

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: December 03, 2019

Time: 5:30 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2019 NOV 27 A 11:00

1. 10-07-2019 – **Order No. 19-1007808: Application for LED Sign Special Permit from Poyant Signs on behalf of McDonalds, 155 Boston Post Road West.**
 - Refer to Urban Affairs Committee
 - Public Hearing: November 18, 2019
2. 10-07-2019 – **Order No. 19-1007716A: Communication from City Solicitor, Jason Grossfield, on behalf of Councilor Delano, regarding Proposed Zoning Amendment relative to creating the Route 20 East Zoning District, Order No. 19-1007716.**
 - Refer to Urban Affairs Committee & Planning Board
 - Public Hearing: October 28, 2019

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.



IN CITY COUNCIL

Marlborough, Mass., OCTOBER 7, 2019

ORDERED:

That there being no objection thereto set **MONDAY, NOVEMBER 18, 2019** as **DATE FOR PUBLIC HEARING** On the Application for LED Sign Special Permit from Poyant Signs on behalf of McDonalds, 155 Boston Post Road West, be and is herewith refer to **URBAN AFFAIRS COMMITTEE & ADVERTISE.**

ADOPTED

ORDER NO. 19-1007808

ORDERED:

DECISION ON A LED SIGN SPECIAL PERMIT

IN CITY COUNCIL

LED Sign Special Permit
McDonald's
Order No. 19-1007808

**DECISION ON A LED SIGN SPECIAL PERMIT
CITY COUNCIL ORDER NO. 19-1007808**

The City Council of the City of Marlborough hereby GRANTS the application for a Sign Ordinance Special Permit to McDonald's (the "Applicant") for the property located at 155 Boston Post Rd West, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant is the lessee of the property located at 155 Boston Post Rd West, Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 78, Parcel 15 (the "Site") and maintains a stand-alone fast food restaurant with drive-through service lanes.
2. The Applicant seeks a LED Sign Special Permit, pursuant to Section 526-13 of the Code of the City of Marlborough entitled, "Electronic Message Center Signs and Digital Display Signs" (the "EMC and Digital Display Sign Ordinance"), to operate an electronic message center sign (the "Sign") at the Site (the "Application").
3. The Signs are 2 menu boards 4' 1 5/5" by 4' 10" single-faced digital sign, with a display area of 19.8 square feet each (the product specifications are attached hereto as Exhibit A). Also, there will be 2 pre-sale boards 4' 1 3/4" by 2' 5 1/8", with a display area of 9.9 square feet. The Sign is to be located in the same location as the existing pre-sale and menu boards.
4. In connection with the Application, the Applicant has submitted schematic designs of the Site and a sketch plan showing the location of the Sign on the Site (as shown in Exhibit C).
5. The Marlborough City Council held a public hearing on the Application on November 18, 2019.
6. The Applicant, through its representatives, presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS AND TAKES THE FOLLOWING ACTIONS

- A. The Applicant has complied with all rules and regulations promulgated by the Marlborough City Council as they pertain to application for a special permit under the EMC and Digital Display Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13.B of the EMC and Digital Display Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13.B(16) of the EMC and Digital Display Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or the view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the EMC and Digital Display Sign Ordinance.
- D. The City Council, pursuant to its authority under the EMC and Digital Display Sign Ordinance, hereby GRANTS the Applicant a special permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:
 - 1. The Sign shall be operated in accordance with the EMC and Digital Display Sign Ordinance of the City of Marlborough.

ADOPTED
In City Council
Order No. 19-1007808
Adopted

Approved by Mayor
Arthur Vigeant
Date:

A TRUE COPY
ATTEST:



City of Marlborough

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

MARLBOROUGH CITY COUNCIL

2019 OCT - 1 P 2:31

LED SIGN PERMIT APPLICATION

INSTRUCTIONS: This application must be filled out and submitted to the City Council. Applicant must attach to this application a copy of the Building Commissioner's decision detailing the requirements and reason for City Council action. This application form must be signed by the applicant or his authorized agent (and the owner of the property if the owner is not the applicant) prior to submittal to the City Council.

1. Location of the property where sign is located: Street and Number:

155 BOSTON POST RD

2. What other signs exist on the property (type, size, location):

WE ARE NOT ADDING ANY SIGNS. WE ARE JUST UPGRADING SIGNS THAT ARE CURRENTLY ON SITE.

3. Are there other signs on the property of similar type to what is requested in the LED Sign Permit Application? If so, please state size and location.

THE SIGNS BEING REPLACED ARE OF SIMILAR SIZE AND IN THE EXACT LOCATION. WE ARE REUSING THE EXISTING BASE BOLTS.

4. Names of business or activity applying for sign:

McDONALD'S

5. Applicant: POYANT SIGNS

Street/City/Zip Code:

125 SAMUEL BARNET BLVD
NEW BEDFORD MA 02745



City of Marlborough

6. Building Owner:

McDONALD'S CORPORATION
Street/City/Zip Code:
110 N. CARPENTER ST.
CHICAGO ILLINOIS 60607

7. Contact Information. Please provide an E-mail address as well as Business and Mobile telephone numbers.

Building Owner.

E-mail: _____ Business: _____ Mobile: _____

Agent/Owner of Business where sign will be located.

E-mail: _____ Business: _____ Mobile: _____

Applicant.

E-mail: JGADBOIS@ Business: 508-207-1287 Mobile: 774-328-6218
POYANTSIGNS.COM

8. Applicant is (please check).

Business Owner: _____ Tenant: _____ Other (describe): AUTHORIZED AGENT

Required Attachments & Copies

Description of Sign and Plan: Please include letter from Building Commissioner noted above together with **15 copies** of completed application and plans and color renderings to assist the City Council in its deliberations on the application for a Special Permit for an LED Sign. Other pertinent information may be submitted with this application and may be required by the City Council.

The City Council will hold a Public Hearing on the Application for an LED Sign. Applicant shall pay for advertising of Hearing. Applicant shall obtain a certified abutters' list from the Assessors' Office to attach to this application. Applicant shall notify abutters of Hearing and provide proof of mailing prior to the Hearing.

After the close of the Public Hearing, Applicant shall submit a draft LED Sign Special Permit Decision to the City Council, through the appropriate City Council Committee. A sample decision will be provided to Applicant upon request.

[Signature]
Applicant Signature

9/30/19
Date

SEE ATTACHED LETTER OF AUTHORIZATION
Property Owner Signature

Date

NOTE: New LED Sign(s) may not be erected until the City Council LED Sign Special Permit has been granted and building permit has been issued by the Building Department.



McDonald's Corporation
110 N Carpenter St
Chicago, Illinois 60607-2101

LETTER OF AUTHORIZATION

To Whom It May Concern,

The undersigned, hereby authorizes **Poyant Signs, Jillian Gadbois** to sign as contractor and submit permit applications for the Outdoor Digital Menu Board installation at the below location for McDonald's.

McDonald's Restaurant NSN 11668 L/C [020-0066]
Address: 155 Boston Post Rd, Marlborough, MA 01752

McDonald's Corporation, a Delaware corporation

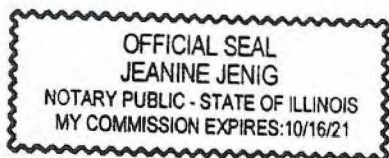
Jacob Steinfink
Jacob Steinfink, as Senior Counsel

Date: 7-29-19

STATE OF ILLINOIS
COUNTY OF COOK

The foregoing instrument was acknowledged before me this 29th day of July, 2019, by Jacob Steinfink, who is [x] personally known to me; or [] who has produced _____ as identification.

Jeanine Jenig Signature of Notary Public
(Seal)



155 BPRdw 8

City of Marlborough
Commonwealth of Massachusetts



Ethan Lippitt
Code Enforcement Officer
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 XT 30201
Fax: (508) 460-3736
Email: elippitt@marlborough-ma.gov

8/28/2019

McDonalds Corporation
C/O David Baldacci
PO Box 902
Spencer, MA 01562

RE: Sign Denial Letter,

To whom it may concern,

On 8/2/2019 it was noted that a sign permit was applied for relating to the installation of an Electronic Message Center Sign. This permit is denied base upon the following potential violations in the City of Marlborough General Code.

- § 526-13 Electronic message center signs; digital display signs.
[Added 8-25-2014 by Ord. No. 14-1005880B]
A. Applicability.
(2) The regulations in § 526-13 permit digital display signs and electronic message center (EMC) signs in all zoning districts except for Rural Residence (RR) Districts, Residence (A-1) Districts, Residence (A-2) Districts, Residence (A-3) Districts, Residence B (RB) Districts, Residence C (RC) Districts, Retirement Community Residence (RCR) Districts, and the Downtown Business District outlined in § 526-9L, in which districts such signs are strictly prohibited. Digital display signs and EMC signs shall be permitted with the approval of the Building Commissioner, shall be subject to all other provisions governing signs in Chapter 526, the City's Sign Ordinance, and shall require a special permit.
[Amended 10-6-2014 by Ord. No. 14-1005921A]

Should you choose to apply for the special permit, it can be found at the following website:
[https://www.marlborough-ma.gov/sites/marlboroughma/files/uploads/1. special_permit_application.pdf](https://www.marlborough-ma.gov/sites/marlboroughma/files/uploads/1_special_permit_application.pdf)

Your rights for an appeal have been included below.

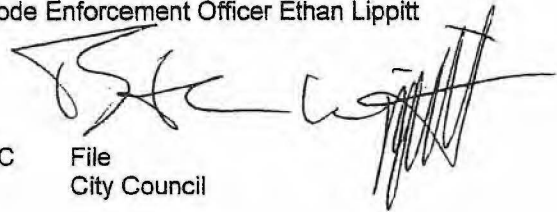
§ 526-12 Administration and penalties.

C. Rights to appeal.

(1) Any applicant for a permit, any person who has been ordered by the Building Commissioner to incur expense in connection with a sign and any person dissatisfied with any refusal, order or decision of the Building Commissioner may appeal to the Planning Board within 30 days from the date of such refusal, order or decision. The fee for the filing of said appeal shall be \$25, payable to the City of Marlborough upon the filing of said appeal. After written notice given to such parties as the Planning Board shall order, the Planning Board shall address the appeal at a regularly scheduled meeting of the Board. Applying the standards described in Subsection C(2) below, where applicable, and interpreting this chapter, the Planning Board shall affirm, annul or modify such refusal, order or decision within 45 days after hearing the appeal. The action of the Building

Commissioner may be annulled or modified only by a two-thirds vote of the Planning Board. If the action of the Building Commissioner is modified or annulled, the Building Commissioner shall issue a permit or order in accordance with the decision of the Planning Board.
[Amended 10-6-2014 by Ord. No. 14-1005921A]

Code Enforcement Officer Ethan Lippitt



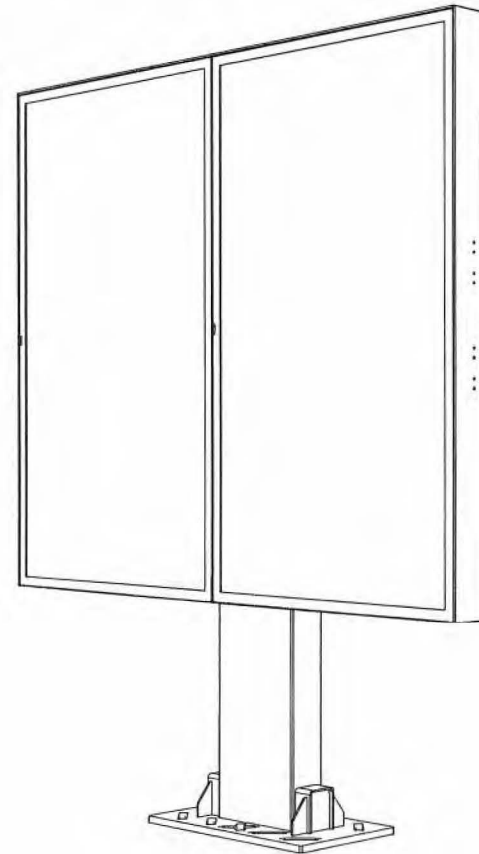
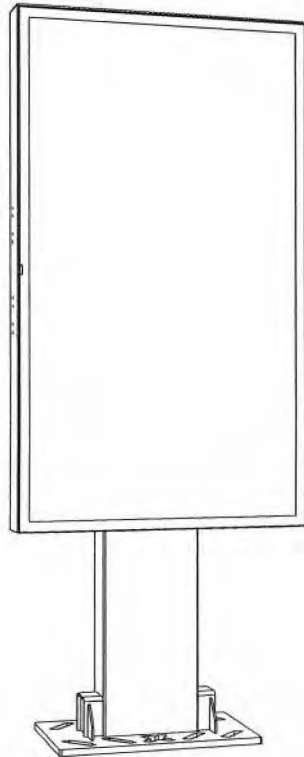
CC File
City Council

ADUTTERS FOR 155 BOSTON POST RD
MARLBOROUGH, MA

Map	Block	Lot	Unit	Owner~s Name	Co Owner~s Name	Addre
78	1			ROYAL PLAZA MARLBOROUGH LLC		181 B
78	12			WALKER REALTY LLC		C/O R
78	16			R K ASSOCIATES-MARLBORO INC		50 CA
78	23			NEWTON-WALTHAM BANK & TRUST COMPANY		101 N
78	28			PAUL M LYN		139 N
78	11C			RB HOTEL MARLBOROUGH LLC	C/O ROCKBRIDGE CAPITAL LLC	4100
78	14A			KARAPATSAS PAUL	C/O WENDY'S ATTN BLAKE SNIDER	ONE D
78	15A			R K ASSOCIATES-MARLBORO INC		50 CA

N

-



55" Outdoor digital menuboard

02-55-2S/D Outdoor Menu Board

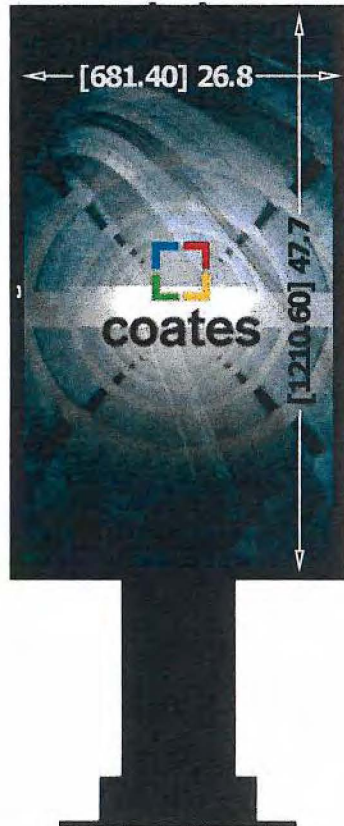
Permitting Unit Information

Coates ODMB

Single screen unit



Area of display



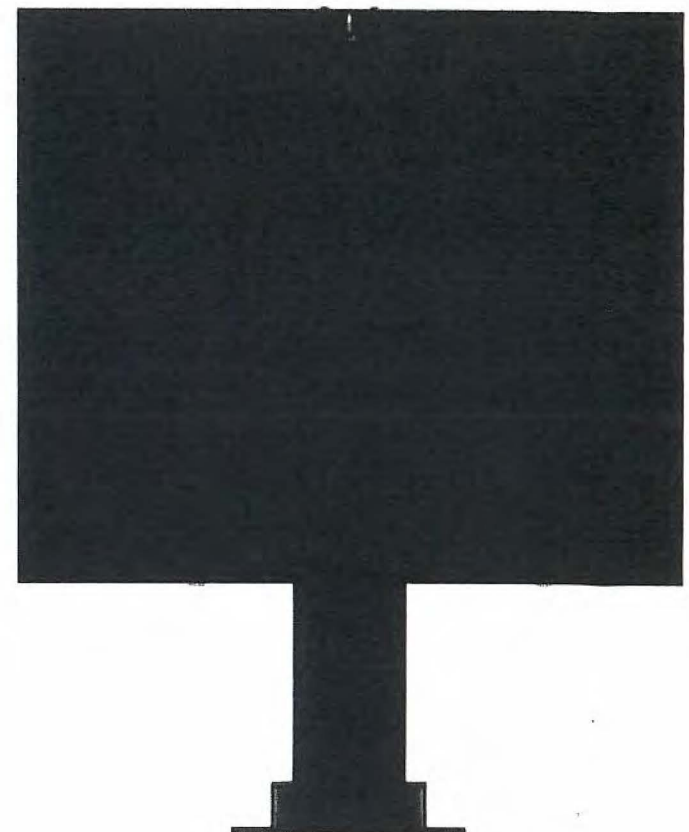
Coates ODMB

Double screen unit



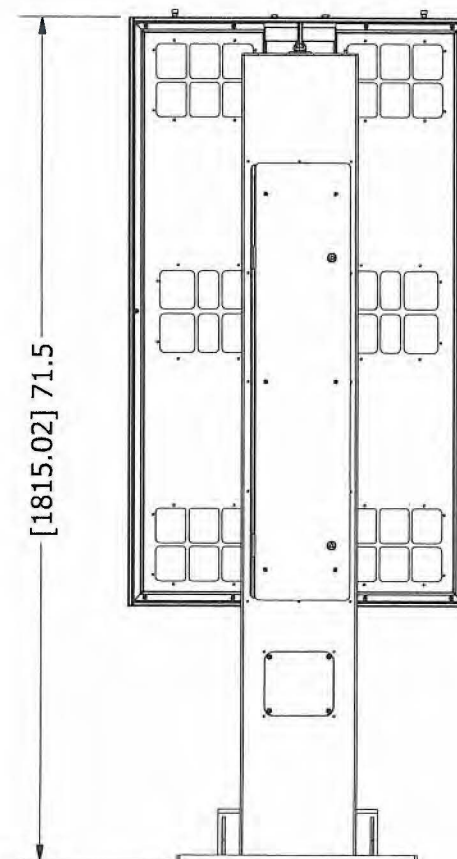
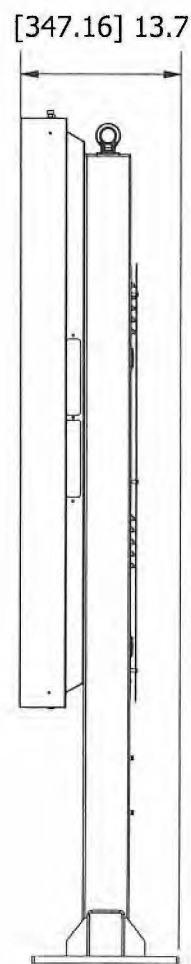
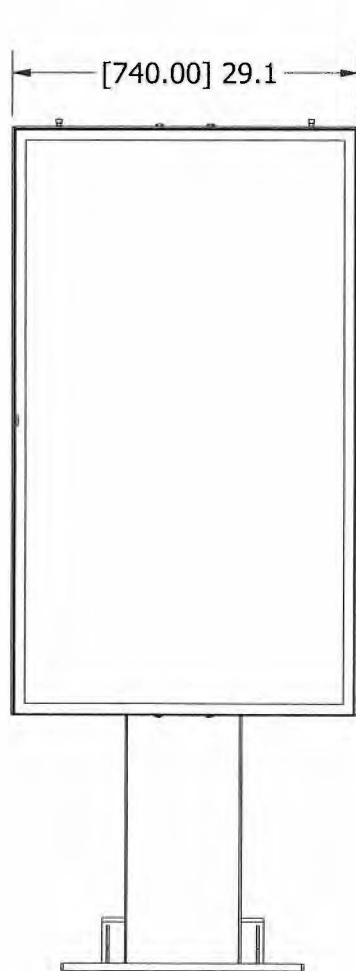
Area of display

Area of display

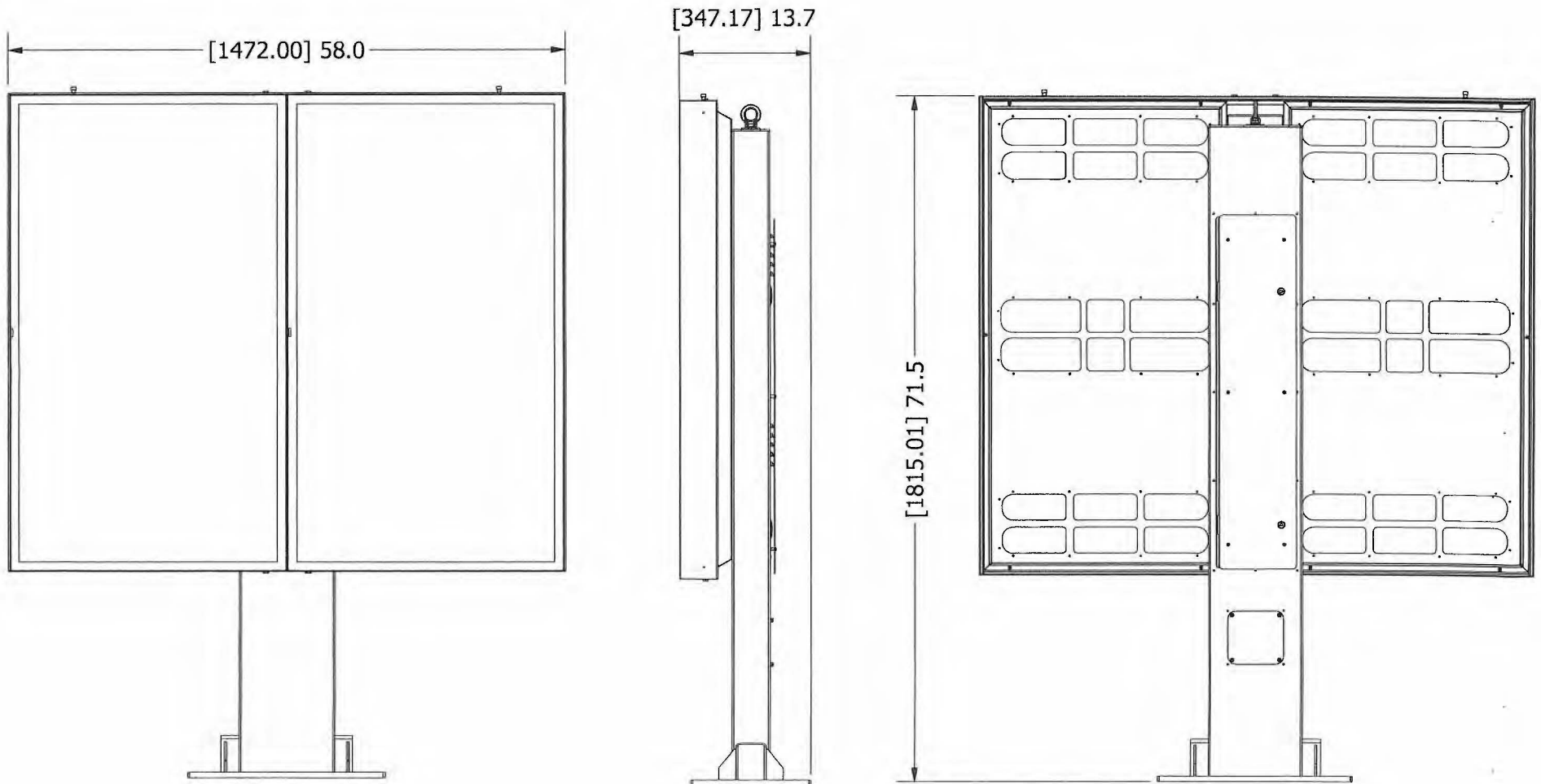
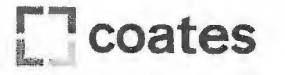


Coates ODMB

Single screen unit

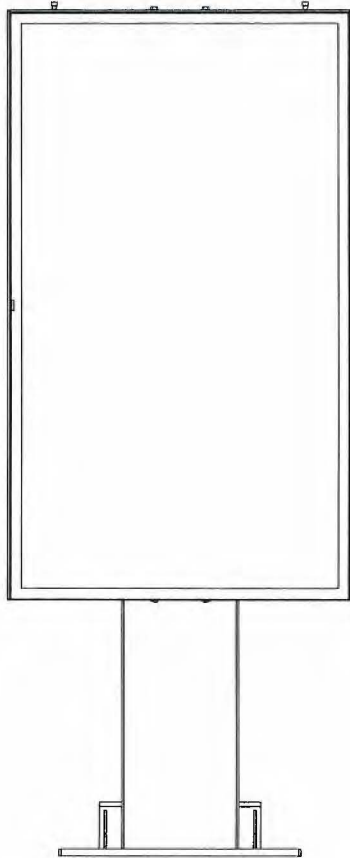


Coates ODMB
Double screen unit

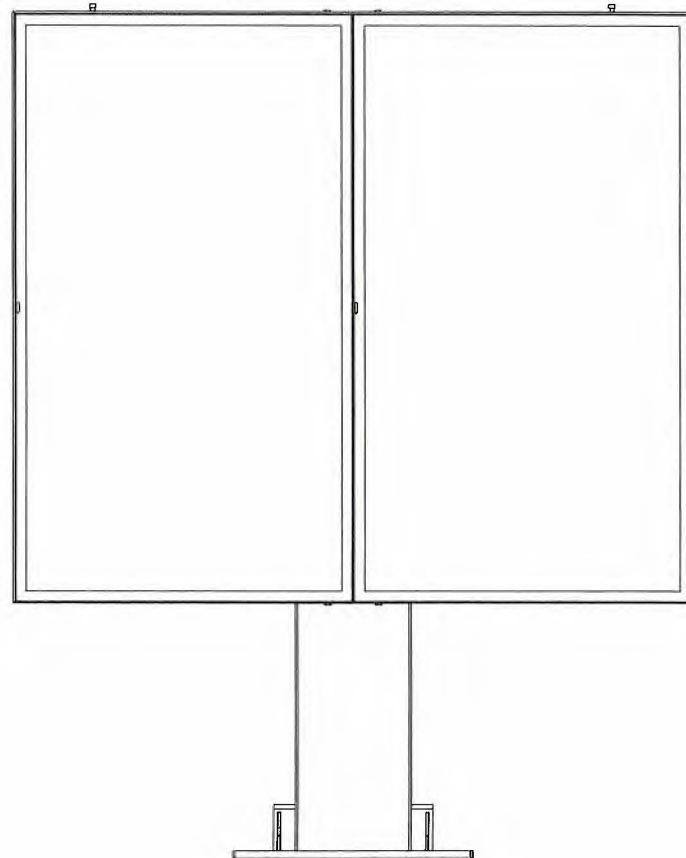


Coates ODMB

Power draw



Max potential draw 5.7A @110V



Max potential draw 9.8A @110V



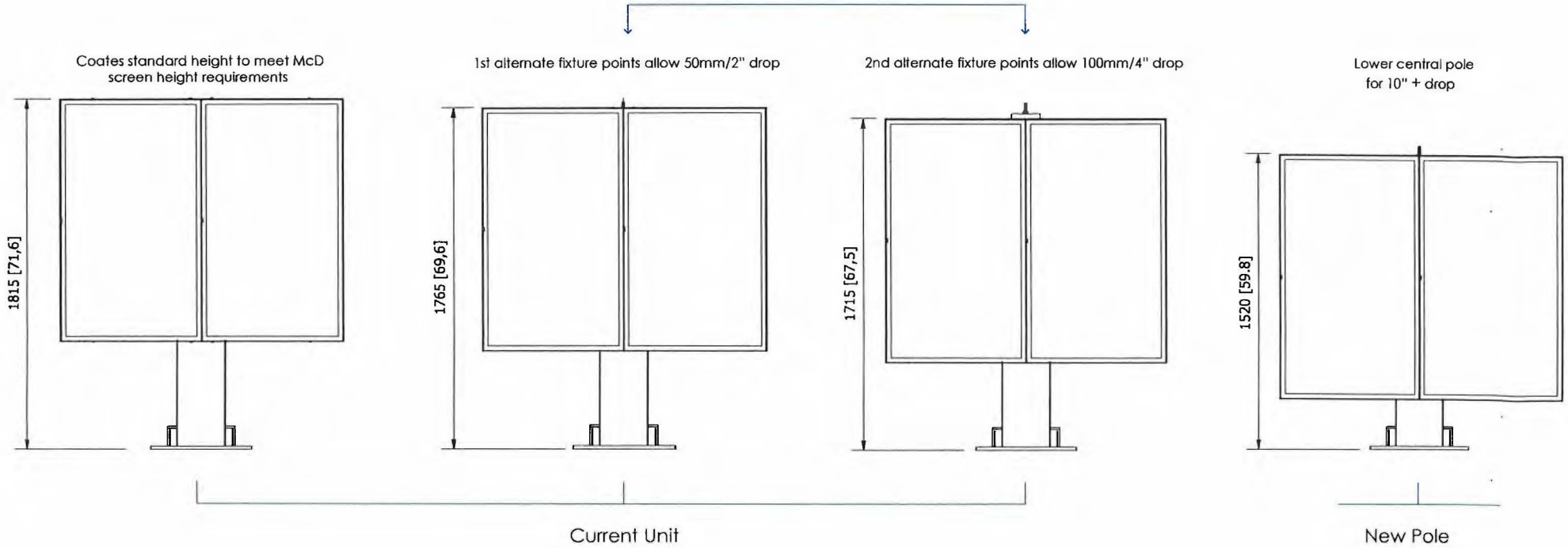
UL48 Electric sign

Coates ODMB

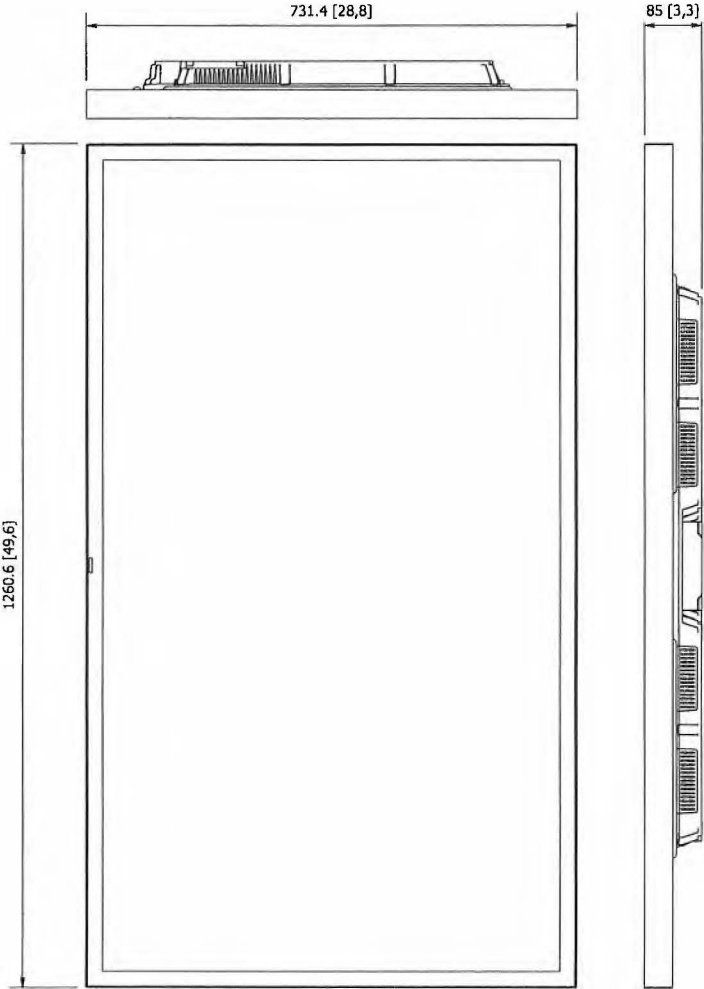
Height variations



Existing design has multiple fixture points already built in for brackets and screens allow for lowering in 2 additional increments.



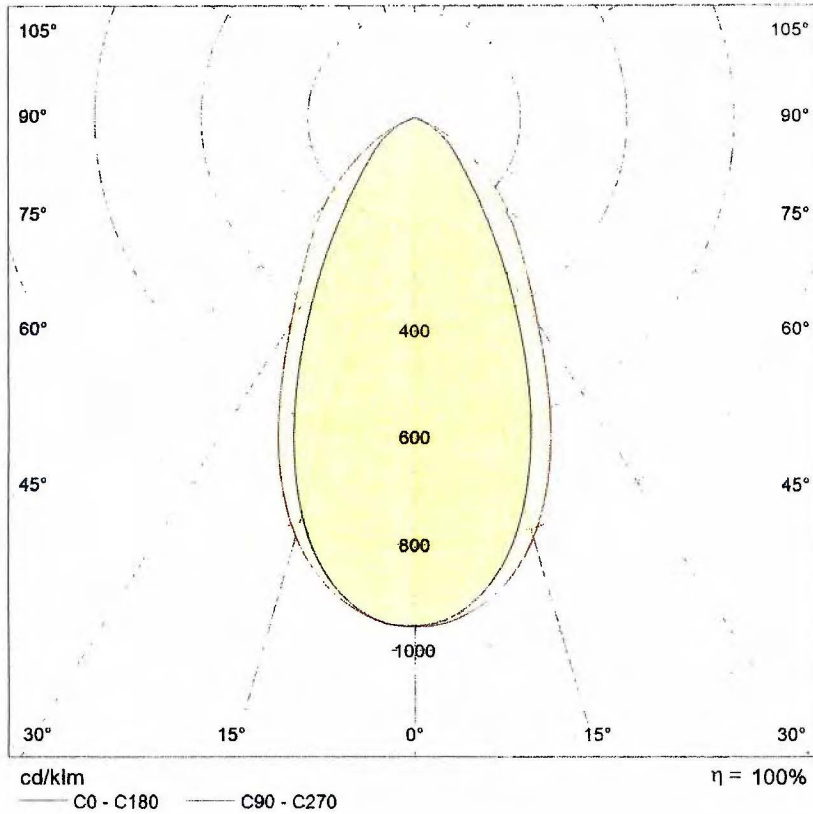
Display specification



Samsung 550HF	
Diagonal Size	55"
Brightness	2500 NIT
Weight	52.6 Kg [118.2 lbs]
Mechanical Specification	
Glass	5T Tempered Glass
Bezel Width	24.9mm [0.98"]
Operation Temperature	-40°C ~ 50 °C [-40 F ~ 122 F]
Certification	UL : CUL60950-1 (GO)

Display specification

Lumen output



The attached is the max potential light output of the screen (see accompanying IES file)

The units have inbuilt ambient light sensors

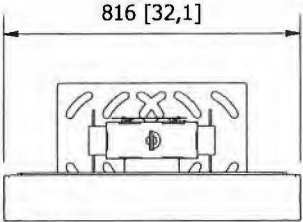
These light sensors dim the brightness of the screen based on the light surrounding it

The screens can dim from full brightness 2500nit (Fig1.) all the way down to 500nit to prevent excessive output (glare) in low light and night time environments

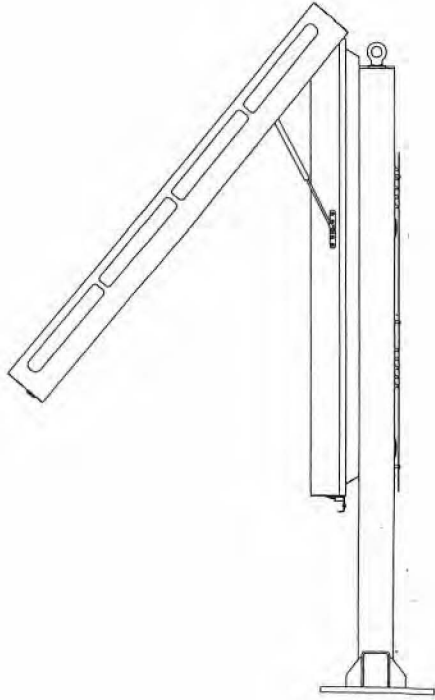
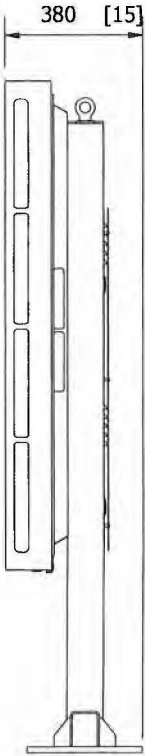
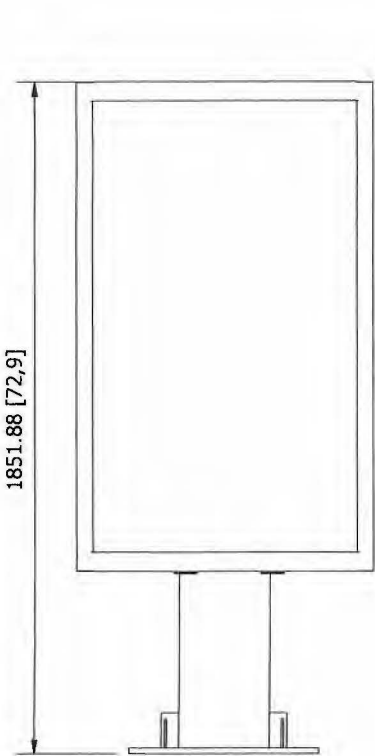
Fig 1.0

Coates ODMB

Single with additional security glass

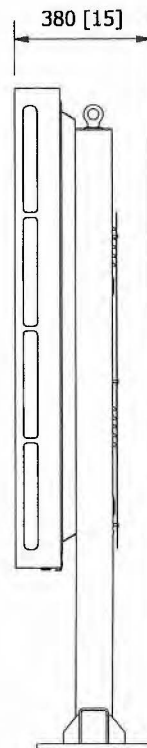
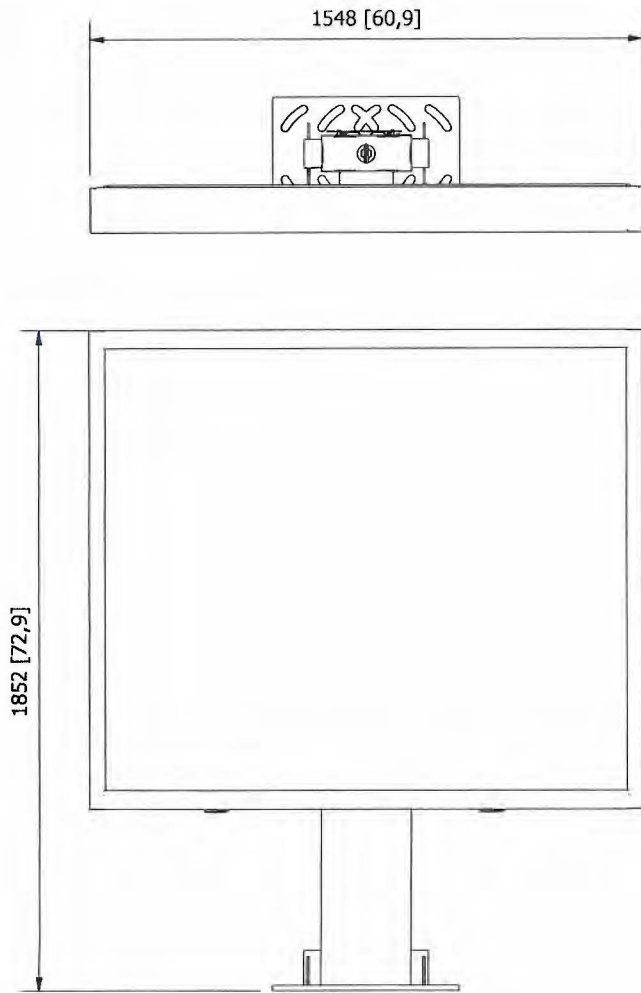


Optional tempered glass security cover
6mm tempered glass

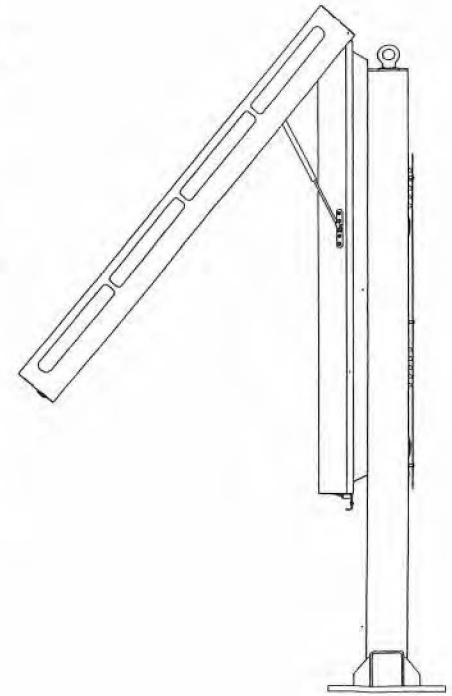


Coates ODMB

Double with additional security glass



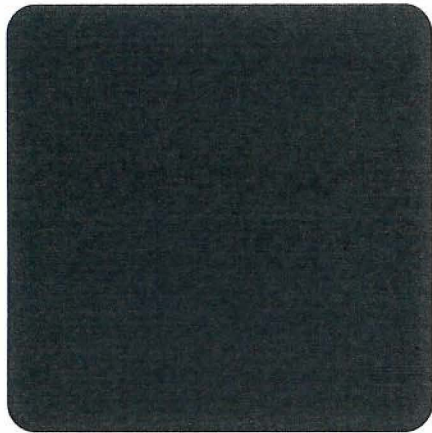
Optional tempered glass security cover
6mm tempered glass



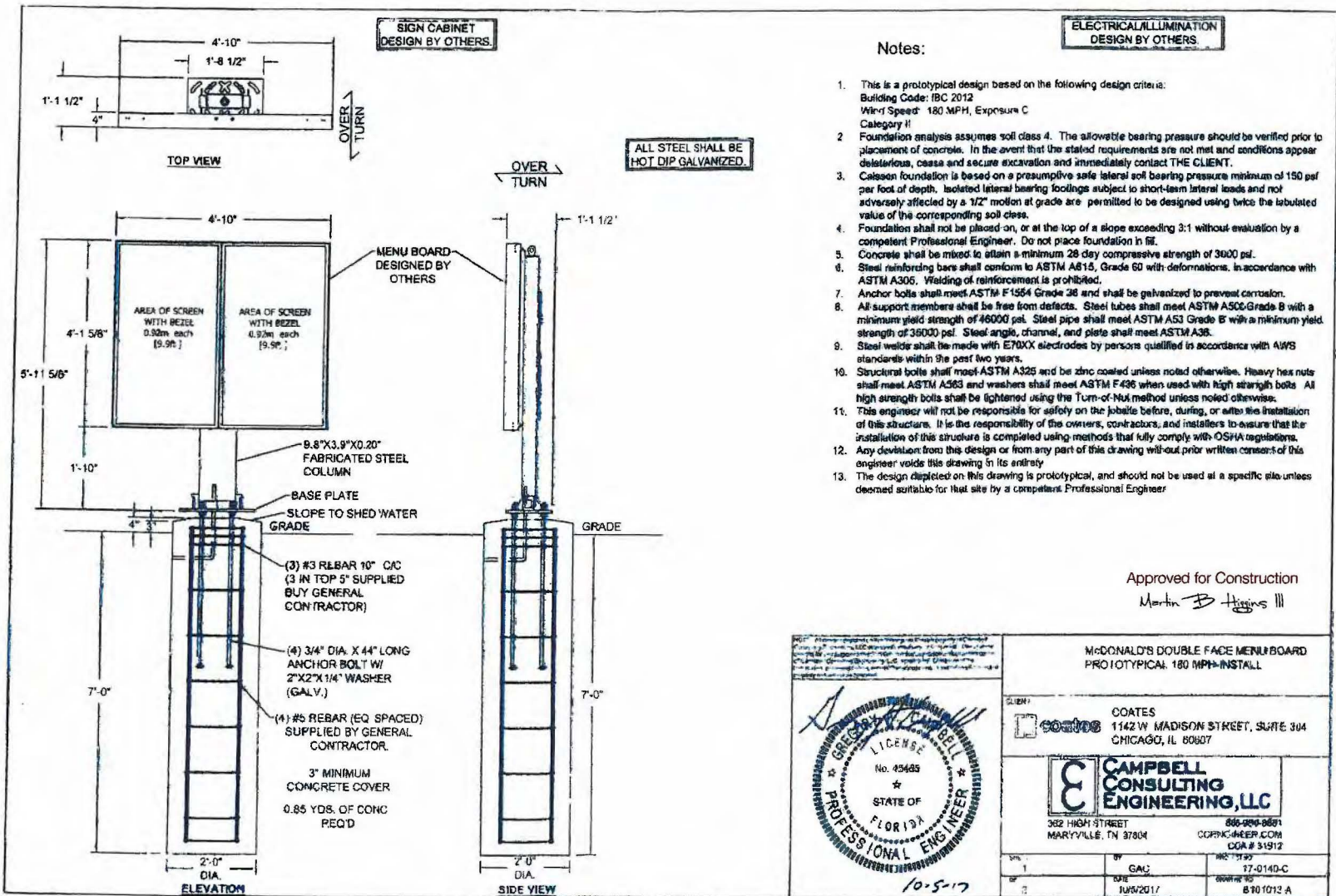
Coates ODMB
Additional security glass



Coates ODMB
Color specification

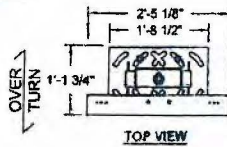


Unit powder coat color Coates dark grey
Match Pantone: 446C
Gloss specification: 7-12 units @60deg



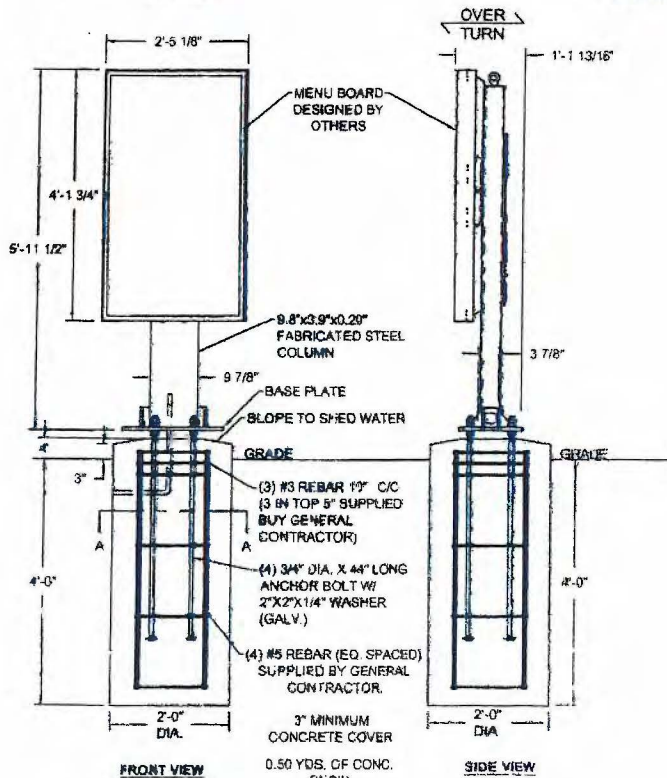
SIGN CABINET
DESIGN BY OTHERS.

ELECTRICAL ILLUMINATION
DESIGN BY OTHERS.



TOP VIEW

ALL STEEL SHALL BE
HOT DIP GALVANIZED.



FRONT VIEW

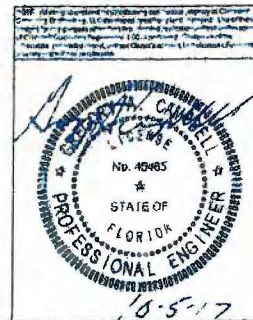
SIDE VIEW

Notes:

1. This is a prototypical design based on the following design criteria.
Building Code: IBC 2012
Wind Speed: 180 MPH, Exposure C
Category II
2. Foundation analysis assumes soil class 4. The allowable bearing pressure should be verified prior to placement of concrete. In the event that the stated requirements are not met and conditions appear deleterious, cease and secure excavation and immediately contact THE CLIENT.
3. Caisson foundation is based on a presumptive safe lateral soil bearing pressure minimum of 150 psf per foot of depth. Isolated lateral bearing footings subject to short-term lateral loads and not adversely affected by a 1/2" motion of grade are permitted to be designed using twice the tabulated value of the corresponding soil class.
4. Foundation shall not be placed on, or at the top of a slope exceeding 3:1 without evaluation by a competent Professional Engineer. Do not place foundation in fill.
5. Concrete shall be mixed to attain a minimum 28-day compressive strength of 3000 psi.
6. Steel reinforcing bars shall conform to ASTM A615, Grade 80 with deformations, in accordance with ASTM A305. Welding of reinforcement is prohibited.
7. Anchor bolts shall meet ASTM F1554 Grade 36 and shall be galvanized to prevent corrosion.
8. All support members shall be free from defects. Steel tubes shall meet ASTM A500 Grade B with a minimum yield strength of 45000 psi. Steel pipe shall meet ASTM A53 Grade B with a minimum yield strength of 35000 psi. Steel angle, channel, and plate shall meet ASTM A36.
9. Steel welds shall be made with E70XX electrodes by persons qualified in accordance with AWS standards within the past two years.
10. Structural bolts shall meet ASTM A325 and be zinc coated unless noted otherwise. Heavy hex nuts shall meet ASTM A563 and washers shall meet ASTM F436 when used with high strength bolts. All high strength bolts shall be tightened using the Turn-of-Nut method unless noted otherwise.
11. This engineer will not be responsible for safety on the job site before, during, or after the installation of this structure. It is the responsibility of the owners, contractors, and installers to ensure that the installation of this structure is completed using methods that fully comply with OSHA regulations.
12. Any deviation from this design or from any part of this drawing without prior written consent of this engineer voids this drawing in its entirety.
13. The design depicted on this drawing is prototypical, and should not be used at a specific site unless deemed suitable for that site by a competent Professional Engineer.

Approved for Construction

Martin B Higgins III



McDONALD'S SINGLE FACE MENU BOARD
PROTOTYPICAL 180 MPH INSTALL

COATES
1142 W. MADISON STREET, SUITE 304
CHICAGO, IL 60607

CAMPBELL
CONSULTING
ENGINEERING, LLC

383 HIGH STREET
MARYVILLE, TN 37804
606-906-9881
COEN@CAMPBELL.COM
COE # 11912

NO.	DATE	BY	REVISION
1	10/5/2017	GAC	17-0140-C
2			BH'DWA

September 22, 2017

PROJECT # 17-0178
 DRAWING # E01024
 WIND SPEED 180 MPH
 WIND LOAD 31.85 PSF
 BUILDING CODE IRC 2012

OWNER: MCDONALD'S - 1 FACE MENU BOARD
 PROTOTYPICAL
 180 MPH
 CLIENT: COATES
 1142 W. MADISON STREET, SUITE 304
 CHICAGO, IL 60607

Description	H _y (IN)	Width (FT)	Shape Factor	C _t	Centroid Adj. (FT)	Area (SQ FT)	Wind Force (K)	Moment (K FT)
SIGN	4.130	2.398	1.000	1.000	2.087	9.913	0.514	1.063
COLUMN	1.833	8.488	1.000	1.212	0.917	0.901	0.573	2.008
OVERALL HEIGHT	5.967							

COLUMN CALCULATIONS

T = TUBE, P = PIPE, W = WIDE-FLANGE, O = OTHER

Description	Column Depth (IN)	Column Width (IN)	Wall Thickness (IN)	Inv. (IN ²)	Secr. (IN ²)	Dist. (IN ²)	DESIGN MOMENT (K-FT)	PLURAL STRENGTH (K-FT)	UNITY
SIGN	3.880	8.880	0.209	14.482	7.427	7.748	1.063	11.684	0.091
COLUMN	3.880	9.880	0.200	14.482	7.427	7.748	2.008	11.884	0.177

BOLT CALCULATIONS

Description	MOMENT (K-FT)	SPACING (IN)	BOLT QTY	BOLT DIAMETER (IN)	BOLT AREA (IN ²)	TENSION (K)	BOLT TENSION (K)	BOLT CAPACITY (K)	SHEAR CAPACITY (K)	COMBINED UNITY
BASE PLATE	2.758	8.000	4	0.750	0.463	3.244	0.143	8.438	5.944	0.183

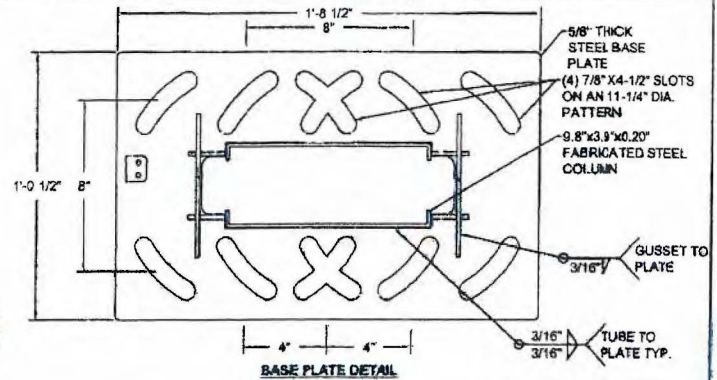
PLATE CALCULATIONS

Description	TENSION PER BOLT (K)	MOMENT PER BOLT (K-FT)	PLATE AREA (IN ²)	PLATE WIDTH (IN)	PLATE DEPTH (IN)	PLATE THICK. (IN)	MINIMUM PLATE THICK. (IN)
BASE PLATE	1.544	2.088	3.997	1.750	17.800	0.630	0.92

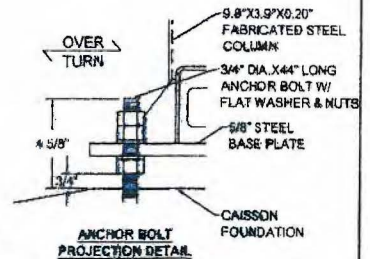
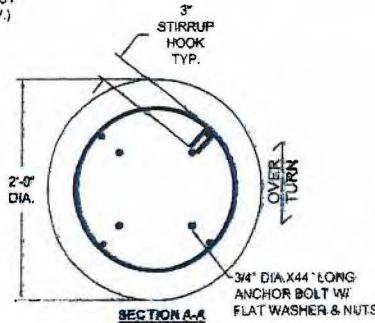
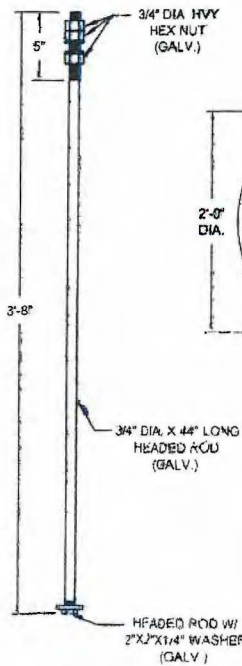
FOUNDATION CALCULATIONS

CAISSON FOUNDATION

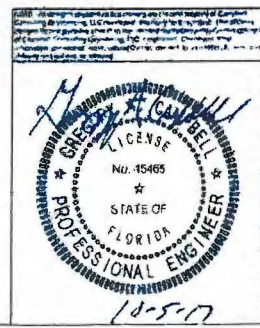
MOMENT AT GRADE	7.058	K-FT
SHEAR AT GRADE	0.571	K
REFERENCE: IRC 1807.2.2.5 TABLE 1807.2		
ASSUME SOIL CLASS: II, S _u , S _p , S _w , S _c , S _m , S _g , S _o , S _g		
LATERAL BEARING PRESSURE: 15% * S _u * DEPTH	14.000	PSF-FT
S ₁	101.000	
DEPTH	4.000	FT
DIAMETER	2.000	FT
H	3.804	FT
A	1.670	FT
CALCULATED DEPTH	3.573	FT
CONCRETE REQUIRED	0.463	YD ³



ALL STEEL SHALL BE HOT DIP GALVANIZED.



Approved for Construction
 Martin Higgins III



MCDONALD'S SINGLE FACE MENU BOARD
 PROTOTYPICAL 180 MPH-INSTALL

CLIENT: COATES
 1142 W. MADISON STREET, SUITE 304
 CHICAGO, IL 60607

CAMPBELL CONSULTING ENGINEERING, LLC
 382 HIGH STREET MARYVILLE TN 37804
 805-895-8881
 CCEENGINEER.COM
 COA # J1912

REV	DATE	BY	DESCRIPTION
1	GAC		17-0140-C
2	10/5/2017		8/10/14-A