

Office of Outdoor Advertising
Public Meeting

December 13, 2018

11:00 AM

State Transportation Building

10 Park Plaza

2nd Floor

Boston, MA 02116

Present:

John Romano, Executive Director

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

2

3 JOHN ROMANO: Good morning, everyone.

4 My name is John Romano and I am the Director of
5 Outdoor Advertising for MassDOT. We are here for the
6 December 13, 2018 public hearing.

7 This meeting is accessible to people
8 with disabilities and individuals with limited English
9 proficiency. If you have filed a request with us for
10 assistive technology, sign language, alternate format
11 documents, an interpreter, translated documents, or
12 other such services to be available today, please see
13 Lydia here if you haven't yet received the assistance
14 you need. I do not believe we've received any
15 requests in advance.

16 If you need any other similar
17 assistance to participate today, please let Lydia
18 know, and we will do our best to help you.

19 Housekeeping stuff -- there is agendas,
20 meeting notes from last month's meeting, and a sign-in
21 sheet on the table to my left. If you didn't sign in
22 on the way in, please do so on your way out if you
23 want to be part of the record.

24 So, November 8th public hearing meeting

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1 minutes, any questions, corrections, changes,
2 omissions?

3 (No response.)

4 JOHN ROMANO: Seeing none, we will mark
5 those approved.

6 So, this is Clear Channel request 296
7 North Beacon Street in Boston, a two-sided sign,
8 2018D027 and D028. Notice sent to the mayor's office
9 and the clerk's office on 11/5 by my office. Mike
10 Maurello from Clear Channel is here representing the
11 applicant.

12 No one is here from the City. No one
13 is here from -- there are no abutters present and
14 there's no one here from the District Office. The
15 State Traffic Engineer did send a memo stating that no
16 further traffic study would be required.

17 Mike, was certified mail notice sent to
18 abutters at least 30 days prior to submitting your
19 application to my office?

20 MIKE MAURELLO: Yes.

21 JOHN ROMANO: I do have copies of the
22 post office receipts, so thank you for submitting
23 those. I also have a copy of the letter that was sent
24 out. So, those are on record.

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1 Has the applicant received any comments
2 in support or opposition of this application?

3 MIKE MAURELLO: None.

4 JOHN ROMANO: Okay. We did receive an
5 email late yesterday from a Mr. Anthony D'Isidoro,
6 president of the Allston Civic Association.

7 ANTHONY D'ISIDORO: Present.

8 JOHN ROMANO: Okay. You'll have a
9 chance at the end if you want to speak.

10 The request was to have these removed
11 from the Outdoor Advertising hearing today. We did
12 not -- we did take that under advisement, but,
13 obviously, we're here today. And, as people know, or
14 may not know, no decisions are made at this hearing
15 today. Everything is taken under advisement. So
16 we'll hear any input on all sides. So, I just wanted
17 to have that on the record.

18 Okay. And, Mike, a variance was
19 obtained from the City of Boston. I have a copy of
20 that. The City did sign off on the application. I
21 also did hear from Mark McGonagle from the Boston
22 Planning and Development Agency. It is my
23 understanding in reading the thing that a license
24 agreement with BPDA is required. There is a hearing,

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1 a BPDA board meeting tonight in which that will be
2 brought up there. Again, this is taken under
3 advisement and no decision will be made until that
4 thing happens and we see what that says.

5 JOANNE D'ALCOMO: May I just ask for a
6 quick clarification on the future?

7 JOHN ROMANO: Yes.

8 JOANNE D'ALCOMO: If events occur after
9 this hearing, which is a public hearing, are we then
10 allowed to make additional submissions because there's
11 only one paragraph in terms of the BPDA board right
12 now. And that just would give BPDA the authority to
13 enter into a license agreement. There is no specific
14 license agreement that is proposed in front of the
15 BPDA board.

16 JOHN ROMANO: We won't make a decision
17 until that happens.

18 STENOGRAPHER: Could you state your
19 name for the record?

20 JOANNE D'ALCOMO: Oh, yes. My name is
21 Joanne D'Alcomo. I'm an attorney. And I represent
22 myself on this issue.

23 STENOGRAPHER: Could you spell your
24 last name?

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1 JOANNE D'ALCOMO: D-'-A-l-c-o-m-o. And
2 Joanne is J-o-a-n-n-e, one word. Sorry.

3 JOHN ROMANO: So, we won't -- we'll
4 wait to get that license agreement before we make a
5 decision.

6 JOANNE D'ALCOMO: And would the public
7 have additional time to comment based on what that
8 subsequent event might yield, because right now that's
9 an unknown?

10 JOHN ROMANO: You can address that with
11 BPDA. That's just an agreement between them and us.
12 We really don't -- we're really not a party to that.
13 We just want to get a copy of it so we have it for the
14 record.

15 MIKE MAURELLO: Could I just clarify
16 something?

17 JOHN ROMANO: Yes, you may.

18 MIKE MAURELLO: There is a --

19 JOHN ROMANO: Please state your name
20 again just for --

21 MIKE MAURELLO: Mike Maurello, Clear
22 Channel Outdoor.

23 There is an executed license agreement
24 from Clear Channel to the BPDA. They do have that.

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1 So, there is an agreement before them.

2 ANTHONY D'ISIDORO: Excuse me. I got
3 clarification --

4 JOHN ROMANO: Please state --

5 ANTHONY D'ISIDORO: Anthony D'Isidoro,
6 president of the Allston Civic Association.

7 I got confirmation from BPDA, Mark
8 McGonagle who is in charge of this area in terms of
9 licensing agreements and everything, and he informed
10 me that no licensing agreement was executed. And the
11 simple reason is BPDA, as we speak, does not have any
12 legal standing, based on where these signs are
13 located, to enter into a licensing agreement with the
14 proponent. So, that is a very important point to
15 make. This gentleman has misrepresented the situation
16 because, legally, it's impossible for them to sign a
17 licensing agreement as it stands right now. As was
18 mentioned, they are going to take it up this afternoon
19 at the BPDA board, as Joanne mentioned. This is not
20 an agenda item that is going to specifically address
21 this particular proposal. It's going to allow the
22 BPDA across the city to enter into licensing
23 agreements with any billboard proposal that gets
24 approved by the Zoning Board of Appeal.

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1 JOHN ROMANO: Thank you, sir.

2 Okay. At this time, I'll ask my
3 inspector, Chris Chaves, to give his report.

4 CHRISTOPHER CHAVES: Thank you, John.

5 As you mentioned, this is a proposed
6 conversion of a current static permit to an
7 electronic. The location faces Interstate 90, facing
8 east and west. There are multiple businesses within
9 500 feet. You have Samuels Jaguar and Napa Auto Parts
10 to fill the requirement.

11 There are no spacing issues to other
12 static signs on the same side of the roadway or
13 electronic signs on either side of the roadway. And
14 there are no spacing issues in regards to the parks,
15 recreational areas, reservations, etc. within 300 feet
16 of this location.

17 As long as the existing permit is
18 removed, there's no issues from the field.

19 JOHN ROMANO: Great. Thank you.

20 So, Mr. Maurello, as with all
21 electronic permits, you are required to meet all of
22 the provisions set forth in 700 CMR 2.17 regarding
23 brightness, the 10-second static display, video, no
24 video, no movement, any of that stuff.

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1 I also did notice on the special permit
2 that no alcohol, tobacco, or marijuana ads. The City
3 will not require -- will require that none of those be
4 shown on these boards. I'm sure you're aware of that.

5 Also, we have our 15-hour public
6 service announcement requirement for the state that I
7 know you're well aware of. That's in addition to any
8 other commitments that might have been made to the
9 community or the city.

10 So, Chris, as you said, no issues from
11 the field standpoint.

12 CHRISTOPHER CHAVES: Yes.

13 JOHN ROMANO: I will note, should these
14 permits be granted, you will need to surrender the two
15 static ones.

16 MIKE MAURELLO: Yes.

17 JOHN ROMANO: Okay. Is there anybody
18 from the public who would like to make any comments on
19 this? Just please state your name for the record.

20 RICHARD REDMOND: My name is Richard
21 Redmond. I'm from 46 Vineland Street in Brighton.

22 STENOGRAPHER: Could you spell your
23 last name?

24 RICHARD REDMOND: And I have been

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1 looking --

2 STENOGRAPHER: Could you spell your
3 last name?

4 RICHARD REDMOND: R-e-d-m-o-n-d.

5 STENOGRAPHER: Thank you.

6 RICHARD REDMOND: My property faces the
7 sign since 1963. In that time, the owners of this
8 sign have not been a good neighbor.

9 The sign that you see in that picture
10 was built up to the first level. And then, over the
11 years, because they needed more exposure, it was
12 raised an additional 25, 30 feet.

13 As you say, the abutters were all
14 notified of this. They're all commercial people
15 around it. It's basically built in an alley. And,
16 consequently, Clear Channel does whatever they want
17 with it.

18 For a couple of years, two or three
19 years, say five years ago, they sent out crews to cut
20 trees on state property. It was stopped by the
21 residents, twice, over two or three weeks, or three
22 times.

23 The sign also is supposed to have a
24 sanction on it that it goes off by 10:00 at night, as

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1 does the sign on the opposite side. Over the past two
2 years, that hasn't happened either. Maybe the laws
3 have changed on that, too. I am not able to follow
4 the law for how it changes. But I consider that this
5 sign dramatically impacts the people of Brighton.

6 I know that more money is made from the
7 people on the highway. I watch them stopped in
8 traffic every day from six in the morning till eight
9 at night. The sign directly faces the Faneuil Housing
10 Project. That's 268 units of low- to moderate-income
11 people. It faces the west to residential housing,
12 two-, three-, four-family, all up on the hillside who
13 can see this sign all night long.

14 I feel it's a major detriment being
15 there. Why it was allowed, the Mass Pike came through
16 the cities and they put that sign there. We already
17 have the one on Vineland Street. In this day and age,
18 I don't know if they'd ever be allowed to be built
19 there. There is no reason to have it there. To put
20 electronics on that only enhances one thing, the
21 bottom line for Clear Channel. It doesn't help the
22 people.

23 Brighton is going through a major
24 undertaking right now over overdevelopment, housing,

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1 you name it. This sign, any change in it, is wrong.

2 And I will do whatever I can to get it stopped.

3 Thank you.

4 JOHN ROMANO: Thank you, sir.

5 Would anybody else like to speak?

6 JOANNE D'ALCOMO: Could I just ask one
7 informational question of the Clear Channel
8 representative, and that is what is the height coming
9 forward with this?

10 MIKE MAURELLO: I don't actually have
11 that form with me now, but --

12 JOANNE D'ALCOMO: Isn't that something
13 we should know because we know what the proposed new
14 height is, which is 75 feet. So, I'd like to know
15 what it's going to be --

16 MIKE MAURELLO: Oh, that's 75 feet.
17 We're not putting it any higher.

18 JOANNE D'ALCOMO: Okay. So it's the
19 same height. Okay.

20 MIKE MAURELLO: And, also, that's a
21 20x60 sign.

22 JOANNE D'ALCOMO: I know. I know.

23 MIKE MAURELLO: We're reducing the
24 size.

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1 JOANNE D'ALCOMO: I do know.

2 MIKE MAURELLO: Okay.

3 JOANNE D'ALCOMO: Thank you.

4 Again, my name is Joanne D'Alcomo. I'm
5 an attorney. I'm a longtime Brighton resident and
6 homeowner, and I also own the house next door to me.

7 I'm opposing this for the following
8 reasons. One is the notice is defective. The notice
9 that is required to be given is certification, that
10 all property owners within 500 feet will be notified
11 by certified mail. And I received a copy of the
12 application when I saw this yesterday. It's a copy of
13 what purport to be certified mail receipts. And they
14 do not give the abutters notice. As a matter of fact,
15 you will see I have a copy of the certified mail. On
16 its face -- on its face, it's clear that abutters were
17 not given notice. For example, the Boston Housing
18 Authority is not listed. The Boston Housing Authority
19 owns the Faneuil Gardens Apartment Complex, which is
20 right next to the site.

21 Also, you will see the Schubert
22 organization is there. Trustees of Boston University
23 are there. Beth Israel is listed. This is a totally
24 whacky list of certified mail receipts that clearly do

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1 not relate to the abutters.

2 So, on its face, papers submitted to
3 this authority indicate that notice to the abutters
4 within 500 feet were not given notice. That's the
5 record you have before you. That's what you should
6 act on.

7 Secondly, the notice itself. Under the
8 -- even if the abutters had been given proper notice,
9 and by the certified mail receipts you see that they
10 were not, the second thing is the substance of the
11 notice. The application that Clear Channel filled
12 out, they're directed in the application to give the
13 height and dimension of the proposed sign and contact
14 information for, among other things, the
15 municipality's chief municipal officer. And that's so
16 that the abutters -- it says right in here -- can
17 submit all comments regarding the proposed sign.

18 Well, first of all, the height was
19 imprecise. The height information was about 70 feet.
20 Now, Clear Channel knows what the height of this
21 billboard is and it did not give a specified height.
22 But that's less important than the issue of the
23 substance of the notice. That is, Clear Channel did
24 not identify the chief municipal officer. As a matter

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1 of fact, it identified no individual at all, no one.
2 Instead, what it said was, "Any questions or comments
3 you may have with respect to the proposed
4 application," and, as I said, the application only
5 says approximately 70 feet high, which is ridiculous
6 if Clear Channel can't be precise, "should be directed
7 to City of Boston Inspectional Services Department."
8 Now, anyone who has ever dealt with the City of Boston
9 Inspectional Services Department knows that's not a
10 person. That's a department. As a matter of fact, in
11 a city of this size, the Inspectional Services
12 Department is loaded with individuals. And this is
13 such a diffuse direction to abutters that even if they
14 had received this, this would be insufficient to meet
15 the very clear directions that Clear Channel was given
16 in the application. Now, that's with respect to
17 notice.

18 I also have specific objections with
19 respect to the subject of the criteria of the
20 regulations. The permit cannot be granted if the
21 director determines that it would not be in harmony or
22 suitable for the surrounding area or would do
23 significant damage to the environment.

24 Well, let's just review, because it's

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1 certainly not in the application what the environment
2 is. First, I have a photo here that I can provide of
3 what exactly -- excuse me. Pardon my cough. You see
4 the billboard in the sign. Overlooked here, as Mr.
5 Redmond pointed out, the fact that this billboard
6 faces the Faneuil Gardens apartment complex, in
7 addition to many other residences. So, you see that
8 it's facing a residential area. And it's visible from
9 this residential area. And you would never know that
10 looking at the application. You wouldn't have a clue.
11 And I went there yesterday. I took some pictures.

12 This is a 254-apartment complex.
13 Again, that's apart from Mr. Redmond's residence and
14 any other residence. So, as you can see from the
15 area, there's a park within the vicinity, a large park
16 with a kiddie playground and many other residential
17 streets right nearby.

18 Let's go a little bit closer in terms
19 of the immediate impact of this sign. Here's a
20 picture again. This is just me standing on the ground
21 taking a picture from Faneuil Gardens. Here's what it
22 looks like from the closest building on the street.
23 You can see, this is just on the ground. Now, this is
24 not even -- these are three-story buildings, Faneuil

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1 Gardens. There are ten buildings. That's what it
2 looks like from the ground. It doesn't matter that
3 it's a slightly smaller sign. It's just that it's
4 significantly different. In fact, it's going to be on
5 24 hours a day. That's the proposal.

6 This is what it looks like a little bit
7 stepped back, stepping back a little further. Again,
8 there are three buildings on North Beacon Street alone
9 that face the billboard -- and I'd like to show Mr.
10 Romano -- again, all within view, very close view, of
11 the site.

12 Now, on that first picture I gave you,
13 you see the first building of the Faneuil Gardens that
14 is close to the sign. If you simply take a left at
15 that building, which is what I did, and I walked
16 alongside this building that goes closely -- is near
17 the billboard, this is what you see, and five feet.
18 And the sign isn't going to be any lower. We know
19 that. So, that's what the Clear Channel
20 representative has told us. So, this is what the
21 ground-level people see.

22 That's not -- I didn't go into a third-
23 floor apartment. The third-floor apartment people see
24 more of the sign and will see more of the sign every

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1 day, every night, all night long.

2 This is what you see when you walk
3 further down alongside the Faneuil Gardens buildings.
4 And no one has taken that into account.

5 Once again, this is just walking
6 further down alongside the Faneuil Gardens buildings.
7 Again, it's very visible, very intrusive in their
8 lives, 24 hours a day, seven days a week.

9 Now, why else is it not suitable?
10 Again, nobody has pointed out here, in the application
11 or otherwise, that this sign is directly visible from
12 one of the areas that is prized by the state. It's
13 called the Charles River Reservation. And here's a
14 map of it. And this is managed by the Department of
15 Conservation and Recreation. And that's the map of
16 it. And along that Charles River is the Paul Dudley
17 White -- people may remember him; he was a
18 cardiologist at MGH -- Bike Path. And that runs all
19 along the Charles River.

20 Okay. So, if you're trying to enjoy
21 the Charles River Reservation, either jogging or
22 walking or biking, this is what you see from -- and if
23 I may just come over closer here. I just stood at the
24 little bend here, right there, on the Charles River

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1 Reservation, on the Paul Dudley White Bike Path.
2 That's all I did. I just stood there. And, I turned
3 a couple of directions. In one direction you turn,
4 it's very bucolic. It's very nice. That's what you
5 see. And in the other direction, what you see is
6 Clear Channel's billboard. So, right now it's a
7 static billboard.

8 But to make it even worse, to make it
9 more prominent, which is exactly what Clear Channel is
10 trying to do, is not make it less intrusive, but to
11 make it more prominent. That's the whole point of a
12 digital billboard is to make it more noticeable to
13 catch your attention or otherwise they wouldn't go to
14 all the trouble. That's what you see.

15 So, that's why it's also unsuitable for
16 the area because we should value the Charles River
17 Reservation, not degrade it further by having not just
18 a static billboard within view, but to have a digital
19 billboard within view.

20 Also, within -- right near -- and,
21 again, pardon me. I don't have a cold. I just have a
22 dry throat. Also right within view of this billboard
23 is the Leo Birmingham Parkway. Now, parkways -- if I
24 may, just for a moment. Also right within view of

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1 this billboard is a stretch of road that is called a
2 parkway. Now, the notion of parkways is they're
3 supposed to be less valued in the sense of having
4 trees and being a little bit more attractive than
5 regular roadways. That's why we call them parkways as
6 opposed to just streets. We're calling them highways
7 like I-90. And the Leo Birmingham Parkway is also
8 right at the stretch right near this billboard. Let
9 me show you what the view is. Again, I'm just on foot
10 here. I'm not doing anything fancy. And what you see
11 is from the Leo Birmingham Parkway, yes, the Clear
12 Channel billboard.

13 So, once again, why would we, as a
14 policy matter, think it was suitable to make this
15 billboard, more noticeable than it is now already?
16 And the answer is it's not suitable to do that. We
17 should not further degrade the area and degrade the
18 view from the parkway, the view from the Charles River
19 Reservation, and certainly the view from where people
20 live 24 hours a day by making this billboard more
21 noticeable. So, I urge rejection of the effort to
22 make this billboard more prominent, more intrusive,
23 and more noticeable. It should stay static and it
24 should not be operating 24 hours a day, seven days a

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1 week, bringing its visuals into the homes of the
2 people who live nearby or people who are trying to
3 enjoy the reservation, the bike path, and just trying
4 to enjoy a pleasant ride down Leo Birmingham Parkway
5 on your way home or after work or to work.

6 Thank you.

7 JOHN ROMANO: Thank you for your
8 comments.

9 Is there anybody else who would like to
10 add anything?

11 ANTHONY D'ISIDORO: I'm here on behalf
12 of the Allston Civic Association.

13 The who key words that come to me in
14 this whole proposal, and it was just clearly displayed
15 by the attorney for Clear Channel, is credibility and
16 community. And in this whole transaction, neither one
17 of those words applies.

18 I know this is not all in the purview
19 of the state, but let me just give you a quick, a real
20 quick history of this proposal. It's been 21 months,
21 almost 22 months, since this first proposal was
22 brought before the community. And it was brought
23 before the community at the Brighton Allston
24 Improvement Association with an agenda item that just

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1 talked about converting this billboard to an
2 electronic billboard. No other information was given.

3 That evening, the district city
4 councilor, the Mayor's Office of Neighborhood
5 Services, and the leadership of the Brighton Allston
6 Improvement Association sprung on the community a deal
7 that had been worked out with Clear Channel to allow
8 this to take place and to put together an agreement
9 that involved taking down some additional billboards,
10 money returned to the community, some other provisos
11 that we still haven't gotten a clear sense of what it
12 was all about.

13 That proposal was voted upon, despite
14 the objections of a number of people, including
15 myself, because some of those billboards involve
16 billboards in Allston. And as a member, at the time,
17 of the Allston Civic Association, and speaking on
18 behalf of our president, we were never consulted
19 during the whole course of these negotiations. And
20 when we raised objections, we were told that this was
21 a work in progress and that we would continue --
22 they'd have to come back to us and we'd have to
23 continue to talk about this.

24 Well, guess what? Two weeks later, I'm

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1 sitting in my living room watching the Zoning Board of
2 Appeals, expecting to hear a deferral on this matter
3 because of the fact they needed to do more community
4 review. And, guess what? It came up for
5 consideration. And the most important people, the
6 people who live here, the abutters, and the Housing,
7 and Mr. Redmond, and Joanne were not there. There was
8 a major misrepresentation made at that committee
9 hearing by the Brighton Allston Improvement
10 Association. They were specifically asked by the
11 chair of the Zoning Board of Appeals, "Doesn't this
12 billboard back up to residential property?" And they
13 were told, "Absolutely not." I guess poor people and
14 people who live in subsidized housing don't count.
15 But the Faneuil Hall residents do count. And they
16 would be directly impacted, as Mr. Redmond has
17 powerfully stated to you this morning. So, that was a
18 major, major misrepresentation.

19 And then it was agreed to based on the
20 marijuana, alcohol, and tobacco restriction. But a
21 person from BPDA was there that day, told the Zoning
22 Board of Appeal that they would have to, as part of
23 Article 11 of the Zoning Code, enter into a licensing
24 agreement between the BPDA and the proponent. So, it

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1 was made very strongly subject to those conditions.

2 Now, 21 months later, we pop up and all
3 of a sudden we see it on the agenda of the Outdoor
4 Advertising Board. And thank you for reading the
5 email I sent. Checking into this, we were officially
6 told by the person who is now in charge of the
7 billboards that they could not legally enter into a
8 license agreement with Clear Channel based on the fact
9 that these two billboards were "outside of the zone,"
10 but that an effort was going to be made at the BPDA
11 board hearing on Thursday, today, to rectify that
12 situation.

13 So, when the gentleman from Clear
14 Channel says they had an executed agreement, this is
15 the credibility issue that we're talking about. That
16 was a complete misrepresentation, a complete lie. And
17 that's what we're dealing here with Clear Channel as
18 Mr. Redmond and Joanne clearly illustrated to you.
19 There's nothing about credibility here. There's
20 nothing about community here.

21 And I'm quite -- and this was in the
22 email that I raised with you gentlemen -- I quite
23 don't understand why you're taking up this matter
24 today even though you're not going to vote. You're

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1 just taking it out of consideration. Because you
2 don't have a proponent who has ZBA approval.

3 Now, if you want everybody to come from
4 the City who just wants to convert a billboard to come
5 and spend and waste your time here before they get ZBA
6 approval, then you have the right to do that. If
7 you've got the staff and the time to do that, that's
8 fine. But based on the legal rendering, these people
9 don't have an agreement. It was made very clear that
10 the ZBA approval was contingent on the alcohol,
11 tobacco, and marijuana, and based on entering into a
12 licensing agreement. They legally can't do that.
13 Right now, they legally cannot enter into that
14 agreement.

15 And, right now, the fact that, as
16 Joanne pointed out, we have no idea what this
17 agreement eventually is going to look like. That's
18 why Joanne is asking you the question. When this
19 agreement is reached, if it is reached, and it is made
20 public, don't we have a chance to come back and at
21 least provide some additional testimony? I understand
22 the state -- that's something between the city and the
23 proponent. The state doesn't really want to get into
24 that. But that was a clear representation at the BAI

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1 and to get that membership to approve this conversion
2 was this agreement that was going to be made and the
3 provisos that were going to be in place today.

4 We have no idea where that agreement
5 stands right now. And the fact that the BAI
6 misrepresented the poor people of the Faneuil project
7 by stating to the Zoning Board of Appeal that this
8 would not impact any residential housing was a major
9 misrepresentation.

10 Thank you.

11 JOHN ROMANO: Thank you for your
12 comments.

13 Does anybody else want to add anything?

14 RICHARD REDMOND: Richard Redmond,
15 again. Just a couple of other points about the sign.

16 I have questions. In 1963, it was
17 built. It was raised in probably I'd say the '80s to
18 the height that it is now, whatever that height really
19 is. In essence, was the abutter, EMCOR I believe is
20 the new power facility we have there, notified about
21 the sign change, or the sign in general, or the
22 structural integrity of it? When was the last
23 structural integrity done on that sign? With those I-
24 beams that come up going across at the cross-bracing

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1 at the top, when was that done? Nobody seems to know
2 that answer. This was basically built on an alley
3 between Garwin Motors back in those days, it was a
4 truck company, and the corner lot.

5 So, consequently, what is the sign
6 going to have? If they approve the sign, it's going
7 to affect all the people, 75 feet in the air. The new
8 developments in Brighton are over 60 feet in the air.
9 They're all going to look at their new \$2,000, \$3,000
10 places, they're going to be looking at this sign on
11 Faneuil Street, North Beacon Street, on the corner of
12 Lincoln Street. They're all going to be looking at
13 this beautiful sign. It's going to have all this
14 information and controls.

15 The medium is the message. Is that
16 what you're looking for? Give the message through the
17 medium. That sign, a revolving sign, is a travesty.
18 The sign in general that sits there since the '60s is
19 a travesty.

20 I'd also like to know from those who
21 are involved how long that sign was supposed to stay,
22 that sign as well as the one on Vineland Street as
23 well as the ones that are on Lincoln Street, the ones
24 on the other side on North Beacon Street and

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1 Birmingham Boulevard. How long were those signs
2 supposed to stay there? And it's just a travesty.

3 Brighton is dying. We're losing
4 housing. We can't have kids living there because they
5 can't afford houses. We just want -- it's fallen upon
6 the area of advertisements. This is what we're going
7 to do.

8 I'm sorry. This is totally wrong. And
9 is the next step Vineland Street? Oh, we need a sign
10 there. We've got to enhance that one, which is over a
11 single-family house up on those pillars. It's
12 beautiful. You can see it all the way from Newton.
13 This sign you can see all the way from Union Square in
14 Allston. That's got to be about a mile-and-a-half
15 away. You see it all the way up to Newton. It's good
16 for Clear Channel. What good is it for the people of
17 Brighton? What good is it at all?

18 JOHN ROMANO: Thank you for your
19 comments.

20 Anything new?

21 JOANNE D'ALCOMO: I just to ask
22 question of you, Mr. Director. I think we're entitled
23 to an explanation from Clear Channel as to why in
24 December 2018 an application is before you for a

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1 billboard that received conditional approval by the
2 Board of Appeals in Boston in January or February
3 2017. Could we have that answer please?

4 JOHN ROMANO: It's up to them if they
5 want to answer that. I can't direct them to answer
6 your questions.

7 JOANNE D'ALCOMO: Do they refuse to
8 answer?

9 MIKE MAURELLO: I don't have a comment.

10 JOANNE D'ALCOMO: I would also as the
11 Director if he received the executed license agreement
12 because that's obviously represented to this board.
13 There is an executed license agreement which is part
14 of this record.

15 JOHN ROMANO: I am under no -- it's my
16 understanding that an agreement is not executed.
17 Clear Channel may have signed their side of it and
18 presented it to the BPDA. According to Mark
19 McGonagle, they're bringing it up tonight at the
20 board. And then, after that, they will sign --

21 JOANNE D'ALCOMO: Oh, all right.

22 JOHN ROMANO: -- the thing, and then
23 they will get that to me.

24 JOANNE D'ALCOMO: Because it was stated

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1 at this hearing today that it was executed. So, if
2 only one party executed it, it's not really considered
3 by the law an executed agreement when one side signs
4 it. I could sign --

5 JOHN ROMANO: I get it.

6 JOANNE D'ALCOMO: Okay. So, is it
7 correct that only one side has signed it?

8 JOHN ROMANO: Based on the information
9 I have.

10 JOANNE D'ALCOMO: Okay.

11 JOHN ROMANO: I don't have a copy of
12 any of it.

13 JOANNE D'ALCOMO: Okay.

14 JOHN ROMANO: Mr. McGonagle promised me
15 that we would get that when that was done. And
16 they're well aware that no action will be taken on
17 this till that's reviewed. And if it's not executed,
18 then no permit will be granted.

19 JOANNE D'ALCOMO: And the only other
20 thing I'd like to say is that I was not at the 2017
21 hearing at which the Board of Appeal gave its approval
22 subject to various conditions which have not been met.
23 But, to the extent -- if, indeed, the Brighton Allston
24 Improvement Association falsely represented to the

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1 Board of Appeal that there was no residential property
2 nearby, and Clear Channel did not correct that false
3 representation, they own it. They own it.

4 JOHN ROMANO: Yes, that's something to
5 bring up with the City.

6 JOANNE D'ALCOMO: But that is -- in
7 other words, that's -- you don't have that information
8 that there was residential residences right nearby,
9 which is why I'm putting the pictures in front of you
10 because you'd never know if from the application.

11 JOHN ROMANO: My inspector goes out
12 there and inspects the site. So we have a good idea
13 of what's there. Whatever might have been presented
14 in 2017 to the City, if there's an issue with that,
15 you need to bring that up with them.

16 JOANNE D'ALCOMO: And one other thing I
17 would say is that the regulations, specifically 700
18 CMR 3:074 says that you can only issue a permit if
19 it's in harmony or suitable for the surrounding area.
20 And I urge you to consider area as indeed an area, not
21 a parcel, not the adjacent parcel, not the across the
22 street parcel, but the area, because it's not fair to
23 us in Brighton that only a little tiny speck of land
24 be considered. The regulations say area, surrounding

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1 area, not parcels. So, I urge you to consider that.

2 Thank you.

3 JOHN ROMANO: Thank you.

4 ANTHONY D'ISIDORO: Mr. Director, just
5 one last question and then I'll sit down. It's just
6 an extension of Mr. Redmond and what Joanne just
7 mentioned. And I know you're hearing this a lot,
8 especially from the City of Boston in certain
9 neighborhoods. And I know you take this under
10 consideration.

11 Allston Brighton is one of those
12 communities, like South Boston, for example, that is
13 undergoing, as Mr. Redmond said, massive development,
14 transformative development. And a lot of the
15 placement of these billboards was in an era that is
16 quickly disappearing. In essence, commercial streets,
17 like in South Boston, a lot of old industrial
18 commercial space is now being transformed into mixed-
19 use developments. And the placement of these
20 billboards, in many cases now, not only for projects
21 in the pipeline, under construction, those that are
22 coming that we know of, are just obsolete in terms of
23 the quality of life issues that Joanne mentioned.
24 They are simply out of character and they're simply

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1 not positioned correctly anymore based on what's
2 happening.

3 As Mr. Redmond was saying, he talked
4 about the \$3,000 a month rental units that are being
5 built. What about the people that are paying
6 \$700,000, \$800,000, \$900,000, a million dollars for
7 condominiums that are going to be surprised when these
8 buildings are built to look outside and see billboards
9 changing every ten or 15 seconds in their face.

10 So, I know you've heard this before.
11 And I hope you take it under consideration. But we
12 want to emphasize the need that Allston Brighton is
13 such strong appeal right now from developers and
14 people who want to live there. It's being reflected
15 in all the projects that are taking place, and that a
16 lot of the placement of these billboards are now
17 obsolete if you follow your guidelines in terms of
18 abutting residential communities.

19 Thank you.

20 JOHN ROMANO: Thank you, all. We will
21 take this into consideration. Thank you, Mr.
22 D'Isidoro.

23 ANTHONY D'ISIDORO: Thank you.

24 JOHN ROMANO: We'll take this all under

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1 advisement. No decision will be made at this time.
2 We certainly will wait to see what happens with the
3 BPDA.

4 So, thank you all for your comments.

5 Okay. The next item on the agenda is
6 730 Madison Ave. in Wrentham, Application 2018D033 and
7 34, also by Clear Channel.

8 Notice was sent on November 13, 2018 to
9 the town administrator and the town clerk.

10 Is the applicant present?

11 MIKE MAURELLO: Yes, Mike Maurello,
12 Clear Channel Outdoor.

13 JOHN ROMANO: Is there anyone here
14 representing the municipality where the sign is being
15 proposed?

16 (No response.)

17 JOHN ROMANO: Are there any abutters
18 present?

19 (No response.)

20 JOHN ROMANO: None. Is anybody present
21 from the District Office?

22 (No response.)

23 JOHN ROMANO: No. Mike, I forwarded
24 you an email yesterday that I received from Bill

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1 Travers from District 5 just reminding you that if
2 there is any tree trimming or tree removal anticipated
3 that you should contact him directly. A separate
4 permit for any of that is tied to this permit and
5 would need to be obtained if needed. He recommends
6 you get together with him for a site visit.

7 MIKE MAURELLO: Yes.

8 JOHN ROMANO: Is anyone here from
9 Traffic Operations?

10 (No response.)

11 JOHN ROMANO: Seeing none. We did
12 receive a memo from the State Traffic Engineer's
13 Office stating that no further traffic study would be
14 required should a permit be issued for these
15 applications.

16 Mike, was certified mail notice to
17 abutters sent out by you at least 30 days prior to
18 submitting your application us?

19 MIKE MAURELLO: Yes.

20 JOHN ROMANO: I do have the post office
21 receipts. I also have a copy of the letter that was
22 sent out.

23 Have you received any written comments
24 in support or opposition to this?

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1 MIKE MAURELLO: No.

2 JOHN ROMANO: And we have not.

3 Okay. The special permit is attached
4 to your application. The application was signed off
5 by the City of Boston (sic), is that correct?

6 MIKE MAURELLO: Yes. The City of
7 Wrentham. You said Boston.

8 JOHN ROMANO: Oh, excuse me. Wrentham.
9 Thank you for that correction.

10 I'll have Marc Plante give our
11 inspector's report on this application.

12 MARC PLANTE: Thank you, John.

13 This application is a digital
14 application for a new monopole. It's located north
15 and south on Route 1 in Wrentham. As you can see on
16 the screen, there is now an existing static on the
17 pole on the location, which will be completely
18 dismantled and the new structure will be entirely new
19 on the same spot. This is a monopole, two-sided
20 digital application.

21 This particular area is of business
22 character. There's two businesses within 500 feet of
23 the location. There no parks, playgrounds, or
24 recreation areas within 300 feet of the proposed sign.

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1 There are no spacing issues with any other signs. So
2 this site is conforming to the regulations.

3 JOHN ROMANO: Thank you.

4 MARC PLANTE: You're welcome.

5 JOHN ROMANO: Thank you, Marc. So, no
6 issues from the field. Okay. Great.

7 Mr. Maurello, again, a reminder, 700
8 CMR 3.17, all of the items related to electronic signs
9 regarding brightness, ten-second static display
10 changes, no video, no movement, etc., and also the 15-
11 hour public service announcement requirement with this
12 office separate from any other agreement you might
13 have with the community.

14 MIKE MAURELLO: Yes.

15 JOHN ROMANO: Anybody from the general
16 public have any questions, comments on this?

17 (No response.)

18 JOHN ROMANO: Do you have anything
19 you'd like to add to your application at this time?

20 MIKE MAURELLO: Nothing.

21 JOHN ROMANO: Okay. We will take
22 everything under advisement and we'll get back to you
23 on this.

24 MIKE MAURELLO: Thank you.

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1 JOHN ROMANO: Thank you very much.

2 Next on the agenda is Application for
3 2019 renewal of Outdoor Advertising licenses and
4 permits. There is a list of 38 of them, the licensee
5 and the associated permits. Are there any questions,
6 comments on those?

7 (No response.)

8 JOHN ROMANO: Okay. Seeing none. Next
9 is Application for 2018 renewal of unlicensed Outdoor
10 Advertising permits. There are 26 of those, the
11 associated companies with their permits. Any
12 comments, questions, concerns?

13 (No response.)

14 JOHN ROMANO: None. Okay. Next is for
15 the record. Any questions on items listed under for
16 the record?

17 (No response.)

18 JOHN ROMANO: Seeing none. Great.

19 And, lastly, any other public comment
20 related to anything related to Outdoor Advertising? I
21 don't mean anything, Outdoor Advertising.

22 (No response.)

23 JOHN ROMANO: Okay. Seeing none, we
24 are adjourned. Thank you all very much. Merry

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1 Christmas. Happy holidays to everybody. Happy New
2 Year. We'll see you in January.

3 (Whereupon, the proceedings were concluded
4 on December 13, 2018 at 11:48 a.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.