

**TOWN OF BELMONT
PLANNING BOARD**

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CASE NO. 23-06

APPLICANT: Mint retail Facilities, LLC, Jim Valeriani, agent

PROPERTY: 768 Pleasant Street

DATE OF PUBLIC HEARING: February 21, 2023
Continued: March 7, 2023

MEMBERS SITTING/ Matt Lowrie, Chairman
Thayer Donham
Renee Guo
Karl Haglund
Jeff Birenbaum
Carol Berberian (Associate Member)

MEMBERS VOTING: Matt Lowrie, Chairman
Thayer Donham
Renee Guo
Karl Haglund
Jeff Birenbaum

Introduction

This matter came before the Planning Board ("Board") of the Town of Belmont ("Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts ("By-Law") and Chapter 40A of the Massachusetts General Law ("Zoning Act"). The Applicant, Mint Retail Facilities, LLC, Jim Valeriani, agent, requests a waiver under section 5.2.2 to replace the existing signage with new at 768 Pleasant Street located in Local Business II (LBII) zoning district.

Proposal

The Applicant proposes to replace an existing signage on an existing standing sign for the new Mint cannabis retail store.

Public Hearing

The Board held a duly noticed hearing on the case on February 21, 2023, the applicant was not present to make a presentation, the Board voted to continue the case until March 7, 2023

The applicant requests One Waiver under section 5.2.2 to replace the existing signage on the existing standing sign.

Jim Valeriani, Mensing Group, explained that they would like to replace the Lenny's Service Center panels with Mint Cannabis' new panels. The sign structure will remain in place and only the panels will be replaced. The gasoline pricing sign will be removed. They are applying for a waiver for the height of the sign to allow for the use of the 15' existing sign. He explained that the interior lighting was fluorescent, and the operation hours would be sundown to 8 PM.

Blake Davis, sign designer, noted that the light source will be staying fluorescent. The opacity would remain the same. Mr. Yogurtian offered to measure the foot-candle of the existing sign and he can check it again after the new panels are installed to be sure that the new sign has a similar level of brightness.

Mr. Birenbaum noted that he thinks it is best to remove the out-of-place sign and replace it with better sign.

Mr. Davis said that a replacement sign would not work as it would be in the middle of the sight triangle. It will take away from the character of the neighborhood that is existing.

Ms. Berberian agreed with Mr. Birenbaum and she would like to see a new sign.

Mr. Valeriani noted that permission was previously granted by Planning Board for this very same sign type at the Subaru dealership.

Mr. Davis shared the images of the proposed Mint Cannabis sign. He noted that a 5-foot-high ground sign would not work and the existing sign would help to maintain the competitive edge. A five-foot sign would be blocked by the parked cars on the street.

Mr. Benson, School Street, called into the meeting and noted that he is in support of using the existing Lenny's sign. There is no shoulder on the road in front of the competitor and their sign would not be blocked as it would be at the Mint Cannabis location.

Ms. Donham suggested having the existing sign relighted with LED lighting and the lumens should remain the same. She noted that they had already approved a similar existing sign at the Subaru dealership.

Ms. Guo said she would be fine with refurbishing the existing sign.

Mr. Birenbaum noted that 15' seems to be out of context and that maybe 7 or 8 feet would be better. He would like to see some level of continuity or uniformity for the future built environment. The current sign was out of place at its current size and he did not believe that a sign that was shorter would put the business at a disadvantage.

Ms. Donham noted that they are not allowed to ask them to remove the word "cannabis" on the sign as it could be a First Amendment problem.

Mr. Davis noted that he could reduce the word "cannabis" by 10 percent.

Deliberation and Decision

MOTION to approve the waiver was made with conditions to reduce the word cannabis by 10 percent in the size of the letters and subject to the condition that the Office of Community Development conducts tests proving that the sign was no brighter after than the sign was before and that the interior illumination be converted from fluorescent to LED.

YES votes- Ms. Guo, Ms. Donham, Mr. Lowrie

NO votes- Mr. Haglund, Mr. Birenbaum

Motion Passed 3-2.

On behalf of the Board
Ara Yogurtian

Dated: March 30, 2023



Assistant Director
Office of Community Development