



**TOWN OF DUXBURY**  
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**BOARD OF APPEALS**  
**DUXBURY BOARD OF APPEALS**  
**MEETING MINUTES**

TOWN CLERK

OCT 15 2020

DUXBURY, MA

June 13, 2019 @ 7:30 p.m.

**ATTENDANCE:** Wayne Dennison, Kathleen Muncey, Freeman Boynton, Jr., Borys Gojnyecz & Philip Thorn

**Other persons present at the hearing:** Angela Ball, Administrative Assistant

**CALL TO ORDER:** Wayne Dennison, Chair, called the meeting to order.

**ZBA Case #2018-21 William Raveis, c/o Archer Signs, 53 Railroad Ave. (CONT'D):** *The Board voted unanimously to deny the application.*

**Administrative**

*Philip Thorn made a motion to approve meeting minutes from May 9, 2019. Freeman Boynton Jr. seconded. All in favor 5-0*

*Wayne Dennison voted to adjourn the meeting. All in favor.*

## BOARD OF APPEALS — MINUTES

**Case No: 2018-21**

**Petitioner: William Raveis c/o Archer Signs**

**Address: 53 Railroad Avenue**

**Date: April 25, 2019 Time: 7:30 p.m.**

**(Continued from 2/14/19 & 4/25/19)**

The Board of Appeals will hold a public hearing in the Mural Room at Town Hall, 878 Tremont Street, on ~~Thursday, February 14, 2019~~ at 7:30 p.m. to consider the application of William Raveis Real Estate c/o Archer Signs for a Special Permit under Article(s) 400 and 900, Section(s) 421.1 #2, 424, 425.1, 601.9 and 906.2 of the Duxbury Protective Bylaw. The property is located at 53 Railroad Avenue, Parcel No. 106-741-105 of the Duxbury Assessors Map, consisting of 0.53 Acres in the Neighborhood Business District (NB-1) and owned by BLCR Holdings LLC c/o William Raveis Real Estate. The Applicant proposes to add external lighting to both a wall and a freestanding sign. A Special Permit is required.

**Members present:** Wayne Dennison, Kathleen Muncey, Freeman Boynton, Jr., Borys Gojnycz & Philip Thorn

**Members Voting:** Wayne Dennison, Kathleen Muncey, Freeman Boynton Jr. & Borys Gojnycz

**Other persons present at the hearing:** Angela Ball, Administrative Assistant

- Wayne Dennison opens the Public Hearing and explains that it is a continuation and we has a petition regarding the lighting signed by eight residents, asking to fix the lighting
- Wayne Dennison continues and reads the letter requesting the Applicant withdraw
- Kathleen Muncey states we can agree to withdraw or we can approve or deny the application tonight
- Wayne Dennison states I think this is a difficult request, as I think the sign is illegal and hazardous. Seeing as they have a lot of light that lights the parking lot and neighborhood, I don't think the building sign light request is appropriate. I am not opposed to a withdraw, I guess it means with prejudice they can't reapply
- Kathleen Muncey asks reapply ever or just for a bit
- Wayne Dennison states probably just two years, as a denied permit is. I am okay with denying the application and suggesting that Scott Lambiase (Zoning Enforcement Officer)pursue the pink light enforcement
- Kathleen Muncey asks when app
- Angela Ball responds February
- Borys Gojnycz states if we deny, what holds in the future
- Wayne Dennison states bar them again from asking for two years, unless sign changes in circumstances...which may happen if we take pink light out. We just went through this with Waterfront (Realty) and limited them to 7:00pm and these people go into the night
- Freeman Boynton Jr states how do we get them to rezone the sign fast

- Wayne Dennison states ask Scott if he could issue an enforcement order to remove the sign
- Freeman Boynton Jr asks can they replace it
- Borys Gojnycz states due to the Public Hearing, more issues came to light, unintentionally, it's best for Scott to figure out what's going on now and maybe they could have a suitable replacement muting light to sign the area but they wouldn't have the ability to do that within two years
- Wayne Dennison states they can come back with change in circumstances and you don't need a standalone sign if the building sign is sufficient. I'm not convinced that replacing the prior sign is ok under the Bylaw. It's in Scott's hands and how vigorously he will enforce. There is plenty of reason – location, size, lighting- there is only one thing in front of us that's been properly noticed, which is if they can light the wall and freestanding sign and I say no
- Kathleen Muncey states I agree, we can't say we think the sign violates Bylaw
- Wayne Dennison states not until Scott does
- Kathleen Muncey states can we deny it because we don't think it's a legal sign
- Freeman Boynton Jr states the best bet would've been to do nothing
- Wayne Dennison states it seems Scott got sold
- Freeman Boynton Jr states they gave him a plan and I feel for them
- Kathleen Muncey states it's not as noticeable that it stays there
- Borys Gojnycz states I thought they would have
- Kathleen Muncey asks can't they put it someplace else
- Wayne Dennison states I'm pretty sure the first accident will cost more than the OK sign
- Freeman Boynton Jr makes a motion to close the Public Hearing
- Wayne Dennison seconds
- All in Favor
- Kathleen Muncey makes a motion to deny the applicant
- Wayne Dennison states on the grounds that currently the lighting is unnecessary and the monument sign is illegal
- Freeman Boynton Jr Seconds
- All in Favor

**Motion:** It was moved, seconded and unanimously voted to deny the application on the grounds that currently the lighting is unnecessary and the monument sign is illegal

**Moved by:** KM

**Seconded by:** FB

**Number in favor:** 4

**Number opposed:** 0