



**TOWN OF SALISBURY**  
Zoning Board of Appeals Hearing  
Colchester Room @ Town Hall, 5 Beach Rd

**MEETING MINUTES- PUBLIC HEARING**

**Hearing Date: October 25, 2022 @ 7:00 pm**

**Members Present:** Derek DePetrillo (Chair), John Schillizzi (Vice Chair), Drew Dana, Stephen Rossetti and C.J. Fitzwater (Alternate)

**Additional Persons Present:** Scott Vandewalle, Building/Zoning Commissioner and Jennifer Geary ZBA Admin

Derek DePetrillo called the meeting to order at 7:00pm.

**New Public Hearing**

**Case No. 22-000027 Petition for Relief – Special Permit** for the removal of an existing externally illuminated sign and installation of an internally illuminated sign

**Address:** 183 North End Blvd.

**Map:** 34, **Lot:** 5

**Applicant(s):** 183 NEB Salisbury, LLC

Applicant David Touma was present with Glen Schadlick of NEOPCO Signs. The applicant seeks to replace an externally illuminated sign with a smaller, internally illuminated sign. Mr. Schadlick reviewed the old sign's design, stating it was 26 feet tall, 126 square feet, with external flood lights. The new sign is 16 feet tall, 70 square feet, has removable panels, will improve lighting for the parking lot and improve visibility for the area. After discussions with abutters, the timing of the light has been adjusted to turn off at 11 PM. Mr. Dana asked if the previous sign lights stayed on all night. Mr. Touma replied that it did. Chairman DePetrillo asked what time the sign turns on. Mr. Touma replied around when it gets dark. Abutter, Rick Rigoli, of 180 North End Blvd. discussed his concerns, stating there is adequate lighting for the parking without sign. There is no need for the sign as the businesses serve the neighborhood, and are not a destination. He further stated that the sign is very bright, and is exceeds the allowed height. Mr. Rigoli had concerns that allowing the sign would then allow everyone to have similar signs. He stated he is fine with the shut off time and doesn't want the sign removed. Mr. Rigoli suggested not illuminating the sign at all, reverting to external illumination, dimming the lighting, or changing the whiteness of the sign. Mr. Dana asked Mr. Rigoli if the bigger concern is with illumination, size, or both. Mr. Rigoli replied the illumination. Mr. Schadlick advised that the ZBA needs to hear all applications to internally illuminated signs, so allowing this one won't be a slippery slope. They can't adjust LED to warm lights, and dimming the sign would require extra equipment and would be costly. Exteriorly illuminating the sign from the bottom would result in the lights getting covered in snow, and the lighting won't shine on the full sign. Mr. Schillizzi advised that it is not dark sky compliant. Mr. Schadlick suggested film to diffuse light. Mr. Schillizzi suggested conducting a site visit at night. Mr. Schillizzi asked Mr. Vandewalle whether the new sign was in compliance with height regulations. Mr. Vandewalle

explained that the sign's height wouldn't meet today's bylaw, but it's grandfathered. The issue is the internal illumination. Mr. Fitzwater asked if the businesses would be adversely affected by not having an illuminated sign. Mr. Touma replied they would be. Mr. Vandewalle suggested the applicant and his representative use the manufacturer's data and show calculations to come to an agreement based on what was there and what is there currently. He suggested a continuance, and the Board members drive by the sign in the interim. Mr. Schadlick stated he can bring something to the next meeting to show film options.

**MOTION:** Mr. Schillizzi makes a motion to continue Case No. 22-000027 at 183 North End Blvd. to December 13, 2022. Mr. Fitzwater seconds the motion.

**VOTES:** Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

### **Minutes**

September 27 2022 Meeting Minutes

**MOTION:** Mr. Rosetti makes a motion to approve the September 27, 2022 meeting minutes as written. Mr. Schillizi seconds the motion.

**VOTES:** Mr. Rossetti, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Mr. Dana abstained. Members express their vote individually and verbally. 4 in favor, 0 opposed. 1 abstain Motion carries.

### **Correspondence and Other Board Business**

**Meeting Schedule for 2023** The Board discussed the meeting dates for 2023 and approved with no changes.

**Zoning Board of Appeals Rules & Regulations update** Mr. Schillizzi stated he planned to have an update next meeting.

### **Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

### **Adjournment**

The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**MOTION:** Mr. Fitzwater makes a motion to adjourn the meeting. Mr. Dana seconds the motion.

**VOTES:** Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Respectfully submitted by Jen Geary, Board Secretary and accepted at the

December 13, 2022 meeting of the Zoning Board of Appeals.

Accepted as Presented:

A handwritten signature in dark ink, appearing to read 'Derek DePetrillo', written in a cursive style.

Chairperson, Derek DePetrillo

Cc: Town Clerk