for a motion to approve the April 28 meeting minutes.

**MOTION:**

Mr. Colasante moved to approve the minutes of the April 28, 2016 meeting, as amended.

Ms. Puntillo seconded the motion.

Voting in favor: Crowley, Colasante, Dearing, and Puntillo

Voting against: None

Abstained: Hamilton

The motion carried, 4-0-1.

### **Election of Officers**

Mr. Crowley stated that there was, traditionally, a re-election of Board officers every June. After discussion about the positions, it was decided that the three officers would remain the same. Mr. Crowley called for motions to re-elect himself as Chair, Mr. Colasante as Vice Chair, and Ms. Amick as clerk.

#### **MOTION:**

Ms. Amick moved that Todd Crowley be re-elected as Chair.

Ms. Puntillo seconded.

Voting in favor: Crowley, Colasante, Amick, Dearing, Puntillo, Hamilton, and Kalantari

Voting against: None

Abstained: None

The motion carried unanimously, 7-0-0.

#### **MOTION:**

Ms. Amick moved that Angelo Colasante be re-elected as Vice Chair.

Ms. Puntillo seconded the motion.

Voting in favor: Crowley, Colasante, Amick, Dearing, Puntillo, Hamilton, and Kalantari

Voting against: None

Abstained: None

The motion carried unanimously, 7-0-0.

#### **MOTION:**

Mr. Colasante moved that Carol Amick be re-elected as Clerk.

Mr. Dearing seconded the motion.

