

DRB Hearing

April 24, 2024

MT Associates DBA Dunkin & Tennybrook Hearing Minutes

Board Members: Sam Stone, John Peterson, Jack Schneider and Ralph Either

Others in Attendance: Cassie Root, George Howard, Laura Merone-Walsh, Frank Trambetta, Sandy Mayo, Faith Daya, Sharaz Daya, Shari Vaccarella, Seth Hopkins, Richard Vitagliano, Mary Ann Gloss, Bill Moore, Jeff Biasuzzi (Zoning Administrator) and Hillary Knapp (Clerk)

Hearing started at 7:01pm

Laura Merone-Walsh, Frank Trambetta, Faith Daya, Shari Vaccarella, Bill Moore and Jeff Biasuzzi were sworn in.

Interested party status was requested and granted for Shari Vaccarella and Faith Daya.

Laura: There are additional signs on the building that we did not have permits for. The signs in question are directional in nature. We were approved for a gas canopy, Dunkin Donuts and the car wash. We ask the board to look at the variance as a liability for both the business and the safety of the pedestrians and motorists.

The first sign we are looking at is directional in nature for the drive-thru and is the do not enter sign. There are also directional signs on the corner, one on the side of the building and one exiting the drive-thru on the right-hand side (the do not enter sign). The sign at the entrance says drive-thru with an arrow. There are also directional arrows on the pavement, without the two directional signs the traffic flow can get confusing with the Town parking, and we feel that there could be a bad accident without the directional signs. We close at 7:00pm, there will not be a glare in the summer from these signs. The signs are internally lit and do not provide as much illumination as the approved gas canopy already installed.

At nighttime there will be no illumination. The Town authorized wood and metal signs and this would be difficult for us to do. We did ask our vendor to make a metal sign, and this would have reflective lettering instead and they will only work if the lights from a vehicle hit the light reflective lettering. The metal signs and reflective lettering cannot be seen when coming into the Dunkin.

The approval will assist with neighboring properties and to keep pedestrians safe. We can remove the DD from the Do Not Enter signs if need be.

The drive -thru directional sign on the side of the building, which the building is made of wooden plank. This provides another directional sign as to how to work through the drive thru. The signs are on timers and photosensors. When the building closes, these signs are off. This is a non-luminated and wood texture sign that is needed for traffic flow. We would not want to make this sign out of metal or wood; it is currently made from poly material. We have found that people tend to go right through the drive-thru instead of straight out from the Town parking lot.

The Menu Board is necessary for our business, if we are not able to have it then people would not know what we sell. This building was approved as a drive thru. This is not internally lit, it is lit with a computer

element, that dims in brightness and at nighttime. Items are kept current and heated. This would be lit to 500 NITS at night at most. This is essential to our business and drive thru.

Frank: I am talking about the two signs that were added to the back of the car wash. We want to make sure people are going to the correct place. There are two different types of car washes, one that touches the car and one that does not. These signs are informational and necessary to the business. They are made of composite aluminum. These signs were items we did not anticipate needing in the original permit.

Jeff: In regard to section 402 of the BLUO for Signs, the original permit was in 2016 under the old sign rules and given certain reasons the 2016 permit was reaching its expiration and in 2018 a permit was issued to update the 2016 permit and add 2 years to the project. The decision allowed the 2016 signs to be grandfathered into the 2018 permit. Other signs were added that were not in the 2016/2018 permits and they do not conform with the 2018 sign ordinance. The permit requests a variance for signs already put up. You are not able to have a drive thru without a menu board.

The menu board is a tough decision. The drive thru sign is not illuminated and can be changed to match, the directional signs could be internally lit to comply. The signs were put up without permits, the signs do not comply with the BLUO and the menu board if it complies with regulations. MDF is the standard in signs as they are the easiest to clean and maintain, however these are not approved to be used in the BLUO. Even when the signs are approved by the Brand, this should not weigh into the decision on the permit.

Sam: Safety signs and directional signs, do we have any similar situations with other businesses in Town that need direct traffic? There is a lot of foot traffic and people around Dunkin and carwash. They seem to be incredibly important.

Jeff: It is not an issue of a directional sign; it is the material and no internal lighting. The signs could be more compliant with having a reflective sign. The most similar business would be Subway, there is less traffic and more space to work with at that location. Subway does have additional striping on the pavement.

Sam: What about the two signs about the two types of carwashes?

Jeff: There are signs without permits and they could be provided a permit retroactively for these signs as they are conforming but were never approved.

Jack: The carwash signs, if they apply for a permit, they would be approved.

Jeff: Yes, they would end up having to pay an additional fee but they would be able to have those approved.

Sam: We are looking at all the signs but the carwash signs.

Laura: Jeff, you eluded that we did not come forward with this, directional signs were never considered signs and we did not do this under the wire. We would be open to taking of the DD and just having the signs be directional.

Shari: I am happy that there is signage there, as there are a lot of people going through the property. I think there needs to be more. We do not have a problem with it.

Faith: We are not seeing the signage, we can see some of the illumination as well as our neighbors.

George: We are involved with St. Thomas church and Frank and I have worked a lot together on this project. I think the signage at the back does not bother people. We are more disappointed with the Mobile sign.

Cassie: It was shocking to see the Mobile sign when it was put up and the Church was concerned.

Bill: I have been working with MT for a long time, especially with pedestrian safety without a sidewalk in that area. We have talked about doing more striping and other options for pedestrian safety during meetings with past zoning administrators.

Hearing was closed at 8:03pm.