

Office of Outdoor Advertising
Public Meeting

April 11, 2019

11:00 AM

State Transportation Building

10 Park Plaza

2nd Floor

Boston, MA 02116

Present:

John Romano, Executive Director

Office of Outdoor Advertising April 11, 2019

1 P R O C E E D I N G S

2

3 JOHN ROMANO: Good morning, everyone.
4 We're here for the April 11, 2019 public hearing for
5 the Office of Outdoor Advertising for MassDOT.

6 This meeting is accessible to people
7 with disabilities and individuals with limited English
8 proficiency. If you have filed a request with us for
9 assistive technology, sign language, alternate format
10 documents, an interpreter, translated documents, or
11 other such services to be available here today, please
12 see Lydia if you have not already received the
13 assistance you need.

14 My understanding is we did not receive
15 any requests, is that correct, Lydia?

16 LYDIA QUICK: Yes, it is.

17 JOHN ROMANO: If you need any other
18 similar assistance to participate today, please let
19 Lydia know. We will do our best to help you. But,
20 please know that if we get the request in advance, we
21 will always be able to be certain to have what you
22 have requested.

23 Thank you.

24 Just a little bit of housekeeping. The

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1 sign-in sheet is on the table to my left. There are
2 copies of last month's regular session minutes and
3 there are also copies of today's agenda.

4 If you did not get a chance to sign in
5 on your way in, you can do so on your way out if you
6 so choose. That sign-in sheet will be made part of
7 the record.

8 We do have a stenographer here. This
9 meeting is being recorded.

10 Thank you very much.

11 The minutes for March 14, 2019, any
12 questions, comments, concerns?

13 (No response.)

14 JOHN ROMANO: Seeing none, we will mark
15 those approved.

16 The first item on the agenda today is
17 an application for permit transfers. It's Carroll
18 Advertising, Inc. to Carroll Advertising, LLC. There
19 are six permits, four in Foxborough, two in Walpole.

20 Is Mr. Carroll here?

21 MARC PLANTE: No.

22 JOHN ROMANO: Okay.

23 MARC PLANTE: No problem.

24 JOHN ROMANO: So the permit numbers for

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1 these are 2016009, 2016010, 2017001, 2017002,
2 2017D005, and 2017D006. These are a transfer between
3 an existing company, Carroll Advertising, and a new
4 company, Carroll Advertising, LLC, same person, change
5 in the company.

6 So, we did -- all of the paperwork is
7 in order. The permit transfer fee has been submitted.

8 Mr. Chaves, I believe you did --

9 MARC PLANTE: Mr. Plante.

10 JOHN ROMANO: Mr. Plante, excuse me,
11 you did the inspections on these? You were the
12 inspector?

13 MARC PLANTE: Yes, sir.

14 JOHN ROMANO: Can you just give me a
15 quick report on what you found?

16 MARC PLANTE: Absolutely. All three
17 signs are currently conforming to all the regulations.
18 They're up-to-date. No issues.

19 JOHN ROMANO: Great. Thank you.

20 Any questions, comments, on these?

21 (No response.)

22 JOHN ROMANO: Seeing none, we will take
23 this under advisement and we will get back to Mr.
24 Carroll.

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1 Okay. Next item is an application for
2 permits from Outfront Media Boston, LLC. This is a
3 bicycle kiosk, a street furniture unit. It's
4 Application Number 2019019, Franklin Street at Arch
5 Street in Boston, Massachusetts.

6 Notice to the municipality was provided
7 by my office on March 12, 2019 to the mayor and to the
8 city clerk.

9 Is there anybody -- is the applicant
10 present today? Please state your name for the record.

11 JENNA PANEPINTO: Jenna Panepinto from
12 Outfront Media, P-a-n-e-p-i-n-t-o.

13 JOHN ROMANO: Is anybody here
14 representing the municipality?

15 (No response.)

16 JOHN ROMANO: Are there any abutters
17 present today?

18 (No response.)

19 JOHN ROMANO: Anybody from the
20 MassHighway District Office?

21 (No response.)

22 JOHN ROMANO: Traffic Operations is not
23 required as this is a piece of street furniture.
24 Certified mail notice to abutters is not required

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1 because of street furniture.

2 Have you received any written comments
3 in support or opposition to this application?

4 JENNA PANEPINTO: No, we have not.

5 JOHN ROMANO: No, neither have we.

6 And a special permit or variance is not
7 required as this is not subject to local zoning as
8 signed off by the mayor's office. Is that correct, as
9 you see it?

10 JENNA PANEPINTO: Yes.

11 JOHN ROMANO: Great. Chris, you did
12 this?

13 MARC PLANTE: No, it's Jason.

14 JOHN ROMANO: Jason.

15 JASON BEAN: Yeah. Yeah, thank you,
16 John.

17 This is the permit for an existing
18 structure that was there. The advertisement is going
19 to be facing south. At this time, the review shows no
20 issues.

21 JOHN ROMANO: Jenna, anything you'd
22 like to add to your application at this time?

23 JENNA PANEPINTO: Not at this time.

24 JOHN ROMANO: Great. Thank you.

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1 JENNA PANEPINTO: Thank you.

2 JOHN ROMANO: Any comments, questions,
3 or concerns?

4 (No response.)

5 JOHN ROMANO: Seeing none, we will take
6 this under advisement and we will get back to you.

7 Okay. Next on the agenda, we have an
8 application for electronic permits from Outfront --
9 Outdoor, excuse me, Outdoor Media Properties, Inc.
10 These are at 109 Rabbit Road, Applications 2019D004
11 and D005 in Salisbury, MA.

12 Notice to the municipality was provided
13 by my office on March 11, 2019 to the town manager and
14 the town clerk.

15 Is the applicant present?

16 ELYSSA CAMPBELL: Yes.

17 JOHN ROMANO: Please state your name
18 for the record.

19 ELYSSA CAMPBELL: Elyssa Campbell,
20 president of Outdoor Media Properties.

21 JOHN ROMANO: So, just a couple of
22 notes before we go through this, as I know there are a
23 lot of people here for this today.

24 Number one, as I think you can see from

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1 the previous applications, no decisions get made here
2 today. Everything is taken under advisement and a
3 decision is made at a later time.

4 We typically, as we go through the
5 list, first we'll ask if there are any abutters that
6 want to speak and then just anybody else, so abutters
7 being within 500 feet of the sign. Anybody else from
8 the -- anybody that wants to speak, I am going to move
9 to have those all done at the end so you can hear all
10 of the questions first and then we will take those. I
11 will do it in a reasonable order.

12 State Representative Kelcourse is here.
13 I'm going to ask him to speak first when we get to
14 that portion. And then we'll take any comments or
15 questions.

16 I want to let people know that this is
17 not necessarily a question and answer. We will take
18 comments, okay, and that's all.

19 AUDIENCE: Can you speak up a little
20 bit, please?

21 JOHN ROMANO: Sure. In case you didn't
22 hear that last part, this is not necessarily a
23 question and answer forum. We will take comments for
24 the record. They're all being recorded.

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1 The other thing I would like to note,
2 as people have been sending in a lot of emails,
3 letters, postcards, we have them all right here. They
4 will be entered as part of the record. I am not
5 reading them. There are two letters, one from the
6 Board of Selectmen and one from the proponent's
7 lawyer. I will read both of those into the record,
8 but I will not be reading all of these. But they will
9 all be part of the record. We have reviewed them as
10 they've come in. So, I want to be clear that they are
11 here. They are part of the record. They all get sent
12 to the stenographer. And they will be part of the
13 transcript for this meeting. And they will be
14 included in that, and that will get posted on our
15 website at some point in the reasonable future once
16 they are provided to us from the transcript service.
17 As with our others, they will all be posted.

18 So, thank you.

19 The other thing I will note is,
20 unfortunately, you can see we have a little setup here
21 with a screen and stuff. Typically, we'll do it.
22 There is an issue between the laptop and our system.
23 It's not working today. So, we won't be able to show
24 anything.

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1 Okay. Is there anybody here
2 representing the municipality where the sign is
3 proposed? State your name for the record, sir?

4 SELECTMAN CHARLES TAKESIAN: Should I
5 use the mic?

6 STENOGRAPHER: Yes. Don't touch it.

7 SELECTMAN CHARLES TAKESIAN: Don't
8 touch it.

9 Charles Takesian, Board of Selectman.

10 JOHN ROMANO: Can you spell your last
11 name?

12 SELECTMAN CHARLES TAKESIAN: T-a-k-e-s-
13 i-a-n.

14 This is where I can make my comments?

15 JOHN ROMANO: Yes.

16 SELECTMAN CHARLES TAKESIAN: Okay. You
17 said you're going to read our letter.

18 JOHN ROMANO: Yes.

19 SELECTMAN CHARLES TAKESIAN: So I'll
20 try not to be redundant.

21 JOHN ROMANO: That would be great.

22 SELECTMAN CHARLES TAKESIAN: I want to
23 thank you, first of all, for holding this hearing
24 today. I am speaking for the Board of Selectmen. The

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1 other members either had to work or they had other
2 commitments, but we are all unanimous in our
3 opposition to this sign.

4 And one of the -- the primary reason
5 for that is this particular area of the town abuts
6 some of our historic farms, one of which dates back to
7 the 17th Century. It was a grant from the King of
8 England. And it's been -- one particular farm has
9 been in the same family since then.

10 Another reason for our concern is there
11 are no billboards from Peabody to the border on the
12 highway. And we think that this would open the door
13 for more billboards and other communities to now seek
14 billboards along the route.

15 This is also -- this billboard would be
16 located in an area where 495 and 95 merge. 495 comes
17 into 95. It's a very dangerous stretch of highway.
18 Cars are coming in and moving further to the left.
19 Cars on the left are moving to the right to take the
20 exit that's just beyond.

21 I want to refer to 700 CMR Section
22 3.07, item (3). It says that no permit shall be
23 granted or renewed for a sign that is not located in
24 an area of a business character. An area may be

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1 deemed to be of a business character only if all of
2 the following requirements are met. The area in which
3 the sign is -- and it's (b) -- the area in which the
4 sign is to be located is not predominantly
5 residential, agricultural, or open space or natural
6 area. So, I think that that falls under that.

7 Also item (4), 3.07(4): No permit
8 shall be granted for a sign which the Director
9 determines would not be in harmony with or suitable
10 for the surrounding area and would do significant
11 damage to the visual environment.

12 The Board of Selectmen feels that our
13 Zoning Board, who did approve this unanimously, erred.
14 Now, we have a fine group of individuals who serve on
15 our Zoning Board of Appeals. And I'm sure they have -
16 - they always have the interests of the town at heart.
17 In this particular case, and it was stated at the
18 meeting, that they were concerned about there were two
19 applications for signs previously before the Zoning
20 Board. One was approved, one was denied. The denial
21 is now in court. And they were concerned that this
22 one would end up in court. That was basically the
23 reason they gave.

24 And, I just hope that this application

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1 is denied. Thank you.

2 JOHN ROMANO: Thank you.

3 (Applause.)

4 JOHN ROMANO: Is there anybody here
5 from the MassDOT District Office?

6 (No response.)

7 JOHN ROMANO: Is there anybody here
8 from MassDOT Traffic Ops?

9 (No response.)

10 JOHN ROMANO: So, I have a memo from
11 the State Traffic Engineer's Office. So, for those
12 who don't know, all digital board applications are
13 sent to the State Traffic Engineer's Office for
14 review. They determine whether or not a further
15 traffic study, any traffic study, is required for a
16 particular location. So, I can tell you that Traffic
17 and Safety Engineering Section has completed its
18 review of the proposed digital location.

19 "The purpose of this review was to
20 identify the locations where the billboards may
21 distract driver attention away from either..."

22 AUDIENCE: Slow down. Please, slow
23 down and louder.

24 JOHN ROMANO: "...traffic signs and

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1 signals or other roadway features. We emphasize that
2 none of the proposed billboard locations will directly
3 block a driver's view from any traffic control devices
4 such as signs and signals or from viewing the roadway
5 alignment or other features such as exit and entrance
6 ramps.

7 Nevertheless, we point out that every
8 proposed display, regardless of location, has at least
9 some potential to distract drivers from traffic
10 control devices and/or the roadway itself. Our
11 observations are as follows."

12 This is for Application 2019D004: "The
13 proposed construction of the new structure for this
14 digital board would be to the east of I-95, facing
15 southbound traffic. This section of highway has a
16 straight alignment with the on-ramp at the interchange
17 of Main Street over I-95 in the immediate vicinity of
18 the location. The billboard would not interfere with
19 the I-95 southbound on-ramp movement as drivers
20 already have passed the billboard before merging onto
21 I-95, and there are no other distractions within the
22 vicinity. Based on these observations, it is our
23 judgment that a detailed traffic study of this
24 location will not be required."

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1 2019D005, which is the other side:

2 "The proposed construction of a new structure for this
3 digital board would be to the east of I-95, facing
4 northbound traffic. This section of highway has a
5 straight alignment with the on-ramp at the interchange
6 of Main Street over I-95 in the immediate vicinity of
7 the location. The billboard would be approximately
8 1,200 feet from the physical gore of the I-95
9 northbound on-ramp to I-95. It is expected that
10 drivers will have plenty of time and distance to merge
11 onto I-95 northbound and there are no other
12 distractions within the vicinity. Based on these
13 observations, it is our judgment that a detailed
14 traffic study at this location will not be required."

15 And this will go into the transcript as
16 well. Okay?

17 Next, Ms. Campbell.

18 ELYSSA CAMPBELL: Yes?

19 JOHN ROMANO: Was certified mail notice
20 to abutters sent out by the applicant at least 30 days
21 prior to submitting your application to the Office of
22 Outdoor Advertising?

23 ELYSSA CAMPBELL: Yes.

24 ANDREA TRUE: May I ask a question?

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1 JOHN ROMANO: When we're done.

2 Was a copy of the letter provided to
3 our office? I do -- I have a copy.

4 ELYSSA CAMPBELL: Yes.

5 JOHN ROMANO: Has the applicant
6 received any comments in support or opposition of this
7 letter -- board?

8 ELYSSA CAMPBELL: Me? No.

9 JOHN ROMANO: Clearly, as I stated at
10 the beginning of this, I have received approximately,
11 without an exact count, 200 letters, postcards, emails
12 in opposition.

13 Special permit or variance. According
14 to the signoff by the Town, they did grant a special
15 permit that was voted on at the Board of Appeals. You
16 have provided a copy of that to us.

17 ELYSSA CAMPBELL: Yes.

18 JOHN ROMANO: It was voted in the
19 affirmative by a five to zero vote.

20 ELYSSA CAMPBELL: Yes.

21 JOHN ROMANO: That's your
22 understanding, yes?

23 ELYSSA CAMPBELL: Absolutely, yes.

24 JOHN ROMANO: At this point, I will

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1 have my field inspector give the inspection report.

2 Mr. Bean, Jason.

3 JASON BEAN: Yes, thank you, John.

4 So, as stated, this is going to be at
5 109 Rabbit Road in Salisbury, to construct a new
6 structure. These are digital sign faces, one facing
7 north, one facing south, 14x48. And they're built on
8 a steel single monopole. The area is commercially
9 zoned.

10 So, during my part of the review, this
11 site required a ramp measurement. So, we did consult
12 our engineer to get an exact location. The applicant
13 has satisfied the 500-foot measurement with the ramp.

14 No park issues. No other discernible
15 sensitive areas.

16 Through the review, we also -- we did
17 find that this new application is going to violate our
18 spacing rule to another sign. So, to the north,
19 there's two permits: 2015D026 and 2015D014. So,
20 those are the north -- those are within 500 feet of
21 this application. So, those will need to be
22 surrendered officially prior to the approval of these
23 new permits from Outdoor Media.

24 Because of the ramp spacing, I would

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1 like to just have on the record no part of this new
2 application, so no part of this sign, which includes
3 sign face, pole, camera, anything part of that
4 structure, can be within 500 feet of the ramp. So, I
5 just want to have that on record, so once it's built,
6 we certainly don't want to have any problems.

7 Other than the two things I brought up,
8 the ramp measurement and the spacing issue, there are
9 no other issues at this time.

10 JOHN ROMANO: So, a couple of things.
11 So, according to the drawing submitted by them and our
12 review out in the field, the ramp issue is not an
13 issue?

14 JASON BEAN: It's been rectified.

15 JOHN ROMANO: They've met the 500 feet.

16 Ms. Campbell, as we've informed you,
17 nothing can go -- you've got about 505 feet from the
18 ramp to your sign. So, that gives you five feet.

19 ELYSSA CAMPBELL: Absolutely
20 understood.

21 JOHN ROMANO: That's it. Nothing can
22 go beyond that. If it does, your permit would be
23 revoked.

24 The issue of the spacing between the

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1 other signs, the other permits, which are not built.
2 They were granted a few years ago here. I know this
3 is subject to -- there's another story with those, but
4 those were not built. Nonetheless, they are approved
5 permits. So, can you let us know what your solution
6 to addressing that issue is?

7 ELYSSA CAMPBELL: The solution will be
8 that if we are approved that those permits would be
9 surrendered.

10 JOHN ROMANO: So, I can state for the
11 record that I have a notice of surrender for North
12 Vision, LLC for the two permits that were mentioned:
13 2015D014 and 2015D026, 75 Main Street, Salisbury. So,
14 the applicant -- excuse me -- the permit holder for
15 those has submitted their surrender contingent on
16 whether or not this will be approved. It's something
17 we have done in the past with others. The surrender
18 will take place first. No permit -- your permit won't
19 be issued with these in place.

20 ELYSSA CAMPBELL: Understood.

21 JOHN ROMANO: A matter of minutes, but
22 it will be -- the surrender will go before it, should
23 we be looking to grant it.

24 ELYSSA CAMPBELL: Okay. Absolutely.

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1 JOHN ROMANO: We're still in the should
2 phase. There's no --

3 ELYSSA CAMPBELL: Thank you for
4 explaining.

5 JOHN ROMANO: Nobody has made any
6 decisions on anything. But that form is in place.
7 So, we will also provide that to the stenographer for
8 the record.

9 So, Jason, that addresses the two
10 points that you brought up.

11 JASON BEAN: Yes. Thank you.

12 JOHN ROMANO: Okay. I am going to read
13 into the record the letter from the Town of Salisbury
14 Board of Selectmen. And then I am going to read in a
15 letter from Ms. Campbell's attorney, and then I am
16 going to go to the public, but I will start with the
17 state rep., and then I'm going to go in a logical
18 order of some sort. So, raise your hand. I'll
19 probably go front to back, left to right, or some
20 reasonable facsimile of that. And we'll get everybody
21 in.

22 I am going to ask people to keep their
23 comments to a minute or two and not to keep being
24 redundant, over and over. Clearly, we know the

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1 opposition to this board. It's been stated. So, we
2 ask that you, you know, keep your comments to a
3 minimum and kind of keep them succinct. And if
4 there's something new that you have to add other than
5 what you might have already emailed to us or what
6 maybe the people in front of you have already said,
7 there's -- it's not a popularity contest. We clearly
8 know the opposition that's here, but we do want to
9 give you all an opportunity to speak. But, you know,
10 I'm not going to look for somebody to, you know, take
11 20 minutes to tell the story. You know, I'd like to
12 give everybody a chance to come up to the mic to
13 speak.

14 So, with that said, this is from the
15 Town of Salisbury Board of Selectmen. It's dated
16 April 9, 2019. It's addressed to me, Director of
17 Office of Outdoor Advertising:

18 "Dear Mr. Romano:

19 The Board of Selectmen of the Town of
20 Salisbury (the "Board") wishes to convey its strong
21 opposition to an application by Outdoor Media
22 Properties, Inc. for one two-sided electronic
23 billboard at 109 Rabbit Road, in close proximity to
24 Interstate 95 in Salisbury. It is our understanding

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1 that a public hearing will be held on this application
2 at the Office of Outdoor Advertising on April 11,
3 2019, and we wish this letter to be made part of the
4 official record of these proceedings.

5 The primary reason for the Board's
6 opposition to the proposed board is that it is not in
7 keeping with the character of the Town, and
8 particularly with that portion of the Town abutting
9 the northerly and western boundaries of Route 95.
10 Salisbury was founded originally as the Town of
11 Colster (sic)..."

12 AUDIENCE: Colchester.

13 JOHN ROMANO: "...Colchester," sorry,
14 "in 1638 and has retained a significant link to its
15 earliest days for almost 400 years. Even though the
16 construction of the interstate highway system
17 physically separated much of the Town's farmland from
18 the Town center and the beach, Salisbury values its
19 agricultural heritage and places special significance
20 on its historic ties to the colonial era. The area of
21 the Town directly across Route 95 from the proposed
22 electronic billboard is still primarily agricultural
23 in nature with several working farms. Some of these
24 farms date their inception to land grants from the

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1 King of England in the 17th Century. In at least one
2 instance, there is a farm that has been held and
3 worked upon by 12 generations of the same family.

4 Further, there is not one electronic
5 billboard abutting Route 95 in either direction from
6 Peabody to the New Hampshire border, a stretch of more
7 than 20 miles that also includes farmlands in several
8 other communities. To allow the construction of such
9 a billboard in Salisbury would potential open the door
10 for future electronic signage to proliferate and
11 detract from this pastoral and bucolic stretch of
12 northeastern Massachusetts, which includes the towns
13 of Danvers, Middleton, Topsfield, Boxford, Georgetown,
14 Rowley, Newbury, and West Newbury, along with the
15 outskirts of Newburyport and Amesbury.

16 Additionally, the location of the
17 proposed billboard is in close proximity to the
18 northbound merge point of two interstate highways, a
19 particularly dangerous stretch of roadway where
20 motorists are often traveling at high rates of speed
21 in order to transition from Route 495 northbound onto
22 Route 95 northbound. The proposed sign is on the
23 right, which will undoubtedly cause drivers to be
24 distracted just at the point where they need to be

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1 looking toward their left in order to safely merge
2 onto Route 95.

3 Finally, the Board strongly believes
4 that the Salisbury Zoning Board of Appeals erred in
5 granting a special permit to Outdoor Media Properties
6 for its proposed billboard, as the Town's bylaw
7 specifically prohibits electronic billboards. Chapter
8 214, Section 8 of the Town's bylaws clearly stipulates
9 that electronic message boards are prohibited. Since
10 700 CMR 3.07(9) states that 'No permit shall be
11 granted for a sign within a city or town where the
12 sign is not in conformity with applicable and lawful
13 city and town ordinances and bylaws,' the Board
14 respectfully requests that the Director deny the
15 application of Outdoor Media Properties referenced
16 above.

17 Should you have any questions or
18 require any further clarification of the Board's
19 position in this matter, please contact us directly."

20 It is signed by Ronalee Ray-Parrott,
21 Chairperson. And it's signed by the other four
22 selectmen.

23 So, that will be entered into the
24 record along with the others.

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1 Next, we have a letter from Attorney
2 David J. Gallagher, again, addressed to me.

3 "Dear Mr. Romano:

4 I am writing this letter as counsel for
5 the applicant, Outdoor Media Properties, Inc. I am in
6 receipt of a letter dated April 9, 2019 addressed to
7 you from the Salisbury Board of Selectmen expressing
8 opposition to the applicant's proposed electronic
9 billboard to be located at 109 Rabbit Road in
10 Salisbury, MA.

11 The Board indicates that the proposed
12 billboard is not in keeping with the character of the
13 Town. I would note that the proposed sign is located
14 in a commercial district abutting Route 95, a major
15 interstate highway. In addition, a cursory view of
16 the area where the proposed billboard is to be located
17 indicates that it is not in a pristine agricultural
18 area. Indeed, the Town had previously approved an
19 electronic billboard on property located at 75 Main
20 Street, very close to the proposed location. Taking a
21 view of the property located at 74 Main Street, where
22 another electronic billboard had been assented to by
23 the Town in litigation filed in Essex County Superior
24 Court, clearly indicates the nature of the area where

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1 the proposed billboard is to be located.

2 The Board of Selectmen makes the point
3 that this would be the only electronic billboard in
4 either direction on Route 95 from Peabody to the New
5 Hampshire border. Again, the Board neglects to inform
6 you that the Zoning Board of Appeals has approved a
7 total of four electronic billboards in the Town of
8 Salisbury by special permit, including the billboard
9 proposed for Outdoor Media Properties, three of which
10 were proposed to be located on Route 95. One of
11 those, proposed for Clear Channel Outdoor, was ordered
12 to be approved by the Essex County Superior Court at
13 the specific request of the Town of Salisbury.
14 Contrary to the assertion by the Board of Selectmen,
15 it is clear that the Court would not have issued such
16 an order if the Town's bylaws prohibited such
17 billboards.

18 The Board indicates in the letter to
19 you that the Zoning Board of Appeals erred in granting
20 the special permit to Outdoor Media Properties, Inc.
21 because the Town's sign bylaw specifically prohibits
22 electronic billboards. In fact, Section 214-8 of the
23 bylaw prohibits electronic message boards. However,
24 the Board neglected to mention that Section 214-12 of

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1 the bylaw states that any person aggrieved by their
2 inability to obtain a sign permit may seek a special
3 permit to relax the requirements of the sign bylaw.
4 Clearly, Outdoor Media was able to satisfy the Zoning
5 Board of Appeals that it met the requirements for the
6 special permit. Under the circumstances, the Board of
7 Selectmen is incorrect when it states that the special
8 permit was issued in error. Further, the time period
9 for the Board of Selectmen or residents with standing
10 to appeal the special permit has long since expired
11 pursuant to Mass. General Laws, Chapter 40A, Section
12 6. Under the circumstances, the Board of Selectmen
13 does not have the jurisdiction to seek to overturn the
14 special permit and, therefore, the applicant would
15 request that the OOA not take into considerations the
16 objections asserted by the Board of Selectmen.

17 Very truly yours,

18 Regnate Sterio LLP

19 By Mr. David Gallagher."

20 That will also be entered into the
21 record.

22 At this time, I would call on the
23 representative if you'd like to come up.

24 STATE REPRESENTATIVE JAMES KELCOURSE:

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1 I, first, want to thank you for the opportunity to be

2 --

3 STENOGRAPHER: Don't touch.

4 STATE REPRESENTATIVE JAMES KELCOURSE:

5 Oh, I won't touch. Okay. And I'll back up.

6 STENOGRAPHER: It will pick up
7 everything.

8 STATE REPRESENTATIVE JAMES KELCOURSE:

9 Well, first, I want to thank you for the opportunity
10 to be here this morning. I also want to thank the
11 Applicant and I want to thank the number of people
12 from Salisbury that made -- took the day off of work
13 and changed their plans to come here before you today.
14 This is a very important issue.

15 I live a mile-and-a-half from the
16 proposed site, so I'm very familiar with it. I grew
17 up in the Town of Amesbury. I think Amesbury was
18 considered once Salisbury, or parts of it.

19 The concern that I have is safety. So,
20 I drive that stretch of highway all the time. I
21 actually went and I drove that stretch of highway
22 before I came here this morning. I know that a couple
23 of the folks were a little concerned into whether I
24 was going to be here. The reason is because we went

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1 out there and we made sure we drove that section of
2 the highway again.

3 I would encourage you to engage and
4 strongly urge the state's traffic engineers to take
5 another look at this area of highway because I think
6 Selectman Chuck Takesian indicated it best, or
7 expressed best, that this area, known as dead man's
8 curve -- I don't know if you're familiar with the
9 hairpin turn out in North Adams, Massachusetts.

10 JOHN ROMANO: Very, very familiar.

11 STATE REPRESENTATIVE JAMES KELCOURSE:
12 But I used to visit back in my college days my friends
13 that used to go to North Adams State College. And
14 they have the hairpin turn there. And Exit 60 on
15 Interstate 95 is similar to that hairpin turn. I took
16 it this morning. I think there was a death there
17 within the last five to ten years. A young man went
18 right off the highway, rolled his car, and died. And
19 I know there's been a lot of similar incidents there.

20 Long before the applicant made this
21 proposed request to construct an electronic billboard
22 on the site, Mr. Director, I always had a difficulty
23 when traveling 94 north, not 95 south, but I take Exit
24 60 to get off to go to my house, which is Main Street,

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1 turns into Monroe Street, and I live on Monroe Street
2 in Amesbury. It's a straight shot. I have a
3 difficult time navigating over to the right because
4 495 comes off right there, and there is probably a
5 half a mile at best between that off-ramp and the on-
6 ramp that's similar to that hairpin turn, Exit 60 on
7 95.

8 So, I understand your constraints here
9 with respect to the CMR and what you're charged with
10 looking at, but I would encourage that MassDOT take
11 another look at this area. Our office was not
12 contacted when they went down there. And I know that
13 they're not obligated to contact the office of the
14 state rep. I'll also indicate that Senator DiZoglio's
15 aide just indicated to me that she's in opposition and
16 would like to take another look at this area from a
17 safety perspective.

18 I deal with a lot of safety issues. I
19 tell people my job is, you know, in large part, about
20 constituent services. And, you know, we get expressed
21 to all the time. Poor Danny Fielding who is out back
22 here right now, our legislative liaison with MassDOT,
23 hears from me all the time with respect to safety
24 concerns, whether it's traffic light adjustments or

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1 issues such as these where the off-ramp is so close to
2 that on-ramp, another distraction, it's like texting
3 while driving. You just -- that other, you know,
4 distraction is going to take the focus off the road
5 from shifting safely over to one lane. And you have a
6 lot of 18-wheelers. I mean this morning was a clear
7 day. You add rain, snow to the mix, and you've got a
8 flashing billboard taking that driver's attention off
9 of the roadway and onto that billboard, and that's the
10 reason for the billboard, to take the driver's
11 attention off the road and onto the billboard to see
12 what they're advertising. Otherwise, they wouldn't
13 construct the billboard because there would be no
14 reason for it.

15 So, that area right there, that
16 billboard is taking the attention of the driver off of
17 safely navigating that roadway and onto that on-ramp.
18 And I really have fear that we're going to have some
19 additional accidents and some fatalities in that area.
20 That's my concern.

21 So, I would urge you, Mr. Director, to
22 maybe engage the office of the state engineer to maybe
23 take another look at that. Perhaps they could get
24 together with us, the state representative office, and

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1 Senator DiZoglio's office. We can go down and take
2 another look at the area. Five hundred and five feet,
3 I mean that's not a lot of wiggle room. Five hundred
4 feet, and you're saying it's 505 feet. I mean I think
5 that's pretty darn close to an off-ramp with an
6 interchange right there. I haven't seen any other
7 situation like that here in the Commonwealth in
8 Peabody or Saugus.

9 So, thank you, Mr. Director. I
10 appreciate your time. I want to thank all the people
11 from Salisbury for coming in again today and the
12 Applicant as well. We appreciate your time and
13 attention to this matter.

14 Thank you.

15 JOHN ROMANO: Thank you,
16 Representative.

17 (Applause.)

18 JOHN ROMANO: Okay. So, if you want to
19 speak, I'm going to go front to back, left to right.
20 Raise your hand. I'll have you come up to the
21 microphone, one or two minutes at the most. No need
22 to keep repeating everything over and over again.
23 We've got it loud and clear. But, please raise your
24 hand. Okay. Come up. Why don't you, the three, one,

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1 two, three, come up, line up behind each other. Don't
2 touch the mics so Dave don't got to yell at me again.
3 I'm kidding. I guess it's very sensitive.

4 FRANCES GIRGENTI: Okay. I can agree
5 with everything that Mr. -- oh, I'm sorry.

6 JOHN ROMANO: Please state -- I'm
7 sorry. Please state your name for the record. Spell
8 it if it's not easily identified.

9 FRANCES GIRGENTI: Okay. Frances with
10 an "e," Girgenti, G-i-r-g-e-n-t-i.

11 And I agree with everything that
12 Representative Kelcourse said. I can say from
13 personal experience, I have a friend who had an
14 accident on the southbound merging. And I have a
15 horse farm. I enjoy riding my horse at Maudslay State
16 Park, which I have to use 95 south to access. It's
17 bad enough, as he has said, to move a car to the left
18 while others are moving to the right. It scares the
19 heck out of me with my trailer. So, that's the safety
20 aspect of it that I'm concerned with.

21 Thank you.

22 JOHN ROMANO: Thank you very much.

23 Sir?

24 EUGENE WILLIS: Thank you. Eugene

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1 Willis, 7 Folly Mill Road, Salisbury.

2 I have a couple of factual issues,
3 first, with the engineer's safety. Philosophically,
4 he talked about the layout, but didn't talk about the
5 accident count.

6 JOHN ROMANO: Yeah, you don't have to
7 lean in.

8 EUGENE WILLIS: But he didn't address
9 the accident count at all. And I believe that will be
10 addressed later.

11 And, just as an aside, Tuesday night, I
12 was coming home, and the merge from 95 -- from 495 to
13 95, and there was an accident just this past Tuesday
14 night that hasn't got in your database yet. But, more
15 importantly, factually, both your engineer, your
16 inspector might be able to help, and your engineer.
17 He commented about being beyond the merge or whatever.
18 And I would suggest that the line striping in the
19 highway suggests that the off-ramp on 495 -- I mean
20 the off-ramp -- or the on-ramp onto 95 from 495, and
21 the off-ramp off 95, Exit 60, is one ramp. If you
22 look at the striping, it is dedicated striping like
23 it's a ramp. And that is continuous from where 495
24 gets off to where Exit 60 leaves. So, your physical

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1 inspectors could talk to that or address that issue,
2 but I don't know if they considered that one ramp or
3 they consider it two separate ramps and, therefore,
4 the sign is within the distance.

5 Thank you.

6 JOHN ROMANO: Sir, state your name for
7 the record, please.

8 DREW DANA: Drew Dana, resident, 90
9 Main Street in Salisbury.

10 I think -- I abut 95 south, so I'm kind
11 of diagonal from this. I think it's borderline
12 offensive that I was never notified of this. At 94
13 feet tall, it's going to be clearly visible from my
14 property 24 hours a day. And just for the simple fact
15 that 95 bisects me from the property, I had no
16 notification of this. I think at this point, it's
17 going to be very visible to a lot of other residents
18 on that side, my side, of 95. And I think that we
19 really as a Town need to take control of this and
20 oppose this.

21 So, I'm just here to go on record. I
22 oppose it.

23 JOHN ROMANO: Thank you.

24 DREW DANA: Thank you.

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1 JOHN ROMANO: Name?

2 ELAINE DERBOGHOSIAN: Hi. I'm Elaine
3 DerBoghossian, D-e-r-B-o-g-h-o-s-i-a-n, 17 Joy Road.
4 My property abuts Bartlett Farm.

5 I agree with everything everyone has
6 said. The one thing we have coming up in less than
7 two months is beach weather, beach season. And
8 everyone takes Exit 60. So you're talking about a
9 traffic flow that now quadruples in the months of
10 Memorial Day to Labor Day.

11 I, too, travel that road every day,
12 sometimes at night. And it's scary. If you don't
13 know how to navigate, you're going to get creamed. If
14 you're coming off 495 and you don't know that you have
15 to merge over to the left to get to 95 north, or
16 you're on 95 north and you need to get to Exit 60, you
17 don't have a big buffer zone in between that. And my
18 property will be visually affected as well, and we
19 were not notified. Even though I know that that's not
20 part of the requirements for the signing, but it would
21 have been nice to have as a visual abutter to have
22 been notified. And I think a lot of people in the
23 Town feel the same way.

24 So, thank you.

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1 JOHN ROMANO: Thank you.

2 Sir?

3 JACK SANDBORNE: My name is Jack
4 Sandborne. I'm from Main Street in Salisbury.

5 Aside from all the safety concerns that
6 have been mentioned, which I'm concerned with, that's
7 been covered pretty well, but one thing that hasn't
8 been said is this unsightly thing that's going to be
9 put up there and the light pollution that's going to
10 come off from it.

11 I, myself, I have a place on Locust
12 Street in Salisbury. I can look out the front window,
13 right across that overpass, right where that thing is
14 going to be. And there isn't a leaf between me. And
15 I'm going to have to watch that thing 24 hours a day
16 blinking, that unsightly piece of trash. And there's
17 many other people in here that are in the same
18 situation. And why should we have to live like that?
19 I can't see what type of a person would subject their
20 own townspeople to something like this. I mean it's
21 torture. I mean people torture people with blinking
22 lights. It's right up there with water boarding and
23 pulling your fingernails out.

24 (Laughter.)

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1 JACK SANDBORNE: I mean the ISIS do it
2 all the time. And so why do we have to live like
3 that?

4 Thank you.

5 (Applause.)

6 JANE BOYER: My name is Jane Boyer.
7 I'm from Newbury, but I travel 95 heading north and
8 south fairly frequently. So, I'm not an abutter, but
9 I was butted into in Salisbury this past year by a
10 distracted driver and my car was totaled. This was
11 not on 95. It was on Route 1.

12 Now, on 95, there have been, over the
13 years, a number, through that stretch, from south
14 where these signs were mentioned to north,
15 considerable accidents, many of them fatalities. I
16 think with the addition of the new bridges over the
17 Merrimack and the widening of the roads, the road is
18 now safer than it has been in years. However, people
19 still do go well over the speed limit, and people
20 still do, and probably will, use their cell phones.
21 The addition of these lights in this location, with
22 families driving north and south, and whatever
23 financial remuneration the town might get, is hardly
24 worth the life of one family. Fifty thousand dollars

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1 a year perhaps, whatever your company is offering, for
2 one family? I hardly think so. You have one accident
3 in a year, it would be almost a blessing by counts in
4 many cases. And how tragic is that?

5 It occurred to me on the way here that
6 if I came into this building and I had with me an
7 umbrella which I popped up, and not just a normal
8 umbrella, but this one would be flashing lights. Now,
9 within this building, people are concentrated on --
10 they're focusing on the issue. Now, if I were over
11 somewhere in this building and I had flashing lights,
12 perhaps with words flashing and cycling through one
13 every ten-second changing image, maybe cars,
14 convertibles, someone with a bikini flashing, how much
15 distraction would be taken off of the focus of this
16 meeting?

17 And that's all I have to say. Safety
18 is a huge concern.

19 JOHN ROMANO: Thank you very much.

20 (Applause.)

21 CYNTHIA FOSTER: My name is Cynthia
22 Foster. I live at 5 Locust Street. I am renting from
23 the Elm Knoll Trust, which is part of the Bartlett
24 Farm. It's approximately 1,500 acres.

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1 My concern is the children that live in
2 proximity to this billboard, and they're going to be
3 staring at it, and they're not going to be sleeping.
4 And in my employee newsletter, Frontline Employee,
5 there's a paragraph about dozing off with digital
6 media and the mental problems that it can cause with
7 children. So, I'd just like you to look at that when
8 you make your decision, that there's a campground and
9 there's a lot of children that live -- there's a lot
10 of children that live within visual distance of this.
11 And those kids are going to be watching it because
12 kids are attracted to digital media. So, if the
13 billboard went up, I would hope that you could shut it
14 off when people are supposed to be sleeping.

15 JOHN ROMANO: Thank you.

16 Sir, before you go, one second. Is
17 there anybody else on the left side of the room that
18 wants to speak?

19 AUDIENCE: I would like to.

20 JOHN ROMANO: Okay. Come up. No, you
21 don't have to go anywhere. I just want them to line
22 up behind you.

23 STEVEN MARTIN: I'm Steven Martin. And
24 I've been a resident of just west of where this sign

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1 is going to go since the middle '70s.

2 I'd like to, for the record, say that I
3 think it's a terrible concept, terrible use of this
4 land. The wild and woodland elements west of 95 have
5 long been used by the owner of the land that wants to
6 construct this sign. And, as residents of this area,
7 we've helped build the businesses that these
8 landowners have enjoyed profit from. And I think this
9 is a miserable thanks to the rural folks in that
10 neighborhood to even consider proposing something like
11 this that we on the west side of 95 are going to be
12 stuck with if it ever does go through.

13 Thank you.

14 JOHN ROMANO: Thank you, sir.

15 Name?

16 MICHELLE MOREHOUSE: Hi. I'm Michelle
17 Morehouse. I live at 36 Locust Street.

18 And I drive that -- I drive the highway
19 every day, 95 to 495 and then back home. And I'll
20 tell you, where they're looking to put that sign, I
21 feel it's going to be a distraction where the two
22 highways meet.

23 We listen to sirens all summer long
24 with accidents there as it is, even though you have

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1 widened the road. People are cutting over to get to
2 286 to go to the beach from 95, and you're only going
3 50 and they're going 70, and now we're going to throw
4 a big screen in there.

5 And my youngest is a teenager that is
6 getting his license. And one of the things they said
7 in driver's ed is that we've got to program them not
8 to look at screens because this is the new generation,
9 and now we're going to throw a screen in the air.
10 That's the first thing they're going to look at. I'm
11 just worried about public safety.

12 But, thank you very much.

13 JOHN ROMANO: Thank you.

14 Sir?

15 JAMES DONNELLY: My name is James
16 Donnelly. I spent 17-and-a-half years in law
17 enforcement, four-and-a-half in Salisbury. And I
18 responded way too many times to fatal accidents there
19 with not a distraction that you're going to be looking
20 up in the air. I took defensive driving courses, and
21 way too many accidents are caused by quick glances to
22 the left or quick glances to the right and not looking
23 up towards the sky.

24 JOHN ROMANO: Thank you.

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1 Ma'am?

2 DONNA BARTLETT: Donna Bartlett,
3 Bartlett Farm, Salisbury. I'm 12th generation on the
4 farm, the first generation that had TVs, computers,
5 and now cell towers.

6 I do have a map of the field that's
7 across the street. This is the field I work in every
8 day in the summertime. And there is an ambulance
9 every single day, a siren that goes down that highway
10 every single day. And I'm a witness to it. And
11 you're welcome to see this picture.

12 I do want to tell everybody, last week
13 was International Dark Sky Week.

14 (Applause.)

15 DONNA BARTLETT: And this month is
16 National Distraction Drivers Awareness Month, just to
17 get it on the record.

18 (Applause.)

19 JOHN ROMANO: I'll move to the right
20 side of the room, front to back, if anybody -- raise
21 your hand. Come and stand -- come to the mic. Sure,
22 come on up. Ma'am, you can come up. Come up right
23 behind him.

24 JIM GRENIER: My name is Jim Grenier,

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1 G-r-e-n-i-e-r. I've been a resident in Salisbury for
2 just over 40 years. My wife grew up in Salisbury.
3 She's lived her whole life there.

4 I'm also an advertising professional.
5 I've been doing that for pretty close to 40 years,
6 actually, for 42 years I've been an advertising
7 professional. My job as an advertising professional
8 is to create graphics that distract you from
9 everything else on the page. And I've designed stuff
10 for magazines, and billboards, and buses. And you
11 name it, I've done it. And that is the primary job of
12 an advertising billboard, as we all know.

13 Now, I'm opposed to where they're
14 placing this. I mean there's another 20 miles of open
15 road where they could put this. But, as we've heard
16 from just about everybody that stood up so far, this
17 particular spot is -- I don't care what the traffic
18 study said or didn't say by MassDOT. I actually have
19 some MassDOT information that I've actually sent you
20 the letter. But I'd like to read just the portion of
21 it so these people here can also understand what I've
22 discovered.

23 MassDOT itself has datasets, which I
24 downloaded for Salisbury. These are crash reports,

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1 basically. And they were only for 2014 through 2016.
2 Those are the latest dates that were available. So, I
3 will read those. What they are in 2017, 2018, I have
4 no idea.

5 But, in 2014, of a total of 277
6 accidents in Salisbury, eight of them were on the
7 northbound side of Route 95 and Route 495 merge on or
8 near the ramp at Exit 60. And there were seven
9 related to the southbound exit from Main Street going
10 onto 95 south. So, that's 15 reported accidents in
11 that specific area, which represented 5.4 percent of
12 the accidents in Salisbury of that year.

13 In 2015, it increased a little bit.
14 There were 14 accidents on the northbound side for
15 Route 95 to 495 intersection on or near the ramp at
16 Exit 60, and there were 12 on the southbound connector
17 from Main Street onto 95. So, that was 26 total
18 there.

19 In 2016, it jumped even more. Of a
20 total of 305 reported vehicle accidents in that area,
21 there were 33 accidents on the northbound side of
22 Route 95 and 495 on or near the ramp at Exit 60, and
23 there were 12 related southbound accidents from the
24 exit of Main Street to 95. So, there were a total of

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1 45 reported accidents. This highway area in 2016
2 represented 14.8 percent of all the accidents in
3 Salisbury.

4 So, that, over average, basically makes
5 10 percent of the accidents in Salisbury happen in
6 those two locations, which are the ones that are most
7 directly related to this sign that they want to put
8 up, southbound and northbound faces. So, you do a
9 little bit of math. And if you were to take these two
10 intersections -- and, actually, the Main Street
11 interchange going onto 95 is already number 178 of the
12 top 200 crash sites in Massachusetts. But if you add
13 the other side, which I don't know, you know, why it
14 isn't included as an intersection, maybe because it's
15 a merger, but if you add all these up over the course
16 of those two years, which is the same time period of
17 these 200 crashes, you would have approximately 85 --
18 let's see. Where's my number here? If you added them
19 up, this would actually be about number four on the
20 200 top crash sites in Massachusetts, if you took the
21 southbound and the northbound.

22 And that's all I want to say. You take
23 those numbers, and you add to it an extra distraction,
24 which I know plenty about, and you're only going to

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1 see an increase in accidents. You can't see a
2 decrease. In fact, it's already increasing on an
3 annual basis based on your own data.

4 Thank you.

5 (Applause.)

6 JOHN ROMANO: Thank you.

7 ANDREA TRUE: My name is Andrea True.

8 I live at 98 Main Street at the -- also the corner of
9 Congress. And it's adjacent to the Bartlett Farm.
10 The home that I live in was built in 1763, so it's
11 been there for a long time, possibly earlier than
12 that. And I'm lucky enough to enjoy looking out my
13 front door at that beautiful cornfield where the
14 Bartletts are working every day, and would have that
15 sign right in my view.

16 One of the first things I want to say
17 is that as I look over there, I look across the
18 highway, and there is a tree line there. The tree
19 line is probably, I don't know, 60 feet. This sign is
20 proposed as 89 to 95 feet tall. It is going to stick
21 above the tree line into the horizon where I see pinks
22 and oranges on a beautiful morning. And that is very
23 concerning to me. It's marring the environment.

24 The other thing that I want to ask, and

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1 I'm sorry to have interrupted as you were speaking to
2 Ms. Campbell, was that when you asked her if she had
3 notified the abutters, how do you define abutter in
4 this instance?

5 JOHN ROMANO: So the state requirement
6 in our CMR is 500 feet from the sign.

7 ANDREA TRUE: Okay. Five hundred feet
8 from the sign, in any direction as the crow flies,
9 never notified. Literally, live like right across the
10 street from it, as to the Bartletts and many other
11 people in this room. None of us ever received
12 notification of that Zoning Board --

13 JOHN ROMANO: No, no, no. I'm sorry.
14 The Zoning Board is not what we require. The Zoning
15 Board is -- I understand that there's an issue --

16 ANDREA TRUE: When you're saying
17 abutter then and that we were notified --

18 JOHN ROMANO: She's required to send
19 abutter notification -- not just her, any proponent.

20 ANDREA TRUE: Right.

21 JOHN ROMANO: Five hundred feet from
22 the sign to say that they are going to apply to us for
23 a permit.

24 ANDREA TRUE: Okay. So we're only

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1 talking about notification for this meeting.

2 JOHN ROMANO: The Zoning Board of
3 Appeals thing, that's the Town. It has nothing to do
4 with me.

5 ANDREA TRUE: Okay.

6 JOHN ROMANO: I understand people
7 didn't get notified. I believe, and I don't know, my
8 understanding is their requirement is 300 feet.

9 ANDREA TRUE: Okay.

10 JOHN ROMANO: Which is a 200-foot
11 difference. So that's why people heard about this,
12 but then didn't know previously.

13 ANDREA TRUE: No.

14 JOHN ROMANO: It has nothing to do with
15 us.

16 ANDREA TRUE: I was never notified of
17 this meeting as an abutter.

18 JOHN ROMANO: Well, you wouldn't have
19 been notified of this meeting. You would have just
20 been notified that she was applying to us. She does
21 not know --

22 ANDREA TRUE: Never received any
23 notification whatsoever.

24 JOHN ROMANO: She does not know when

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1 this meeting will be when she applies.

2 ANDREA TRUE: But I'm just saying that
3 if for this meeting it's 500 feet, I was never
4 notified of the intent of this meeting.

5 JOHN ROMANO: Well, if you want to send
6 us your pertinent information and things, we will
7 check it.

8 ANDREA TRUE: You have it. Okay.

9 JOHN ROMANO: But send us an email and
10 tell me exactly what you're telling me so I'll have it
11 in the record.

12 ANDREA TRUE: Okay. I believe I did
13 send you an email. It may be in there somewhere. But
14 I'll make sure.

15 JOHN ROMANO: Yeah, just get us that
16 and we'll review it.

17 ANDREA TRUE: Okay.

18 JOHN ROMANO: They do it all by
19 certified mail. And we'll go out and take a look.

20 ANDREA TRUE: I never received
21 anything. And, certainly, in this instance, where
22 you're talking about a visual display, who is an
23 abutter and is there any such thing as a visual
24 abutter?

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1 JOHN ROMANO: It's actually property
2 owners, not abutters.

3 ANDREA TRUE: Yeah. Okay.

4 JOHN ROMANO: I'm not saying it
5 properly. There is a difference. So, it's property
6 owners within 500 feet. And that's it. That's what
7 the requirement is. I'm sure people can see any sign
8 from a far distance away. That's not what the
9 requirement is.

10 ANDREA TRUE: Well, this is just an
11 unsightly addition to the Town. It doesn't seem, as
12 people have talked about, we have plenty of traffic
13 that's in the Town, especially during the summer. I
14 don't think people are having any difficulty finding
15 Salisbury.

16 The other thing I wanted to say is to
17 repeat the whole issue about safety, and also bring to
18 the forefront that sometimes traffic accidents occur,
19 but sometimes accidents occur with hazardous
20 materials. And, God forbid we ever see that there.
21 That's going to be an issue.

22 Beyond that, I just want to, you know,
23 say that I object strongly to this.

24 Thank you.

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1 JOHN ROMANO: And we will track that
2 down.

3 ANDREA TRUE: Yeah.

4 (Applause.)

5 JOHN ROMANO: Anybody else on the left
6 side? Please come up. If there's anybody else,
7 please come up behind this lady.

8 MARGARET MARY JAMES: Thank you for
9 having us here today. My name is Margaret Mary James.
10 I'm a property owner in Salisbury. My husband and I
11 moved to Salisbury because of really it's a dynamic
12 community and it's a rural community on the side that
13 I live on.

14 And I just want to say that I agree
15 with all the safety concerns. I'm a nurse. I'm a
16 citizen of Massachusetts. And I think about not just
17 myself. This will really not be very nice for my
18 quality of life. I love to go out, like everybody,
19 and see the stars that I didn't see when I lived in
20 the city. And there are a lot of wonderful things
21 that I will miss. But if I weren't here today, I
22 couldn't live with myself because I think of all of
23 the hard working truck drivers that have to go the
24 distance through our community. And I want them to be

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1 as safe as they can be. I think about the tourists.
2 It's not just the people in Salisbury. Of course, I
3 want everyone in Salisbury to be safe. But if you
4 decide to take a ride up to Camden, Maine, I want you
5 to be safe. I want everybody who comes into
6 Massachusetts and drives through Salisbury to be safe.

7 We're a big tourist community, as other
8 people have said. But, you know, every day people
9 that live in the area communities get on these
10 highways. I go up and down 95 every day. My office
11 is in Revere. I work in East Boston. I go up to
12 Stoneham. I'm a nurse. I'm on the highways all the
13 time. I know how treacherous it is right now. I just
14 oppose the billboards.

15 There's research in Sweden. MIT did
16 research studies. It's just a shame that it had to
17 come to this hearing today because it's something
18 that, you know, like smoking tobacco. It's clearly
19 hazardous. But then in this country, laws had to be
20 passed to keep our children from smoking cigarettes.
21 We have to take a serious look at this and we have to
22 do it now for all of us that are living now and for
23 generations to come.

24 Thank you.

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1 (Applause.)

2 JOHN ROMANO: Thank you very much.

3 Is there anybody who didn't speak who
4 would like to speak? Yes, sir?

5 ROY MOREHOUSE: Hi. Not much of a
6 speaker. My name is Roy Morehouse. I live on 36
7 Locust Street. And we've talked about all the traffic
8 issues. And my wife travels it every day. And the
9 95/495 merge is a hell race to begin with, especially
10 in the season of tourism.

11 And, you know, the history of the
12 Bartlett Farm, I'm a generation that has been in this
13 Town. And when you go up on top of the upper field
14 where they wanted to put a cell tower, it's one of the
15 highest points in Salisbury. You can look out in that
16 field on the day before things grow up, and you can
17 see Plum Island. And out in the middle of the field
18 it's called the Willis Rock, I call it. That was
19 Willis Bartlett when I was five years old taught me
20 how to pick corn off the stalks, you know. I brought
21 my kids out there. They grew up there. You all want
22 to get up on that field. That's history. I want to
23 look out there and look at a sign selling a mattress
24 for Bernie & Phyl's? You know what I mean? I see all

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1 the signs on the way in here. I've jumped on trains.
2 I've gone the wrong way. You know what I mean? I'm a
3 country boy. But, really, is that what this, the
4 Salisbury people deserve to look at that? There's a
5 lot of history. This goes back to royalty. You know
6 what I mean? If you do the math, if you do the
7 history, you know. My kids, I've got seven brothers,
8 two sisters, we all grew up there. They call them the
9 wagon trails. On their land, there's these trails
10 everywhere. They were called the wagon trails
11 because, before cars, that was roads, you know. And
12 then you get up to -- some of the best sunsets you see
13 at the end of my road. You see people with cameras
14 with lenses this big. They do postcards. And there's
15 the sign.

16 All right. Come on. I mean I don't
17 know. For what? Who's benefiting from this? You
18 know what I mean? What, you're going to sell Reebok
19 sneakers? Tiger Woods is a billionaire because he
20 wears Nike. So now the Salisbury planners has to wear
21 Nike, and who is making the money? You're killing an
22 identity that has been there 11 generations, even
23 more. And my kids, my grandchildren. I've got
24 grandchildren now. I want to take them out there not

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1 to look at a Bernie & Phyl's, you know, sign. You
2 know, it's big. It's 100 feet up in the air. You
3 know, your dog track is over in Seabrook. And growing
4 up, I could see the glow of the lights from the
5 Seabrook greyhound dog track my whole life. Now I
6 don't. Now, in the wintertime, I'm going to see this
7 sign through the trees, but it's going to glow.

8 When environmental, when they catch
9 bears in Amesbury, they put them out on the Bartlett
10 land. Oh, they put them out in the wilderness. Yeah,
11 they're nocturnal. You know, everything that's been
12 said, nobody's kind of, you know, crossing the Ts and
13 dotting the Is. The same thing with -- they're
14 farmers. They've got the oldest operational farm in
15 Massachusetts. This thing could change all the
16 fertilization and, you know, the bees and the cross-
17 pollination and everything of the farm. Now, how do
18 they gain their loss if this is something that's going
19 to happen?

20 You're putting a sign on a foundation
21 in the wetlands. What if we get 16 inches of rain?
22 Oh, this is a muddy situation, and now we've got a 50-
23 mile-an-hour wind. How many lights have come down on
24 highways? You know what I mean? Just the lights, you

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1 know. And you want to put a goddamn tractor-trailer
2 up in the air. I mean I don't know.

3 JOHN ROMANO: Thank you, sir.

4 ROY MOREHOUSE: Thank you.

5 (Applause.)

6 JOHN ROMANO: Okay. Before we close
7 out the hearing, just a couple of points of
8 clarification for the proponent.

9 You're aware that should this -- should
10 this application be approved, there are, in 700 CMR
11 3.17, there are a bunch of requirements for electronic
12 billboards, including a minimum of a ten-second static
13 display, no flashing lights, no videos, no animation
14 or any such are allowed on the board at any time.

15 ELYSSE CAMPBELL: Yes.

16 JOHN ROMANO: There's also a 15-hour
17 public service announcement requirement for each side
18 of the board should it be permitted.

19 Ms. Campbell, at this time, do you have
20 anything that you would like to add to your
21 application?

22 ELYSSE CAMPBELL: Not to my
23 application, but maybe a comment if I may. I really
24 didn't want to, but I think I will.

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1 I would like to address everybody here
2 to let them know that I also live in Salisbury. I've
3 lived there with my husband for over 20 years. And
4 we've been very involved in the Town. We are also
5 constituents of the Town. We have worked with a lot
6 of the Select people in the Town to help them get
7 elected, from holding signs to, you know, speaking
8 well of everybody. We support farms. My husband grew
9 up on a 150-acre farm in Western Mass., so I think he
10 understands farming. He started a community garden in
11 Salisbury about now seven years ago. And we've
12 brought gardening to people that, you know, live in
13 condominiums and places where they don't have land to
14 have a garden and miss it, particularly people who
15 have since retired, you know, because they couldn't
16 afford where they lived or whatever, moved to
17 Salisbury, and they wanted to garden. So, I think we
18 all have a -- we have a great understanding of, you
19 know, the impact to nature and all of the rest.

20 And, I'd like to say that I've been in
21 the outdoor advertising industry for many years, more
22 than I care to say. And the bottom line here is I'd
23 like to just bring up some positive things. Like
24 there is a billboard, a digital billboard, that

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1 already exists in the Town of Salisbury. It's been
2 there for five years. It's on Route 110. I would
3 imagine if you're all aware of things, then you've
4 seen it.

5 AUDIENCE: Ninety-foot tall?

6 ELYSSE CAMPBELL: No, it is not. It
7 was within the jurisdiction and the height
8 requirements in that particular area. And that
9 billboard was utilized, and still is to this day, for
10 many public service messages, which was something that
11 was promised to the Town that we wanted to honor
12 because I personally felt that, yes, let's use it to
13 promote whatever we can in the Town. So, anything
14 from Town Meetings, to fundraisers, be it Pettingill
15 House, be it any organization. I have a list of them
16 if you'd like me to read them, it's been utilized for
17 and still is to this day, regardless of who now owns
18 the sign or how it's operated. So, I think that's a
19 point that I'd like to make because I don't think
20 anybody cares to think about that. And that would
21 include, by the way, Amber Alerts and other
22 emergencies. They automatically have to go to that.
23 As the Director said here, you know, we're required to
24 have at least 15 hours of public service announcement

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1 in any community we're in, or on any billboard. It
2 could be statewide, actually. But, in this case,
3 we've chosen to really narrow into communities,
4 primarily Salisbury. We've also done fundraising and
5 other events for Amesbury whether it be Our Neighbor's
6 Table or, you know, there's just many. And if you
7 want me to read the list, I will. I have it with me.

8 But I would just like to make those
9 points besides all the other things that I think have
10 been said as far as the legal aspects of this, as far
11 as us following the letter of the law, following the
12 local permitting process, which we were required to do
13 and did, not once, but twice, for this particular
14 location. And at every hearing we had with the Zoning
15 Board of Appeals, not one person was in opposition to
16 it, not only on the Board --

17 ANDREA TRUE: We didn't know about it.

18 AUDIENCE: Nobody knew about it.

19 ELYSSE CAMPBELL: Yes, you did know
20 about it because --

21 AUDIENCE: No, we didn't. We did not.

22 AUDIENCE: Don't debate. Really,
23 don't.

24 ELYSSE CAMPBELL: Director Romano, the

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1 only thing I want to say about that is --

2 JOHN ROMANO: Hey, guys, this is not
3 what this is about.

4 ELYSSE CAMPBELL: Everybody has had
5 their time. So I would like mine and I will sit down.

6 AUDIENCE: It's how you make your
7 living.

8 ELYSSE CAMPBELL: The bottom line is,
9 as far as the hearings are concerned and the abutters,
10 we followed the letter of the law of the Town, which
11 is a 300-foot abutter notice. They were always sent
12 out. They were sent out twice. And then in the case
13 of the state application, 500, not once, but twice
14 they were sent out as a matter of fact.

15 AUDIENCE: It's across the highway.

16 ELYSSE CAMPBELL: It was 500-foot.

17 JOHN ROMANO: Ms. Campbell.

18 ELYSSE CAMPBELL: Yes?

19 JOHN ROMANO: You're addressing me and
20 not the rest of the --

21 ELYSSE CAMPBELL: My apologies.

22 JOHN ROMANO: Yes.

23 ELYSSE CAMPBELL: So, you know, I just
24 feel that those are really the only things that I'd

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1 like to say, that I just feel that we have followed
2 the procedure the way we were asked to do both by the
3 Town and by the state. And I guess that's really it.
4 That's really it.

5 JOHN ROMANO: Thank you.

6 ELYSSE CAMPBELL: Thank you for the
7 time.

8 JOHN ROMANO: Okay. Thank you all very
9 much. We will take this all under advisement. No
10 decision will be made here today. And it will be at
11 least several weeks before any decision is made.

12 We will make sure that the
13 Representative's office knows before the decision is
14 made public. We don't do official announcements. It
15 will be posted as part of our agenda for the hearing
16 before that it's on. But we will let the
17 Representative's office and the Board of Selectmen
18 know.

19 Thank you.

20 ANDREA TRUE: So we check the agenda
21 for the --

22 JOHN ROMANO: Yeah, if you notice on
23 our agenda, it says "For the Record - Actions Taken
24 Since the Last Hearing."

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1 ANDREA TRUE: Okay.

2 JOHN ROMANO: We post the agenda a week
3 before the meetings. They're the second Thursday of
4 every month at 11:00 in this room. So, it will be --
5 we typically, ten days to two weeks, a week before we
6 make a decision. This may require a little longer.
7 I'm going to be on vacation for a good part of next
8 week. So, I am not going to be looking at this while
9 I'm on vacation.

10 AUDIENCE: When a decision is made is
11 there an appeal period that you can appeal?

12 JOHN ROMANO: No, there's no appeal.

13 AUDIENCE: There's no appeal period.

14 JOHN ROMANO: There is no appeal.

15 AUDIENCE: One and done.

16 JOHN ROMANO: Okay. With that, we will
17 be moving on to the next part of the agenda, for the
18 record, actions taken -- if you're going to be
19 leaving, please keep it down because the hearing is
20 still ongoing.

21 AUDIENCE: Thank you for hearing us.

22 JOHN ROMANO: You're welcome.

23 For the record - actions taken since
24 the last public hearing. Any questions, comments, or

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1 concerns with that?

2 (No response.)

3 JOHN ROMANO: Okay. Thank you.

4 And, lastly, there's Section D,
5 applications for permits. Any questions on that?

6 (No response.)

7 JOHN ROMANO: Lastly, any further
8 public comment on anything in general or specific?

9 (No response.)

10 JOHN ROMANO: Seeing none, we are
11 adjourned. Thank you all very much.

12 (Whereupon, the proceedings were concluded
13 on April 11, 2019 at 12:14 p.m.)

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C E R T I F I C A T E

I, Judith Luciano, do hereby certify that the foregoing record is a true and accurate transcription of the proceedings in the above-captioned matter to the best of my skill and ability.

Judith Luciano

Judith Luciano

**All names not provided were spelled phonetically to the best of my ability.