

Office of Outdoor Advertising
Public Meeting

September 8, 2022

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, September 8, 2022

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

2

3 JOHN ROMANO: I apologize. I don't
4 have my normal opening statement with me today because
5 for the first time in forever I'm in my office instead
6 of in my home office. So, I'm going to do a makeshift
7 reading here.

8 This is the September 8, 2022 Office of
9 Outdoor Advertising hearing. My name is John Romano.
10 I am the Director of Outdoor Advertising for MassDOT.

11 The meeting is accessible to people
12 with disabilities. MassDOT provides reasonable
13 accommodations and/or language assistance to those who
14 request it. If you have requested and not received
15 any accommodations that you require for today, you can
16 call MassDOT's Office of Diversity and Civil Rights at
17 857-368-8580 or email
18 massdot.civilrights@dot.state.ma.us.

19 We are going to run this hearing like
20 we normally do when we used to do it in person. We
21 are doing it virtual by Governor's Executive Order,
22 which has now been, due to COVID-19 restrictions, that
23 it's been extended until March of 2023 at this point.
24 We are doing it with Zoom platform.

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1 In a minute, I will have my colleague,
2 Jerry Kelleher, go over the information for Zoom
3 controls.

4 We will go through the agenda one item
5 at a time. I will ask questions of the proponent.
6 There will be an opportunity for public input after
7 each item. And then, at the end of the agenda, there
8 will be an overall opportunity for public comment.

9 Obviously, you can't sign in a hard
10 copy of a sign-in sheet, but we do have a copy of who
11 signed in for the webinar, for the virtual meeting.

12 I will note that this meeting is being
13 recorded by our stenographer, who is in attendance.
14 There will be a transcript of the hearing posted on
15 our webpage. Once it is ready and approved that will
16 get posted, as we do every month.

17 With that, I'm going to turn it over to
18 Jerry.

19 Jerry, if you could, you know, read
20 aloud the information for the webinar and then also go
21 over the Zoom controls?

22 GERARD KELLEHER: Sure. Thank you,
23 John.

24 We are required to tell you that the ID

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1 is 926 5006 0105 for this meeting. The passcode is
2 complex: D2K6#D.MGc. And if you're dialing in, the
3 number is 301-715-8592.

4 The controls of this meeting: The
5 panelists are the only ones that have a camera
6 available.

7 If you'd like to ask a question, please
8 raise your hand.

9 And note that we are not -- for this
10 webinar, there is no chat and no interpretation.

11 Let's see. On this page, so here's the
12 protocol.

13 Raise your hand. I will unmute you if
14 you want to ask a question, or you can submit a
15 written question at any time with the Q&A feature.

16 Please state your name before asking a
17 question for our stenographer.

18 Keep it to one question or one comment
19 at a time. And, also, keep it to the subject that
20 we're on at the agenda. So, don't move forward or
21 backwards on the agenda. If you have a question, make
22 it pertinent to what we're talking about.

23 And then, if you want to dial in, you
24 can dial in and I will call out the last three digits

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1 of your phone number when it's your turn to speak and
2 I'll unmute you.

3 So, that's basically the rulebook.

4 I will give it back to John, the
5 Director.

6 JOHN ROMANO: Thank you, Jerry. I
7 appreciate that.

8 As I said earlier, we will take
9 comments after each item. And then at the end of the
10 meeting, if you want to send something in writing, you
11 can send it into our email address, which is
12 OOAInformation@dot.state.ma.us. That's our office
13 email address. So you can always send in comments
14 then.

15 We typically, just so that you know, we
16 do not make any decisions at the hearing today. All
17 items on the agenda are taken under advisement. And,
18 typically, within a couple of weeks, we will give --
19 we will make a ruling on the items, sometimes as early
20 as a week, but, typically, a couple of weeks before a
21 decision is made.

22 And so, with that, we are going to
23 start.

24 So, Jerry, if you could put the agenda

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1 -- oh, the other thing I just -- Jerry, I don't know
2 if you mentioned it, but I just want to let people
3 know that in the Q&A, the agenda and the meeting
4 minutes, accessible versions of those are in the Q&A
5 box. Those were also posted on our website previous
6 to the hearing.

7 With that, Jerry, if you could put the
8 agenda up on the screen?

9 So, the first item will be the minutes'
10 approval of the August 2nd -- August 11th regular
11 session minutes. Are there any questions or comments
12 on that?

13 (No response.)

14 JOHN ROMANO: I am not seeing any hands
15 raised.

16 Jerry, you?

17 GERARD KELLEHER: I don't see any at
18 this time.

19 JOHN ROMANO: Okay. With that, I will
20 mark those approved.

21 GERARD KELLEHER: Sounds good.

22 JOHN ROMANO: I've got to get used to
23 writing "9" for September. My mind is still in
24 August. So, that's item number one.

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1 So, the next item that is up is an
2 application for a new license. And this is Digital
3 Impact Outdoor, LLC, 122 Doty Circle, West
4 Springfield.

5 Is the applicant here?

6 JAMES BALISE: Yes.

7 JOHN ROMANO: Can you just please state
8 your name for the record?

9 JAMES BALISE: James Balise.

10 JOHN ROMANO: Good morning, Mr. Balise.
11 How are you today?

12 JAMES BALISE: Good. Thank you.

13 JOHN ROMANO: So, we reviewed the
14 paperwork that you submitted. Your certificate of
15 good standing and/or tax compliance from the
16 Department of Revenue, your W-9 form, your payment,
17 everything appears to be in order at this time.

18 Do you have anything that you would
19 like to add to your license application, Mr. Balise?

20 JAMES BALISE: No, sir.

21 JOHN ROMANO: Okay. Does anybody in
22 the public have any questions or comments on this
23 application at this time?

24 (No response.)

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1 GERARD KELLEHER: No hands raised,
2 John.

3 JOHN ROMANO: Okay. Mr. Balise, we
4 will take this under advisement, and we will get back
5 to you.

6 JAMES BALISE: Thank you very much.

7 JOHN ROMANO: You're welcome.

8 Okay. Next item is an application for
9 transfer of permits. This is Hub Advertising, LLC is
10 the transferor. The transferee is Outfront Media,
11 LLC. These are Permit Numbers 2020001 and 002, 434-
12 454 Blue Hill Avenue in Boston.

13 Sorry about that. I have the wrong
14 folder in front of me.

15 Is either of these companies, is
16 anybody here representing either one of them?

17 ANGELA RUFO: Yes, I'm here for
18 Outfront.

19 JOHN ROMANO: State your name for the
20 record, Angela.

21 ANGELA RUFO: Angela Rufo, R-u-f-o.

22 JOHN ROMANO: Okay. Angela, we
23 reviewed the paperwork for this. Everything seems to
24 be in order. I will have Mr. Chaves, my inspector,

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1 give his report on this one. Oh, Jason, actually.

2 Jason, you did this one?

3 JASON BEAN: Yes.

4 JOHN ROMANO: I'm sorry. Jason Bean
5 will give us a report on this one.

6 GERARD KELLEHER: Okay.

7 JOHN ROMANO: Okay, Jay.

8 GERARD KELLEHER: Go ahead, Jason.

9 JASON BEAN: Good morning, everyone.

10 This is a transfer from Hub
11 Advertising, LLC to Outfront Media, Permits Number
12 2020001 and 002, both located at 434-454 Blue Hill
13 Avenue in Boston.

14 This is a recently approved sign, a
15 couple of years ago. And at this point, John, nothing
16 has changed. No issues to be found.

17 Thank you.

18 JOHN ROMANO: Okay. Great.

19 Angela, anything you'd like to add to
20 your application at this time?

21 ANGELA RUFO: No, sir.

22 JOHN ROMANO: Okay. Thank you.

23 Any questions or comments from anybody
24 in attendance on this transfer-only application?

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1 (No response.)

2 GERARD KELLEHER: I don't see any hands
3 here.

4 JOHN ROMANO: Yeah, same. Oh, I see
5 one hand.

6 GERARD KELLEHER: There he goes. Seth
7 Daniel. Hold on a second, please. Go ahead.

8 JOHN ROMANO: All right, Mr. Daniel.
9 Go ahead.

10 SETH DANIEL: Yes, Seth Daniel from the
11 *Dorchester Reporter*.

12 I'm just curious on this one if it's
13 intended to be changed over to electronic or will it
14 stay just static as it is here?

15 JOHN ROMANO: So, this is only a
16 transfer between two companies to transfer the permit.
17 At this time, this is not an application to change to
18 anything other than just a transfer of ownership.

19 SETH DANIEL: Does Ms. Rufo have any
20 knowledge of whether they would be submitting that
21 kind of an application?

22 ANGELA RUFO: Not at this time.

23 SETH DANIEL: Okay.

24 JOHN ROMANO: Anything else, Mr.

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1 Daniel?

2 SETH DANIEL: No, not on this one.

3 That's good. Thank you.

4 JOHN ROMANO: Okay. Any other
5 questions?

6 GERARD KELLEHER: We have Mr. Bookston
7 is lined up. Just give me a second to switch here.

8 Okay, Mr. Bookston.

9 JOHN ROMANO: Mr. Bookston, is this in
10 regards to this application?

11 GERARD KELLEHER: Go ahead, sir.

12 JOHN BOOKSTON: I'm looking at the
13 picture. And Blue Hill Avenue would be a lot nicer
14 without that giant, ugly sign over nice brick
15 buildings.

16 Thank you.

17 JOHN ROMANO: Okay. Thank you for your
18 comment.

19 Anybody else? Any other comments or
20 questions?

21 (No response.)

22 GERARD KELLEHER: No hands are raised.

23 JOHN ROMANO: Okay. Seeing none.

24 Angela, we will take this under advisement and get

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1 back to you.

2 ANGELA RUFO: Thank you.

3 JOHN ROMANO: Okay. The next item up
4 on the agenda is another permit transfer: Media
5 Partners MRV, LLC is the transferor to Outfront Media,
6 LLC. This is Permit Numbers 2021D008 and D009, 0
7 Enterprise Drive in Marshfield.

8 Okay. Is anybody here representing
9 either company?

10 ANGELA RUFO: Angela Rufo again for
11 Outfront.

12 JOHN ROMANO: Okay. Hang on one
13 second.

14 Okay. So, Angela, we reviewed all of
15 the paperwork. Everything looks properly submitted.

16 I am going to have Marc Plante, who is
17 my inspector, give his report on this.

18 Marc, can you give your report on this
19 permit transfer?

20 CHRISTOPHER CHAVES: John, I don't see
21 Marc.

22 GERARD KELLEHER: He's offline.

23 CHRISTOPHER CHAVES: Yeah, I don't see
24 Marc on. He may be having technical difficulties.

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1 But I can speak on this board. I'm familiar with it.

2 JOHN ROMANO: Okay. Go ahead, Chris.

3 I appreciate that.

4 CHRISTOPHER CHAVES: No problem. It's
5 a fairly newly constructed electronic, two-sided board
6 on Route 3 in Marshfield. I know that there was only
7 one issue that Marc had brought up. And it was the
8 non-permit numbers. The permit numbers are not posted
9 on the sign.

10 So, Angela, please, when you guys are
11 changing your logo over after the transfer, please put
12 up the permit numbers. We would appreciate that very
13 much.

14 Other than that, there's no issues at
15 this site.

16 JOHN ROMANO: Great. Chris, thank you.

17 Yes, and, Angela, I did speak with you
18 guys ahead of time about this. That is something that
19 we flagged. And I think I spoke to Jenna from your
20 office about this, and that you were in the process of
21 getting the permit numbers put up.

22 ANGELA RUFO: Yes.

23 JOHN ROMANO: So -- yes, go ahead.

24 ANGELA RUFO: Yeah, they're being

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1 printed. So, as soon as they come in, we will put
2 them up. It should be next week.

3 JOHN ROMANO: Okay. Yeah, if you could
4 just let Marc or I know, and we'll have Marc go out
5 and finish the -- you know, do his inspection and
6 we'll put it in the database and clear that. All
7 right?

8 ANGELA RUFO: Okay.

9 JOHN ROMANO: Other than that, we
10 didn't see any other issues.

11 All right. Do you have anything else
12 you'd like to add to the application at this time,
13 Angela?

14 ANGELA RUFO: No, I don't.

15 JOHN ROMANO: Okay. Any comments or
16 questions from anybody in attendance on this transfer-
17 only application?

18 (No response.)

19 JOHN ROMANO: I am not seeing any.

20 GERARD KELLEHER: No.

21 JOHN ROMANO: We will take this one,
22 also, under advisement, and we will get back to you.

23 Thank you.

24 Okay. Next on the agenda is Media

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1 Vision, Inc., 1211 Commonwealth Ave., Boston,
2 Application Number 2022004 and 005. These existing
3 structures are Permit Number 24033, 33A, and 34. This
4 is to remove -- these will be removed and replaced
5 with two new static-only signs. The existing signs
6 will be surrendered by Clear Channel.

7 I am just going to state, before we get
8 into this, that there have been some items back and
9 forth with the City of Boston ISD. At this point, the
10 information that I have from ISD is that these -- any
11 issues with the building permit, it's currently okay
12 and this hearing can go forward. Any other issues
13 that need to be addressed with the City of Boston will
14 happen.

15 As I stated at the beginning of this
16 hearing, all items, as you can tell so far and will
17 continue to see, are taken under advisement. No
18 decision will be made until any -- you know, if
19 there's any issues that need to continue to be
20 addressed in the City, I will get that information,
21 and no decision will be made until we get any
22 additional information.

23 So, with that, we are going to move
24 forward with this, just like I have with the other

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1 applications. We will hear from the proponent, and
2 then I will take any comments or questions.

3 So, with that said, on August 9, 2022,
4 notification was sent to the mayor and the city clerk
5 by my office.

6 Is the applicant present?

7 RICHARD LYNDS: Good morning, Mr.
8 Director.

9 For the record, Richard Lynds, 245
10 Sumner Street, East Boston, on behalf of Media Vision.
11 With me is Jonathan Serra, as well, the president.

12 JOHN ROMANO: Good morning, gentlemen.

13 Is there anybody here representing the
14 municipality where the sign is being proposed, by that
15 I mean city officials?

16 (No response.)

17 JOHN ROMANO: I am not seeing any
18 hands.

19 GERARD KELLEHER: No hands.

20 JOHN ROMANO: Okay. Are there any
21 abutters present today?

22 (No response.)

23 JOHN ROMANO: I am not seeing any
24 hands.

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1 GERARD KELLEHER: No hands raised.

2 JOHN ROMANO: Is anybody here from the
3 MassDOT Highway District Office?

4 (No response.)

5 JOHN ROMANO: I am not seeing any hands
6 raised.

7 Traffic Operations is not applicable
8 because this is a static board.

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

12 RICHARD LYNDS: Yes, in addition to the
13 mayor of Boston as well as the director of the Boston
14 Planning and Development Agency, Mr. Director.

15 JOHN ROMANO: Thank you. And I do have
16 copies of the post office receipts. You did submit
17 those as well as a copy of the letter. Thank you.
18 Those were part of the package that I received.

19 Okay. Has the applicant received any
20 written comments in support or opposition of this
21 application?

22 RICHARD LYNDS: Mr. Director, I believe
23 you supplied my office with a notice or letter in
24 opposition to the application. I believe our office

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1 received the same copy that you had forwarded.

2 JOHN ROMANO: That's correct. We
3 received one letter of opposition from a Maria Lyons
4 from the -- in the City of Boston. That's all we
5 received as well. Okay.

6 And the application that I received,
7 the two applications, they were signed off by the City
8 of Boston Inspectional Services as being in conformity
9 with municipal zoning and/or bylaws.

10 Is that your understanding as well, Mr.
11 Lynds?

12 RICHARD LYNDS: Yes, Mr. Director. If
13 I may just add to that for the record, for purposes of
14 the record in this matter, I do believe that you've
15 been provided some other information, some
16 inconsistent information. I would ask that you also
17 confirm, you have not received any specific withdrawal
18 or revocation of that certification, is that correct?

19 JOHN ROMANO: Not of that
20 certification, no.

21 RICHARD LYNDS: Thank you. And I
22 believe that is the only requirement under your
23 regulations for purposes of making a determination on
24 an application.

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1 JOHN ROMANO: I believe that is
2 correct. We will review, like I said in the
3 beginning, if anything additional is sent to us. We
4 did get something from -- about a building permit or
5 something, but that was a, you know, we did receive
6 something from the commissioner that says that there
7 is no revocation at this time. So, we are moving
8 forward. And if anything additional comes, we will
9 review that and share that with you as the proponent
10 and go forward from there.

11 RICHARD LYNDS: Yeah. And I just -- I
12 feel it's important, simply because we are making a
13 record here, that any information regarding building
14 permits, surely, my client requires an actual building
15 permit from the City of Boston to proceed with the use
16 or occupancy of the building with respect to an
17 outdoor advertising device. And, therefore, that is a
18 secondary issue that is handled certainly by the
19 municipality. And I believe we've had this
20 conversation before, Mr. Director, in these meetings
21 where building permits often don't even issue until
22 after the OOA has acted. So, in this particular case,
23 you know, the fact that the building permit's in
24 question, I believe is an issue for the municipality

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1 at this point.

2 JOHN ROMANO: Okay. Anything -- let's
3 see. All right. At this point, Mr. Lynds, I'm going
4 to have my field inspector give his report on this
5 location. Okay?

6 RICHARD LYNDS: Thank you very much.

7 JOHN ROMANO: Mr. Chaves, if you could
8 give your field report, please?

9 CHRISTOPHER CHAVES: Yes, sir. Thank
10 you, John.

11 As you had mentioned, these are
12 proposed two-sided static signs replacing the current
13 static signs that are at this location.

14 The site meets all the field criteria.
15 There are no spacing issues. It meets the field
16 criteria of the 700 CMR.

17 JOHN ROMANO: And I just might -- I
18 just want to reiterate what I said at the beginning,
19 that there are existing signs there and those I do
20 have a surrender from the current sign-holders. You
21 know, regardless of anything else that happens, before
22 the permit issues, those signs will need to be
23 surrendered. They are surrendered. They will need to
24 be removed and my -- an inspection would have to be

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1 done as I would not issue new permits with those other
2 permits still there. But, you know, we'll get --
3 we'll cross that bridge when we get to it. But that's
4 all part of the standard process that we would do so
5 that there would not be duplicate sets of permits
6 issued for the same location.

7 RICHARD LYNDS: Mr. Director, just for
8 clarification, again, I think it's important for the
9 record here. My understanding is that we provide the
10 evidence that the permits themselves have been
11 surrendered by Clear Channel Outdoor for this
12 location. But I'd also put on the record that the
13 sign does stand as of today. Whether Clear Channel
14 removes that is between Clear Channel and the
15 landlord, whatever arrangement they have. However, I
16 do not believe that if Clear Channel chooses to be
17 dilatory removing its sign that in any way should
18 affect or prejudice our ability to obtain permits for
19 this location.

20 JOHN ROMANO: The idea is though that I
21 will not have five permits issued at the same time to
22 this thing. And part of the surrender process is that
23 the boards will need to be removed. So, whether --
24 you know, I have the letter from the landlord that you

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1 provided. So, whether it's Clear Channel that
2 physically removes the boards, or you, or the property
3 owner, as long as those boards come down, and when
4 they're done, we'll go take a picture of the site or
5 you can send me a picture of the site, and we'll issue
6 the permits. I'm just not going to have five permits
7 open, you know, issued at the same time.

8 RICHARD LYND: I couldn't agree more.
9 And I do not believe that we're asking you to consider
10 having five open permits for this location. You have
11 already received information, and I believe consistent
12 with the regulations that is the obligation of Clear
13 Channel Outdoor. Once they receive notification that
14 they are no longer permitted to maintain a sign at
15 this location, it is incumbent and their duty under
16 the regulations to inform the Director of the
17 surrender. And I believe that has happened.

18 I don't believe the regulations state
19 anywhere that the board must be removed in order for
20 those permits to be surrendered. There are multiple
21 instances in this Commonwealth where permits have been
22 surrendered and boards remain and that the Office of
23 Outdoor Advertising has accepted the surrender,
24 despite the fact the boards remain.

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1 I just want that to be clear in case
2 that becomes an issue later because I have some
3 information that suggests that there is an attempt,
4 certainly, to remain at this location longer than what
5 they have been permitted to remain -- longer than they
6 have been permitted to remain.

7 Thank you, Mr. Director.

8 JOHN ROMANO: Anything else you want to
9 add to your application at this time, Mr. Lynds?

10 RICHARD LYNDS: Not at this time.

11 JOHN ROMANO: Great. Anybody have any
12 comments, questions from the general public that's in
13 attendance at this time?

14 GERARD KELLEHER: There's one hand
15 raised, John. Anabela Gomes.

16 JOHN ROMANO: Okay, Anabela.

17 GERARD KELLEHER: Go ahead, please.

18 ANABELA GOMES: My name is Anabela
19 Gomes. I'm the Zoning Chair for the Brighton-Allston
20 Improvement Association.

21 We have serious concerns with this
22 application. Their permit currently is suspended.
23 It's not revoked, but it is suspended and abandoned.
24 And it is recorded at ISD. And they pulled a permit

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1 to reconstruct this billboard structure that is being
2 removed and to rebuild. They do not have City zoning
3 to rebuild a new structure at this location. That
4 goes under Article 51, which is not allowed and
5 requires ZBA process, which they have not gone
6 through. And the BPDA has not approved a new
7 structure to be put up at this building.

8 So, we strongly as the Board to look at
9 this and go back to the City's process and make sure
10 that this is done correctly because this is not being
11 done correctly and the community does not support it
12 nor does Article 51 for the City Zoning in that
13 location support this.

14 Thank you.

15 RICHARD LYNDS: Mr. Director, if I
16 could respond, briefly?

17 JOHN ROMANO: Sure.

18 RICHARD LYNDS: With all due respect to
19 Ms. Gomes, this was done correctly. Although Article
20 51 does apply to the Brighton neighborhood, Article 4
21 is what's relevant in this situation under the Boston
22 Zoning Code for pre-existing nonconforming uses and
23 structures.

24 We do have a duly-issued building

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1 permit. As to its status, I dispute the fact that
2 it's been revoked or it's been abandoned. I have been
3 in communications directly with Inspectional Services
4 Department, and I can confirm that the revoked status
5 is not the present status of this building permit.

6 In addition, as to whether or not the
7 Boston Planning and Development Agency is obligated or
8 required to provide approvals, that is also
9 inaccurate. This is not a digital -- a proposed
10 digital board. The Boston Planning and Development
11 Agency exercises no jurisdiction over the approvals of
12 any outdoor advertising devices except those which
13 come under the digital regulations, and, therefore,
14 the BPDA has no role in granting approval.

15 The only obligation that we do have is
16 that we notify the BPDA of a pending application,
17 which we have, which we have confirmed to the Office
18 of Outdoor Advertising, and which the BPDA has also
19 confirmed that they've been informed of this proposal.

20 So, I just want the record to be clear
21 that while I do have a good deal of respect for Ms.
22 Gomes, the assertions that we somehow require some
23 type of zoning relief for this are not entirely
24 accurate because this is subject to Article 4 of the

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1 Boston Zoning Code and not necessarily Article 51.

2 Thank you, Mr. Director.

3 JOHN ROMANO: Okay. Anybody else?

4 GERARD KELLEHER: John, Ms. Gomes is
5 looking to respond. Should I unmute her?

6 JOHN ROMANO: Sure.

7 GERARD KELLEHER: Go ahead, Ms. Gomes.

8 ANABELA GOMES: I just want to be clear
9 that Mr. Lynds is aware that the permit is suspended
10 and there is a copy on record at ISD and BPDA, the
11 mayor's office. And I believe that they sent a copy
12 to Mr. Romano today as well, that it is suspended.
13 So, that is factually untrue.

14 And if Clear Channel removes the
15 structure, there is no -- there is no process of
16 putting one up without going through ZBA review. And
17 Article 51 does, in fact, kick in. So that is
18 incorrect.

19 But, just to be clear, there is a
20 suspended permit. And that is out there and Mr. Lynds
21 should be aware of that since he was contacted.

22 RICHARD LYNDS: Once again,
23 respectfully, I don't want to make this a tennis
24 match, Mr. Director, whether or not the status of the

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1 building permit with ISD, between us and the project
2 proponent, is I think immaterial for purposes of what
3 the Office of Outdoor Advertising's role here is. I
4 do not hear any comments or have not heard any
5 information that the certification that is required
6 under the regulations that's been provided to the OOA
7 in connection with this application has been revoked
8 or rescinded. I believe that that remains. And
9 whether or not we have a building permits issue that
10 we need to work out with ISD, Ms. Gomes, you know, is
11 more than welcome to have that conversation with ISD.
12 But for purposes of this matter and the Office of
13 Outdoor Advertising's role in determining whether a
14 permit should issue, that is -- that's a secondary
15 issue. That doesn't necessarily apply here. The
16 certification is all that matters under the
17 regulations.

18 JOHN ROMANO: Does anybody else have
19 any other comments?

20 (No response.)

21 GERARD KELLEHER: I don't see any hands
22 raised now.

23 JOHN ROMANO: Okay. We will take this
24 under advisement and we will get back to you.

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1 RICHARD LYNDS: Thank you very much.

2 JOHN ROMANO: Okay. Moving on. Next
3 up on the agenda is an application for an electronic
4 permit.

5 I do want to let people know that in
6 case you had seen an old version of the agenda, there
7 was an application for a digital permit in Holyoke.
8 That was removed the other day at the request of the
9 proponent, and that appears that it will show up on
10 the October agenda. The proponent had some more work
11 to do and asked if they could move it to October. So,
12 in case you are here for that and you're wondering why
13 it's not on, that's what's up with the Holyoke one.

14 So, we are here, next is an application
15 for an electronic permit for the Pine Street Inn.
16 It's 363 Albany Street, Boston, Application Number
17 2022D014 and D015. It is a conversion of an existing
18 structure. Permit Number 2013009 and 010 that is
19 currently on the building, current static ones.

20 Notice was sent by my office on August
21 9th to the mayor and the city clerk.

22 Is the applicant present?

23 JEFF DRAGO: Yes. Thank you, Director
24 Romano. Attorney Jeff Drago with Drago + Toscano,

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1 with a business address of 11 Beacon Street here on
2 behalf of the applicant. And I also have Kate Chang,
3 who's the Vice President of Community Relations for
4 the Pine Street Inn, who is also present.

5 JOHN ROMANO: I'm sorry, Jeff. You
6 said Kate Chang?

7 JEFF DRAGO: Correct. I believe she
8 registered under my name. So there's two of us.

9 LYDIA QUICK: John, do you need the
10 spelling?

11 JOHN ROMANO: No. If the stenographer
12 needed it, he would shout out. As long as he has it.
13 Okay. Great.

14 Is anybody here representing the
15 municipality where the sign is being proposed?

16 (No response.)

17 GERARD KELLEHER: No hands raised.

18 JOHN ROMANO: Are there any abutters
19 present today?

20 (No response.)

21 GERARD KELLEHER: No hands raised. Oh,
22 there's one.

23 JOHN ROMANO: I see one.

24 GERARD KELLEHER: Lee Waddell.

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1 JOHN ROMANO: All right. You can
2 unmute Lee.

3 GERARD KELLEHER: Okay. There you go.
4 Go ahead, please. Lee Waddell?

5 JOHN ROMANO: All right. We'll come
6 back to it, Jerry. When we come to public comments,
7 we'll pull her first as an abutter.

8 GERARD KELLEHER: All right.

9 JOHN ROMANO: Okay. Is anybody present
10 from the District Office MassDOT?

11 (No response.)

12 JOHN ROMANO: I am not seeing anybody.
13 Okay. Is anybody here from MassDOT
14 Traffic Operations?

15 (No response.)

16 JOHN ROMANO: There is not. But, Mr.
17 Drago, as I had informed you the other day, our state
18 traffic engineer's office, as they do with all digital
19 board proposals, reviewed this. And should you be
20 granted a permit for this location, a detailed traffic
21 study will need to be done for this location. And
22 should we be going forward with a permit, we will send
23 you all of the requirements of that traffic study at
24 the time. Okay?

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1 JEFF DRAGO: Yes. Thank you, Director
2 Romano. You went over that in detail.

3 JOHN ROMANO: Okay. Mr. Drago, was
4 certified mail notice to abutters sent out by you at
5 least 30 days prior to submitting your application to
6 my office?

7 JEFF DRAGO: Yes, Mr. Director. The
8 mailing went out July 8th. Approximately 440 mailings
9 receipts were provided to your office at the OOA.

10 JOHN ROMANO: And I do have -- I've got
11 them all. They are right here, the post office
12 receipts. And I do have a copy of the letter. So,
13 thank you for providing those.

14 Have you received any written comments
15 in support or opposition to this application?

16 JEFF DRAGO: Yes. So, and we submitted
17 letters of support as well. And I believe you have a
18 number of them on your record. We received support
19 from State Rep. Aaron Michlewitz's office, the two
20 civic associations for this neighborhood, East
21 Berkeley Neighborhood Association and the West
22 Broadway Neighborhood Association. And then we had
23 several residential and commercial abutters. We also
24 received the emails that are of correspondence. I

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1 believe there were three that were sent to me by you
2 personally by email that were in opposition.

3 JOHN ROMANO: That's correct. I do
4 have the -- all of the letters that you mentioned in
5 the package that you submitted, and the ones that you
6 called out specifically, as well as a handful of
7 others. And I did receive over the last 24 hours, the
8 three letters, that I -- as you mentioned, that I sent
9 to you in opposition from Maria Lyons, Rachel Thurlow,
10 and Ford Cavallari from the Alliance of Downtown Civic
11 Organizations. Those were all in opposition. So
12 we're in synch here. I think we have the same
13 letters, both ways, in both our packages. So, thank
14 you for submitting what you had.

15 So, according to the application, a
16 variance from the Board of Appeals on September 21,
17 2021, and BPDA approval was submitted. And that was
18 all part of your application, which I reviewed, and
19 signed off by Teresa Polhemus from BPDA.

20 Is that your understanding?

21 JEFF DRAGO: It is, Mr. Director.

22 JOHN ROMANO: Okay. So the one thing
23 that I will -- I am going to call out -- I have my
24 inspector giving a report -- is that, as part of your

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1 application, you are requesting an exemption to the
2 digital spacing requirement between electronic boards.
3 The state requirement is 1,000 feet between digital
4 boards on the same side of the street. Your board,
5 your proposed board, is approximately 910 feet, give
6 or take a few feet, from another digital board farther
7 down Albany Street. So it's less than the 1,000 feet,
8 but it does meet the criteria under the Federal-State
9 Agreement, which is 500 feet. So, you're looking for
10 -- you're requesting an exemption.

11 There is a letter of support from the
12 BPDA. The Secretary of Transportation needs to give a
13 letter of support and also consultation with Federal
14 Highway. Those are being done. There is no -- as I
15 said, we have the letter from the BPDA. There is no -
16 - I do not have a response from Federal Highway or
17 from the Secretary as to whether that exemption is
18 supported by them. So that is in process. So that is
19 something that would be required before I could
20 consider granting a permit here. And so I just wanted
21 to call that out because that is part of your
22 application.

23 The other thing is, is that the BPDA
24 does have a timing restriction of 1 a.m. to 6 a.m.,

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1 where this board would not be able to be operated --
2 these boards would not be able to be operated should
3 the permit be granted.

4 Is all of that your understanding?

5 JEFF DRAGO: Yes, not only our
6 understanding, we actually met with the BPDA to go
7 over their regulations and are on the record with them
8 as understanding and agreeing to those hours.

9 JOHN ROMANO: Okay. With that, I'm
10 going to ask my field inspector, Chris Chaves, to give
11 his report.

12 CHRISTOPHER CHAVES: Thank you, John.

13 As you mentioned, this is a proposed
14 conversion of current static permits. There is a
15 north-facing and an east-facing side. The north-
16 facing is over 300 feet from the Rotch Playground,
17 which is a city-owned park. The east-facing sign is
18 287 feet from Rotch Playground. But it is -- neither
19 sign is visible from any point within the park, which
20 meets the criteria in the 700 CMR 3.07, Subsection 6,
21 which states, "Due to the geometry of the area, the
22 sign is not visible from anywhere." It's a state
23 park, not a -- I mean, I'm sorry, a city park not a
24 state park. And that meets the criteria there.

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1 Also, as you mentioned, it does have a
2 spacing issue to a current electronic permit located
3 at 439 Albany Street, an MBTA bus station. It is 902
4 feet from that location. But, as you mentioned, there
5 is an exemption request submitted.

6 Other than that, there is no other
7 issues to discuss.

8 JOHN ROMANO: Thank you, Chris.

9 Mr. Drago, just, you know, to follow up
10 on Chris' report, the park situation, the Federal-
11 State Agreement states clearly 300 feet from a park
12 you cannot have a billboard. My interpretation of
13 that is that this is not a state-owned park; it's a
14 city-owned park. It is my understanding that the
15 static billboards that were granted to you back in I
16 believe it was 2013, were granted under that same
17 evaluation. I did call that to the attention of
18 Federal -- the gentleman from Federal Highway that is
19 reviewing the exemption. So, he is reviewing to see
20 whether he concurs with that as well.

21 And then, which would defer to the
22 state regulations, which Chris said, you know, it's
23 300 feet, if it's not viewable from any accessible
24 point from the park. Chris' inspection has kind of

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1 beared that out. But also, you know, the photographs
2 and evaluation that you did, and what you have
3 submitted, bears that out as well. And, you know,
4 should that not be -- you know, should we grant the
5 permit, and should you build it, and should that not
6 be the case, there will then -- there will be an
7 issue. So, just be to be aware of that.

8 So, but I just want to make sure we got
9 that on the record and that you understand that
10 clearly.

11 JEFF DRAGO: Understood.

12 JOHN ROMANO: So, that's where we are
13 with that. So we're clear on that?

14 JEFF DRAGO: Yes, thank you.

15 JOHN ROMANO: Excellent. So, is there
16 anything you'd like to add to your application at this
17 time, now that we've gone through all that?

18 JEFF DRAGO: No. Just to point out, so
19 I know we talked about the waiver. The reason we're
20 applying for that waiver is, one, we are an existing
21 structure. So, our two boards are, as you mentioned,
22 two existing static boards. We're actually reducing
23 the size of these boards. So, we're at 20 by 40 and
24 20 by 60 exclusively on the boards. We're actually,

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1 by changing these over to digital boards, we're
2 reducing the size from 14 five inches and by 48 feet
3 to 14 five by 48. So they will be reduced.

4 As was mentioned, these are not visible
5 from the park. We do abut the highway. Any of the
6 residential buildings that are immediately near us
7 were constructed after those static boards were
8 already in existence. And the Pine Street Inn is a
9 unique situation. They are receiving almost the
10 entirety of the revenue from these boards directly to
11 go to their services for homelessness and job
12 creations.

13 So, thank you.

14 JOHN ROMANO: Thank you, Mr. Drago.

15 At this time, are there any comments or
16 questions from anybody in attendance in the general
17 public?

18 I do see two hands up. I see, first,
19 Patrick Lyons from Representative Michlewitz's office.

20 Jerry, Can you unmute him?

21 GERARD KELLEHER: Sure. Go ahead.

22 JOHN ROMANO: Patrick?

23 PATRICK LYONS: Hi, John. Thanks.

24 I know you had received our support

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1 letter. I just wanted to drop in here to reiterate
2 our strong support for this.

3 Thanks.

4 JOHN ROMANO: Okay. Thank you,
5 Patrick.

6 GERARD KELLEHER: We have Maria Lyons.

7 JOHN ROMANO: Hang on. All right,
8 Maria. Go ahead.

9 MARIA LYONS: Hi, I'm Maria Lyons. I
10 live in Dorchester. I am not a resident of this area,
11 but I am a commuter that goes by this area every day
12 to and from work.

13 And I hope when they do the safety
14 inspection, they take into account that this is an
15 extremely hazardous area on Route 93, both north and
16 south. When you come out of the tunnel under the
17 Greenway, you have two -- maybe two or three lanes
18 coming out. But then you also have another lane on
19 the right joining in, another lane on the left from
20 the turnpike joining in. And then, shortly after
21 that, there's another entrance ramp on the right. And
22 then shortly after that, there is an exit ramp to
23 Mass. Ave. The exit ramp to Mass. Ave. is an exit
24 only. So, all those people entering on the right have

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1 to move over or they're stuck in the exit ramp. And
2 the people on the left who want to go to Mass. Ave.
3 have to cross over to the to the right. So, it's an
4 extremely dangerous area. I go through it every day.
5 And I know how bad it is. So I hope that's all taken
6 into consideration.

7 There's already distracting digital
8 billboards along that area. It's beginning to look
9 like a Las Vegas strip. And this additional one is
10 very close to the highway, even closer than the other
11 ones, and just going to add another distraction to a
12 very unsafe hazardous area.

13 So, I am opposing it because I'm a
14 commuter who goes by it every day. And we don't need
15 another one in this area.

16 Also, I'd like to mention that everyone
17 thinks Pine Street Inn is a wonderful organization.
18 And they are. Nobody's disputing that. But I think
19 the sympathies might be a little misguided in the fact
20 that they are not a poor organization. They have \$37
21 million in investments from their annual report. They
22 pay salaries to about ten people, over 100,000, some
23 of them over 200,000. So, you know, I think the
24 sympathies might be a little misguided. They are a

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1 wonderful organization. But being a wonderful
2 corporation, whether it's a nonprofit or for-profit
3 business, shouldn't allow them to disregard the
4 regulations that are in there to protect the general
5 welfare of the public. And that's what the
6 regulations are there for, and I hope that's what
7 MassDOT's Outdoor Advertising Board is there for, to
8 protect the general public by abiding by the
9 regulations that are there.

10 Thank you very much.

11 JEFF DRAGO: If I may respond, Director
12 Romano?

13 JOHN ROMANO: Go ahead, Jeff.

14 JEFF DRAGO: Just briefly. So, one,
15 just to point out, and I appreciate the comment, as
16 was mentioned, there are two existing boards. So,
17 we're actually reducing the size of those boards, if
18 that is, you know, if we're talking about distraction.

19 But, two, we will, as you mentioned,
20 provide multiple transportation studies that will look
21 at that and factor in safety, but also the existing
22 boards that are there now have created no nuances or
23 nuisance to the area or to that highway that we've
24 been made known as since 2013.

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1 Thank you,

2 JOHN ROMANO: Jerry -- thank you, Mr.

3 Drago.

4 Jerry, I want to go to Lee Waddell.

5 GERARD KELLEHER: Yes, Lee Waddell.

6 JOHN ROMANO: So, Lee, if you could

7 unmute yourself.

8 LEE WADDELL: Yes. Hi. Thank you, Mr.

9 Romano.

10 As I was saying earlier, and I
11 apologize, I'm just not really familiar with the
12 protocol for these this type of meeting, but I live
13 nearby.

14 JOHN ROMANO: No problem.

15 LEE WADDELL: Okay. Thank you. I was
16 talking about this particular community. It consists
17 of two buildings, which are joined together on one
18 floor. And one of those buildings is on East Berkeley
19 Street directly across from the larger of the two
20 billboards. And I'm a member of the East Berkeley
21 Neighborhood Association. And, quite frankly, I'm
22 surprised that this is being supported by this
23 neighborhood organization. I think it will be very
24 distracting. And, also, it could be a nuisance to

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1 people who live in the apartments that face that
2 building.

3 And this is not the only residential
4 building on that block of East Berkeley Street.
5 There's also a new building, which is the Harris and
6 the Quinn. It's a combination of rental apartments
7 and also condominiums. And I think that the movement
8 with the changing colors and changing contrast of dark
9 and light could be very disturbing to neighbors.

10 I don't even know, how does Pine Street
11 Inn determine that that huge percentage of their
12 income comes from those billboards? And, you know,
13 again, I support Pine Street Inn. We all support Pine
14 Street Inn because they're doing good work for people
15 who are homeless and in need of recovery from drug
16 addiction, and alcoholism, and other substances. So
17 that's not the issue. It's not that anybody opposes
18 anything that Pine Street Inn is doing. It's just
19 that the lights and the movement in this neighborhood,
20 which is becoming more and more residential, I just
21 don't think that that type of billboard is appropriate
22 for what is essentially now a residential
23 neighborhood. It's no longer a neighborhood that
24 consists of auto body repair shops and light industry.

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1 It's mostly residential.

2 And thank you for giving me the
3 opportunity to state my opinion.

4 JOHN ROMANO: Okay. Thank you, Lee.

5 Mr. Bookston?

6 JOHN BOOKSTON: Thank you.

7 By considering that this is Pine Street
8 Inn, you are dipping into a broad citywide prohibited
9 area for electronic billboards, and you're being moved
10 by the good work that Pine Street Inn does. If you
11 grant either this electronic billboard, which is in a
12 prohibited area, or the one at Boston Bowl, which is
13 in a prohibited area, how are you going to not approve
14 other applications which claim that they're not being
15 treated equally? I do not understand how your Board
16 can ignore the prohibition instituted by the City of
17 Boston for all areas except three designated areas.
18 Please do not open the whole city to violating the
19 Boston regulation because Pine Street Inn is such a
20 good organization. Leave the billboards as they are
21 or, better yet, maybe the company will just take them
22 down and not make an advertising area out of a
23 residential area.

24 Thank you very much.

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1 JEFF DRAGO: If I may respond to that,
2 Mr. Director?

3 JOHN ROMANO: Mr. Drago, I'd like to
4 respond first because that's addressed to me.

5 So, Mr. Bookston, just so you know, I
6 am not the one that's approving something that's in a
7 prohibited area by the City of Boston. The City of
8 Boston Zoning Board approved a variance to their own
9 prohibition of where those three areas are, not
10 MassDOT, the Outdoor Advertising Board, or the state
11 of Massachusetts. The City is the one who approved
12 that. So your comments are directed in the wrong
13 place. Those there were already -- this approval, the
14 same with the Boston Bowl, those variances were
15 approved at the city level, not at my level. Okay?
16 So, the prohibition that's put in place by the City,
17 they're allowed to go there and ask for a variance at
18 the Zoning Board.

19 And I may not have -- Jeff is much more
20 versed on this because it's a -- it's a municipality
21 thing, and I have 351 of them that I deal with, and I
22 may not have -- I don't have all of their nuances down
23 perfectly. But these, the Pine Street Inn, Boston
24 Bowl, and anybody else, they go to the Zoning Board.

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1 And the Zoning Board in each municipality determines
2 whether or not the person should get a variance, or a
3 special permit, or whatever, for the city's or town's
4 specific zoning code. And, in this case, the Zoning
5 Board granted that. It's not my determine -- it's not
6 up to me to decide whether or not they should or
7 should not get that. That's already been decided
8 ahead of time.

9 So, while I understand your concern,
10 your comments to me are directed in the wrong
11 location. The fact that you don't think it should be
12 put here, yes, I accept those comments. But the idea
13 that I'm somehow, you know, may grant something in an
14 area that's already designated not to do that, that's
15 been done already at the city level, and that's not
16 something that I have any say in, not only at the City
17 of Boston, but any one of the 351 cities and towns.

18 And I think that people are misguided
19 when they come to me and think that I have the
20 authority to overturn that, and I don't. So that
21 needs to be directed in the appropriate place.

22 And with that, I'm going to give Mr.
23 Drago a chance to address that as well if he would
24 like.

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1 JEFF DRAGO: Thank you, Mr. Director.

2 And, yes, that was stated exactly
3 correctly. We were approved back in September of 2021
4 by the -- unanimously by the Boston Zoning Board of
5 Appeal. That legal decision went on record. We were
6 also then required to meet and go over the regulation
7 set by the BPDA. So, there was another level at the
8 municipal government to review this application.

9 And just to point out, this particular
10 zoning district, mapped out by the Boston Planning and
11 Development Agency, is zoned economic development area
12 still. So, this is within a commercial corridor.
13 That is the zoning. We didn't set that zoning. So,
14 any residential use would actually require a variance
15 for use for construction. Most of the new buildings
16 that were just mentioned from some of the last
17 neighbors or folks that were speaking are newly
18 created after these billboards that were static were
19 already up and existing.

20 So, thank you.

21 JOHN ROMANO: Any other comments or
22 questions at this time?

23 (No response.)

24 JOHN ROMANO: Okay, seeing none. We

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1 will take this under advisement, and we will get back
2 to you.

3 JEFF DRAGO: Thank you, Mr. Director.

4 JOHN ROMANO: Thank you, Mr. Drago.

5 JEFF DRAGO: Thank you.

6 JOHN ROMANO: The next thing we have is
7 For the Record. Typically, there's not much going on
8 here. But, today, I know people are here to listen to
9 this. But I am going to give a brief status update
10 for the Item 2. Bay Colony Associates, LLC, 820
11 Morrissey Boulevard, otherwise referred to as Boston
12 Bowl. And I'm just going to give a brief update on
13 this. People have been asking about it.

14 I don't have any decisions or any
15 crazy, you know, bits of information. But I just
16 wanted to give people a status on this other than just
17 taken under advice. Okay? So, here's kind of a brief
18 bulleted summary as to what happened and where we are.

19 So, the Office of Outdoor Advertising
20 denied the Applications 2021D011 and 12 due to a
21 spacing issue with another billboard at 65 Tenean
22 Street on 1/19/2022.

23 The proponent requested a hearing with
24 the Administrative Law Judge here at MassDOT, which is

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1 their right under our regulations. That hearing was
2 heard on May 3rd and May 9th of this year.

3 Prior to a ruling by the ALJ on the
4 hearing, the proponent, through Clear Channel,
5 submitted a surrender for the board at 65 Tenean
6 Street where the spacing issue took place. That was
7 the issue between the two boards. The other board was
8 at 65 Tenean Street. So, a surrender was submitted
9 for that before -- and that was submitted to the
10 Judge.

11 Before the Judge issued any ruling on
12 that surrender and what should take place next, a
13 Boston residents group petitioned the Judge to
14 intervene as a full party in the proceedings. A
15 conference was held with the ALJ, the proponent, the
16 intervening party, and MassDOT on August 24.

17 The ALJ has not made any ruling at this
18 point.

19 And so that's where we are.

20 The ALJ is reviewing the Boston
21 residents group petition to intervene. MassDOT Office
22 of Outdoor Advertising is sitting back tight waiting
23 to see what the Judge rules and what he may issue to
24 go forward.

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1 At this point, you know, the board has
2 been -- the applications were denied. They're still
3 kind of under advisement, waiting to hear what happens
4 from, you know, the ALJ's ruling. And we will take
5 whatever action the ALJ gives us from them.

6 And per our CMR, no determination. So
7 the ruling that the boards were denied, nothing is
8 final until the hearing officer, the ALJ, rules.

9 So, that's where it is right now. So,
10 I have no ruling to make, no other information to
11 give. We're waiting to hear from the ALJ. When we
12 hear from the ALJ, we will take whatever actions that
13 he gives us to take, and we will move forward from
14 there. We will make sure that you all know what those
15 actions are, and we will make all of that information
16 public when it's provided to us.

17 So, if you have any questions, I will
18 try to answer them. If it's related to the ALJ's
19 hearing, I have no -- I will not be able to answer
20 them. Only the Judge or his assistant will be able to
21 do that.

22 So, I think I see --

23 GERARD KELLEHER: Kelly Frey has a
24 question.

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1 JOHN ROMANO: Yeah, go ahead, Kelly.

2 GERARD KELLEHER: Kelly Frey, go ahead.

3 JOHN ROMANO: I'm not answering any --
4 I'm not answering any legal questions.

5 KELLY FREY: Oh, yes. No, I'm not
6 raising any legal questions. Just to reiterate that,
7 per the regulations, no final determination has been
8 made on the application. All questions of facts and
9 law needed to make the final determination are now
10 within the purview of the Administrative Law Judge.
11 And so we're still awaiting that decision. Hopefully,
12 on behalf -- for context, I'm the attorney
13 representing the applicant in that appeal. And we're
14 hopeful that the Administrative Law Judge will find it
15 appropriate to approve the permits, because doing so
16 would result in the removal of seven existing boards
17 within the surrounding neighborhoods. Whereas, this
18 board would just be -- it already exists and would
19 just be converted to digital format.

20 So, but that's, as the Director stated,
21 all of those questions are pending a decision from the
22 Administrative Law Judge.

23 JOHN ROMANO: Thank you.

24 I see Maria Lyons' hand up.

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1 GERARD KELLEHER: We have Councilor
2 Baker's Office, too.

3 JOHN ROMANO: Well, all right. Well,
4 I'll take -- I didn't see Councilor Baker. I
5 apologize.

6 So, go ahead, Councilor Baker. We'll
7 take you and then we'll go to Maria.

8 AMANDA CURLEY: Hi. This is Amanda
9 from Councilor Frank Baker's office.

10 I just want to go on the record that we
11 are opposed to the project and we'll be tracking the
12 updates to the application just to see how it plays
13 out.

14 JOHN ROMANO: Thank you, Amanda. Nice
15 to see you.

16 Okay, Maria, Maria Lyons.

17 Did we unmute her, Jerry?

18 MARIA LYONS: I've got it. Here I am.
19 Thank you.

20 Maria Lyons from Port Norfolk in
21 Dorchester. And, first, I wanted to thank you,
22 Director Romano, and Judge Caldarelli. It's been a
23 very confusing process, and you've been very helpful
24 trying to figure it all out.

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1 But I believe I heard that it will
2 eventually come back to you, Director Romano. And
3 then you will make some kind of ruling, and it all
4 depends on what the judge says. But, in that case, I
5 just wanted to reiterate that in the hearing where it
6 was denied, then Acting Mayor Kim Janey opposed, now -
7 - city councilor but now Mayor Michelle Wu opposed,
8 Councilor Frank Baker opposed, Councilor Annissa
9 Essaibi George opposed, Councilor Ed Flynn, Councilor
10 Michael Flaherty, and Councilor Kenzie Bok. Also in
11 opposition were the civic organizations, the Fort
12 Norfolk Civic organization, the Cedar Grove
13 organization, the Clam Point organization, the Savin
14 Hill, Columbia organizations, which are the
15 organizations along the Dorchester waterfront, which
16 Popes Hill is not. And it is in the Fort Norfolk
17 organization that opposed it not Pope Hill -- Popes
18 Hill.

19 I also wanted to point out the update
20 letter from NewRWA, the Neponset River Watershed
21 Association, and the Neponset Greenway Council citing
22 the hazards to the Neponset Reservation that is within
23 300 feet of the site, and also the Greenway, which
24 will be directly adjacent to it, which will be built

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1 next year.

2 And I know, Director Romano, I sent you
3 the evidence testimony that we sent to Judge
4 Caldarelli, and I hope that you'll have time to read
5 it. I realize it's very long, but there's a lot of
6 evidence in there against this billboard, which you
7 should read about the distance to the reservation, the
8 neglect of the reservations, the regulations being
9 cited in their applications going all the way back to
10 their original billboards.

11 And, please, stop saying that the
12 billboard already exists so it's not a distraction.
13 The digital billboards are far more distracting than
14 the static ones. And I'm tired of hearing that. And
15 your static ones are technically illegal. So, we'll
16 see you when that goes up to renewal as well.

17 Thank you.

18 JOHN ROMANO: Maria, thank you for your
19 comments. I can assure you that the Judge's office
20 and myself share information back and forth. So, if
21 there's something you send me, I share it with Lisa
22 Harol from the Judge's office and vice versa. So, we
23 both make sure we have the same information.

24 Thank you.

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1 Next, we have John Bookston.

2 JOHN BOOKSTON: Thank you, Mr. Romano.

3 I'm a representative on the ADCO
4 coalition, the Alliance of Downtown Civic
5 Organizations. And we, too, opposed the electronic
6 billboard when it was proposed earlier. And I just
7 want assurance that there will be another hearing at
8 your level, public hearing, where all the other
9 objections, besides the one that you relied on first,
10 can be dealt with, because just because it was easy to
11 deny them based on the location of another billboard
12 doesn't mean that there weren't other violations
13 there. And we believe there are many violations
14 there. And we would like to have it public that all
15 of these others entities and officials oppose an
16 electronic billboard there. And I can't say enough
17 that I just hope that if the ALJ does say that the
18 changes in other billboards negates the problem that
19 you stated that you have to go back to the drawing
20 board; you can't just, without further hearing, say
21 that you approve it.

22 Thank you for listening.

23 JOHN ROMANO: Okay. I can't promise
24 you there will be another hearing back at my level,

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1 not unless I'm -- not unless these some reason. It
2 depends what the Judge says. We'll all wait to see
3 what the Judge says. But I'm not making any promises
4 or commitments that there will be another hearing at
5 my level.

6 Any other comments or questions
7 regarding this?

8 (No response.)

9 GERARD KELLEHER: No hands raised.

10 JOHN ROMANO: Okay. Seeing none. Any
11 other questions on items For the Record?

12 (No response.)

13 JOHN ROMANO: Okay. Seeing none. Any
14 other further public comment on anything regarding
15 outdoor advertising today or otherwise?

16 (No response.)

17 GERARD KELLEHER: No hands raised.

18 JOHN ROMANO: Okay. With that we are
19 officially adjourned at 12:13. Thank you all very
20 much. I appreciate you coming today, and I appreciate
21 all the input and comment. And we will see you all
22 next month. Thank you

23 (Whereupon, the proceedings were
24 concluded on September 8, 2022, at 12:13 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.