



Town of Reading

16 Lowell Street, Reading, MA 01867

Zoning Board of Appeals

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readingma.gov/zoning-board-of-appeals

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Decision on the Petition of

Haven Street PO, LLC

On the Property Located at

136 Haven Street, Reading, Massachusetts

Case No. 21-19

December 16, 2021

The Zoning Board of Appeals (the "Board") opened and held a public hearing on **Thursday, December 16, 2021** at 7:00 p.m. in the Select Board's Meeting Room at Town Hall, 16 Lowell Street in Reading, Massachusetts to hear the petition of **Haven Street PO, LLC** (The "Petitioner"). The Petitioner sought a **Variance** under Sections 4.5.2, 7.4 and 8.6 of the Zoning By-laws to **install a second free-standing sign**, where one currently exists, on the property located at **136 Haven Street** in Reading, Massachusetts (the "Property").

The Property is located in the **Business-B** underlying zoning district of Reading but was developed as a mixed-use project under the **Downtown Smart Growth District (DSGD) 40R Overlay**. The Petitioner's representative was present at the meeting. It was stated that the Petitioner is seeking a Variance for a second free-standing sign proposed to be installed within the granite wall at the south of the property and fronting Haven Street. Per Table 8.6 of the Bylaw – a site within the BUS-B zoning district is allowed one free-standing sign by Special Permit from the Community Planning and Development Commission (CPDC). The CPDC issued a Special Permit on December 16, 2020 for a free-standing sign along Sanborn Lane. The existing sign identifies the residential entry way of the development.

The proposed free-standing sign is for the center-most commercial unit of the development. It measures 8' long and 4' wide for a total sign area of 32sf. The sign board is to be set on granite posts that total 7'7" in height and are 7" thick. The sign board itself shall be constructed of a matte white background and carved out paint filled text (black). It will be illuminated by external lighting fixtures.

In reviewing the criteria for a variance, the Applicant summarized that the historic restrictions on the building, the absence of the DSGD in the sign bylaw, the hardship of no as-of-right sign, and that no negative impacts were found, should constitute the issuance of a variance. The building is on the local Historical Inventory, Massachusetts state historical inventory, and is subject to a Preservation Restriction. The original structure was originally built ~1930, an addition was constructed to the east in the 1960's, and the most recent addition to the west was constructed in 2018. The Petitioner informed the Board that the Preservation Restriction states that no alterations shall be made to the historic façade of the building without the approval of the Massachusetts Historical Commission (MHC). The Petitioner stated that state level review and requirements would not allow for a by-right wall sign and would be costly in both time and fees. The Petitioner then informed the Board that the development is comprised of individual units/lots but is shown as one lot on the Town's GIS and assessing due to the condominium status of the residential and commercial units. The Petitioner suggested that this development style was not considered during the drafting of the Sign Bylaw and the underlying BUS-B zone. They also opined that due to the way the building sits the visibility of a wall sign from Haven Street would be limited. The Petitioner informed the Board that a meeting was held

with the Reading Historical Commission (RHC) on Wednesday December 15th, 2021. The meeting concluded with the recommendation of the free-standing sign over a wall sign that would impact the historic façade.

The Board found that the size of the sign should not be increased. They also found that if the sign location is moved slightly to the north it may further mask the historical façade due to the grade change. The Board and the Petitioner agreed on conditions to be set on a maximum allowable size and an approximate location. It was also agreed that the CPDC shall review and provide additional input on the sign before installation.

Following discussion with the Petitioner and comment among Board members, the meeting was opened to public comment and, with no input from the public forthcoming, subsequently closed.

The sign renderings and specifics are detailed on the Signage Overview Plan sheets 1 through 7, dated 9/17/21, and prepared by Boston Building Wraps Incorporated.

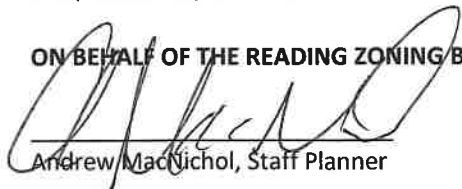
A motion was made and seconded by Board Members that the proposed free-standing sign would meet the criteria for a Variance under Section 7.4 of the Reading Bylaws. The Board voted in the affirmative (5-0-0) to grant a Variance in order to construct a second free-standing sign for the development at **136 Haven Street** as shown on the previously noted plans and renderings and under the following conditions:

1. The Applicant shall receive a Certificate of Appropriateness from the Community Planning and Development Commission (CPDC) prior to the issuance of a sign/building permit for the proposed free-standing sign.
2. The free-standing sign shall be no greater than 32 square feet in area and no greater than 7'7" in height.
3. The free-standing sign shall be situated within the landscaped bed above the granite wall to the south-east of the property and fronting Haven Street.
4. The illumination for the sign shall be dark-sky compliant.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to M.G.L. c. 40A, § 17, within twenty (20) days after the date of filing this Decision with the Town Clerk. Notice of appeal with a copy of the complaint must also be filed with the Town clerk within twenty (20) days as provided in § 17.

This Variance shall not take effect until a copy of this Decision, bearing certification of the Town Clerk that twenty (20) days have elapsed after the Decision was filed in the Office of the Town clerk and no appeal has been filed, or if an appeal has been filed within such time, that it has been dismissed or denied, is recorded in the Middlesex South District Registry of Deeds and indexed in the Grantor's Index under the name of the owner of record, or is recorded and noted on the Owner's Certificate of Title. The fee for recording or registering shall be paid by the Owner or Petitioner. Any person exercising rights under a duly appealed Variance does so at the risk that a court may reverse the permit and that any construction performed under the permit may be ordered to be undone.

ON BEHALF OF THE READING ZONING BOARD OF APPEALS



Andrew MacNichol, Staff Planner

Board members sitting and voting on Case No. 21-19

Hillary Mateev, Cynde Hartman, Cy Caouette, Ryan Bourque, Patrick Houghton

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HM, CH, CC, RB, PH