

TOWN OF EAST WINDSOR – ZONING BOARD OF APPEALS
MINUTES OF REGULAR MEETING
MAY 1, 2017

The East Windsor Zoning Board of Appeals held a meeting on Monday, May 1, 2017 at the East Windsor Town Hall, 11 Rye Street, Broad Brook, CT. The following members were present: Regular Members José Giner, Nolan Davis, Scott Morgan and Thomas Talamini; and Alternate Members Mystica Davis and Robert Yosky. Also in attendance was Shawn Rairigh, Zoning & Wetlands Enforcement Official / Assistant Planner; Dick Pippin, Board of Selectman member and Kathy Pippin Board of Finance member. The meeting was called to order by Chairman José Giner at 7:00 p.m.

ESTABLISHMENT OF QUORUM:

A quorum was established as four regular members and two alternate members were present. Mr. Morgan said he would be stepping down since he is a member of the Board of Education, the applicant of ZBA #2017-03. It was determined that Mystica Davis and Robert Yosky would be sitting in for Scott Morgan and Dan Noble.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

NEW HEARING:

Mr. Talamini read the Legal Notice as it appeared in publication.

ZBA #2017-03 – Application of the East Windsor Board of Education for property located at 70 South Main Street for a variance of Section 602.5 b. *Freestanding Signs in Business & Industrial Zones*; 602.11 b. *Institutional Signs*; and 602.12 d. *Prohibited Signs* to allow the installation of a freestanding electronic sign that will exceed the maximum 32 sq. ft. for a freestanding sign in a Business zone; will exceed the maximum 20 sq. ft. for an institutional sign; and will be an electronic sign which is prohibited. (TZ5 zone; Map 61, Block 5, Lots 42 & 43)

Appearing for the applicant was Ed Keleher, Principal of East Windsor High School. He explained that the Booster Club has donated money to East Windsor High School in order to purchase an electronic sign. He said they have been looking to do this for a number of years. The current sign is outdated. They looked into signs that other schools in the area have used. They came up with this Tekstar sign which will be an LED sign.

Mr. Keleher noted that this particular sign would be in the same spot that the current sign is in. They would like to have a sign that is large enough for people to read. This will allow them to put more information out to the public. That is why they are putting this forward.

Chairman Giner asked if they have thought about asking the Planning & Zoning Commission to change the regulations rather than going for the variance. Mr. Keleher said he spoke with Roger

Baker and in talking with members of the Town staff he felt that this was the best way to go about it. Mr. Rairigh said the Planning & Zoning Commission is planning to redo the sign regulations. He said he couldn't guarantee that this type of sign will be allowed. Electronic signs are something that they wish to address. Mr. Giner said his concern is this is a request for a variance and you have to show a unique hardship to do with the actual property. Mr. Keleher said the hardship is that the sign they currently have doesn't allow them to inform the public the way they would like. They have a lot of events going on at the school. He said they are in a unique position that they have traffic going by the school.

Mr. Giner asked about how often the sign would change. Mr. Keleher said the sign is programmable to have a certain message go up. Then the message would change periodically. It can change every 5 seconds, 5 minutes, or any number of times. He said the signs that he has seen have changed anywhere from a few seconds to a minute. Mr. Keleher said the sign they are looking at actually has graphics. They would need to have the message up for a certain amount of time so that people can read it. They want to have 3 lines of text.

The sign they have now has a brick foundation. Because of the requirements, that will be removed. They will pour a foundation and will have the new sign go up on a pole.

Mr. Yosky asked about the cost. Mr. Keleher said the Booster Club has donated \$21,000 which is roughly the amount to purchase the sign. It will be something that will last for many years. Mr. Talamini asked what towns they went to. Mr. Keleher noted that one town that has this type of sign is Stafford. They have one of the smaller signs in front of their high school. He said Bristol Eastern High School has the same type of sign.

Mr. Yosky asked about the type of messages that would be on the sign. Mr. Keleher said it would be ball games and other types of events. He said the installation comes with programming and training. The programming will be done inside the office from a stand-alone computer. Mr. Yosky asked about protection from vandalism. Mr. Keleher said he understands that the sign is protected from weather. It will be high enough where it would be difficult to reach. They have video cameras outside the school. He said vandalism has not been a problem with their school since he has been there. Mr. Talamini asked if they would be able to shut the sign off at a certain time and asked if that could be a condition of the variance. Mr. Rairigh said he thought it was legal to put conditions on a variance. Mr. Keleher said it is possible to turn off the sign at a certain time.

At this time Mr. Giner opened up the hearing to the public.

Paul Anderson, 89 Main Street, Broad Brook, asked what type of variance it is. Mr. Keleher said the sign would be 40 sq. ft. Mr. Rairigh noted that the zoning regulations allow institutional signs to be a maximum of 20 sq. ft. and this zone allows up to 32 sq. ft.

Paul Anderson asked if the Town would be able to make use of the sign for other messages regarding Town business. Mr. Giner said that is a question for the Board of Education.

Cathy Simonelli, 71 Depot Street, Chairman of the Board of Education, said if there was an important message at a time of emergency she couldn't imagine that the Board would not want to do that.

Diane Elliot, President of the Booster Club, said they have been saving this money for about 8 years now and it has accumulated. She said they wanted to do something for the school. This would be good for the school and she is in favor of it.

Dick Pippin said he thinks this is a good thing and he would urge them to give a variance for the signage. His only concern was the scrolling of the sign. It is a very busy road. He said if the message stays up it would be good. He didn't know why they would turn it off during the night. They can advertise that it's East Windsor High School.

Kathy Pippin said she thinks it is a good idea. She said they should be applauded. For serious events in Town she would be happy to see it there.

Kelly Goulet said she lives on property that is abutting the high school property. She said the sign will be in her bedroom window and she likes the idea that they can adjust the brightness of the sign. She said there have been a number of accidents there. She has a 5-year old daughter and noted that people don't stop for the school buses and this would be another distraction. She said she doesn't oppose the sign and asked if there is something that can be done. She said there are no "school zone" signs on Route 5, only on Tromley Road. She said from a business standpoint, are they allowing other businesses to do this?

Mr. Talamini asked if it will say East Windsor High School anywhere on the sign. Mr. Keleher said the top piece will have East Windsor High School on it and it will say East Windsor High School all the time. He noted that the sign they have now is lit all night.

Cathy Simonelli said the Board of Education is very supportive of this. It is very difficult to get news out about the high school. This is a way to advertise all of the school events. This gives an awareness of the school for the community.

MOTION: To close the hearing on ZBA #2017-03. Talamini / N. Davis / Unanimous

MOTION: To approve ZBA #2017-3 the application of the East Windsor Board of Education for property located at 70 South Main Street for a variance of Section 602.5 b. *Freestanding Signs in Business & Industrial Zones*; 602.11 b. *Institutional Signs*; and 602.12 d. *Prohibited Signs* to allow the installation of a freestanding electronic sign that will exceed the maximum 32 sq. ft. for a freestanding sign in a Business zone; will exceed the maximum 20 sq. ft. for an institutional sign; and will be an electronic sign which is prohibited (as presented and in accordance with specs shown with the application). (TZ5 zone; Map 61, Block 5, Lots 42 & 43)

N. Davis / Talamini

Discussion & Vote:

Mr. Giner said every time they have had a sign application he always thinks this is not the proper board. It is a legislative issue for the Planning & Zoning Commission. He said he would be inclined to vote against it and suggested going back to the PZC to get those regulations amended to allow a bigger sign for institutional uses. He said his concern is that they would be setting a precedent. He said he would be concerned about how much of that sign is changing and how often it changes so that someone driving by wouldn't be distracted. That is something for the Planning & Zoning Commission to determine. Mr. Giner said he supports the idea that they need a bigger sign and something that is a little more modern. He said if we grant a variance it stays on the record forever. The Planning & Zoning Commission can put controls and safeguards on these types of signs.

Mr. Talamini said he agreed with Mr. Giner. That is a bad intersection. He said he can't really consider this a hardship. He lives on the other side of town and probably wouldn't go by the sign. He said he thinks the hours of operation is something that we need to set so that it doesn't stay on all night.

In Favor: None
Opposed: Unanimous

Mr. Giner said there is no legal hardship. It doesn't satisfy what variances were set up to do. He said it doesn't take that long to change the regulations and suggested working with staff. Mr. Rairigh said this is definitely on the PZC's radar. They will be addressing electronic signs. He didn't know exactly when they will be doing that. Mr. Giner said when Showcase Cinemas came to East Windsor they worked with the Town to come up with signage regulations.

OTHER BUSINESS:

None

PUBLIC PARTICIPATION

No one requested to speak.

APPROVAL OF MINUTES:

One error was pointed out. On the last page, the motion to adjourn should be changed to read: Motion by N. Davis, seconded by Talamini.

MOTION: To approve the minutes of April 3, 2017, with the one change.
Talamini / Yosky / Unanimous

ADJOURNMENT:

MOTION: To adjourn.

N. Davis / M. Davis / Unanimous

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,
Marlene Bauer, Recording Secretary