

Bethel Development Review Board

Tuesday, December 16, 2014

Draft Minutes of Meeting

Board Members Present: Eric Benson, Keith Bollman, Penny Griffin, Robert Leister, Charles Washburn.

Public Present: Owen Bradley, Principal of Whitcomb High School/Bethel Elementary School; David Eddy, Bethel School District Board Member.

The meeting was opened at 7:03 PM.

A public hearing was re-convened from 12/2 for the request from the Bethel School District for a variance of Article 3, Section 323 "Outdoor Signs" as a "Special Public Use Exemption" (Section 324) for a property located at 273 Pleasant Street. The sign in question is a recently installed remotely controlled LED illuminated 4' x 6' sign display. As it currently exists, the sign directly violates Subsection 5 of Section 323 which states; "No sign shall be illuminated by a neon, flashing, moving, or intermittent generated light".

The public hearing had been suspended in order for Mr. Bradley to obtain additional information requested by the Board regarding the technical capabilities of the electronic sign. His research found that, First, the intensity level of the LED's can be dimmed and he had initiated dimming the display in the evenings via a timing device; Second, the time delay between displayed messages can be controlled; Third, the current color of the display, red, cannot be altered to a different color; Fourth, the font size of the lettering is variable (they currently use a "3" setting); and Fifth, the sign size was chosen as it is the same overall size as the last sign. After some follow up questions and discussions with the Mr. Bradley & Mr. Eddy, a motion was made by C. Washburn & seconded by R. Leister to close the Public Hearing. The motion carried by unanimous vote and the hearing was closed at 7:20. The Board then went into deliberative session.

Upon the close of the deliberative session, a motion was made by C. Washburn and seconded by P. Griffin to grant a variance for the use of the sign based on the premise that Section 304 of the Zoning Ordinance authorizes the Board to "regulate only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use". Subsection two of Section 304 specifically refers to "public and private schools and other educational institutions certified by the state department of education" as a "Special Public Use". In granting this variance the Board has attached the following conditions as authorized in Article 6, Section 603; Conditions of Approval:

1. The messages displayed on the sign shall be for advertising events taking place on the property, or, off-premises activities related to the school(s). Advertising of job openings, etc. are not permitted;

2. So that the sign does not create glare off-site on to adjoining properties or roads, the LED lights shall be dimmed by an automatic device to coincide with the hours between dusk and dawn;
3. The Board encourages the sign operator limit the display to a maximum of 3 messages per cycle; and
4. In the event of a serious traffic or pedestrian accident on Pleasant Street, the Town will have the right to revisit this decision.

The motion carried by unanimous vote.

Minutes from the October 7<sup>th</sup> and December 2<sup>nd</sup> meeting were reviewed, corrected and approved.

There being no other business, the meeting was closed at 8:14 PM.

Respectfully Submitted,

Eric Benson