

Office of Outdoor Advertising
Public Meeting

May 13, 2021

11:00 AM

State Transportation Building

10 Park Plaza

2nd Floor

Boston, MA 02116

(via Webinar)

Present:

John Romano, Executive Director

Office of Outdoor Advertising, May 13, 2021

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 for the May 13th
6 Office of Outdoor Advertising hearing.

7 This meeting is being held virtually by
8 Governor's Executive Order. Due to the ongoing COVID-
9 19 pandemic, we cannot meet in person, so we are doing
10 this virtually.

11 We are running this hearing by
12 GoToWebinar.

13 Please note that this meeting is being
14 recorded by our stenographer who is in attendance. He
15 will provide a transcript of the meeting as always,
16 and it will be posted to our web page once the meeting
17 notes are approved at the next meeting and they are
18 ready for posting.

19 This meeting is accessible to people
20 with disabilities and individuals with limited English
21 proficiency. If you filed a request for assistance
22 and did not receive it, please contact MassDOT's
23 Office of Diversity and Civil Rights at 857-368-8580
24 or massdot.civilrights@dot.state.ma.us.

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1 Please note that accessible versions of
2 the meeting materials have been previously posted to
3 the OOA website and will be referred to in the
4 meeting. The links for those documents are also in
5 the chat box, and the materials should also be
6 available to download through GoToWebinar.

7 We are going to run this meeting as
8 close to our regular Outdoor Advertising hearings'
9 procedures as we can. I will go through the agenda.
10 While the sign-in sheet cannot be physically signed,
11 we have a list of those who signed up for the webinar
12 and those who are in attendance.

13 On the screen, we will post the agenda.
14 Gerry, it's in the chat box, but if you
15 can post the agenda up on the screen now.

16 GERARD KELLEHER: Okay.

17 JOHN ROMANO: What we will do is we
18 will go through each item. I will ask questions of
19 the proponents, just like I do in the hearing when we
20 have it at the office in-person at 10 Park Plaza.

21 Just so you know, everybody in the
22 public is currently muted. In about two minutes, the
23 organizer is going to unmute everyone, and you should
24 mute yourself at that time. Should the organizer, who

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1 is Gerry Kelleher from MassDOT, hear excessive
2 background noise, he will mute people individually or
3 the whole group if needed.

4 If you would like to speak when public
5 comment is requested, you can unmute yourself at that
6 time. If you have any trouble unmuting yourself to
7 make a comment, you can use the "Raise Hand" function
8 in GoToWebinar in order to indicate you would like to
9 make a comment. To raise your hand in GoToWebinar,
10 click the hand icon in the control panel. If you are
11 connected by phone to the audio, you can press *9 to
12 raise your hand. On the phone, you can also press *1
13 to play the features menu and *2 to mute or unmute the
14 audio.

15 You can also post your comment or
16 question in the chat box.

17 You will have a chance to make comments
18 just like you do in the regular public hearing at the
19 end of each item and then a final chance for overall
20 comments at the end of the agenda.

21 For anybody who is new to the Outdoor
22 Advertising hearings, we do not make any decisions at
23 the actual hearing. Each item is taken under
24 advisement and decisions are made usually within a few

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1 weeks, sometimes as early as a week, but we will give
2 time for write-in comments to our email address, which
3 is OOAInformation@dot.state.ma.us.

4 You can send comments in writing there
5 as well.

6 With that, Gerry, if you could unmute
7 everybody, we will start. Just remember to mute
8 yourselves.

9 (Participants unmuted.)

10 GERARD KELLEHER: Can you see the
11 agenda?

12 JOHN ROMANO: Yes, I can. Oh, now it
13 went away.

14 GERARD KELLEHER: Okay.

15 JOHN ROMANO: If you can put it back
16 and go to page two, Gerry, that would be great.

17 Okay. I see it now.

18 GERARD KELLEHER: Okay.

19 JOHN ROMANO: If you could go to page
20 two.

21 We did call to order, sign in.

22 Minutes Approval: The April 8, 2001
23 (sic) public hearing regular session meeting minutes.

24 Are there any comments, questions, on

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1 the April 8, 2001 (sic) minutes?

2 (No response.)

3 JOHN ROMANO: I do not see any hands
4 raised and I'm not seeing any questions.

5 Gerry, do you see anything, hands?

6 GERARD KELLEHER: No questions.

7 JOHN ROMANO: Okay. With that, we will
8 mark those approved.

9 Okay. The first item up on the agenda
10 is an application for a new licenses: Rocco Realty
11 II, LLC, 9 Harding Street, Lakeville, MA.

12 Is there anybody here from Rocco
13 Realty? You can unmute yourself.

14 (No response.)

15 JOHN ROMANO: I am not hearing anybody.
16 That's okay.

17 They did submit all of their
18 appropriate paperwork. We do have their W-9
19 certificate. We also have their Certificate of Good
20 Standing and/or Tax Compliance from the Department of
21 Revenue. They did complete their -- send in the
22 appropriate fee amount. And there are no issues
23 related to the submission.

24 Does anybody have any comments or

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1 questions on this application?

2 GERARD KELLEHER: I don't see anything.

3 JOHN ROMANO: I'm not seeing anything.

4 (No response.)

5 JOHN ROMANO: With that, I will take
6 this application under advisement and we will get back
7 to them.

8 Okay. Next up on the list is -- we
9 have an application for transfer of permits from
10 Bristol Place Ltd. Partnership to Bristol Place
11 Investments LP. These are for four existing permits:
12 Permit 80268, 80269, 80270, and 80271. They're all in
13 Attleboro. There are no changes to these signs. This
14 is just a change in the ownership of the signs. It's
15 a transfer of the permits from the existing owner to
16 the new owner.

17 I believe Marc Plante, Marc, you were
18 the inspector for these?

19 MARC PLANTE: Yes, sir. Yes.

20 JOHN ROMANO: I know, as I said, these
21 are existing signs. I know you went out and did, you
22 know, an inspection for these. Did you find any
23 changes or anything to the signs?

24 MARC PLANTE: No, the signs are

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1 conforming. There's one monopole with two permits on
2 268-269, and the other two -- and that is located at
3 the top of Collins Street and Route 1A -- and the
4 other two are down abutting MBTA property. And the
5 permit numbers are displayed properly. The company
6 names are on them. And they're conforming. So, the
7 signs are fine.

8 JOHN ROMANO: Sorry. I should have
9 sent back. Is there anybody here from either the
10 transferor or the transferee in attendance today?

11 (No response.)

12 JOHN ROMANO: Okay. I'm not hearing
13 anybody.

14 Everything seems to be in order. We
15 will take this transfer under advisement.

16 Are there any comments -- I'm sorry.
17 First, before I go to that, any comments?

18 (No response.)

19 JOHN ROMANO: I don't see any.

20 Gerry, do you see any?

21 GERARD KELLEHER: No, sir.

22 JOHN ROMANO: Okay. Great. We'll take
23 that one under advisement as well.

24 Next up on the docket is also another

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1 transfer. This is Permit Numbers 2020D001 and D002.
2 This is a transfer between American Outdoor
3 Advertising Company to Outfront Media, LLC. They're
4 at 150 Royall Street, Canton.

5 Is anybody here from American Outdoor
6 Advertising and/or Outfront, LLC?

7 STEPHEN ROSS: Stephen Ross, here,
8 representing American Outdoor Advertising.

9 JOHN ROMANO: Thank you for coming, Mr.
10 Ross.

11 We have all of the paperwork is
12 appropriately submitted.

13 And I think, Chris, were you the
14 inspector on these signs, or was that Marc?

15 CHRISTOPHER CHAVES: Yes, it was me.
16 We recently went out there for an amendment inspection
17 as well. But these signs have not been built as of
18 yet. And there's no issue with this location.

19 JOHN ROMANO: Okay. That is correct.

20 STEPHEN ROSS: Excuse me.

21 JOHN ROMANO: These are yet-to-be-built
22 signs.

23 STEPHEN ROSS: Excuse me, Mr. Romano,
24 Director Romano.

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1 JOHN ROMANO: Yes.

2 STEPHEN ROSS: I think this is for the
3 Canton permits, not the ones on next month's agenda.
4 So, the Canton permits, the structure has been built.
5 It's at the intersection of I-95 and I-93.

6 JOHN ROMANO: Yes. Yes, you are
7 correct. I'm sorry. I'm confused. I confused them
8 with the other ones. That's right. I apologize for
9 that, Mr. Ross. Those are the other location.

10 And, Chris, I believe there's no issue
11 with this location, is that correct?

12 CHRISTOPHER CHAVES: There isn't. Like
13 I said, we went out there to do an amendment
14 inspection recently to approve moving the sign prior
15 to it being built. But now it's my understanding it
16 has been built, so I have to go do a new build
17 inspection on that.

18 JOHN ROMANO: Okay. Great.

19 Mr. Ross, anything else you'd like to
20 add to the application for transfer?

21 STEPHEN ROSS: No, sir.

22 JOHN ROMANO: Okay. Great. Thank you.
23 Sorry about that mix-up.

24 Does anybody have any questions,

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1 comments?

2 (No response.)

3 JOHN ROMANO: Seeing none.

4 Okay. We will take this under
5 advisement and get back to you on that transfer.

6 Thank you, Mr. Ross.

7 STEPHEN ROSS: Thank you, sir.

8 JOHN ROMANO: Okay. Next up on the
9 agenda, this is an application from -- an application
10 for -- this is for a new permit, a license permit,
11 Entertainment Cinemas Leominster, LLC. These are for
12 Permit Number -- Application Numbers 2021003 and 004.
13 These are previously unlicensed Permits 33708 and
14 33708A. So this is a previously unlicensed sign that
15 now -- and it was for the existing movie theater and
16 is not looking to be a licensed static sign.

17 Notification was provided to the
18 municipality, to the city clerk and also to the mayor,
19 on April 6, 2021 by my office.

20 Is the applicant present?

21 ROBERT ANTONIONI: Good morning, Mr.
22 Romano. I'm Attorney Robert Antonioni, representing
23 the applicant.

24 JOHN ROMANO: Mr. Antonioni, good

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1 morning.

2 ROBERT ANTONIONI: Good morning.

3 JOHN ROMANO: Is there anybody here
4 representing the municipality where the sign is being
5 proposed?

6 There's Mark Piermarini. I see a hand
7 up. Want to unmute yourself, Mark?

8 MARK PIERMARINI: Yeah, we're here.
9 Mark and Marie and Jake Fleming.

10 JOHN ROMANO: Do you have any comments
11 on this application, sir?

12 MARK PIERMARINI: No, we don't have any
13 comments.

14 JOHN ROMANO: Okay. Great.

15 MARK PIERMARINI: You know, the one
16 thing though, is that Route -- it's supposed to be
17 Route 13 I think. I don't think Route 12 is correct.

18 JOHN ROMANO: Okay. We'll make that
19 note.

20 Okay. Are there any abutters to this
21 sign present today?

22 (No response.)

23 JOHN ROMANO: Do you see anyone, Gerry?

24 GERARD KELLEHER: No.

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1 JOHN ROMANO: No. Okay. None.

2 Is anyone present from the MassDOT
3 District Office?

4 (No response.)

5 JOHN ROMANO: I don't hear or see any.

6 Traffic operations is not applicable as
7 this is a static sign.

8 Mr. Antonioni, was certified mail
9 notice to abutters sent out by you at least 30 days
10 prior to submitting your application to my office?

11 ROBERT ANTONIONI: Yes, it was.

12 JOHN ROMANO: Did you submit copies of
13 the post office receipt to me?

14 ROBERT ANTONIONI: I did.

15 JOHN ROMANO: A copy of the letter?

16 ROBERT ANTONIONI: Yeah, I did. Yeah.

17 JOHN ROMANO: You have those as part of
18 your application package. Thank you.

19 Have you received any written comments
20 in support or opposition to your application?

21 ROBERT ANTONIONI: We have not, no.

22 JOHN ROMANO: Neither have we.

23 It is also my understanding, based on
24 the application that you submitted and the sign-off by

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1 the city that you received a special permit.

2 ROBERT ANTONIONI: Right.

3 JOHN ROMANO: And the special permit
4 has been submitted as part of your package, is that
5 correct?

6 ROBERT ANTONIONI: Yes, sir.

7 JOHN ROMANO: Great. And we have all
8 of that, as I stated.

9 I'm going to have my inspector give his
10 report.

11 JASON BEAN: Yes, thank you, John.

12 As stated before, this is an unlicensed
13 -- these are two unlicensed permits being converted to
14 two static licensed permits. They will face east and
15 west on Route 2. This section of Route 2 is not a
16 scenic byway. There are no parks or reservations
17 within 300 feet. There are two businesses within 500
18 feet. So, at this time -- it's a rural arterial
19 designation. So, at this time, there's no issues.

20 The only thing I'll state to the
21 applicant is that the two existing permits, which are
22 23708 and 23708A, be surrendered before these two new
23 ones can be built.

24 Other than that, John, no issues at

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1 this time.

2 JOHN ROMANO: Great. Thank you very
3 much, Jason.

4 The permit surrender procedures, or
5 form I should say, is on our website. You just need
6 to fill those out. You can send them to us. And, you
7 know, just use them to do this. You know, they go
8 hand-in-hand. You won't be without a permit. You
9 just want to surrender them and new ones approved at
10 the same time. Let the new ones be approved.

11 ROBERT ANTONIONI: Okay. Thank you.

12 JOHN ROMANO: Do you have anything else
13 you would like to add to your application at this
14 time?

15 ROBERT ANTONIONI: No, sir. Did I
16 understand you to say that the form for the surrender
17 of the permits is on the website?

18 JOHN ROMANO: It is.

19 ROBERT ANTONIONI: Okay. Thank you.

20 JOHN ROMANO: Okay. Great.

21 Are there any comments or questions
22 from anybody on this application?

23 LYDIA QUICK: John, I'm seeing a
24 question in the audience from a Kelly Frey, attendee.

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1 JOHN ROMANO: Ms. Frey?

2 KELLY FREY: Hello? Can you hear me?

3 JOHN ROMANO: Yeah.

4 KELLY FREY: I was just requesting to
5 have audio rights. I'm counsel on behalf of the
6 applicant, to address any concerns that might come up.
7 That's all. I'll wait until that happens.

8 JOHN ROMANO: Okay. Thank you.

9 All right. Seeing no other comments,
10 we will take this under advisement, Mr. Antonioni, and
11 we will get back to you.

12 ROBERT ANTONIONI: Okay.

13 KELLY FREY: Kelly Frey. Apologies. I
14 was related to the next item on the agenda. I
15 apologize.

16 JOHN ROMANO: No problem, Mr. Frey.

17 ROBERT ANTONIONI: Okay. Thank you
18 very much.

19 JOHN ROMANO: Now, we will go to the
20 next item on the agenda.

21 GERARD KELLEHER: John, there's one
22 hand up, Louise Thomas.

23 LOUISE THOMAS: Hi, John.

24 JOHN ROMANO: Hi, Louise.

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1 LOUISE THOMAS: All right. No, I've
2 never used this app before.

3 GERARD KELLEHER: Oh, all right. Well
4 --

5 LOUISE THOMAS: Sorry about that.

6 GERARD KELLEHER: No problem. No
7 problem.

8 LOUISE THOMAS: It just asked me to
9 unmute myself.

10 GERARD KELLEHER: You raised your hand.
11 That's okay.

12 All right, John. Thanks.

13 JOHN ROMANO: No problem. Okay.

14 So, the next item on the agenda is an
15 application for electronic permits. This is for Bay
16 Colony Associates, LLC. This is Application Numbers
17 2010D010 and D011. The existing permits are 2002041
18 and 042. Notice was sent on April 6, 2021 to the
19 mayor and to the city clerk.

20 Is the applicant present?

21 PHILLIP STRAZZULA: Yes, I am.

22 JOHN ROMANO: Please state your name
23 for the record.

24 PHILLIP STRAZZULA: Yes, good morning,

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1 Director Romano. My name is Phillip Strazzula, S-t-r-
2 a-z-z-u-l-a.

3 JOHN ROMANO: Thank you, sir.

4 And these are -- the location is 820
5 Morrissey Boulevard.

6 Is there anyone here representing the
7 municipality where the sign is being proposed?

8 (No response.)

9 JOHN ROMANO: I'm not hearing or seeing
10 anyone. No. Okay.

11 I know there may be a bunch of people
12 who want to comment on this, so I'm going to hold all
13 comments off till I go through the whole presentation.

14 Is there anybody here from the MassDOT
15 District Office?

16 (No response.)

17 JOHN ROMANO: No. Okay.

18 Anybody present from MassDOT Traffic
19 Operations? It's a digital sign.

20 (No response.)

21 JOHN ROMANO: I am not seeing anybody.

22 Mr. Strazzula, we did receive a memo
23 from the State Traffic Engineer's office. They
24 reviewed the location and have determined that no

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1 further traffic studies would be required at this
2 location.

3 Mr. Strazzula, was certified mail
4 notice to abutters sent out by you at least 30 days
5 prior to submitting your application to my office?

6 PHILLIP STRAZZULA: Yes, they were.

7 JOHN ROMANO: And I do have the post
8 office receipts and a copy of the letter that you sent
9 to the abutters that was submitted with your package.
10 I have all of those. Thank you for submitting them.

11 So, I'm going to ask this question, and
12 I don't need you to go into detail. Have you received
13 any written comments in support or opposition? I'm
14 asking that knowing that you submitted a whole package
15 to me. And then I have received, up to as soon as an
16 hour ago, literally hundreds in both directions.

17 PHILLIP STRAZZULA: Yes, we did. Yes,
18 we have.

19 JOHN ROMANO: And I know you have some
20 -- you have submitted to me what you have.

21 So, I have letters both for and against
22 from elected officials, community groups, neighborhood
23 associations, individuals, businesses, and
24 individuals.

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1 Just for the sake of elected officials,
2 we did receive letters in opposition from Councilor
3 Baker, Councilor Annissa Essaibi George, Councilor Ed
4 Flynn, Councilor Kenzie Bok, Councilor Wu, and
5 Councilor Flaherty.

6 I'm not going to go into listing all of
7 the other letters either in support or against. There
8 are way too many to attempt to do that. We do have
9 all of them. We have been reviewing all of the
10 letters both for and against that we have received.
11 We will continue to do so until we review all of them.
12 They will all be made part of the record for this file
13 for this application. And we will continue to receive
14 them, you know, up to, you know, probably at least a
15 few days after this. And, as I said, Mr. Strazzula,
16 we received some probably even up to about an hour
17 ago. That was the last time that I checked before the
18 hearing, and we were still receiving letters at that
19 time. So, we will continue to review all of them.

20 So, a special permit, a variance. You
21 have from the City of Boston Board of Appeals, a
22 conditional use permit, Board of Appeals Number
23 1035609, as signed off on your application by the
24 appropriate city person at the BPDA. Is that your

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1 understanding?

2 PHILLIP STRAZZULA: Yes, it is.

3 JOHN ROMANO: Thank you, sir. And we
4 do have a copy of all of that that you provided with
5 your application.

6 With that, I am going to have my
7 inspector give his field report.

8 CHRISTOPHER CHAVES: Thanks, John.

9 As you mentioned, this is a proposed
10 conversion of an existing one-side static, one-side
11 tri-vision sign located at Boston Bowl facing I-93.
12 The sign currently sits over 300 feet from Tenean
13 Beach; however, there is a spacing issue to an
14 existing static sign just to the south. The
15 measurement is 336 feet, which does not meet the 500-
16 foot criteria. Other than that, at this point, it
17 meets the other criteria.

18 JOHN ROMANO: Okay. Great. Thank you,
19 Chris.

20 Before I go into any comments, Mr.
21 Strazzula, do you have anything else you would like to
22 add to your application?

23 PHILLIP STRAZZULA: Sure. I'd just
24 like to make a few, you know, brief comments. And I

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1 thank, you know, you and your entire staff for your
2 time. I know this has taken up a bit of your time.

3 You know, our family has been proud
4 members of the Dorchester community for over 68 years.
5 In 1952, five years even before the Southeast
6 Expressway was built, my dad and my two uncles opened
7 up Phillips Candy House on Morrissey Boulevard.

8 In 1958, Boston Bowl was opened. It
9 was the first ten-pin bowling center in Boston.

10 And our family business, you know,
11 continued to grow. And I'm proud to say that we work
12 with over 200-some people a day, you know, most from
13 the local community.

14 In the early 1960s, Cott Beverage,
15 along with Donnelly Advertising and our family,
16 erected this board, you know, obtained permits from
17 the Outdoor Advertising Bureau I think at the time it
18 was called, you know, and located that board in the
19 same place it is today. That's a long time ago.

20 In the 1980s, the board was upgraded to
21 a more modern pole, monopole look. And the up-
22 structure was refurbished at that time, also. We
23 received permits from your office at that time to do
24 that.

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1 Again, in the late 1990s, it was
2 upgraded to a tri-vision, a mechanically changing
3 message board that shows three messages, one right
4 after another.

5 In 2008, your office approved our board
6 to participate in a digital pilot program at that
7 time. And we chose not to at that time, you know, to
8 further continue on, but I just want to mention that
9 it was approved at that time by your office.

10 Our family is now seeking another
11 upgrade, this time to change to a digital format,
12 which is, as you know, an electronically changing
13 message board. The upgrade to the board is important
14 because it will further modernize the sign. It will
15 reduce the overall footprint. It's much safer to work
16 on. No one has to actually physically go up on the
17 board to change the messages.

18 In terms of signage, it is backlit.
19 This will also enable us to remove the eight 400-watt
20 light bulbs that shine up to illuminate the board.
21 And this will certainly help reducing potential light
22 trespass.

23 As you know, digital boards are highly
24 regulated by your office. And I think, during this

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1 process, we've seen in some of the comments that there
2 are a lot of misunderstandings about exactly what
3 digital boards can and cannot do. As you know, a
4 static display must last at least ten seconds for the
5 message display, cannot move, appear to move, change
6 intensity during the static display period. And in
7 some of the comments, people thought that the board
8 would flash, would show movies, or, you know, animate
9 itself. And it certainly doesn't do that, and I
10 wanted people to understand that that's not something
11 that it would do.

12 The brightness of the board is also
13 important. Under the MassDOT regulations, a digital
14 billboard cannot exceed .4 -- .3 candles above ambient
15 lighting, which is just barely above light. In the
16 daytime, the boards will look brighter; in the
17 nighttime, it dims down. It only has to be slightly
18 lighter than the ambient light. Again, this won't be
19 -- current technology does not allow for that. So,
20 that technology will certainly help any potential
21 light trespass, also.

22 For several years, we've been working
23 with our local civic associations. And, as part of
24 the discussions, the Pope's Hill Neighborhood Civic

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1 Association, we had many discussions with them. And
2 they were instrumental in asking us to have the sign -
3 - would put the sign facing closer to the highway and
4 away from many of the neighborhoods. And that was
5 something that came out of those meetings.

6 In addition, as part of those meetings,
7 our media partner, Outfront, has agreed to take down
8 five neighborhood signs if this is approved, and two
9 at the top of Pope's Hill and three other boards in
10 Mattapan. This was important to the Pope's Hill Civic
11 Association. And when there were two available in
12 Dorchester to be taken down, they were very happy to
13 accommodate the neighboring Mattapan and take those
14 boards down in Mattapan.

15 In addition to the 15 hours of required
16 PSAs that the digital regs require, we've agreed to
17 supply our community with a matching amount of time.
18 And this will allow for announcements, meeting
19 notices, recognizing individual's achievements, and
20 help promote what a wonderful place that Dorchester is
21 to live and work in. This will be all at no cost to
22 the public's nonprofit community.

23 As part of our extensive outreach, we
24 received a number of letters, which you have today.

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1 And I'm glad to say that none of our abutters opposed
2 us. And, in fact, most of them wrote letters, which
3 we have.

4 In addition, we did outreach to
5 Dorchester businesses. And we submitted to your
6 office over 100 businesses, you know, from Sullivan &
7 McLaughlin, Lambert's Fruit, John's Shell, Ace Auto
8 Body. I won't go on and on, but there are over a
9 hundred letters. I mean that's phenomenal community
10 business support, and we're very proud to have
11 received that.

12 In addition, we also did reach out and
13 sought individuals and submitted to your office over
14 500 names, petition names that we received, you know,
15 in and around Dorchester, you know, our local
16 neighborhoods.

17 So, as a conclusion, I'd just like to
18 say that this upgrade would be a good thing for our
19 neighborhood, provide access to the board to local
20 businesses, to our local community groups, reduce the
21 light trespass. I think it would be a great upgrade
22 and appreciate your consideration.

23 Thank you.

24 KELLY FREY: This is Kelly Frey.

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1 As to the spacing issue, I just wanted
2 to add on a few brief comments in response to the
3 point on the spacing issue.

4 It's the applicant's position that
5 there is no spacing issue with respect to this sign.
6 There's several reasons why that is the case. I won't
7 list them all now in the interest of time. But I just
8 wanted to flag for the record that this sign was
9 approved for inclusion in the digital advertising
10 pilot program in 2008. So, any determination that
11 there's a spacing issue now would conflict with that
12 prior determination.

13 Secondly, the OOA has previously
14 interpreted its spacing regulations in other locations
15 in a way that would create no spacing issues with
16 respect to this sign. We've provided at least 13
17 examples of other sign locations where this is the
18 case. Again, in the interest of time, I won't read
19 each of those locations into the record, but I believe
20 they're in the file, the OOA file. Please let me know
21 if they're not and I can read them. But they should
22 be part of the record here. And those are just
23 examples. There are several other instances as well.
24 So, any interpretation of the regulations that would

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1 restrict this sign from going forward for spacing
2 issues would be inconsistent with prior decisions and
3 unreasonable and arbitrary.

4 Again, I won't tick through all of the
5 many other reasons why there is no spacing issues with
6 respect to this sign as this list is exhaustive. But
7 I just wanted to at least note those matters on the
8 record.

9 JOHN ROMANO: Mr. Frey, could you just
10 acknowledge your connection to the applicant, please,
11 so it's on the record?

12 KELLY FREY: Yes, I am counsel for the
13 applicant's outdoor advertising partner.

14 JOHN ROMANO: I just wanted to have
15 that on the record. And I wanted to just also have on
16 the record that, yes, you did submit those locations.
17 And the fact that you submitted that and stated that
18 does not constitute an OOA agreement with those.

19 So, with that, Mr. Strazzula, thank you
20 for your comments.

21 With that, I am going to open it up to
22 public comments at this time. We do have Senator
23 Collins that would like to speak.

24 Patrick Forde, do you have the senator

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1 on your line? I know you texted me, but I'm not sure
2 how we're going to --

3 SENATOR NICK COLLINS: Yes, I'm here,
4 John, on the device.

5 JOHN ROMANO: Oh, okay. Great.
6 Senator, go ahead.

7 SENATOR NICK COLLINS: Thank you.
8 Thank you, Director Romano, for the opportunity to
9 speak today.

10 This proposal before us, as has been
11 said, has gone through the municipal review process
12 and extensive community process. During that time,
13 the proponents have made a good faith effort to work
14 with the community. The Strazzula family and the
15 Pasquale families have been great partners in the
16 community for over many years. So, I appreciate the
17 efforts made to work with the city and the community
18 throughout the process.

19 I've also heard from many community and
20 civic leaders who have shared history about their
21 positions on billboard that, quite frankly, predate my
22 time in office, though, I must note, as was mentioned,
23 the local neighborhood association has more of a
24 neutral position. So, that's some of the context that

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1 I'm coming to this hearing with.

2 But, in addition, after communicating
3 with Transportation officials around the regulations
4 and whether or not the proposal is actually in
5 compliance, I'm made aware that the proposed billboard
6 is in violation of the spacing regulations as laid out
7 in Regulation 700 CMR 3.17. So, given the
8 aforementioned, I cannot support the proposal.

9 Again, a lot of good work done and a
10 good faith effort to, you know, try to respond to some
11 community concerns. But just given, particularly here
12 the violation of the regs, I can't support the current
13 proposal. So, we would like to be on record in
14 opposition.

15 JOHN ROMANO: Thank you for your
16 comments, Senator.

17 With that, I am going to do my best to
18 -- there's no particular order. I do not see any
19 other elected officials, I do not think, at this time.
20 But I do see some other hands.

21 Gerry, I'm going to just try to go with
22 the top of our list here and I will call them one at a
23 time as I see them.

24 I see an Anthony Attride. Is that

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1 correct? I hope I'm pronouncing your name correct,
2 sir.

3 GERARD KELLEHER: Anthony?

4 JOHN ROMANO: Anthony, please state
5 your name for the record.

6 GERARD KELLEHER: No response.

7 JOHN ROMANO: All right. We'll come
8 back to him.

9 Let's see, going through, I see a John
10 Bookston.

11 GERARD KELLEHER: John wrote a question
12 in. He's no longer on the call I think.

13 JOHN ROMANO: All right. Do you want
14 to read it, Gerry?

15 GERARD KELLEHER: Okay. "How can the
16 public resist the very profitable electronic billboard
17 industry from installing a mass of such that will
18 flash into residences and distract drivers?" That's
19 the question.

20 JOHN ROMANO: Okay. Thank you. Thanks
21 for the comment. We will keep that with the file.

22 Next, I see John Carroll.

23 GERARD KELLEHER: John?

24 JOHN CARROLL: Yes. Yes, Mr. Romano.

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1 Thank you. John Carroll.

2 I'm actually here to support the
3 applicant. I have a kind of unique position here not
4 only being a property owner in Dorchester and abutter,
5 not a direct abutter, but I'm just down the street a
6 little bit. I'm also familiar with the industry and I
7 know what the applicant is going through.

8 So, my quick take on this voicing of
9 support is that you've got an existing billboard
10 that's been there for 50, 60 years. It's been there
11 before a lot of these other ones. So, I think the
12 spacing issue, to me, you know, he shouldn't be hurt
13 by that. Again, you've got a tri-vision that's
14 already on the board. So, you could argue that the
15 tri-vision could actually be more of a distraction
16 than the digital itself. I think converting it, in
17 addition to taking the five other poster panels off
18 the secondary roadways that are already in the
19 neighborhood, that's the benefit to the community
20 already as well as the content that the applicant is
21 donating to the community I know will have a good
22 impact.

23 So, overall, I think that the applicant
24 has done an incredibly solid job at going around to

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1 each neighborhood group. And being in Dorchester, I
2 know how difficult. And it's a great community, but
3 the very reason that they vet every single project
4 that comes through.

5 So, this was handled very well. And it
6 was very well vetted. There's a lot of support for
7 this. I, personally, don't think that it has any
8 negative impact on the community that I'm also in.
9 And I'd just like to look to the Board to look
10 favorably on this application.

11 JOHN ROMANO: Thank you, Mr. Carroll.
12 Maria Lyons?

13 GERARD KELLEHER: Maria?

14 MARIA LYONS: Yeah. Can you hear me?

15 GERARD KELLEHER: Yes.

16 MARIA LYONS: Okay. My name is Maria
17 Lyons. I'm a resident of Port Norfolk in Dorchester.

18 Before I start, I just want to make the
19 comment that no one has mentioned the Port Norfolk
20 neighborhood. And we believe this is in the Port
21 Norfolk neighborhood.

22 Anyway, this is my statement. I am in
23 strong opposition.

24 For many years, residents of Dorchester

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1 have worked with city and state agencies, especially
2 the DCR, to make the Dorchester waterfront a better
3 place. We now have beautiful parks and trails along
4 the shoreline and a new playground and picnic area at
5 Tenean Beach. We all help in cleanups, plantings,
6 and, together, we run Tenean Beach Day, welcoming
7 visitors to our community.

8 The addition of two digital billboards
9 that would shine their flashing bright lights into the
10 Neponset River Reservation area of critical
11 environmental concern would harm the wildlife and
12 greatly diminish the enjoyment of these public
13 recreational areas that the ACEC designation is meant
14 to protect.

15 The Neponset River, Tenean Beach,
16 Victory Road Park, Squantum Point Park, and Neponset
17 River Greenway Trail, and the Dorchester Harbor Walk
18 will all be subjected to the visual blight of these
19 digital billboards. The planned Neponset Dream Way
20 Trail will go right under these billboards.

21 Climate Ready Dorchester Plans for the
22 area will make it even more natural and beautiful.
23 DOT and DCR are making Morrissey Boulevard a greenbelt
24 roadway.

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1 At the Boston ZBA hearing, none of this
2 was spoken of. It was as if they didn't exist, along
3 with the entire Port Knox neighborhood who has opposed
4 these billboards for five years. The same thing has
5 happened today.

6 In the filing with the City of Boston
7 for this request, the proponent states that they did
8 not contact the owners of the properties abutting the
9 proposal that are owned by the state. DOT and DCR
10 abut these billboards. I don't know if they did that
11 for the state application.

12 For many reasons, this request should
13 not have been approved by the ZBA. It should have
14 been forbidden. The support of a hundred businesses
15 doesn't mean -- those people, most likely many of them
16 don't even live in Dorchester. And the 500 signatures
17 -- out of the 500 signatures, only about 70 to 100
18 that I can tell even live in Neponset. So, many of
19 them don't live in the Neponset area near the
20 billboard. Many, many don't even live in Dorchester.

21 This request is against multiple
22 MassDOT Outdoor Advertising regulations. It would be
23 within 300 feet of the Neponset River Reservation.
24 And rivers and reservations are on your list of what

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1 it should not be within 300 feet. This is shown on
2 the map. You can see it in the picture that you
3 showed before submitted by the proponent. It will be
4 highly visible from Tenean Beach parks and trails. I
5 believe I sent you a picture of that. It will spoil
6 the vistas of the Neponset River. It would be within
7 500 feet of another billboard on Freeman Glass. It
8 will harm the wildlife of the Neponset ACEC. It is
9 well documented that bright lights interfere with bird
10 migration and nesting. They will greatly diminish the
11 enjoyment of the public parks and recreation areas
12 along the shore. The state mandate for ACEC is do no
13 harm.

14 The area is commercially zoned, but it
15 is between neighborhoods in the Neponset River and it
16 is changing. Morrissey Boulevard is becoming a
17 greenbelt roadway. And, recently, 220 units of
18 housing, and Mr. Strazzula can tell you about that,
19 were approved by the City to be built within this
20 zone, 500 feet from the billboards and truly in view
21 of the billboards. Two of the businesses in the area
22 are hotels. Visitors to Dorchester shouldn't have to
23 look at either of these. Not a good first impression
24 of Dorchester.

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1 The company proposing these billboards
2 is a good company. This request goes far beyond
3 acceptable. This will harm and cheapen the Dorchester
4 community. No one wants to look at it.

5 As a teacher, I always think about the
6 children. This is not the future we want for
7 Dorchester for the children.

8 The area impacted by these digital
9 billboards is a prime example of why the Outdoor
10 Advertising Board has these regulations, to protect
11 sensitive environmental and recreational areas.

12 Additionally, it should be noted, the
13 Dorchester shoreline's parks, trails, and Tenean Beach
14 are visited by residents from all over Dorchester.
15 This is a place -- one of the places that people go to
16 relax by the shore who can't afford a summer home or a
17 vacation. Tenean Beach is known as the poor man's
18 beach. Many of its visitors are minorities. As such,
19 this is an environmental justice issue.

20 Please respect the Dorchester community
21 and say no to this request by Bay Colony Associates to
22 construct two digital billboards over our beautiful
23 waterfront. Stop this visual pollution.

24 Thank you so much for allowing me to

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1 speak.

2 JOHN ROMANO: Thank you. Thank you,
3 Ms. Lyons.

4 Louise Thomas? Louise, I didn't know
5 if you wanted to speak.

6 LOUISE THOMAS: No, I do not, John.

7 JOHN ROMANO: All right. Thank you.

8 LOUISE THOMAS: Thank you.

9 JOHN ROMANO: I didn't want to skip
10 over you.

11 Next, I have Martyn Roetter.

12 MARTYN ROETTER: Yes. Thank you very
13 much, Mr. Romano, and members of the OOA for allowing
14 me to speak.

15 My name is Martyn Roetter. So, M-a-r-
16 t-y-n, not "i," to distinguish myself from the former
17 mayor, and Roetter, R-o-e-t-t-e-r. I'm a resident of
18 the Back Bay in Boston.

19 And you might wonder, why should
20 someone from the Back Bay think he has the right or
21 the interest in saying something about an activity in
22 Dorchester. I apologize for my mispronunciation of
23 that community. There are two reasons. One is that,
24 you know, I certainly have a fair amount of contact

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1 with people in Dorchester, so what happens in their
2 lives is a concern to me as it should be a concern of
3 all residents in the City.

4 More importantly, perhaps, the danger
5 that I see is that approval of this digital billboard
6 would set a precedent that will allow media companies
7 to file similar applications throughout the City of
8 Boston. And I was appalled at the decision of the ZBA
9 to approve this billboard as a conditional use. It is
10 not a conditional use in that location. It is a
11 forbidden use according to well-established zoning
12 established in Boston in the year 2007. Digital
13 boards specifically, which are entirely different in
14 their impact than the kind of static boards that we've
15 seen predominantly up to now, are restricted for very
16 good reasons to three very small zones within Boston,
17 such as the Theater District, where they are designed
18 to support the activities that are important to the
19 economy of those zone. And, somehow, the ZBA agreed
20 to approve this as a conditional use. That is a
21 fundamental error. In fact, it represents a de facto
22 change in policy by the City of Boston by an agency
23 that is not supposed to be in charge of policy.

24 So, the concern I have is that the Back

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1 Bay and other neighborhoods throughout Boston will be
2 subject to an invasive species of digital billboards,
3 applications that will be pushed through by people who
4 see an opportunity to make a lot of money, and the
5 harm that will be suffered, the negative externalities
6 as they commonly say, will be by residents in terms of
7 illumination of their residences, public safety risks,
8 health, and so on and so forth, as Maria Lyons has
9 expressed so clearly in discussing the impacts upon
10 the Dorchester community.

11 And, furthermore, if the ZBA then
12 denies these applications, these entities will be able
13 to litigate against it and will probably win in
14 Superior Court because the procedures followed by the
15 ZBA are clearly arbitrary and random. And they seem
16 to depend upon, you know, what happens on a particular
17 day.

18 And one point I think Maria didn't
19 emphasize enough is that, apparently, there were
20 multiple occasions on which this billboard came up
21 before the ZBA and they were deferred. And they were
22 deferred many times. And it was only at the last
23 hearing in September of last year that somehow this
24 particular proposal managed to sneak through.

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1 So, for those reasons, I hope that you
2 will, in fact, deny or reject this application because
3 of the very dangerous precedent it will set and the
4 threat it will pose over the long-term to the
5 character of Boston.

6 Thank you very much.

7 JOHN ROMANO: Thank you for your
8 comments.

9 Next, I have Robert Lynch.

10 GERARD KELLEHER: Robert Lynch?

11 ROBERT LYNCH: Yes.

12 GERARD KELLEHER: Go ahead, sir.

13 ROBERT LYNCH: Yes. I don't want to
14 speak to the technical aspects of the sign. I think
15 there's been a lot of discussion about the technical
16 aspects and the pros and the cons. I was a former
17 resident of Dorchester in the Neponset area, lived
18 down by Tenean Beach, and I do want to just speak
19 briefly about the character of the organization, Mr.
20 Strazzula and the Sammartino families. I go back as a
21 young kid and I think what Mary was talking about
22 earlier, there were probably some very good stewards
23 of the children growing up back in the '60s, '70s,
24 '80s. And I would say that the company has always

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1 looked out for the people of Dorchester and that there
2 was probably always either a member of the Strazzula
3 or Sammartino or Pasquale, Lou Pasquale, member was
4 probably on the property every day since the company
5 was formed.

6 So, the sign is existing. And I would
7 be in favor of approving the sign.

8 JOHN ROMANO: Thank you for your
9 comments, Mr. Lynch.

10 ROBERT LYNCH: Yes.

11 JOHN ROMANO: Next, I have Steve
12 Bickerton.

13 STEVE BICKERTON: Hi, can you hear me?

14 GERARD KELLEHER: Yes.

15 STEVE BICKERTON: Thank you.

16 I sent a letter on behalf of the Cedar
17 Grove Civic Association of which I'm the president.
18 We're an abutting civic association and we also abut
19 the Southeast Expressway and the Neponset River
20 Greenway. We're one of about a dozen Dorchester civic
21 associations who have for decades stood in opposition
22 to the proliferation of billboards in our
23 neighborhood.

24 I am the second-generation Bickerton to

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1 be the president of the Cedar Grove Civic Association.
2 Born and raised in Neponset and still live here. I
3 live about 100 yards from the Neponset Greenway.

4 Like I said, I sent a letter on behalf
5 of the association. I'm just going to run through, if
6 you'll indulge me, a few points through my own
7 research -- I'm not a lawyer, but where I believe this
8 is an illegal conversion. And please excuse me if I
9 don't phrase the quoting of the regulations the right
10 way, but I hope you'll get my point.

11 The first violation that I see is a
12 violation of 700 Mass. Regulation 3.17, that an
13 electronic sign shall not be within 500 feet of any
14 other permitted sign. This sign is within 324 feet of
15 the sign at 60 Tenean Street, the Plumbers Supply
16 Company, which markets national plumbing brands on top
17 of their building. The PowerPoint slide that I sent
18 shows an illustration of that measurement. There's no
19 building or obstacle in between those two signs.

20 The second violation is, again, 700
21 Mass. Reg. 3.17. That's the inspector mentioned this.
22 I think he said (indiscernible audio).

23 It's also in violation of 700 Mass.
24 Reg. 3.07, which states, "No permit shall be granted

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1 for a sign that's within 300 feet of a public park,
2 playground, cemetery, forest, reservation, or any
3 other scenic or recreational area," etc., etc. You
4 guys know what it says. This billboard is less than
5 205 feet from (indiscernible audio), a property owned
6 by the Mass. Department of Conservation and
7 Recreation. This property is own as (indiscernible),
8 Dorchester Bay - Neponset River Watershed. And it's
9 (indiscernible). My PowerPoint contains an image of
10 the Boston zoning map calling out the zoning district
11 and the sub-district, and also an illustration, which
12 I think Maria sent as well, of what it would be like
13 from ten feet.

14 And the fourth violation is 700 Mass.
15 Reg. 3.07, the portion that mentions disharmony and
16 suitability. As you know, the regulations give the
17 OOA significant latitude to determine suitability with
18 the surrounding area.

19 Many years ago, the Dorchester
20 waterfront was very different. There were -- when
21 this billboard went up, there were companies that were
22 dumping chemicals and PCBs into the Neponset River.
23 (Indiscernible audio). The Neponset River Estuary is
24 home to no less than six waterfront parks and fields

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1 that did not exist when this billboard was erected.
2 An electronic billboard is no longer in harmony with
3 this area as the scenic beauty has been and needs to
4 be restored. The slides that you'll see in my
5 presentation will illustrate that.

6 Joseph Finnegan Park, the site of the
7 former paper mill and paper factor that's on the
8 Neponset River has been, like I said, changed into a
9 park at a cost of about \$6 million.

10 Victory Park, commonly known as
11 (indiscernible) in 1968 when the marshland was filled
12 with construction debris (indiscernible) who was later
13 removed from the bench and disbarred in disgrace. He
14 illegally filled that marshland to build a hotel and
15 marina. It's currently a 23-acre park.

16 Maria mentioned Tenean that was cut off
17 from Dorchester by the construction of the Southeast
18 Expressway, formerly known as the poor man's beach.
19 We fought for decades to reactivate, renew, and
20 (indiscernible) through community organizations and
21 state investment.

22 We've come a long way since the '50s.
23 We don't want to go backwards. These laws were
24 written since then to protect our waterfront, protect

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1 our neighborhood. Today's Harbor Park in the Neponset
2 River Estuary is comprised of over 1,300 acres of
3 estuaries, salt marshes, floodplains, and fish and
4 wildlife habitat. In 1995, it was designated an area
5 of critical environmental concern. The central
6 resource features of the Neponset River Estuary ACEC
7 are the Neponset River and portions of its
8 tributaries, the estuary, which is 225 away, salt
9 marshes, floodplains, fishery habitat, and diverse
10 wildlife habitat. I'm an amateur birder. We have two
11 pairs of nesting bald eagles this spring in the
12 Neponset River Estuary. That is remarkable. That
13 would have never happened even ten years ago because
14 the environment there would not have supported
15 predators like that.

16 The estuary provides habitat for a
17 tremendous diversity of bird species and is one of the
18 most important wildlife habitats in the urbanized
19 Boston area.

20 Like I said, our waterfront has been
21 reclaimed by our community. Please consider, as the
22 law allows your office to do, the general welfare of
23 the public, the scenic beauty of the area, and the
24 environmental characteristics of the area. Our

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1 waterfront is a work in progress, but we've improved
2 it by leaps and bounds over the years. The current
3 generation of civic leaders stands at the shoulders of
4 Dorchester giants of the past who dedicated their
5 lives to the reclamation of our scenic waterfront. We
6 cannot let their work have been in vain by allowing a
7 massive lighted screen to be installed for decades to
8 come. We're committed to continuing this work to make
9 our waterfront better, and we ask that you please
10 support us by denying these permits.

11 Thank you for your consideration.

12 JOHN ROMANO: Thank you, Mr. Bickerton.

13 Next up I have Stewart Rosen.

14 GERARD KELLEHER: Stewart?

15 STEWART ROSEN: Can you hear me?

16 GERARD KELLEHER: Yes.

17 STEWART ROSEN: Fantastic. Thank you
18 so much.

19 My name is Stewart Rosen. I own the
20 Norfolk Hardware and Home Center on 981 Morton Street
21 in Mattapan. My family started Norfolk Hardware
22 Company in 1934, 87 years ago, when Gramps bought a
23 little building on the corner of Edson Street and
24 that's where we all began. We employ over 50

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1 Dorchester and Mattapan residents.

2 And I'm here today to support the
3 Boston Bowl in their desire to upgrade their billboard
4 to digital. This is an existing billboard that's been
5 in place since the early '60s. And I remember it.
6 This isn't a new billboard. Converting this sign to
7 digital would result in fewer billboards in my
8 neighborhood since Boston Bowl's proposal includes
9 taking down five neighborhood signs as well.

10 Allowing the Strazzula and Sammartino
11 family to upgrade this board to digital would help
12 their family continue to employ over 200 local
13 residents. The sign faces the highway and it has
14 minimal impact on local residents. The upgrade is
15 widely supported by many local residents because of
16 the relationship that the Strazzula-Sammartino Boston
17 Bowl family has with the community.

18 I look forward to being able to
19 advertise my family business, 87 years and growing,
20 four generations, bringing shoppers into Dorchester
21 and Mattapan. It's important for our local economy.
22 I can't tell you how support -- how in favor and in
23 great support we are of this digital conversion.

24 Thank you for your time.

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1 JOHN ROMANO: Thank you, Mr. Rosen.

2 Next, I have Andres Ripley.

3 ANDRES RIPLEY: Can you hear me?

4 GERARD KELLEHER: Yes, sir.

5 ANDRES RIPLEY: Thank you.

6 My name is Andres Ripley. I work for
7 the Neponset River Watershed Association. I just want
8 to echo a few points that some folks have already
9 mentioned. I'll be brief.

10 As Maria mentioned and some other folks
11 mentioned, we are really close to the Neponset River
12 and the ACEC of this area with this new billboard.
13 And we're worried about the effects it will have on
14 the wildlife in the ACEC as well as the bird migration
15 through this area.

16 We also want to make sure that
17 everyone's aware that this is an environmental justice
18 community and we don't want to further perpetuate what
19 happens in environmental justice communities when
20 projects like this go up.

21 And I also just want to echo the
22 negative effects it will have on the folks who are
23 going to be using Tenean Beach for many decades to
24 come and want to make sure that everyone is considered

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1 throughout this process.

2 So, I just want to echo, again, that
3 the Neponset River Watershed Association is in
4 opposition of this project and we hope that you take
5 all of these comments into consideration.

6 Thank you.

7 JOHN ROMANO: Thank you, sir.

8 Next, I have John Mahoney.

9 JOHN MAHONEY: Thank you very much,
10 Director Romano. Thank you for allowing me to speak
11 today.

12 I'm John Mahoney. I work for Outfront
13 Media, and we're partners with Bay Colony. We're also
14 -- we also use DC 35 Painters Union located in the
15 area.

16 Can you hear me fine, John?

17 JOHN ROMANO: Mm hum.

18 JOHN MAHONEY: Thank you, sir.

19 In considering the points, the
20 viewpoints represented, I respect and understand
21 Senator Collins' point. I read Councilman Baker's
22 opposition. And I also appreciate their time in
23 meeting with us and their service to the community.

24 This has been a long process. Thank

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1 you to all the neighborhood groups who allowed us to
2 speak at their public meetings and provided us with
3 the opportunity to discuss this with the public and
4 for welcoming us into your homes, giving us coffee,
5 pizza. We met a lot of great people. Thank you very
6 much.

7 In listening to the public, the vast
8 majority focused on a few clear points. They like the
9 idea of the digital, being able to use it as a
10 community message board, whether it was for Little
11 League tryouts, Boy and Girls Club, notices to
12 neighborhood meetings, whatever. They liked the idea.

13 They didn't want new billboards, but
14 viewed the conversion of an existing billboard in a
15 positive light.

16 They also wanted the small billboards
17 within their communities on the surface roads removed.
18 This is likely why it was very positively received
19 with these residents that we met with.

20 We worked with the Pope's Hill Civic
21 Group. They suggested the removal of the billboards
22 next to St. Ann's Church. We proposed removing those
23 two. They pushed hard that we should remove more in
24 other communities. A credit to them for watching out

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1 for the surrounding communities. We settled on five.
2 They wanted us to remove more. They wanted us to
3 remove some of our competitors' billboards.
4 Obviously, we explained that we can't control that and
5 that these are the only five that we own and control
6 and could remove for them.

7 Obviously, there's some very select
8 anti-billboard opposition. And, Director Romano, I
9 thank you for forwarding the letters, the 24 letters
10 in opposition, and I went through them all last night.
11 In reviewing them, there were several recurring
12 themes. Many identified flashing lights as their
13 concern. I agree. There's no flashing lights on any
14 of these. It's against the law.

15 Others focused on no new billboards,
16 which this isn't. It's an existing billboard and it's
17 going to remain there regardless of what transpires
18 here.

19 It was very interesting that in those
20 letters none of them mentioned removing the five
21 billboards. I found that surprising, which brings me
22 to number four.

23 I didn't see any opposition from
24 anybody in Pope's Hill, the people that live right

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1 there. And I found that somewhat surprising
2 considering -- and I guess I understood it considering
3 these are the people that are walking along to church
4 every Sunday at St. Ann's and they see the billboards
5 that they want removed.

6 So, I'm just expressing what I saw as
7 we were walking through.

8 And, thank you very much for the time,
9 Director Romano.

10 JOHN ROMANO: Thank you for your
11 comments, Mr. Mahoney.

12 Next, I have Charlie Tevnan.

13 GERARD KELLEHER: Charlie, go ahead.

14 CHARLIE TEVNAN: Good morning, Mr.
15 Chairman.

16 JOHN ROMANO: Good morning.

17 CHARLIE TEVNAN: I would like to ask
18 that you consider the fact that I, first of all, I'm
19 an attorney with Tevnan and Tevnan, 15 Broad Street,
20 Boston. I also reside at 4 Fairfax Street in
21 Dorchester.

22 Last month, I submitted a public
23 records request on behalf of the Port Norfolk Civic
24 Association to the MassDOT Legal Department requesting

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1 any and all -- the entire Outdoor Advertising Board
2 file relating to the issuance of the original permits,
3 any extensions, from the first date in 1993 to the
4 present, as well as any more recent extensions.

5 I have not received any response to
6 that request. It was -- I note that Mr. Mahoney was
7 able to obtain copies of the file informally, but when
8 I went through the formal process, the only records
9 that we received so far in response to that request
10 were pertaining to an electronic billboard application
11 in the Town of Weymouth, so clearly not what had been
12 requested.

13 So, I'd just like to bring -- I did
14 leave a message for you yesterday, Mr. Romano, to note
15 that this public records request had been submitted on
16 behalf of the Port Norfolk Neighborhood Association.
17 We still haven't received the records.

18 But, part of the reason for this
19 records request is to really examine the circumstances
20 not only regarding the more recent approval of the
21 electronic billboard by the City of Boston and those
22 records, but also the original permit in 1993, which
23 if the board -- it appears if there's a spacing issue
24 now that that issue existed in 1993, that perhaps the

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1 original permit that was issued for the current
2 billboard and then expanded to the tri-vision was
3 issued incorrectly or erroneously by the Board given
4 the spacing issue, given the fact that there's another
5 billboard less than 500 feet.

6 Mr. Bickerton pointed out on behalf of
7 the Cedar Grove Civic Association that there is
8 another billboard, which may or may not be subject to
9 regulation by the Outdoor Advertising Board, which is
10 on Tenean Street. The Plumbers Supply Company also
11 faces the expressway and it's approximately 324 feet.

12 The other point I'd like to ask if you
13 could consider is that the -- there are two other
14 parks that haven't been mentioned. One of them is the
15 William T. Morrissey Park, which appears to be within
16 300 feet of the project. I can't tell looking at my
17 screen whether the -- whether the plan that was put up
18 at the original, at the beginning of this hearing, is
19 still displayed. But, if it is -- if it isn't, could
20 it be displayed again and I can refer you, Mr. Romano,
21 and the Board, to the William T. Morrissey Park. And
22 it is William T. -- it is a DCR-managed park. It has
23 a monument to the gentleman for whom Morrissey
24 Boulevard is named after, William T. Morrissey. It is

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1 open space. It's clearly green space.

2 Mr. Kelleher, is it possible that that
3 could be displayed once again?

4 JOHN ROMANO: Jerry, can you put up the
5 thing?

6 So, Mr. Tevnan, let me try to respond
7 to some of your things.

8 So, I'm a little surprised at the -- it
9 appears -- actually, let me change that. It appears
10 that incorrect information got sent to you if you
11 received information regarding Weymouth. That was
12 certainly not my intention. And it goes, you know,
13 FOIA requests go through several channels before they
14 actually get to the person. So, I'm betting that
15 we've had many FOIA requests over the last week or ten
16 days for both this project, the Weymouth project, and
17 others. And I'm betting that somehow the wrong
18 information got sent. It was not my intention to have
19 Weymouth sent because I did put information together
20 for your request.

21 CHARLIE TEVNAN: Thank you.

22 JOHN ROMANO: We will check that.
23 Clearly, I can't solve that in this minute, but we
24 will look at that.

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1 CHARLIE TEVNAN: I appreciate your
2 response on that, Mr. Romano. And I know this is a
3 highly contested hearing. And maybe it's not usually
4 the case. But the Port Norfolk Civic Association had
5 asked me if I could make this request in order for
6 them to be able to better prepare for this hearing.
7 And I think that maybe the suggestion could be to
8 defer a decision --

9 JOHN ROMANO: Well, no decisions are
10 made at this hearing. I'm not sure if you heard that
11 at the beginning.

12 CHARLIE TEVNAN: I did. No, I'm aware.
13 I'm aware that no decision will be made at the
14 hearing. But I mean until the records -- perhaps the
15 hearing could be kept open, in other words, until
16 those records come to light because I think there's a
17 question about whether the original permit in 1993 was
18 properly issued. And then it becomes a question --
19 there's already been questions raised about the recent
20 permit that was issued by the City of Boston that I
21 think I will defer to others to speak about. But in
22 reference to the William T. Morrissey Park, it is that
23 green space to the left in the image which is
24 displayed. And that entire area is DCR property. And

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1 it appears to be within 300 feet of the site.

2 The other park area is on the other
3 side of the expressway. It has been mentioned that
4 the Tenean Beach, which is outlined there with the
5 green line in the right-hand corner of the image, that
6 has already been cited. But the fact is is that the
7 entire harbor is a park. The waterfront, the water
8 itself, it's actually described in the City of Boston
9 as the Harbor Park. It's a -- it runs the entire
10 shore from the City of Boston city line, the border in
11 Neponset, all the way to East Boston. So, that's
12 considered the Harbor Park. So, those are the two
13 parks that I don't think the Board or the inspector
14 for the Board perhaps, took a look at. And I would
15 ask that they do that. And I appreciate the
16 opportunity to add comments on behalf of the Fort
17 Norfolk Civic Association.

18 JOHN ROMANO: Thank you for your
19 comments.

20 Next up, we have Ford Cavallari.

21 FORD CAVALLARI: Thank you very much.
22 I appreciate the opportunity to speak.

23 My name is Ford Cavallari. I'm the
24 Chair of the Alliance of Downtown Civic Associations,

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1 which is an umbrella group, which looks at citywide
2 issues on behalf of the ten largest neighborhood
3 associations in downtown Boston. But we have also
4 found ourselves on issues like electronic billboards,
5 working hand-in-glove with associations like Fort
6 Neponset -- Fort Norfolk, rather -- and other
7 associations as far away as Allston, which have had to
8 wrestle with the issue of electronic billboards.

9 The first thing I want to say is that,
10 you know, we have no doubt that the Boston Bowl folks
11 and all of the businesses that are out to support them
12 are good folk. In fact, you know, I think many people
13 of my age remember that it was a rite of passage as a
14 20- or 30-something to have a midnight or later bowl
15 at the Boston Bowl at some point during the beginning
16 of your work career in Boston. So, it's -- we have no
17 doubt that there are good people involved in making
18 some of these decisions.

19 But I do have a number of issues with
20 some of the testimony that's been given regarding so-
21 called flashing of electronic billboards, particularly
22 what Mr. Mahoney said. I think that it's really
23 important to understand that digital billboards,
24 electronic billboards, are very different from static

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1 billboards. They are very different from a
2 perspective of safety. They are very different from
3 the kind of ambient light that goes into apartments
4 and residences. The wavelengths and wave shape of the
5 light have different psychological effects on people.
6 And there are a whole bunch of reports that I would
7 point the MOOA folks to that you should read,
8 including a 2015 report that cites a 25 percent
9 increase in crashes in a report entitled *Digital*
10 *Advertising Billboards and Driver Distraction*. There
11 are a bunch of reports that show that the glance
12 distraction is quite a bit higher for digital
13 billboards. So, a carousel where an image changes
14 every ten seconds is what we are calling a flash.
15 Now, you can dismiss that term and say, "Oh, it's not
16 flashing like a video game." That's not what we're
17 saying. We're saying the change in pictures have
18 statistically been shown to correlate with increases
19 in motor vehicle crashes.

20 I think it's, you know, for the MassDOT
21 people, I'm sure you're well aware that, very
22 surprisingly, there was a higher fatality rate with
23 automobile crashes this last year than the previous
24 year. And I don't think with all the literature

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1 regarding electronic billboards and how different they
2 are from static billboards, how different a direct
3 beamed LED light is from indirect, reflected,
4 conventional light, how different that is. There is
5 plenty of evidence that says that there's a problem
6 here. We should at least take a breath and figure out
7 what this problem is before we go down a path that's
8 going to potentially cause less safety.

9 So, when folks dismiss flashing, and
10 when folks say, "Well, you know, we're trading off the
11 much more benign static billboards for these very
12 heinous digital billboards," it's a big difference, a
13 huge difference. The digital billboards can be seen
14 seven miles away at night. There is no static
15 billboard that can be seen that far away. So, just,
16 you know, put that aside.

17 The other thing I want to say is that
18 Martin and some others from neighborhood associations
19 away from this area have pointed out that this is a
20 citywide issue because just of the numbers. We know
21 why Outfront Media, and Boston Bowl, and all of the
22 order of magnitude higher applicants for electronic
23 billboard conversions want to convert. The revenues
24 associated with digital billboards are about eight

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1 times higher than static billboards. So, it's a no-
2 brainer if you're a businessman. Sure, you want to
3 convert them all.

4 There are over 450 static billboard
5 frames in the City of Boston. Only about 30 of them
6 right now are digital. So, there's a huge incentive
7 for 420-plus billboard frames to convert. And we want
8 to make sure that we're thinking very carefully about
9 this and making sure that that doesn't happen. And we
10 do think this sets a tremendous and negative precedent
11 if, in fact, we see ourselves with a bunch of people
12 saying, "It's just a conversion. It's already an
13 existing billboard." The law states that conversion
14 to electronic billboards, Section 11-7, the electronic
15 sign part of Boston zoning, must be treated exactly
16 the same way as a new sign. So, it doesn't get
17 special treatment. It's not a benign conversion.
18 This is, essentially, creation of an electronic
19 billboard that's going to have all of the downsides
20 that we're talking about. And if this one goes, we
21 think MOOA is going to hear hundreds more
22 applications.

23 And, believe me, the residents of
24 Boston and the interlocked neighborhood associations,

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1 we will credit the industry for helping us pull
2 together all our neighborhood associations to speak I
3 a common voice. We'll be there at every hearing, at
4 every renewal, to fight these things because they're
5 bad for our community. They're bad for the wildlife.
6 They're bad for the environment. And they're bad for
7 social justice.

8 So, with that, thank you for letting us
9 make a comment. And I hope you guys deny this.

10 JOHN ROMANO: Thank you for your
11 comments, Mr. Cavallari.

12 Next, I have John Lyons.

13 GERARD KELLEHER: John, go ahead.

14 JOHN LYONS: Thank you. I'll try not
15 to repeat what was said, but fill in some of the
16 blanks and a couple of responses to some of the things
17 that have been said that I'd like to address.

18 My name is John Lyons. I live on
19 Walnut Street in Dorchester, Fort Norfolk. I am the
20 President of the Fort Norfolk Civic Association. And
21 I've been involved in the civic association since I
22 moved to this neighborhood, Pope's Hill, 40 years ago.

23 For the last 20 years, we have been
24 actively involved, together with other Dorchester

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1 civic associations, in opposition of billboards in
2 general. And since around 2015 when we issued a joint
3 letter to the mayor, Mayor Walsh, in opposition to
4 electronic billboards, we've worked against any
5 proposals whether in Fort Norfolk or anywhere else.

6 This particular proposal has been under
7 discussion with us I believe since around 2014. I,
8 personally, attended many City of Boston Zoning Board
9 meetings, which were deferred. And it was finally
10 deferred so many times, the application was either
11 withdrawn or dismissed and a new application was then
12 filed. It was then in this new filing that Fort
13 Norfolk somehow dropped out of the discussion.

14 To say that this is in Pope's Hill is
15 ludicrous. Pope's Hill is on the other side of
16 Morrissey Boulevard from Port Norfolk. In fact, this
17 family group, with whom I have a very good
18 relationship and I have patronized their businesses
19 since I attended St. Ann's School many moons ago,
20 they've come to Fort Norfolk on multiple occasions
21 previously in order to discuss proposals and request
22 our support. They came when they were acquiring a
23 liquor license for the bowling alley, which is one of
24 the new licenses issued by the City for economically

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1 distressed areas, and they received our support
2 because people wanted to help their business.

3 Two residents of Walnut Street are
4 members of the impact advisory group for a current
5 proposal to construct residential units, in excess of
6 200 units actually approved, at 780 Morrissey, owned
7 by affiliates of this same proponent. And that's been
8 going on for two years. And they've come to Fort
9 Norfolk and talked about that. And they came and they
10 presented about this billboard and it was voted in
11 opposition.

12 So, it sounds to me like there's a bit
13 of forum shopping here, and I'm very reluctant to get
14 involved in having a dispute with another Dorchester
15 civic association. I am a former member of the Pope's
16 Hill Association myself.

17 And to Mr. Mahoney, I would say for the
18 last 24, 25 years, I've been part of the St. Ann's
19 Church choir at Christmas, Easter, and other large
20 celebrations. I'm very familiar with that property.
21 I attended the school. There aren't any billboards
22 anywhere the church. They're at least a thousand feet
23 away at the intersection of Pope's Hill Street and
24 Neponset Ave., if those are the boards you're talking

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1 about taking down.

2 But that speaks to the issue that
3 really bothers me here. This swapping billboards,
4 removal of these long, profitable static boards on the
5 top of 1920 and '30 vintage commercial buildings,
6 you'll get rid of a hundred of those boards to get one
7 of these electronic boards. And what you're doing
8 when you cut a deal like that is you're pinning one
9 neighborhood against the other. That's part of the
10 whole economic injustice argument about this whole
11 discussion.

12 Ordinarily, I think you'd be inclined
13 to accept certifications of the municipality about
14 whether approval was given. In this instance, there
15 are substantial issues about the proceeding of the
16 City of Boston Zoning Board of Appeal. First and
17 foremost, the exclusion of Fort Norfolk from the
18 discussion when everyone involved knew we've been
19 involved in the discussion for years. And it is, in
20 fact, within what we would call -- I don't want to
21 call it our jurisdiction, but it is our area and has
22 been going back to the 1950s. I've spoken with people
23 who've lived in this neighborhood that long. I've
24 verified that issue because it's been raised with me.

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1 It was Fort Norfolk that had to be in the discussion
2 for the conversion of a gas station to a 7-Eleven
3 further down Morrissey Boulevard from this site.
4 We've also been in discussions with both of the auto
5 dealers further down Morrissey Boulevard from this
6 site. And not to be claiming turf, but I always say
7 any proposal, which has any possibility of affecting
8 the abutting association, such as Clam Point, Pope's
9 Hill, Cedar Grove, I welcome participation. I reach
10 out to those associations. And I don't know what
11 happened here, how a deal was cut with Pope's Hill for
12 something which is really in Fort Norfolk. It's just
13 not right.

14 Any person who watches the ZBA hearing,
15 which approved this proposal, would have to reach the
16 conclusion there was something seriously wrong with
17 that process. It was clear to me watching it, because
18 I had to watch the tape because I wasn't notified of
19 the hearing by, you know, the proponents or the
20 Mayor's Office of Neighborhood Services, the Board was
21 not clear about what it was that they were voting on.
22 They actually debated whether it was forbidden or
23 conditional. In fact, as has been pointed out several
24 times here, they're forbidden everywhere in the City

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1 except for those three designated areas.

2 There is one clause buried in the
3 zoning code, which says that under exceptional
4 circumstances -- it's Section 11.9 -- that the
5 particular use or location justifies such exceptional
6 treatment, the Board may grant conditional use
7 permits. If you were to go back and watch that tape,
8 and I hope you will, there was no discussion
9 whatsoever about any standard for relief, whether it
10 be a variance, which would require a hardship, or a
11 conditional use permit, which would require
12 exceptional circumstances. They didn't even discuss
13 it. So, there is absolutely no evidence in justifying
14 the conclusion that there are substantial exceptional
15 circumstances justifying the conditional use permit.
16 They just couldn't find a way to decide why they were
17 going to make the decision, but it was pretty obvious
18 that there was pressure to vote in favor. It took
19 multiple requests to even get a motion in support.
20 There was something wrong with that hearing. And
21 that's why I bring it up.

22 There were multiple letters submitted
23 in support from alleged abutters. They're form
24 letters signed by people primarily with businesses

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1 distant from this site, nowhere near this site.

2 Zoning should never be a popularity
3 contest. If it was a popularity contest, these
4 proponents obviously would win. They are popular.
5 They run a good business. I like them personally. I
6 still go to their businesses. This particular
7 proposal is not good for the community. It's not good
8 for the City. It needs to be denied.

9 But the subject of this discussion,
10 this hearing, as I understand it, is not the
11 underlying zoning decision; it's 700 CMR. And I think
12 if you apply that standard, you'll also see that this
13 proposal fails to meet the standards. It is not a
14 commercial site anymore; it's rapidly evolving into a
15 residential site. And it's these very proponents who
16 are making that happen by one project that's been
17 approved and other projects that are being discussed
18 and were discussed during the process of the approval
19 of the 780 Morrissey.

20 It is in view of multiple public
21 spaces: The Victory Road Park, the Squantum Point
22 Park, which is on the other side of the river that has
23 a very clear view of the Dorchester shoreline, and, of
24 course, Tenean Beach. Anywhere on that beach you can

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1 see this board. And without having to get into
2 getting out a tape measure, the fact that people use
3 that beach would have to sit there and look at this,
4 to me is just another example of the injustice. And
5 the visual environment is part of the consideration of
6 700 CMR 3.07.

7 The Fort Norfolk neighborhood itself is
8 a primarily residential neighborhood. There are
9 commercial properties scattered throughout. But that,
10 too, is evolving. There is a major residential
11 development presently under review right at the end of
12 the peninsula with a direct view of this site. There
13 are homes on Wallace Street in Dorchester, which can
14 see this site.

15 JOHN ROMANO: Mr. Lyons, you've got to
16 start wrapping it up.

17 JOHN LYONS: I was just about to.

18 JOHN ROMANO: Thank you.

19 JOHN LYONS: And it's not a popularity
20 contest. It doesn't meet the standards. I don't see
21 how anyone can justify a finding that this is going to
22 contribute anything to the community, to the visual
23 environment, that is addressed in the regulations.

24 One last point. Both zoning and the

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1 CMR look at electronic boards in a negative way.
2 They're forbidden under the Boston zoning code except
3 for the three business districts. And I counted seven
4 out of the ten paragraphs in 700 3.07 that start with
5 the language, "No board shall be permitted unless,
6 unless, unless." They're not favored by public
7 policy. In this case, I think that variance is the
8 fruit of a poisonous tree. Unfortunately, you can't
9 cure that, but I think it ought to be considered. And
10 I thank you for your time.

11 JOHN ROMANO: Thank you, Mr. Lyons.

12 Next, we have Karen Foley from I
13 believe Councilor Essaibi's office.

14 KAREN FOLEY: Yes, I -- can you hear
15 me?

16 JOHN ROMANO: Yes.

17 GERARD KELLEHER: Yes.

18 KAREN FOLEY: Sorry. I'm just laughing
19 about everybody saying that.

20 But, thank you very much for having
21 this hearing. And we just want to go on record,
22 Councilor Essaibi George opposes this project and
23 stands with the people of Fort Norfolk. And thank you
24 very much. We appreciate your consideration.

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1 Thank you.

2 JOHN ROMANO: Thank you, Karen.

3 And next I have Linda See.

4 GERARD KELLEHER: Go ahead.

5 LINDA SEE: Hi. Thank you very much.

6 My name is Linda See. And I'm a
7 Chinatown resident and mother of three young children
8 who spent the last year fighting a different billboard
9 in my neighborhood.

10 I'm here today in opposition to these
11 because digital billboards hurt communities like
12 Dorchester. We probably wouldn't even be here today
13 at all (inaudible - poor connection) hadn't waged a
14 war of attrition against the community with the Boston
15 ZBA (inaudible). There is an unfair burden on the
16 average residents to fight against these sophisticated
17 media companies, like the gentleman who just spoke
18 from Outfront. And there are bigger issues we should
19 be dealing with, especially in the neighborhoods where
20 these billboards will be placed.

21 But, that said, as much as I do truly
22 respect and appreciate Boston Bowl and its owners,
23 it's really hard for me to reconcile what they offer
24 to the community with their desire to impose something

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1 that so negatively impacts the neighbors and the
2 environment. I understand there's been an existing
3 billboard here and some others may be taken away, but
4 an electronic one that projects all day, and distracts
5 drivers, and disrupts residents and visitors to Tenean
6 Beach is a totally different animal.

7 Thank you for giving me the opportunity
8 to speak.

9 JOHN ROMANO: Thank you, Ms. See.
10 I am not seeing any other hands raised.
11 Gerry, do you?

12 GERARD KELLEHER: I'm not sure if
13 they've spoken already -- John Lyons, Karen Foley.

14 JOHN ROMANO: Yeah, they spoke. John,
15 Karen, they just spoke.

16 GERARD KELLEHER: Okay.

17 JOHN ROMANO: Do you see anyone in the
18 chat or anything, Gerry?

19 GERARD KELLEHER: I do not.

20 JOHN ROMANO: Okay. So, seeing no
21 other comments, as I said at the beginning, you know,
22 as you can see from all of the items on the agenda, we
23 thank everybody's input on this.

24 Mr. Strazzula, we thank you for all

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1 your team's input to your application.

2 We will take all of this under
3 advisement and we will get back to you, Mr. Strazzula,
4 in some reasonable time. There's a lot for us to
5 review.

6 PHILLIP STRAZZULA: Director Romano, I
7 really appreciate your time and your staff's time.
8 And I appreciate everyone's comments today. You know,
9 both -- certainly we have positive comments and
10 negative comments. And this is one of the reasons
11 that Dorchester is such a great place to live and to
12 work. We have great folks and great associations.
13 And people are passionate about issues, and that's
14 really good for us today.

15 So, we really appreciate everyone's
16 time. Thank you.

17 JOHN ROMANO: Thank you, Mr. Strazzula.

18 So, finally, I will take this under
19 advisement.

20 We do have a couple of other items on
21 the agenda. Under Items E and F, there are
22 applications for renewal for Outdoor Advertising
23 license of JNJ Media, one license, six permits, and
24 also, actually, a 2020 renewal -- I know it's kind of

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1 old -- but Pan-Mass Challenge. It was a temporary
2 permit.

3 Does anybody have any comments or
4 questions on those?

5 (No response.)

6 GERARD KELLEHER: I don't see any.

7 JOHN ROMANO: Seeing none.

8 The last item, Item 4. For the Record -
9 Actions Taken Since the Last Public Hearing. There
10 are several items here. Does anybody have any
11 questions on the items taken since the last public
12 hearing?

13 (No response.)

14 JOHN ROMANO: I don't see any.

15 Gerry, do you see any?

16 GERARD KELLEHER: No.

17 JOHN ROMANO: Okay. No comments.

18 The last item on the agenda, any public
19 comments in general about anything related to Outdoor
20 Advertising?

21 (No response.)

22 GERARD KELLEHER: No hands are raised.

23 JOHN ROMANO: Okay. Hearing or seeing
24 none, we will adjourn the meeting at 12:38.

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1 Thank you all very much for coming.

2 And we will see you next month.

3 (Whereupon, the proceedings were concluded
4 on May 13, 2021 at 12:38 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.