

# MINUTES

Zoning Board of Appeals Meeting – February 18, 2020  
115 Pleasant Street, Room 103  
Gardner, MA 01440

Sitting in on Hearing:  
Raymond LaFond  
Michael Gerry  
Randall Heglin

In Attendance:  
Abigail Allen  
Building Commissioner Roland Jean Jr

Meeting Called To Order by Chairman Raymond LaFond at 7:05 p.m. in the City Hall Annex Meeting Room 103, 115 Pleasant St, Gardner, MA. Mr. LaFond then went over the ground rules and the requirements that must be addressed for a variance or special permit. He then noted that the meeting was audio taped, and requested if anyone objected. There were no objections.

<u>Case No.</u>	<u>Case Type</u>	<u>Case Description</u>
2020-02-01	Variance	Birch Tree LP d/b/a Supercuts. Installation of Sign

**Case # 2020-02-01:** Application to install a sign at 10-12 Pearson Blvd , Gardner, MA Parcel ID # R17-4-11, located in the Commercial 2 zoning district (C2) is denied as it does not comply with Condition #3 from a previously-approved Variance for signage at this location. Condition #3 from the Case# 01-1-2 Variance approved on March 26, 2001 states: “No additional signage will be allowed.”

Mr. LaFond opened the floor to Abigail Allen of 137 Hosley Rd, Gardner, Owner of Supercuts, 10-12 Pearson Blvd. Ms. Allen is representing herself in this case. Ms. Allen states that she is the third tenant of the parcel ID #R17-4-11. She is neighbored by KFC and Anthony’s Liquor store. Ms. Allen is the only business not represented by signage on the existing pylon sign. She believes this was an oversight at the time and feels that Supercuts should be able advertise in the same way as the other businesses. Ms. Allen stated the best option would be to override the previous decision and allow the use of pylon so as not to incur extra cost and construction of an additional sign.

The existing sign has room for the placement of the supercuts sign, in fact it would be more aesthetically pleasing to have the current gap filled in. All businesses would have the equal advertisement areas of 36” x 96” on the sign. Ms. Allen supplied images of what the signage would like with her sign present.

Ms. Allen explained that her business is often overlooked as she cannot be seen from passing traffic and loses business as other salons are better advertised from the street. Using the existing Pylon would be more cost effective as it is already present and has an electrical capability. Construction of a freestanding sign would be costly and space is limited. This is not a city code issue it is just an oversight which the Board needs to override from their original decision.

Mr. LaFond inquired about the electrical aspect, asking if the sign would be illuminated and if so for what periods of time would it be active? Ms. Allen informed the board that the sign would be regulated with the current signs and would be illuminated from dusk till 11pm in accordance to the parameters of the zoning code.

Mr. Heglin then clarified that the sign placement would need to be centralized to fit the space and must be of equal size to current business signs on the pylon. Ms. Allen stated the image shown was as rough plan and the sign was in fact the same dimension as the others and that it would be placed in accordance to the others equally to present a balanced look.

Mr. LaFond noted he was on the original case and believes the decision was based on the existing zoning regulations. Adding to the existing pylon appears to be the best solution. Space is available for the new sign on the pylon and it will have no negative impact on vehicular or pedestrian traffic.

Mr. Gerry reiterated that the sign would need to be in compliance with code as far as the illumination hours. Ms. Allen's agreed and clarified that the sign would be white with red lettering and of equal size. (36" x 96") to the existing signs.

Ms. Allen stated that there would be financial hardship should she have to construct a new pylon sign, and believes the owner would not allow another pylon sign built on the current location of the existing property.

Mr. Heglin had no further question.

Mr. LaFond opened the case to the floor, Mr. Roland Jean, City of Gardner, Building Commissioner stated he had no opposition to the request. No interested parties were present to comment.

Case was opened to questions from the Board, with no further question brought forward

Motion was made to close the hearing and move to decision.

Decision was made with the conditions of the sign being of equal size with equal distance placement between the two current signs and that illumination must be extinguished by 11pm.

No further comments.

Mr. LaFond then called for a vote for approval or denial of this request. The Board unanimously voted to approve the variance with conditions to Ms. Abigail Allen.

Variance was approved with conditions. Illuminated per code and to be installed between two existing signs per submitted exhibit

Ms. Allen was informed she free to leave.

All other business, Minutes from previous meeting were signed and approved and sign by The Board.

Motion to approve all minutes by Mr. LaFond seconded be Mr. Gerry. No discussion.

No further business coming before the board, a motion was made, seconded and voted to adjourn.

**Adjourned of meeting @ 7.18pm**



Raymond LaFond, Chairman



Randall Heglin, Member



Michael Gerry, Clerk