

Urban Affairs Packet

March 17, 2021

Starbucks Sign Special Permit

Electronic Menu Board Sign

133-137 South Bolton Street

Draft Decision

Exhibits

PowerPoint Presentation

City Council

From: City Council
Sent: Tuesday, March 16, 2021 3:16 PM
To: Christian Dumais; David Doucette; Don Landers; John Irish; Karen Boule; Kathleen Robey; Laura Wagner; Mark Oram; 'Michael Ossing'; Mike Ossing; Robert Tunnera; Samantha Perlman; Sean Navin
Subject: TO COUNCILORS: Draft Decision from Jim Petkewich, Executive Vice President, St. Mary's Credit Union, Menu Board Sign at Starbucks, 133-137 S. Bolton Street
Attachments: Starbucks Electronic Menu Board Attachment B.pptx; Starbucks Menu Board Dimensions (Attachment A).pdf; DECISION ON Starbucks LED Sign Special Permit Draft 03.17.2021.docx

From: Petkewich, Jim <JPetkewich@stmaryscu.org>
Sent: Tuesday, March 16, 2021 3:06 PM
To: City Council <citycouncil@marlborough-ma.gov>
Cc: Karen Boule <kboule@marlborough-ma.gov>; Joe Nolasco (joenolasco@hiltondisplays.com) <joenolasco@hiltondisplays.com>; Andy Serrato (andys@serratosigns.com) <andys@serratosigns.com>; Robert Zeuli <rzeuli@starbucks.com>
Subject: RE: Draft Decision

Hi Karen,

Attached is the draft decision along with the attachments. Please let me know if you have any questions, or if you need anything else. See you tomorrow night.

Thank you,

Jim

Jim Petkewich
Executive Vice President
Retail Services
508-490-6738 (office)
774-249-2022 (mobile)



DECISION ON AN LED SIGN SPECIAL PERMIT

IN CITY COUNCIL

LED Sign Special Permit
St. Mary's Credit Union

Starbucks
133/137 South Bolton Street

Order No.

**DECISION ON AN LED SIGN SPECIAL PERMIT
CITY COUNCIL ORDER NO.**

The City Council of the City of Marlborough hereby GRANTS the application for a Sign Special Permit to St. Mary's Credit Union – Starbucks (the "Applicant") for the property located at 133/137 South Bolton Street, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings, Findings of Facts and Conditions.

PROCEDURAL FINDINGS

1. The Applicant is the owner of the property located at 133/137 South Bolton Street, in Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 70, Parcel 242A, Map 82, Parcels 112 and 113 (the "Site") and maintains a credit union branch and café with drive-through service lanes.
2. The Applicant seeks an LED Sign Special Permit, pursuant to Section 526.13 of the Code of the City of Marlborough entitled, "Electronic Message Center Signs; Digital Display Signs" (the "EMC and Digital Display Sign Ordinance"), to operate an electronic message center sign (the "Sign") at the Site (the "Application").

The Sign is one menu board which is no larger than 34 inches wide by 45 inches tall (the product specifications are attached hereto as "Attachment A").

3. In connection with the Application, the Applicant submitted a picture of the existing menu boards and drive thru at the Site, as well as a photo and drawing of the LED menu as proposed for the Site, attached hereto as "Attachment B."
4. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on Monday, February 22, 2021. The public hearing was held at the Marlborough City Hall, 140 Main Street, and by remote access in accordance with Section 17(d) of Chapter 53 of the Acts of 2020 and "An Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20" issued by Governor Charles D. Baker on March 12, 2020. The public hearing was conducted by remote participation, allowing the City Council, members of the public, and the Applicant to participate in the hearing through real-time audio and video

conferencing, telephone access, and live internet streaming. The hearing was closed on Monday, March 8, 2021.

5. The Applicant, through its representatives, presented testimony at the public hearing detailing the proposed Sign.
6. At the public hearing, one member of the public spoke against the Sign in the initial hearing, and no members of the public spoke against the Sign at the continued hearing. No member of the public submitted written comments about the Sign.

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

- A. The Applicant has complied with all the rules and regulations promulgated by the Marlborough City Council as they pertain to an application for an LED sign special permit under Section 526.13 of the Sign Ordinance.
- B. The City Council finds that the proposed Sign complies with the standards set forth in Section 526.13.B of the Sign Ordinance.
- C. The City Council finds, pursuant to Section 526.13.B(16) of the 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 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 complies with the area limitations of the Sign Ordinance.
- D. The City Council, pursuant to its authority under Section 526.13 of the Sign Ordinance, hereby GRANTS the Applicant an LED Sign Special Permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Owner, its successors and/or assigns:
 1. The Sign shall be operated in accordance with the Sign Ordinance of the City of Marlborough; and in addition, the Sign shall be turned off when the café is not open for business.
 2. All plans and/or other documentation provided by the Applicant as part of the Application, and as amended during the Application/hearing process before the City Council, are

incorporated into and become part of this LED Sign Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

3. The applicant will take measures necessary to ensure compliance with the city's noise ordinance at the site.

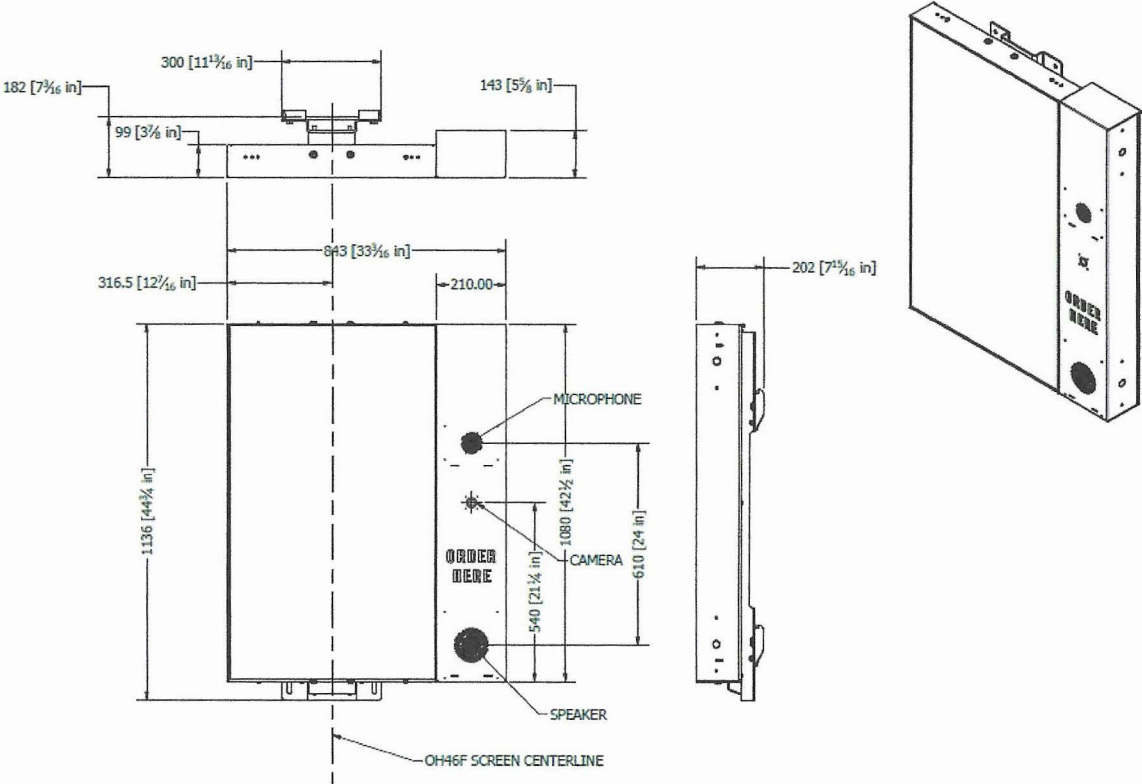
ADOPTED
In City Council
Order No.
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST:

Attachment A

NEW DIGITAL ORDER SCREEN (DOS) SPEC

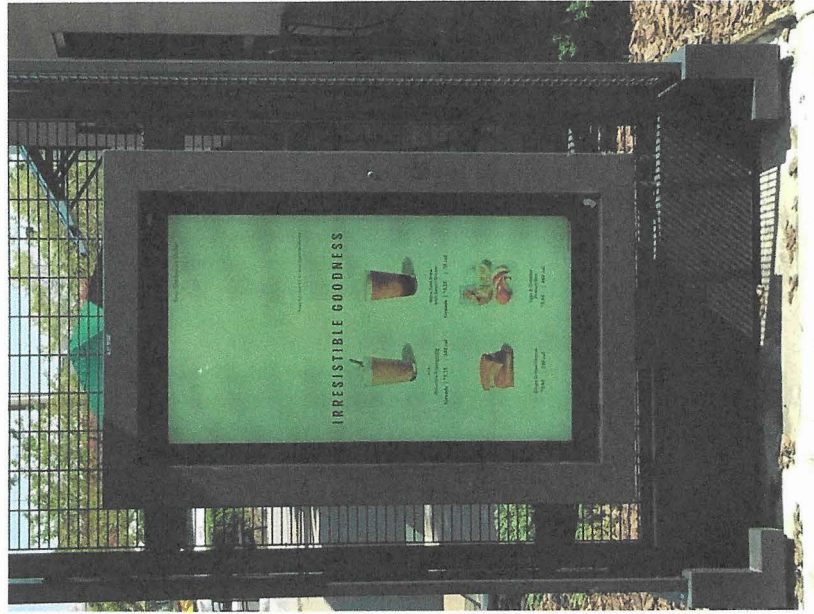


Starbucks Digital Order Screen – Exhibit B

133/137 South Bolton St.


Marlborough, MA

Starbucks Proposed Menu Board



Starbucks Existing Signage





BOHLER ENGINEERING

1000 WEST 10TH STREET
MILWAUKEE, WI 53233
TEL: 414.224.1100
WWW.BOHLERENGINEERING.COM

PRELIMINARY

PROJECT: **SITE DEVELOPMENT PLANS**

CLIENT: **STARBUCKS COFFEE INCORPORATED**

LOCATION OF SITE: **MAP 002 LOTS 4 & 5, 113 WEST 10TH STREET, MILWAUKEE, WISCONSIN 53233**

DATE: **08/14/2013**

SCALE: **AS SHOWN**

J.G. SWERLING

PROFESSIONAL LANDSCAPE ARCHITECT

1000 WEST 10TH STREET
MILWAUKEE, WISCONSIN 53233
TEL: 414.224.1100
WWW.SWERLINGLANDSCAPE.COM

SECTION	REVISIONS	DATE	BY	REASON
1	1	08/14/2013	JGS	ISSUE FOR PERMIT
2	1	08/14/2013	JGS	ISSUE FOR PERMIT
3	1	08/14/2013	JGS	ISSUE FOR PERMIT
4	1	08/14/2013	JGS	ISSUE FOR PERMIT
5	1	08/14/2013	JGS	ISSUE FOR PERMIT
6	1	08/14/2013	JGS	ISSUE FOR PERMIT
7	1	08/14/2013	JGS	ISSUE FOR PERMIT
8	1	08/14/2013	JGS	ISSUE FOR PERMIT
9	1	08/14/2013	JGS	ISSUE FOR PERMIT
10	1	08/14/2013	JGS	ISSUE FOR PERMIT
11	1	08/14/2013	JGS	ISSUE FOR PERMIT
12	1	08/14/2013	JGS	ISSUE FOR PERMIT
13	1	08/14/2013	JGS	ISSUE FOR PERMIT
14	1	08/14/2013	JGS	ISSUE FOR PERMIT
15	1	08/14/2013	JGS	ISSUE FOR PERMIT

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13	1	08/14/2013	JGS	ISSUE FOR PERMIT
14	1	08/14/2013	JGS	ISSUE FOR PERMIT
15	1	08/14/2013	JGS	ISSUE FOR PERMIT

LANDSCAPE SCHEDULE	ITEM NO.	DESCRIPTION	QUANTITY	UNIT
1	1	1" BLACK GRANITE CURB	100	LINEAR FEET
2	2	4" BLACK GRANITE CURB	100	LINEAR FEET
3	3	6" BLACK GRANITE CURB	100	LINEAR FEET
4	4	8" BLACK GRANITE CURB	100	LINEAR FEET
5	5	10" BLACK GRANITE CURB	100	LINEAR FEET
6	6	12" BLACK GRANITE CURB	100	LINEAR FEET
7	7	14" BLACK GRANITE CURB	100	LINEAR FEET
8	8	16" BLACK GRANITE CURB	100	LINEAR FEET
9	9	18" BLACK GRANITE CURB	100	LINEAR FEET
10	10	20" BLACK GRANITE CURB	100	LINEAR FEET
11	11	22" BLACK GRANITE CURB	100	LINEAR FEET
12	12	24" BLACK GRANITE CURB	100	LINEAR FEET
13	13	26" BLACK GRANITE CURB	100	LINEAR FEET
14	14	28" BLACK GRANITE CURB	100	LINEAR FEET
15	15	30" BLACK GRANITE CURB	100	LINEAR FEET

