

Office of Outdoor Advertising  
Public Meeting

February 13, 2020

11:00 AM

State Transportation Building

10 Park Plaza

2<sup>nd</sup> 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, everybody.

4 My name is John Romano. I am the Director of Outdoor

5 Advertising for MassDOT. We are here today for the

6 February 13, 2020 hearing for the Office of Outdoor

7 Advertising.

8 The first order of business, on the

9 table to my left is a sign-in sheet. If you didn't

10 sign in on your way in, you can do so before you leave

11 and that will be part of the transcript and record of

12 the hearing.

13 There is also a copy of today's agenda,

14 and also a copy of the regular session minutes from

15 January 9, 2020 if you would like a copy.

16 So, speaking of that, are there any

17 comments, questions, or changes from the January 9<sup>th</sup>

18 public meeting regular session minutes?

19 (No response.)

20 JOHN ROMANO: Seeing none, we will mark

21 those approved.

22 Actually, one other item of

23 housekeeping before I forget. This meeting is

24 accessible to people with disabilities and individuals

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1 with limited English proficiency. If you filed a  
2 request with us for assistive technology, sign  
3 language, alternate format documents, an interpreter,  
4 translated documents, or other such services to be  
5 available here today, please see Lydia -- please raise  
6 your hand -- if you haven't yet received the  
7 assistance you need.

8 It is my understanding that nobody  
9 requested that in advance.

10 We also could have amplification  
11 devices available from Lydia if anybody needs them.  
12 If you need any other similar assistance to  
13 participate today, please let Lydia know and we will  
14 do our best to assist you. Of course, if we know  
15 about it in advance, we will be sure to have it here  
16 when the hearing starts.

17 Thank you very much.

18 The next item on the agenda -- I have  
19 to get used to writing 2020 still -- the first item on  
20 the agenda is HUB Advertising LLC. This is for two  
21 permits, 434-454 Blue Hill Avenue in the City of  
22 Boston, Application 2020001 and 002. They are two  
23 structures -- actually, one structure, two permits,  
24 attached side-by-side facing west.

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1                   The notification from my office was  
2 sent to both the mayor and the city clerk on January  
3 7, 2020.

4                   Is the applicant present?

5                   RICHARD LYNDS: Good morning, Mr.  
6 Director. Attorney Richard Lynds on behalf of HUB  
7 Advertising.

8                   JOHN ROMANO: Thank you, sir.

9                   Is anybody here representing the  
10 municipality where the signs are being proposed?

11                   (No response.)

12                   JOHN ROMANO: No. Are there any  
13 abutters present here today?

14                   (No response.)

15                   JOHN ROMANO: No. Is anyone here from  
16 the MassDOT District Office?

17                   (No response.)

18                   JOHN ROMANO: No. MassDOT Traffic  
19 Operations is not applicable as these are static  
20 permits.

21                   Mr. Lynds, was certified mail notice to  
22 abutters sent out by the Applicant at least 30 days  
23 prior to submitting your application to my office?

24                   RICHARD LYNDS: Yes, Mr. Director.

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1                   JOHN ROMANO: And the letter that was  
2 sent, you did give me a copy and a copy of the post  
3 office receipts. I have those as part of your  
4 package.

5                   RICHARD LYNDS: Yes.

6                   JOHN ROMANO: That's correct?

7                   RICHARD LYNDS: That's correct.

8                   JOHN ROMANO: Thank you, sir.

9                   Have you received any written comments  
10 in support of or opposition to this application?

11                   RICHARD LYNDS: Not that I'm aware.

12                   JOHN ROMANO: Neither have we. We've  
13 received none.

14                   And, special permit or variance, Mr.  
15 Lynds? This is being built on an Alteration Permit  
16 Number 953384, and you have submitted that. That has  
17 been signed off on the application by the City of  
18 Boston, and both of us have had communications with  
19 the City, and that is okay with them, and that is how  
20 we will go forward with that. Is that your  
21 understanding?

22                   RICHARD LYNDS: My understanding is the  
23 board that's being proposed is in compliance, and  
24 there's a building permit that's been duly issued by

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1 the City of Boston for the proposed billboard.

2 JOHN ROMANO: Perfect. That's our  
3 understanding as well, and the City of Boston has  
4 informed me of that. So, thank you.

5 Okay. I'm going to have my field  
6 inspector give his report on this.

7 CHRISTOPHER CHAVES: Thanks, John.

8 As you mentioned, this is a proposed  
9 one structure, two --

10 JOHN ROMANO: I'm sorry, Chris. Just  
11 say your name for the record, please.

12 CHRISTOPHER CHAVES: Oh, Chris Chaves,  
13 C-h-a-v-e-s.

14 And, as you had mentioned, this is a  
15 proposed rooftop sign, one structure, two signs facing  
16 the same direction. There are no spacing issues to  
17 any other permitted signs in the area as well as any  
18 critical areas within 300 feet, parks, recreational  
19 area, conservation land. There are no measurements to  
20 be taken.

21 JOHN ROMANO: So, from a field  
22 perspective, this meets the CMR?

23 CHRISTOPHER CHAVES: It does.

24 JOHN ROMANO: Mr. Lynds, anything you'd

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1 like to add to your application at this time?

2 RICHARD LYNDS: I have nothing further,  
3 Mr. Director. Thank you.

4 JOHN ROMANO: Any comments, questions,  
5 or concerns, from anybody in the audience?

6 (No response.)

7 JOHN ROMANO: Okay. Seeing none, we  
8 will take this under advisement and we will get back  
9 to you.

10 RICHARD LYNDS: Thank you very much.

11 JOHN ROMANO: Thank you.

12 The next item on the agenda -- sorry  
13 about that, just trying to get the paperwork in order  
14 here -- is an application from Cove Outdoor LLC. It  
15 is 0 Finnell Drive, Weymouth, Massachusetts,  
16 Application 2020D004 and D005.

17 Notice was sent on January 10, 2020 to  
18 the mayor and the city clerk by my office.

19 Is the applicant present?

20 EDWARD O'SULLIVAN: Yes, Mr. Director.  
21 Edward O'Sullivan, Cove Outdoor. I'm joined by Peter  
22 McClary as well.

23 JOHN ROMANO: Is anyone here  
24 representing the municipality for where this is being

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1 proposed?

2 (No response.)

3 JOHN ROMANO: Are there any abutters  
4 present today? Okay. So, what I'm going to do is I  
5 will have you speak at this time if you would like.  
6 I'll call you one at a time. You can just, you know,  
7 be in your seat. You can stand up if you'd like.  
8 Just please state your name clearly. If you think you  
9 need a spelling for clarity for the transcriber, that  
10 would be great. Okay? So, we'll just go in order  
11 from the front. If there's anything you want to  
12 submit to be part of the transcript, you can do that  
13 as well.

14 So, we'll start with you, ma'am.

15 LAURIE ANN YERSLEY-DROGIN: Thank you.  
16 Laurie Ann Yersley-Drogin. It's written over there.  
17 It's probably easier for you to do it that way than  
18 for me to spell the whole thing.

19 The Wetlands Protection Act protects  
20 not only the wetlands, but the land subject to  
21 flooding around those wetlands. Forty percent at  
22 least of the land in question where the billboard  
23 would go is wetlands. The law regulates vegetation  
24 removal, regarding, and any construction within 100



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1 feet of the wetlands.

2 Entire states are taking measures to  
3 protect the environment. In New Jersey, in fact, any  
4 build at all has to pass an environmental test before  
5 approve, at all, even if I put a porch on the back of  
6 my house.

7 We've all borne witness to things that  
8 happened in Australia. The preservation of  
9 environment and wildlife is a significant issue in our  
10 world on any scale, even on this small scale. The  
11 woods in question are habitat for deer, birds of prey,  
12 squirrels, coyotes, the occasional fox, frogs,  
13 turkeys, rabbits, chipmunks, various birds, including  
14 corvids.

15 The land is prone to light flooding.  
16 And since the construction of a swimming pool in the  
17 neighborhood outside the protected area, homes on my  
18 street, which abuts the land, have experienced  
19 basement flooding. The house directly next door to me  
20 now has a regularly wet basement. That was not the  
21 case before the building of a simple swimming pool.

22 People in the neighborhood use well  
23 water. What would any construction do to the water in  
24 these people's wells?

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1           When I bought my house, which abuts to  
2           the property now owned by Mr. Bristol, I was told that  
3           no build would ever take place because the land was  
4           protected wetlands. Any construction would be  
5           disruptive to an ecosystem that is already fragile.

6           That said, I recognize the nature of  
7           business. If we are assured that a billboard will not  
8           disrupt the fragile ecosystem of the woods, and this  
9           includes the access to the billboard, power provision,  
10          and the actual structure, I would go along with it on  
11          the condition that the remainder of the property be  
12          put in the hands of the Town of Weymouth to be  
13          designated open space in perpetuity. In 2019, the  
14          neighborhood was assured that such a deal was in  
15          place. Had it not been, there would be no talk of  
16          billboards right now.

17          If we have a signed agreement in place,  
18          and if the ecosystem is shown to be able to sustain  
19          the construction of a billboard along the highway, I  
20          will not fight the billboard. But I want a good  
21          ecosystem study done to make sure that the billboard  
22          itself won't disrupt the ecosystem.

23          The Wetlands Protection Act protects  
24          not only the wetlands, but it covers the gradation.

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1 The gradation will change with any construction at  
2 all, including that of a billboard.

3 Thank you.

4 JOHN ROMANO: Thank you.

5 Next?

6 GARRETT MACDOUGALL: Garrett

7 MacDougall, M-a-c-D-o-u-g-a-l-l.

8 So, this is a -- Laurie's point about  
9 the environment is very important I think. I'm going  
10 to focus on what this does to impact the neighborhoods  
11 and all the residents in that area.

12 First, back up a little bit. There's  
13 two permit -- there's two billboards with two facings  
14 each permitted on 611 and 613. One of them has been  
15 stopped because there's been so much outcry by the  
16 neighborhood because it absolutely lit up the South  
17 Weymouth area with these two billboards. So, you've  
18 got Century Road people complaining about coming home  
19 at night and, all of a sudden, seeing a 40-foot LCD  
20 panel in their window. So, that's probably number  
21 one. The Town tried to mitigate this with Cove.  
22 They've been going back and forth. And the residents  
23 are basically taking the brunt of this because what  
24 the decision is to be done here is to move one of the

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1 billboards, because if they light up another one it's  
2 going to be just as bad for the Century Road people,  
3 and they're going to move it over to Finnell Drive,  
4 which is in my neighborhood, which is going to light  
5 up another neighborhood. Okay?

6 Here's the problem with this whole  
7 plan. It's garbage. Because here's the problem. If  
8 you look at the pictures, there's too many residences  
9 on these roads. Billboards are fine in places that  
10 aren't impacting residents. These people bought their  
11 homes, they bought their property, without billboards,  
12 40, 50, 60 years ago, even five years ago. All of a  
13 sudden, now they come home from work at night and  
14 they've got a billboard lighting up their house.  
15 That's problem number one. The Town's tried to solve  
16 the problem with Cove. They've been going back and  
17 forth. And now the problem is going to be solved by  
18 lighting up another neighborhood and permitting this  
19 one on a piece of property owned by the same people  
20 that own the property on Pleasant Street, the Bristol  
21 family.

22 And, look it, what's really important  
23 here is quality of life. If you bought your home in  
24 Weymouth, and all of a sudden you come home at night

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1 and you've got a 50-foot LCD panel lighting up your  
2 house, that's not what you signed up for. That's not  
3 what you bought your house for. You're changing the  
4 scope, the ergonomics, and the whole part of people's  
5 lifestyles in the Town of Weymouth.

6 And it's predatory. This is all for  
7 revenue. This is all for money. And I get that. And  
8 I understand completely that this is about spinning  
9 ads and making money and the Town is going to share  
10 some revenue. But they're trying to fix the problem  
11 by moving the problem. You move the problem over to  
12 Finnell Drive. You can look at that picture. There's  
13 Tirrell across the street that's going to get lit  
14 right up. Do we want that? Hell, no. We don't want  
15 that.

16 So, what's going to happen here is  
17 you're going to have this billboard is going to go up  
18 and people are going to start complaining again. And  
19 then they're going to have to dim it. Then they're  
20 going to try to put light-blocking technology. By the  
21 way, nobody can show us light-blocking technology in  
22 Massachusetts that works. We've been asking for it.  
23 Nobody's been able to show that. Okay?

24 If you look at the plans that went down

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1 and how the due diligence was done on this process, it  
2 was done by the billboard company. There was no third  
3 party coming in here and showing us that this is going  
4 to affect this neighborhood, here's the outlying  
5 neighborhoods that are going to be applied to it. No.  
6 This company came in roughshod, put a billboard up,  
7 and basically ruined people's homes because now you've  
8 got people wanting to sell their homes because they're  
9 looking at a billboard across the street that's  
10 essentially now their view. Right? It would be great  
11 if they showed the Patriots on Sunday. It would be  
12 fantastic. But they're not. They're showing ads for  
13 Davios. Who wants to see that, right? I mean let's  
14 be honest here.

15 So, I'm totally against this. This is  
16 my neighborhood now. Now the problem's been moved.  
17 You're going to accept another permit to fix the other  
18 problem? No, that doesn't happen. That's not  
19 supposed to happen. That's why we're here today.

20 That's all I'll say.

21 JOHN ROMANO: Thank you, sir.

22 KATHY SWAIN: Kathy Swain, S-w-a-i-n.

23 Mr. Romano, I sent you a packet that  
24 you've got.

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1 JOHN ROMANO: We got that.

2 KATHY SWAIN: And the first thing --  
3 one of the first things in the packet that I sent you  
4 was the current push on distracted driving. The state  
5 has just adopted laws because we realize it's a  
6 problem. And, right here on this, it says billboards  
7 is one thing that distracts drivers. Studies show  
8 that taking your eye off the road for two seconds, you  
9 can put yourself at risk of an accident.

10 The location of this billboard is very  
11 close to an off-ramp and an on-ramp.

12 GARRETT MACDOUGALL: Right on the on-  
13 ramp.

14 KATHY SWAIN: That billboard, that  
15 area, I've also included statistics from MassDOT over  
16 the past three years that there's been a total of 74  
17 accidents just in that one area. So, if the state is  
18 serious about combating distracted driving, then this  
19 location is not the location for a billboard. If the  
20 state puts safety first, 613 is a better location.

21 I know you've been in contact with our  
22 mayor. And I know that he's given you facts of what  
23 he feels why Finnell is a better location. I also  
24 sent you both maps of 613 and Finnell. And if you

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1 look at the number of homes in Finnell in the direct  
2 viewing area, it will have more impact there, not less  
3 impact. So, the fact that you're being told that  
4 Finnell will have less impact is not really true.

5 Now, we were told back I think in  
6 October, the meeting with Cove LLC, that they were  
7 willing to put up a crane with a ball 50 feet in the  
8 air and one down at 613 so we could actually evaluate  
9 who would see these billboards and from what, you  
10 know, what location, because when Century Road  
11 happened, it was the topography of the area that  
12 caused the problem. Well, this area, too, everything  
13 goes up from there. So, the topography is another  
14 issue.

15 The land. We have heard since 2017  
16 about this land deal that we've never seen. It's not  
17 in writing. And whether the mayor says he has a deal,  
18 he might have. We don't know what Jimmy Bristol  
19 thinks, the owner of the land. And any agreement for  
20 land needs to be in writing, otherwise, it's not a  
21 valid agreement. So, we're opposing it on that basis,  
22 also, that there is no agreement. And so you give the  
23 permit, you're giving him, Jimmy Bristol, the right to  
24 develop the land and have his billboard and we have no



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1 recourse because now we know, once this permit  
2 happens, it's not going away.

3 And then, one thing that really  
4 bothered us is in November 12, 2019, at a meeting in  
5 the Town Council chambers, resident Bob Delaney  
6 questioned the Finnell site would be given as an  
7 alternative to us. We were being shown these  
8 diagrams, and Finnell was the alternative. And he  
9 said, "How can that be if it requires an exemption  
10 from the state and a state hearing hasn't occurred  
11 yet?"

12 And if you look at that map of that  
13 area, that's not a commercial corridor. That's not  
14 where billboards go. That is trees and residential  
15 homes. Unfortunately, 613 is an industrial park that  
16 the permit doesn't need that waiver, unfortunately for  
17 the neighbors down there.

18 What happened was the town solicitor  
19 responded, and this was his response, and this is a  
20 quote, "The mayor, Christine, and I, in conversations  
21 with MassDOT and the governor's office, have been  
22 assured that a waiver would be granted if applied  
23 for." That is what we spent the whole summer doing.

24 So, if you look at the Mass. General

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1 Laws on Chapter 268A, Section 2, "...offers or  
2 promises to influence official acts."

3 Section 2(a): "Whoever, directly or  
4 indirectly, corrupts, gives, or offers or promises  
5 anything of value to any state, county or municipal  
6 employee." So, we were told that this was assured  
7 when we're here today. So my question is why are we  
8 here today? What's the reason for that?

9 Our mayor, with the stroke of a pen,  
10 signed off on an application for two two-faced  
11 billboards. Even though it's permissible for a town  
12 to add their own regulations and restrictions, none  
13 were added. There was no impact study done to  
14 determine a location of least impact. There was no  
15 discussion with town counsel with any of the process.  
16 There was no thought given to the fact that locating  
17 two billboards a thousand feet away could impact the  
18 same neighborhoods. But now this becomes our problem  
19 because they didn't think of it.

20 The first billboard was built and it  
21 was turned on, like Gary said. The administration and  
22 the neighborhood were both in shock. What a mistake.  
23 The residents wanted to take -- make this mistake  
24 corrected. But here's the reality of this situation.

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1 The rules and regulations of 700 CMR are not for the  
2 control and restriction of billboards. They are  
3 written to allow the billboard industry to control and  
4 restrict the public response.

5 Today, right here, a hearing, 11:00  
6 a.m. in Boston. How do people get here? How do  
7 elderly neighbors get here? Someone has to take a  
8 vacation day. People have children. So, right now,  
9 we're going to score one for the billboard industry  
10 and zero for the public.

11 In the 16 pages of regulations in 700  
12 CMR, the words "revoke" and "not renew" are written 29  
13 times. The current Director has never revoked or not  
14 renewed a permit. It is an illusion that this process  
15 even exists. The minute the billboard at 611 was  
16 operational, regulations had no meaning, such as 700  
17 CMR 3.03: "Any action relating to signs or outdoor  
18 advertising that adversely impacts the public health,  
19 safety, welfare, or environment."

20 Or, or 700 3.07(4): "No permit shall  
21 be granted for a sign which the Director determines  
22 would not be in harmony with or suitable for the  
23 surrounding area or would do significant damage to the  
24 visual environment." I can show you a picture of a

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1 resident's house on Century Road that billboard is  
2 hanging over and it looks like a UFO is landing on  
3 their house.

4                   The state requirements for notification  
5 to abutters is inadequate. I called and spoke with  
6 Mr. Romano about my concern, the lack of notification  
7 for 611 Pleasant Street. His response was it was up  
8 to the municipality to inform residents. However, our  
9 mayor, just quoted in the paper, "The Town has no  
10 control over wording of the notification." The state  
11 says it's responsible -- it's the responsibility of  
12 the Town, and the mayor of the Town says they have no  
13 control over the notification. The state should not  
14 just rely on a municipality who has no prior  
15 experience with the billboard permitting process.  
16 There is no reason the state could not require  
17 notification processes that make the location and  
18 implications of the billboards transparent to the  
19 residents that may be affected. And they've done the  
20 same thing at Finnell.

21                   These people here, a lot of these  
22 people still have no idea a billboard is coming. They  
23 just yesterday put the map on the *Weymouth News* if  
24 people get the newspaper. But there's nothing on the

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1 Town website that tells them. There's no way for them  
2 to get any information. And the notice that they sent  
3 out by Cove actually said, "You don't need to respond  
4 to this letter." So, they will not be revoked and  
5 they are always renewed.

6 Many of the people negatively affected  
7 by the billboard at 611 were unaware of that billboard  
8 even being built until it was constructed. So now  
9 it's billboard industry two, public zero.

10 Last year, the billboard industry made  
11 \$8.5 billion. Profits generated by billboard  
12 companies can reach up to 50 percent before  
13 depreciation and taxes. It could be considered an  
14 easier way to make quick money.

15 Federal law exists that requires  
16 governments, entities, to pay permit holders and  
17 landowners for the removal of lawfully permitted  
18 billboards. And this is why, this is the exact reason  
19 why a permit is never revoked or not renewed. The  
20 estimate to remove or revoke the permit at 611 came in  
21 at \$13.8 million for the Town of Weymouth, 13.8. One  
22 guy with the stroke of a pen makes a bad decision and  
23 we have to pay \$13.8 million, which we cannot do.

24 700 CMR 3.09, License and Permit

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1 Revocation. "If it is determined that a permit has  
2 been issued in error," and the houses were lit up.  
3 And they even admit they didn't realize it would  
4 bother the area, the permit may be revoked. So, you  
5 have that in your laws. It may be revoked. But you  
6 would have to enter into a settlement agreement with  
7 the permit holder. The state's not going to pay \$13.8  
8 million. All right? And the Town can't afford it.  
9 Now we're at billboard industry three, public zero.

10 Mistakes can be made. Mistakes can be  
11 corrected. In professional sports, they use instant  
12 replay because the most important thing is to get the  
13 call right so the game is fair. This is not the case  
14 when you are on the court with the billboard industry.  
15 There is nothing fair about this entire process.

16 The preamble of the Massachusetts state  
17 constitution: "The end of the institution,  
18 maintenance, and administration of government, is to  
19 secure the existence of the body politic, to protect  
20 it, and to furnish the individuals who compose it with  
21 the power of enjoying in safety and tranquility their  
22 natural rights, and the blessings of life: and  
23 whenever these great objects are not obtained, the  
24 people have a right to alter the government, and to

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1 take measures necessary for their safety, prosperity  
2 and happiness."

3 The people have the right to alter the  
4 government, to take measures for their safety,  
5 prosperity, and happiness. These regulations, both  
6 federal and state, need to change to protect the  
7 people, not the billboard industry. We're just asking  
8 for a fair playing field.

9 Thank you.

10 JOHN ROMANO: Thank you. Are there  
11 other abutters that would like to speak?

12 Yes, sir. Please state your name.

13 DAVID LARSSON: David Larsson, L-a-r-s-  
14 s-o-n.

15 I'm here just to basically support the  
16 previous speakers. I live on Belmont Street, which is  
17 part of the abutting area. I will not be impacted,  
18 but I have neighbors further down the road near the  
19 highway that will as well as my fellow Weymouth  
20 citizens across the way.

21 As you can see and they're reinforced,  
22 this is not a commercial area. And to put up  
23 something that requires two exceptions to be made  
24 should make you think about really is this the correct

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1 place to do this. There is no commercial at all in  
2 the woods, other than a few birds and kids hanging out  
3 periodic. There are some -- a couple of stores up the  
4 street, but this is primarily a residential area.

5 The other issue is to support Kathy.  
6 With those 74 accidents over three years, that area  
7 itself is not a very safe area. Now when you put up a  
8 50-foot glaring ball of light with words on it, I  
9 don't see how that's going to improve the safety  
10 there. And with both an on- and off-ramp within that  
11 area, I don't know how that's going to improve the  
12 safety in that area at all.

13 And, thirdly, out of the blue, these  
14 street areas are all owned by the same company, all  
15 having to do with having to reconstruct the area in  
16 order to make it happen, suggests to me even, and to a  
17 few other people, it just doesn't smell right.

18 I was a Weymouth citizen for, you know,  
19 going on 40 years. We haven't experienced this  
20 before. We were waylaid a little bit in regards to  
21 the overlay. We're trying to fix that now and make  
22 that right. And putting this at Finnell Drive is not  
23 the way to do it.

24 JOHN ROMANO: Thank you, sir.



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1 Any other abutters?

2 (No response.)

3 JOHN ROMANO: Okay. Is anyone present  
4 from the MassHighway -- MassDOT District Highway  
5 Office?

6 (No response.)

7 JOHN ROMANO: No. Anyone present from  
8 MassDOT Traffic Operations?

9 (No response.)

10 JOHN ROMANO: So, while this is a  
11 digital billboard, MassDOT State Traffic Engineer's  
12 Office is required to review all digital applications.  
13 They did review this one, as they do against their  
14 criteria, and I will read the memo into the record  
15 from Neil Boudreau, who is the Assistant Administrator  
16 of Traffic and Safety Engineering.

17 "The Traffic and Safety Engineering  
18 section has completed its review of the proposed  
19 digital board locations. The purpose of this review  
20 was to identify the locations where the billboards may  
21 distract driver attention away from either adjacent  
22 traffic signs and signals or other roadway features.

23 We emphasize that none of the proposed  
24 billboard locations will directly block a driver's

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1 view from any traffic control devices such as signs  
2 and signals, or from viewing the roadway alignment or  
3 other features such as exit and entrance ramps.  
4 Nevertheless, we point out that every proposed  
5 display, regardless of location, has at least some  
6 potential to distract drivers from traffic control  
7 devices and/or the roadway itself. Our observations  
8 are as follows."

9 And this is forth both -- actually,  
10 I'll read them separately.

11 So, Permit Number 2020D004: "The  
12 proposed construction of the new structure for this  
13 DAB would be to the west side of Route 3, facing Route  
14 3 southbound traffic. This section of highway has a  
15 relatively straight alignment with Route 3 southbound  
16 off-ramp to Route 18. There will be minimum  
17 interference as drivers have approximately 750 feet to  
18 exit Route 3 southbound to the physical core. Based  
19 on these observations, it is our judgment that a  
20 detailed traffic study of this location will not be  
21 required."

22 Permit Number D2020D005: "The proposed  
23 construction of the new structure for this DAB will be  
24 to the west side of Route 3, facing Route 3 northbound

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1 from Route 18. This section of highway has a  
2 relatively straight alignment with Route 3 northbound  
3 on-ramp traffic. There will be minimum interference  
4 as drivers have approximately 825 feet to enter Route  
5 3 northbound from the Front Street overpass. Based on  
6 these observations, it is our judgment that a detailed  
7 traffic study of this location will not be required."

8 So, no further traffic study is  
9 required for these two boards should they be approved.

10 Next, Mr. O'Sullivan, was certified  
11 mail notice went to abutters by your office at least  
12 30 days prior to your submitting your application to  
13 my office?

14 EDWARD O'SULLIVAN: Yes, it was, Mr.  
15 Director.

16 JOHN ROMANO: And I do have a copy of  
17 the letter, and I do have a copy of the post office  
18 receipts. You did submit that with your application.

19 EDWARD O'SULLIVAN: Yes, sir.

20 JOHN ROMANO: Thank you.

21 Have you received any written comments  
22 in support or opposition of your application?

23 EDWARD O'SULLIVAN: No, I have not.

24 JOHN ROMANO: Okay. Just for the

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1 record, I have about 16 or 17 emails and/or letters,  
2 and they will be submitted as part of the transcript,  
3 so they will become part of the transcript for the  
4 hearing. We'll make sure that Dave has these. What  
5 we do is at the end, we take any of these, the sign-in  
6 sheet, etc., and we email them all and they will  
7 become part of the transcript records so people will  
8 have them. So, I have -- we've been keeping track of  
9 these. And, as I said, I think it's up to about 17,  
10 16, roughly. And if we get any after the hearing, we  
11 will include those as well.

12 Okay. And, special permit or variance,  
13 the mayor has signed off the app -- both applications  
14 as in conformity with municipal bylaws. Is that your  
15 understanding, Mr. O'Sullivan?

16 EDWARD O'SULLIVAN: Yes, it is.

17 JOHN ROMANO: Yeah, and that's what we  
18 have here in the application that was filed.

19 With that, I am going to ask my  
20 inspector -- Marc, please identify yourself for the  
21 record -- to give his field report.

22 MARC PLANTE: Thank you, John.

23 Marc Plante, OOA inspector, field  
24 inspector.

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1                   This is an application for a proposed  
2 digital monopole billboard in the Town of Weymouth,  
3 facing Route 3. One side will be to the north, facing  
4 north. The other side will be facing south.

5                   There is no spacing issue at all with  
6 any other signs in the area. There's no park,  
7 playground, or recreational areas within 300 feet.  
8 There are not two businesses within 500 feet of this  
9 location. The proposed location does not meet 700 CMR  
10 3.07 business requirement. It meets all other state  
11 and federal field criteria.

12                   JOHN ROMANO: Thank you for your  
13 report, Marc.

14                   MARC PLANTE: Thank you.

15                   JOHN ROMANO: Mr. O'Sullivan, based on  
16 that field report, I do have a written request from  
17 you, and I will read it.

18                   "The Town of Weymouth has asked us to  
19 seek a waiver," technically, it's an exemption; there  
20 are no waivers, "from the two business requirement in  
21 700 CMR 3.0 for the current application for 0 Finnell  
22 Drive. We have agreed. As part of that, we will  
23 return two of the following permit numbers: 2018009  
24 and..." -- 2018 -- excuse me, "...008 and 9,

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1 simultaneously, if the waiver and permits are granted.  
2 This is a substantial public benefit from granting  
3 these exemptions and significant public loss if not  
4 granted. Please see the attached letter of support  
5 from the Town of Weymouth."

6 Signed by Ed O'Sullivan, Cove Outdoor.

7 So, you're seeking an exemption from  
8 the CMR for the two business requirement.

9 EDWARD O'SULLIVAN: We are.

10 JOHN ROMANO: Just so people are aware,  
11 that exemption is under review and has not been  
12 granted at this time.

13 Also, we have, as you know from reading  
14 the CMR -- you all seem to be familiar with it --  
15 there is a requirement -- one of the requirements for  
16 me to review in assessing the exemption is support  
17 from the Town. And I do have a letter of support from  
18 the Mayor of Weymouth for the exemption. So, I am  
19 going to read that into the record.

20 "Dear Mr. Romano," this is dated  
21 December 2, 2019. Again, this will be made part of  
22 the record, just like all of the comments that were  
23 submitted to us. The whole application, actually,  
24 becomes part of that.

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1                    "I am writing regarding Cove Outdoor,  
2                    LLC's application for an electronic sign permit at  
3                    Finnell Drive in Weymouth and to express my full  
4                    support of this application. The Town of Weymouth has  
5                    been working diligently to improve the aesthetics of  
6                    Route 3A in response to resident feedback and the need  
7                    to revitalize the corridor. In addition, the Town has  
8                    undergone initiatives to improve the availability and  
9                    accessibility of the public parks in the community.  
10                    By approving this application for a digital billboard  
11                    to be located on the Finnell Drive site as indicated  
12                    in the applicant's proposal, the Town will be able to  
13                    achieve these goals.

14                    The existing static billboards that are  
15                    to be removed are allowable under pre-existing zoning  
16                    and are permissible uses on the private land along  
17                    Route 3A. The Town does not have authority to remove  
18                    the existing boards, and they can remain in perpetuity  
19                    unless the owner agrees to remove them. Because of  
20                    this, the Town has been working with the owners and  
21                    Cove Outdoor, LLC to remove the boards and complete  
22                    the beautification of Route 3A. To accomplish the  
23                    removal of the 3A billboards, the Town designated  
24                    specific locations through the zoning bylaw that would

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1 allow for the construction of up to three billboards.  
2 The Town approved two new, digital boards for a total  
3 of up to four faces to be constructed under this  
4 bylaw. The first of the two permitted billboards,  
5 located northbound on Route 3, has been legally  
6 permitted and constructed in accordance with the  
7 MassDOT Office of Outdoor Advertising and Signage.  
8 This application would allow for the construction of a  
9 third billboard within the approved, zoned district  
10 off of Finnell Drive. This application would include  
11 the exchange of permits already issued by MassDOT so  
12 that only four billboard faces would be permitted.

13 The billboard proposed in this  
14 application meets all the requirements for the permit  
15 with the exception of the requirement under 700 CMR  
16 3.07(3) that there are at least two business  
17 activities within 500 feet of the proposed sign  
18 location. Despite this, the Town feels that the  
19 construction of this billboard would result in many  
20 positive benefits for Weymouth and is a unique  
21 situation that would warrant the granting of a waiver  
22 for this provision.

23 In addition to the removal of the  
24 static Route 3A billboards, the permitting of this



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1 billboard would achieve several other goals of the  
2 Town that would benefit the residents. The site is  
3 currently zoned Light Industrial and has an existing  
4 static sign board on site. The construction of the  
5 new digital board would facilitate the removal of the  
6 old board. In addition, this proposal would allow the  
7 Town to purchase and preserve an approximately 40-acre  
8 parcel of land for municipal use and the potential  
9 expansion of the Town's Gagnon Park." I hope I  
10 pronounced that right. "The Town also would receive  
11 revenue from the advertisements and be able to  
12 appropriate that to purchase the adjoining open space  
13 and allocate to other municipal projects.

14 Cove Outdoor, LLC has been extremely  
15 cooperative with the Town of Weymouth in our efforts  
16 to secure benefits for the residents and Town through  
17 the beautification of Route 3A, the removal of static  
18 billboard faces, and acquisition of open space. The  
19 granting of this application will enable the Town to  
20 achieve these goals and, therefore, we offer our  
21 support and hope you will consider this application  
22 and subsequent waiver request."

23 And it's signed by Robert L. Hedlund,  
24 Mayor of Weymouth.

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1                   That will be submitted as part of the  
2 record as well.

3                   One other thing I just also want to add  
4 is that Cove Outdoor did submit a surrender request  
5 for the two permits at 613 Pleasant Street that would  
6 go into effect should the permits for 0 Finnell Drive  
7 be accepted.

8                   So, I just want to make sure that I  
9 have all of that.

10                  At this time, Mr. O'Sullivan, is there  
11 anything you would like to add to your application?

12                  EDWARD O'SULLIVAN: No, none, Mr.  
13 Director. Thank you.

14                  JOHN ROMANO: Thank you.

15                  Okay. Is there anybody else who would  
16 like to say anything in regards to this application  
17 from the public?

18                  (No response.)

19                  JOHN ROMANO: Okay. Seeing none, this  
20 will be all taken under advisement, including the  
21 request for the exemption, and we will get back to  
22 you, Mr. O'Sullivan, on our determination.

23                  Thank you all very much.

24                  Okay. Continuing on with the hearing,

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1 Item C, application for 2020 renewal of Outdoor  
2 Advertising License and Permits. There is a list of  
3 several. Any questions, comments, or concerns on  
4 those requests for renewal?

5 (No response.)

6 JOHN ROMANO: Okay. And then, lastly,  
7 second last, for the record, actions taken since the  
8 last public hearing. Any questions on those?

9 (No response.)

10 JOHN ROMANO: None. Okay.

11 Public comment. Any last public  
12 comment before we close?

13 (No response.)

14 JOHN ROMANO: Okay. Seeing none, we  
15 are adjourned. Thank you all very much.

16 (Whereupon, the proceedings were  
17 concluded on February 13, 2020 at 11:42 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.

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