

COMMUNITY DEVELOPMENT
AND PLANNING

APR 25 2024

RECEIVED

Hi -
These are papers from 1985 to 2013.

I have more if you need them. FYI - I don't know in what year, but to play minor league in Lancaster was less cost per player than surrounding towns, except for Clinton.

Marcia C.
978 368 0097



~~2013~~
2013

Mill Street Extension Minor League Field Issues -- Past and Present

Parking is not always confined to the field -- chairs, picknicking at the side of the road near the outfield. People parking on both sides of the road.

Signs -- years ago -- not taken down at the end of the baseball season, [redacted] [redacted] ?

Portable sanitary facility -- Strangers stop and use it frequently whenever it is there. It's not always taken down at the end of the baseball season (one year the PortaPotti* was rammed and tipped over).

Minor League has discarded removed structures in the woods over the years -- the original scoreboard and batting cage materials were dragged to the edge of the field and left there to rot. They were eventually removed following complaints. See attached.

Trash dumping by strangers --- Right now, there is a pile of trash in the field (an old table and ironing board were dumped there *before* the first large snowstorm). We reported this to the Water Dept., but the trash is still there, under the snow.

Cars coming and going *especially* after dark -- Mischief (the field has been set on fire, the fence rammed and damaged, drinking,)

People using the field as a dog park. They ignore the No trespassing and No dogs allowed in playing field signs. Last fall, the chain was put up across the entrance to the field, but cars just drove around it.

* Lancaster town artesian wells are approx. 100-150 feet behind the back edge of the field. Pollution risks?

Tk:

Board of Selectmen
Lancaster, MA 01523

2-19-2013

Gentlemen:

On Saturday February 16, 2013 we received a certified letter from the Board of Appeals regarding a request to place signs at Thayer Field and at the Minor League field on Mill St.

Extension. This letter voices our objection to placing signs at the Minor League field on Mill St. Ext. only, because it is a residential area and the field's fence is approx. 15 feet from the road.

Will you please help us with this matter? We really believed that the issue of signs at the Minor League field was resolved in 1985, and again in 1989.*

We live directly across the street from the field. Our driveway is opposite the outfield, where we assume these signs will be placed. We are very concerned about distractions to drivers passing by our driveway and other driveways in the neighborhood.

Signs are meant to draw attention. They will cause drivers to look into the field rather than at the road ahead. We believe this would be dangerous in this residential area.

We realize that 1989 was a long time ago, but the safety issue remains. Actually, it is more serious now because traffic on Mill St. Ext. has increased over the years, and more people are texting and using cell phones while driving.

Again, will you please help us with our concerns?
Thank you.

Sincerely,

Frank and Marcia Ciampaglia
501 Mill St. Ext.
Lancaster, MA
978-368-8097

* We are enclosing what correspondence we have from 1985 and 1989 (please excuse the quality of the copies--they have been folded in an envelope for many years), and a copy of the recent letter we received from the Board of Appeals.

**TOWN OF LANCASTER
BOARD OF APPEALS**

**NOTICE OF PUBLIC HEARING
February 28, 2013**

The Town of Lancaster Board of Appeals will hold a public hearing in the Lancaster Town Hall on **Thursday, February 28, 2013, at 7:00 PM** to hear and act upon the following matter:

A petition by:

Lancaster Little League (Applicant), P.O. Box 1455, South Lancaster, MA and Town of Lancaster (Owner), 695 Main Street, Lancaster, MA for a Special Permit pursuant to Section 220-30(A) (Exceptions for temporary and directional signs) to allow placement of temporary signs identifying annual sponsors at Mill Street Field and Thayer Field.

The affected properties are located in the Residential Zoning District and are shown on the Assessor's Map 43 as Parcel 1, and Map 34 as Parcel 91.

A copy of the petition and accompanying documents are on file at Lancaster Town Hall in the Office of Community Development and Planning, 695 Main Street, Lancaster, MA, 978-368-4007.

Scott Miller, *Chair*
Lancaster Board of Appeals

For publication in *The Sentinel*:

Wednesday, February 13, 2013
Wednesday, February 20, 2013

marciaci

From: "marciaci" <marciaci@comcast.net>
Date: Wednesday, April 17, 2013 10:52 AM
To: <smiller@haleyward.com>; <rmarshallesq@comcast.net>; <wyndyhyll@aol.com>; <dkstatherr@comcast.net>; <sgull@mac.com>; <Jeanne.Rich@Umassmed.edu>; <johnnyparsons@verizon.net>; <francis.sullivan@comcast.net>
Cc: <jgalliardt@lancafterma.net>
Subject: RESENDING -- Proposed signs at Mill St. Ext. field

To the Lancaster Board of Appeals:

The Lancaster Little League* has petitioned the Board of Appeals to place 4 X 8-foot advertising signs on the outfield fences surrounding the minor league field on Mill St. Ext. and at Thayer Field recreation complex. We object to placement of these signs at the Mill Street Ext. field, because the field is very close to the road, and the angle of the fence means that the majority of the signs would be easily seen from the street, and create a **distraction to passing drivers**.

A minor league field such as on Mill Street Ext. shouldn't have signs of this type. There were signs put in the field in the 1980s, when signage rules were not yet in effect. They created a hazardous situation for us when we tried to leave our driveway, which is directly across the street from where these signs would be placed. Passing drivers would turn their heads to look at the signs and pay absolutely **no attention to the road and driveways ahead**.

Some of the houses in this area are new, or have occupants that weren't living here back then, and are therefore unwilling to protest the Little League's petition. To quote another abutter: "I don't care. I won't be able to see the signs from *my* house." Unfortunately, that is not the case for us -- We have a **panoramic view of the entire field** from the front of our home.

We also believe these signs would change the character of our neighborhood for the worse, and severely decrease the value of our property. When we moved to Lancaster in 1976, a major selling point of our home was the beautiful, empty field across the street. We gave our assent to the proposed Minor League diamond years later when Selectman Tony Pirro approached us; our children grew up playing on baseball teams in that field.

We do not object to signs being displayed **during games only**, but they should **not** be allowed to be posted 24/7 for months at a time per the Little League's proposal. The **amount and speed of traffic has increased significantly over the years**, and with cell phones and texting, drivers are more distracted than ever.

Please oppose these advertising signs on Lancaster public property, which do not conform to any of Lancaster's bylaws.

*Here's a link to the Little League site that shows their proposed sign placement. Please

notice the orientation of the signs in relation to the street in each instance. Most signs on Mill St. Extension would face the street, and the part of the fence nearest the road is less than 15 feet from the road. At Thayer Field only signs at the far back would face the street, and the nearest fence to the street is ~100 feet.

<http://www.lancasterlittleleague.com/#247334>

Thank you.

Sincerely,

Frank and Marcia Ciampaglia
501 Mill St. Ext.
Lancaster, MA

978-368-0097



This is the view from my business
at 501 Mill St ~~St. Paul~~.

They proposed that 13 4x8 plywood
signs be put on the fence.

~~at 501 Mill St~~

Chairman Miller noted that he would prefer to see that whoever is responsible for the field be the holder of the Special Permit. Ms. Smiley agreed. Chairman Miller noted that the Massachusetts Youth Soccer Association (MYSA) complex has a minimal number of sponsor signs, and expressed concern about opening the concept of sponsor signs up too much. Ms. Smiley emphasized that she supports Mr. Zeh and the Little League, acknowledging that the fees are low in Lancaster. She stated she would like to see some sort of plan to coordinate with other users of the fields.

Mr. Eugene Christoph posed a philosophical question . . . Do we want it to look like Fenway?

At this time, Chairman Miller opened the floor to public comment. He read aloud excerpts from letter from an abutter who expressed concern about safety. As the abutters, Mr. Frank Ciampaglia and Ms. Marcia Ciampaglia, 501 Mill Street Extension, were present, he allowed them to speak. Ms. Ciampaglia expressed great concern for motorists who will turn to look at the signs and not at where they are going. She explained that this was an issue in the 1980s when signs were put up at the athletic field across the street from their residence.

Mr. Matt Zeh stated he could not speak for past presidents, but assured her that the previous one before him is supportive of this action, noting that such sponsorship acknowledgement is long overdue.

Chairman Miller asked if the signs could be removed after each game. Mr. Zeh responded there is already a lot of work given to parents, noting that there can be 3-4 games a day on the weekend, and more scheduled during the week.

Ms. Ciampaglia asserted that Thayer Field and Mill Street Field are totally different. She noted that people drive by her home, around a blind corner, pick up speed, and then turn their heads to look toward the field. She presented photos showing how close the field is to the road, noting that her property stems from approximately first base. When the signs first went up in 1985, every single person who drove by turned their head. She added that abutters to the field were instrumental in getting the signs removed in 1989. Ms. Ciampaglia noted that the residents were living in the neighborhood before the field was developed, and were in support of the field. She noted that the upkeep has not been the best, stating that old batting cages were not taken away but instead pushed into the woods. Chairman Miller asked her to focus her comments on the signs. Ms. Ciampaglia continued, stating that the previous signs were not taken down and finally rotted. It is a small field where the games are played by little kids. She noted the Mill Street Field was used very little last year. While the Town does mow it, she indicated she had to phone to have the porta potty taken away after the season was over.

Mr. Ken Frommer stated that this is the first year the League will have a fall team. We use the batting cages for that. The Town handles both fields, but during the playing season we mow the fields with the assistance of Mr. Everett Moody. The Town does not have the resources to manage the field, and the League cleaned up all the grass this fall. We are looking to raise funds so we do not have to ask the Town to do the work. My father helped build these fields. Vendors ask if they can put up a sign if they make a donation or contract work for us.

Chairman Miller asked the applicant if there was a difference in how the fields are used. Mr. Zeh responded that there are different teams for different age groups. He added that, in Westminster the fields are right across from the police station and their signs are big.

(Rob)
Bowen &
Bowen
Attorneys
2013 ↑

Town of Lancaster
Zoning Board of Appeals

RE: Little League Application for Special Permit
Location: Mill Street Extension

Dear Members of the Board of Appeals:

I represent the Ciampaglias, abutters residing at 501 Mill Street Extension. As you know, their residence is located immediately across the street from the minor league baseball field. The Little League (applicant) and the Town (owner) have applied for a special permit from you to erect advertising signs on the property at Mill Street Extension and at Thayer Field, identified in the notice only as being shown on Assessor's Map 43, Parcel 1 a and Map 43, Parcel 91. According to your public notice, they have applied for a special permit pursuant to 220-30(A) temporary and directional signs. I note for the record that my clients' objections relate to Mill Street Extension only, but as a matter of law, virtually all the issues exist for both fields. You are without authority to grant the permit requested, for the reasons set forth below.

First and foremost, the application is contradictory. Your zoning sign ordinance, on its face, 220-27 D, requires a special permit for any sign on town property *except* for temporary and directional signs pursuant to 220-30(A). Under your zoning ordinance, there is no such thing as a "special permit" for 220-30(A). In other words, if what the applicant is proposing to erect were in fact temporary or directional signs as defined by your by-law, they would not need a permit to erect them. As discussed below, what they propose are NOT temporary signs within the meaning of your by-law, but the point is that your notice fails to describe what the applicant is seeking to do. You cannot grant the permit.

Second, the proposed content of these signs is not in conformity with your sign

ordinance. 220-27 E. permits a sign that advertises the business being carried on at the subject property. Signs which advertise OTHER business are simply not permitted by your sign ordinance. 220-30 is not to the contrary. A single temporary sign would be permitted in a residential district advertising a NOT FOR PROFIT event. Commercial signs are excluded from the allowable temporary and directional signs permitted by Section 220-30 A and B.

Third, even if the content were not an issue, the proposal calls for signage that exceeds allowable size and numbers. Both the general sign by-law 220-29 B and the temporary sign by-law, 220-30 A, permit a single freestanding sign. The size under the general by-law is either 3 square feet or 12 square feet in a residential district, Section 220-29 B, and under the temporary for a residence district, is 12 square square feet, Section 220-30A.

Fourth, some of the proposed signs appear to suffer from one additional infirmity. Your sign ordinance prohibits freestanding signs within 20 feet of a roadway, Section 220-27 C. It would appear that at least for some of its length, the fence along Mill Street Extension where some of the signs are proposed is within 15 feet of the roadway. Signs on that portion of the fence would not be in compliance for this additional reason.

As noted, the Notice for the Special Permit request does not seem to accurately describe what the applicant is seeking, but moreover, for the foregoing reasons, the Board of Appeals cannot grant a special permit for commercial signs unrelated to the premises of the number, size, and in some instances locations, sought by the applicant. The request for the special permit should be denied.

Very truly yours,

Robert H. Bowen

the accessory apartment would be approximately 700 square feet. There are seven parking spaces now, two inside the garage and five outside. Mr. Corbett clarified that he and his wife utilize the spaces inside the garage.

Chairman Miller emphasized that the Lancaster Zoning Bylaw specifies nine requirements relative to accessory apartments, including but not limited to:

- the primary dwelling must have been in existence for at least five years,
- the primary dwelling must be owner occupied full time,
- the proposed apartment area must not be more than one third of the total square footage,
- there must be a separate entrance,
- occupancy must not exceed three people,
- adequate parking must be provided, and
- no addition to the existing footprint is allowed.

Ms. Jeanne Rich asked if adding the exterior stairwell would encroach on the setbacks. Mr. Corbett responded that it will not.

Chairman Miller summarized that Mr. Corbett proposes to raise the roof of the garage by adding dormer, adding kitchenette and living room, and adding stairwell to southwest side of the house. This is in addition to completing a second floor bathroom and modifying doorways on the second floor to restrict access to the primary dwelling.

At 7:37 PM Ms. Jeanne Rich moved to close the public hearing and, further, that the Board grant the Special Permit relative to an accessory apartment at 39 Brockelman Road, subject to plans being submitted; Mr. Eugene Christoph seconded. Not discussion. VOTE: 5-0-0.

Ms. Jeanne Rich proposed an amendment to the motion that the building permit cannot be issued without the submission of an engineering stamped plan; Mr. David Stadtherr seconded. No discussion. VOTE: 5-0-0.

Public Hearing – Special Permit, Lancaster Little League:

The Board reviewed the following information: (1) Form A, Request for Hearing, and Form B, Application for Special Permit, received on February 12, 2013; (2) photographs and renderings of proposed sign placement and examples of use at other fields; (3) Letter, dated February 19, 2013, from Frank and Marcia Ciampaglia, 501 Mill Street Extension, along with supporting documentation from 1985 and 1989 relative to the Mill Street Field.

Present: Matthew Zeh, President, Lancaster Little League; Ken Frommer, Vice President, Lancaster Little League.

At 7:42 PM Chairman Miller read aloud the Notice of Public Hearing, thereby convening a public hearing for the purpose of considering a petition filed by the Lancaster Little League (Applicant), P. O. Box 1455, South Lancaster, MA and Town of Lancaster (Owner), 695 Main Street, Lancaster, MA for a Special Permit pursuant to Section 220-30(A) (Exceptions for temporary and directional signs) to allow placement of temporary signs identifying annual sponsors at Mill Street Field and Thayer Field. The affected properties are located in the Residential Zoning district and area shown on the Assessor's Map 43 as Parcel 1, and

Map 34 as Parcel 91. Abutters within 300 feet were notified via Certified Mail with return receipt. This matter was publicized in *The Sentinel* on Wednesday, February 13 and February 20, 2013.

At this time, Board member Ms. Jeanne Rich identified herself as an abutter, recused herself from the discussion, and left the meeting.

Chairman Miller identified the following individuals as voting members for this matter: Eugene Christoph, Sarah Gulliver, Robert Marshall, David Stadtherr and Frank Sullivan.

Chairman Miller asked all attendees to sign in on the sign-in clipboards going around the room.

Mr. Matthew Zeh stated the Lancaster Little League seeks permission to place sponsor signage on the inside face of the fences containing the Mill Street and Thayer Fields for the duration of the season. This is an opportunity to gain revenue to fund some updates to the batting cages and other field improvements, most notable repairs to the dugouts at Thayer field. Towns surrounding Lancaster already do this, and we would like to do it as well. Each year 180 kids participate in T-ball, softball, and baseball as well as a challenge league for children with disabilities. Mr. Zeh continued, stating the League would like to accomplish its goals without raising the fees. We are 15-20% lower than surrounding towns and would like to keep it this way. Sponsors get a link on the Lancaster Little League website, as well as a plaque and other recognition. Sponsorship is \$120. We would be able to charge more for sponsorship if we can assure the sponsors that a sign for their business will be displayed at the field.

Mr. Robert Marshall asked the applicants if they looked at the Lancaster Zoning Bylaw, pointed out that there is a provision in the Lancaster Zoning Bylaw that allows temporary signs, and asked for specifics on the signs that would require a special permit. Mr. Zeh responded that they would love to sell 15 signs of sponsorship, but did not think that will happen. He noted that his application contained diagrams showing where the signs would be placed, on posts for the chain link fence. Signs would be 4'x8' and would not have lighting or motion. He added that they signs would be limited to the colors of green and white to maintain a clean appearance. Mr. Marshall asked how long the signs would need to be up; Mr. Zeh responded from the second week of April through the fall.

Chairman Miller asked if they had approached the Department of Public Works or Thayer Field Committee for their input. Mr. Zeh indicated he spoke with the Town Administrator and the Chair of the Board of Selectmen as to what route he should take to accomplish this.

Mr. Zeh added that, in addition to youth program, adult recreation (softball) is also offered. Chairman Miller asked if that group was to secure sponsors, how the adult league sponsor signs would mix in. Mr. Zeh responded that it is a different season. The Little League signs could be taken down, rolled up and put away when its season is over.

Ms. Susan Smiley, identifying herself as a member of both the Thayer Field Task Force and the Recreation Committee, asked if "temporary" was being defined for the duration of their season at the three fields. Would the signs be taken down at the end of the season? Mr. Zeh responded that the signs would be taken down and possibly stored on top of the Snack Shack, and people have also offered space in their attics. Ms. Smiley noted that as the Thayer Field Task Force is trying to develop Thayer Field, they would like to coordinate these efforts. Would monies be reimbursed to eliminate any cost to the Town? The answer was yes.

Chairman Miller noted that he would prefer to see that whoever is responsible for the field be the holder of the Special Permit. Ms. Smiley agreed. Chairman Miller noted that the Massachusetts Youth Soccer Association (MYSA) complex has a minimal number of sponsor signs, and expressed concern about opening the concept of sponsor signs up too much. Ms. Smiley emphasized that she supports Mr. Zeh and the Little League, acknowledging that the fees are low in Lancaster. She stated she would like to see some sort of plan to coordinate with other users of the fields.

Mr. Eugene Christoph posed a philosophical question . . . Do we want it to look like Fenway?

At this time, Chairman Miller opened the floor to public comment. He read aloud excerpts from letter from an abutter who expressed concern about safety. As the abutters, Mr. Frank Ciampaglia and Ms. Marcia Ciampaglia, 501 Mill Street Extension, were present, he allowed them to speak. Ms. Ciampaglia expressed great concern for motorists who will turn to look at the signs and not at where they are going. She explained that this was an issue in the 1980s when signs were put up at the athletic field across the street from their residence.

Mr. Matt Zeh stated he could not speak for past presidents, but assured her that the previous one before him is supportive of this action, noting that such sponsorship acknowledgement is long overdue.

Chairman Miller asked if the signs could be removed after each game. Mr. Zeh responded there is already a lot of work given to parents, noting that there can be 3-4 games a day on the weekend, and more scheduled during the week.

Ms. Ciampaglia asserted that Thayer Field and Mill Street Field are totally different. She noted that people drive by her home, around a blind corner, pick up speed, and then turn their heads to look toward the field. She presented photos showing how close the field is to the road, noting that her property stems from approximately first base. When the signs first went up in 1985, every single person who drove by turned their head. She added that abutters to the field were instrumental in getting the signs removed in 1989. Ms. Ciampaglia noted that the residents were living in the neighborhood before the field was developed, and were in support of the field. She noted that the upkeep has not been the best, stating that old batting cages were not taken away but instead pushed into the woods. Chairman Miller asked her to focus her comments on the signs. Ms. Ciampaglia continued, stating that the previous signs were not taken down and finally rotted. It is a small field where the games are played by little kids. She noted the Mill Street Field was used very little last year. While the Town does mow it, she indicated she had to phone to have the porta potty taken away after the season was over.

Mr. Ken Frommer stated that this is the first year the League will have a fall team. We use the batting cages for that. The Town handles both fields, but during the playing season we mow the fields with the assistance of Mr. Everett Moody. The Town does not have the resources to manage the field, and the League cleaned up all the grass this fall. We are looking to raise funds so we do not have to ask the Town to do the work. My father helped build these fields. Vendors ask if they can put up a sign if they make a donation or contract work for us.

Chairman Miller asked the applicant if there was a difference in how the fields are used. Mr. Zeh responded that there are different teams for different age groups. He added that, in Westminster the fields are right across from the police station and their signs are big.

Ms. Carolyn Stump, 557 Mill Street Extension, commented that kids do not need to be playing in a field with signs that will distract them. There must be another way. Traffic zooms past the field in both directions. The field is in a residential area, not commercial, and Lancaster does not have to do what other communities do. She concluded by stating that her grandson plays in a league in another state and there are no signs on the field.

Mr. Zeh indicated that the new batting cages cost around \$4,500 but it was all in donated services and materials, donated by five different companies. Some fundraising was also involved. It was noted that there all kinds of things that could be done to gain revenue.

Mr. Michael Kolakowski, 38 Chace Hill Road, stated he is on the Board of Directors for the Little League, and also does other coaching. He commented that fields in out-of-state communities are well-maintained, painted, have dugouts and lights, and when the players arrive, the fields are ready to go. That is not the case here. The coaches and parents mow the fields, prepare the fields before and after, sometimes using weed whackers, and also repair the dugouts. He stated that he helps maintain the fields as well as coaching. He emphasized that the League needs to find ways to supplement the costs of running these programs so that more people can afford to participate.

Ms. Stump asked how much does the League need. Mr. Robert Marshall responded that how much they need or why they need it is not the Board's concern.

Ms. Jean Syria, 102 Bolton Road, acknowledged that everyone needs more revenue, and suggested that a compromise could be struck. Maybe more signs could be at the Thayer Field and fewer at Mill Street. She suggested further that it might be a good idea to approach the Department of Public Works to make sure it is ok with it, and also the Thayer Field Task Force to make sure everyone is aware the effort.

Ms. Sarah Gulliver reminded everyone that the Board of Appeals is a volunteer board, and no one is making any money here. She agreed with Ms. Syria that a compromise may be the answer. She noted that there was a problem in Bolton concerning noise and other disturbances. She suggested fewer signs at the Mill Street field might work, placed facing away from the road, or some other creative placement of signs.

Mr. Frank Ciampaglia, 501 Mill Street Extension, stated residents should not have to look at signs 24 hours a day. It's a residential area, and the signs create a safety hazard.

Mr. David LeBlanc, 40 Farmland Lane, stated he has three children who participate in Little League. He noted he did not think it is a safety hazard as there are signs everywhere in town. These signs are no illuminated. He stated his support of the sponsor signs.

Ms. Sarah Spencer, 674 Main Street, stated the signs are a good idea for the Thayer Field, adding that the area residents may not even notice the signs.

Ms. Tracy Culkins, 48 Parker Road, suggested placing the Mill Street Field signs in positions that are away from the road, which would be the least offensive. She noted that the Little League offers a family discount which makes it affordable for families.

Mr. Eugene Christoph stated he is in the process of raising money for a school greenhouse, and [jokingly] suggested he might approach the graduates of that school. He noted that when his children were in Little League, there were none of these problems. They had contributors, but there was no advertising at any field.

Mr. Frommer stated they would love to have more parent participation. He theorized that parents are involved in so many activities and just cannot be part of everything. Only five people showed up for field cleanup day last spring. He added that the League has exhausted a lot of avenues for fundraising because many parents do not participate other than paying fees.

At 8:26 PM Mr. Robert Marshall moved that the Board close the public hearing; Mr. Eugene Christoph seconded. No discussion. VOTE: 5-0-0.

Mr. Robert Marshall noted that the sign bylaw is very specific, and the Board cannot ignore those provisions. He read relevant verbiage from Mass. General Laws. He added that his opinion was that the Board is not authorized to grant the permit; what the Board is being asked to grant is very different from what the Lancaster Zoning Bylaw defines as a temporary sign.

Mr. Robert Marshall moved that the Board deny the Special Permit relative to temporary signs as proposed by Lancaster Little League as the proposal does not reflect the spirit of the Lancaster Zoning Bylaw; Mr. Eugene Christoph seconded. Mr. David Stadtherr stated he perceives the word "event" to mean the baseball season. No further discussion. VOTE: 2-3-0 – Gulliver, Stadtherr and Sullivan oppose.

Discussion followed on how to proceed, and if there are other options to consider. Chairman Miller explained that if the matter were continued until the next Board of Appeals meeting, perhaps a compromise could be reached. At this time, Mr. Matt Zeh requested that the matter be continued to March 28, 2013, and completed the Request for Continuation document.

Mr. Robert Marshall moved that the Board reconsider the closing of the hearing; Mr. David Stadtherr seconded. No discussion. VOTE: 4-1-0 – Christoph oppose.

Mr. David Stadtherr moved that the Board accept the request to continue the public hearing; Mr. Robert Marshall seconded. No discussion. VOTE: 5-0-0.

Mr. Robert Marshall moved that the Board reopen the public hearing and continue the matter until the Board of Appeals meeting scheduled for March 28, 2013; Mr. David Stadtherr seconded. No discussion. VOTE: 5-0-0.

Discussion – Reformatted forms:

The Board reviewed reformatted versions of Special Permit and Variance applications.

Ms. Piazza stated that none of the information in the applications was changed and that the forms were merely reformatted to make them a little more user-friendly. Because the forms are included in the Board's rules and regulations, does this type of "change" require a public hearing? She asked the Board for input on whether the reformatting constitutes enough of a change to warrant a public hearing.

Ms. Piazza continued, pointing the cost of advertising was updated, and additional contact phone numbers were listed. Additionally, she indicated that page 2 notes that applications are available online, and on page 3 the checklist was put into a table.

Mr. Marshall expressed concern that there should be some sort of disclaimer indicating that an applicant should not rely on the comments of Town personnel as an indication that a petition will be granted. He suggested further that such a disclaimer should also be included on the last page with the description of "special permit".

Discussion followed on possible wording changes. Ms. Piazza stated she would send them out electronically for review, and board members should send comments back to her. The matter will be revisited at a future meeting.

General Business:

The Board reviewed the following information: (1) Proposed meeting schedule for April – June 2013 and (2) Draft minutes from January 10, 2013.

Mr. Robert Marshall moved that the Board approve the minutes of January 20, 2013, as drafted; Ms. Sarah Gulliver seconded. No discussion. VOTE: 6-0-1 – Mr. Stadtherr abstain as he was not present at meeting.

There were no objections to meeting schedule. Therefore, the Lancaster Board of Appeals will meet on the following dates at 7:00 PM in the Town Hall Auditorium: April 25, May 23, and June 27

Miscellaneous Discussion:

There was brief discussion on Section 220-31 of the Zoning Bylaw regarding exceptions to the sign bylaw.

There being no further business to come before the Board, the meeting adjourned at 9:02 PM.

Respectfully submitted,
Jeanette Galliardt
Office Manager

Approved 7/25/13

TOWN OF LANCASTER
BOARD OF APPEALS
Public Meeting Room -- Lancaster Community Center
Thursday, April 25, 2013

Present: Scott Miller, Chair; Frank Sullivan, Clerk; Eugene Christoph, Sarah Gulliver, and David Stadtherr.

Absent: Robert Marshall, Vice-Chair; John Parsons; Jeanne Rich.

Also Present: Noreen Piazza, Director of Planning.

There being a quorum present, Chairman Miller called the meeting to order at 7:00 PM.

Continued Public Hearing – Special Permit, Lancaster Little League

The Board reviewed the following new information: (1) Email, dated April 17, 2013, from Frank and Marcia Ciampaglia; (2) Email, dated April 25, 2013, from Tracy Culkins; (3) Letter, dated April 25, 2013, from Robert H. Bowen, Bowen & Bowen LLP, Lunenburg, MA.

Present: Matthew Zeh, President, Lancaster Little League; Ken Frommer, Vice President, Lancaster Little League.

At 7:02 PM Chairman Miller reconvened the public hearing for the purpose of continued consideration of a petition filed by the Lancaster Little League to allow placement of temporary signs identifying annual sponsors at Mill Street Field and Thayer Field. The public hearing was opened on February 28, 2013.

Mr. Matthew Zeh stated that the size and type of sign the Little League is seeking is a fairly common thing at athletic fields. Presently the League has only two sponsor signs and those sponsors should not have to increase their contribution in order to fund field improvements.

Brief discussion followed on signs in residential areas and whether there was any discussion about separating the two fields and handling each one differently. Mr. Zeh responded that new batting cages were erected on Mill Street last year so they really want to use both fields and recognize the folks who donated materials.

There was an existing Special Permit for sponsor signs that was issued in 1984. The original signs were made of plywood, and the signs were later to be made of vinyl. The special permit designated that the signs could be put up before the games but had to be taken down afterwards. Mr. Zeh stated that the League is already taking care of the fields, but did not know if they could add that responsibility to our volunteer parents. There was some question about whether the permit had to be renewed annually. Mr. Zeh asked if that was a condition that could be specified in a special permit.

At this time, Chairman Miller read into the record an email from Frank and Marcia Ciampaglia, dated April 17, 2013, as follows:

To the Lancaster Board of Appeals:

The Lancaster Little League* has petitioned the Board of Appeals to place 4 X 8-foot advertising signs on the outfield fences surrounding the minor league field on Mill St. Ext. and at Thayer Field recreation complex. We object to placement of these signs at the Mill Street Ext. field, because the field is very close to the road, and the angle of the fence means that the majority of the signs would be easily seen from the street, and create a **distraction to passing drivers**.

A minor league field such as on Mill Street Ext. shouldn't have signs of this type. There were signs put in the field in the 1980s, when signage rules were not yet in effect. They created a hazardous situation for us when we tried to leave our driveway, which is directly across the street from where these signs would be placed. Passing drivers would turn their heads to look at the signs and pay absolutely **no attention to the road and driveways ahead**.

Some of the houses in this area are new, or have occupants that weren't living here back then, and are therefore unwilling to protest the Little League's petition. To quote another abutter: "I don't care. I won't be able to see the signs from my house." Unfortunately, that is not the case for us – We have a **panoramic view of the entire field** from the front of our home.

We also believe these signs would change the character of our neighborhood for the worse, and severely decrease the value of our property. When we moved to Lancaster in 1976, a major selling point of our home was the beautiful, empty field across the street. We gave our assent to the proposed Minor League diamond years later when Selectman Tony Pirro approached us; our children grew up playing on baseball teams in that field.

We do not object to signs being displayed **during games only**, but they should **not** be allowed to be posted 24/7 for months at a time per the Little League's proposal. The **amount and speed of traffic has increased significantly over the years**, and with cell phones and texting, drivers are more distracted than ever.

Please oppose these advertising signs on Lancaster public property, which do not conform to any of Lancaster's bylaws.

*Here's a link to the Little League site that shows their proposed sign placement. Please notice the orientation of the signs in relation to the street in each instance. Most signs on Mill St. Extension would face the street, and the part of the fence nearest the road is less than 15 feet from the road. At Thayer Field only signs at the far back would face the street, and the nearest fence to the street is ~100 feet.

<http://www.lancasterlittleleague.com/#247334>

Thank you.

Sincerely,

Frank and Marcia Ciampaglia
501 Mill St. Ext.
Lancaster, MA

Chairman Miller read into the record an email from Tracy Culkins, dated April 25, 2013, as follows:

I had been hoping to attend tonight's meeting to speak in support of Lancaster Little League's application to hang sponsor signs at Thayer Field and Mill St. Field. Unfortunately, the meeting is at the same time as the middle school band concert, so I won't be able to attend. I am hoping that this email will reach you in time to be considered.

As I mentioned above, I am speaking in support of allowing Little League to put up signs at the fields. The signs proposed are all the same design (green background with white lettering), which will keep the look clean and neat, and not be a distraction to players on the field. At the last ZBA meeting we attended (I believe it was in February), there were complaints that the signs were eyesores and distractions. The signs referred to in the complaint were from over 30 years ago, and in no way are a reflection of the proposed plan. As for being a distraction, the fences where the signs are to be hung are far enough back from the road that they wouldn't be noticed by drivers passing by on the road. The signs are meant to provide exposure to Little League sponsors aimed at the parents of Little League players who are watching games played on the field.

The League is hoping to raise additional (and much needed) revenue by offering sponsors the exposure the signs will give them. This will allow for the fields to be maintained and improved (a constant task) to give the kids a safe and

fun place to play. By gaining an additional source of revenue, it will help the league to keep the registration costs down and still provide a quality experience. Another plus would be the additional exposure for the local business-- hopefully it will turn into additional revenue for them as a result of their business being seen by the parents.

I hope that the board will consider the current sign proposal, and not judge it by signs that were hung 30 years in the past. It gets more and more difficult to operate a volunteer organization every year--increasing costs and demands with limited sources of revenue and resources. And if it isn't the ZBA that would make such a decision, perhaps the path that should be taken can be made clear from the start.

Thank you for your consideration on this matter, and for taking the time to read my email.

*Sincerely,
Tracy Culkins
48 Parker Road
Lancaster, MA*

At this time, Mr. Robert H. Bowen stated he is an attorney representing the Ciampaglias. He posited that the Town has no authority to act on this petition as the requested relief does not fall into any established sections of the Zoning Bylaw, and submitted a letter to that effect. He indicated that if the applicant were operating a commercial enterprise, they would be able to put up a sign for commercial advertising. His letter listed several issues regarding interpretation of the Zoning Bylaw and what the applicant is seeking.

Mr. Jay Riley, Chairman, Lancaster Finance Committee, stated the Finance Committee is in support of the Little League raising funds. He noted that current economic standards in Town are lacking, especially in the Recreation Department. Anything that will help raise funds to decrease funding from the Town is a good thing, and the Finance Committee supports it.

Mr. David Stadtherr asked if the signs will face the road. Mr. Zeh stated that all signs will face the field.

Mr. Eugene Christoph cautioned that the Board does not have the authority to issue the Special Permit.

At 7:17 PM Mr. Eugene Christoph moved to close the public hearing; Mr. David Stadtherr seconded. No discussion. VOTE: 5-0-0.

Mr. Eugene Christoph moved that the Board deny the Special Permit; Ms. Sarah Gulliver seconded. Discussion followed. Ms. Gulliver recalled that Mr. Robert Marshall's concern was that the Board had no purview to grant the Permit, and she indicated she had not heard anything different from testimony presented at the last meeting. She added that the last permit clearly stated that it was to be renewed every year, which it was not. Ms. Gulliver noted that she is sympathetic to the League's cause, but we have to consider the concerns of the neighbors. Mr. David Stadtherr concurred that the Board has no authority to issue the Permit. Mr. Bowen reiterated that the neighborhood objection is for the Mill Street Field only. VOTE: 5-0-0.

Chairman Miller informed the applicant that the Decision will be drafted within the next two weeks, at which time it will be filed with the Town Clerk. The filing initiates a 20-day appeal period.

Mr. Zeh stated they appreciate the Board members serving as volunteers. He noted they were directed to this process by the Town Administrator, and this result is frustrating. Mr. Ken Frommer expressed disappointment that the League spent a great deal of money on postage for the abutter mailing, money that could have been spent on field improvements or other needs.

RECEIVED

FEB 27 1986

BOARD OF SELECTMEN
LANCASTER, MASS. 01523

BOARD OF APPEALS
LANCASTER MASSACHUSETTS, 01523

*X-Filed
McCarthy + Lancaster MBC*

Michael McCarthy
Lancaster Minor Baseball League
Langen Road
Lancaster, Ma. 01523

October 9, 1985
(Copy to Town
Clerk 2/13/86)

Dear Mr. McCarthy:

A Public Hearing was held on October 8, 1985 in answer to your request for a SPECIAL PERMIT to allow the Lancaster Minor Baseball League to display advertising signs on land located on the northern side of Mill Street, and after adjourning until October 9, 1985, the Board of Appeals voted unanimously in FAVOR of granting said SPECIAL PERMIT with the conditions noted below.

Conditions:

- 1) The use of the present 4 foot by 8 foot plywood signs presently in possession of the league are approved for the season commencing approximately March 1, 1986 thru June 30, 1986. These signs are to be displayed only on Sunday, the day of the games, and are to be used for this season only, and are to be covered over or removed on the remaining days that games are not played.
- 2) Any future signs would be in the form of a banner, and would be displayed only on game days, and would be removed at all other times. The present plywood signs would be replaced by the banner-type signs after this 1986 season.
- 3) This SPECIAL PERMIT will be subject to annual review and renewal by the Board of Selectmen.

~~This arrangement was reached and agreed upon by all abutters and coaches attending this hearing.~~

Members in attendance & voting hereon:

- Lee P. Farnsworth, Chairman
- Lawrence E. Smart, Clerk
- Robert S. Follansbee, Jr., Member
- Alvin D. Powell, Member
- Roland A. Turmaine, Member

Very truly yours,

LANCASTER BOARD OF APPEALS

Lee P. Farnsworth
Lee P. Farnsworth, Chairman

Minor Baseball League to display advertising signs on land

RECEIVED
FEB 13 1986
LANCASTER TOWN CLERK



Town Of Lancaster

MASSACHUSETTS 01523

P.O. BOX 293
OFFICE OF THE

BOARD OF SELECTMEN

July 13, 1989

James J. Ford, Bldg. Commissioner/
Zoning Agent
19 Lunenburg Rd.
Lancaster, MA 01523

Dear Mr. Ford:


We have received a complaint from a resident of Mill St. Ext. that the Lancaster Minor League is not complying with the conditions as set forth under their Special Permit, copy enclosed.

Would you please investigate this complaint and report your findings to this office no later than Wednesday, July 26, 1989.

Thank you for your kind attention.

Very truly yours,

LANCASTER BOARD OF SELECTMEN


Henry A. Richter, Chairman

HAR:kal
Enc.

C: Lee P. Farnsworth, Chairman
Board of Appeals



Town Of Lancaster

MASSACHUSETTS 01523

P.O. BOX 293
OFFICE OF THE

BOARD OF SELECTMEN

October 11, 1989

John P. O'Toole
113 Ivy Dr.
Lancaster, MA 01523

Dear Mr. O'Toole:

It has just been brought to our attention that you are the person to contact regarding the Special Permit granted to the Lancaster Minor League by the Board of Appeals on October 8, 1985 (see copy enclosed). We contacted Michael McCarthy regarding this matter several times before learning from him that this matter should be brought to your attention.

Pursuant to this Special Permit (Item #2), we are instructing you to remove the existing plywood signs immediately. It is to be clearly understood that banner-type signs are allowed in place of said plywood signs, however, only on the day of any given game.

We are enclosing a copy of a letter received from Mr. & Mrs. Frank Ciampaglia that will indicate to you the importance of your removing the plywood signs as soon as possible.

We are also enclosing a copy of the Rules and Regulations pertaining to Renewal/Re-Issuance of Special Permits that was adopted by this Board on March 23, 1988 and would ask that you provide us with a statement of compliance simply indicating that the plywood signs have been removed.

Very truly yours,

LANCASTER BOARD OF SELECTMEN


Henry A. Richter, Chairman

HAR:kal

Encs. (3)

C's: James J. Ford, Bldg. Commissioner/Zoning Agent
Lee P. Farnsworth, Chairman, Board of Appeals
Mr. & Mrs. Frank Ciampaglia ✓

Lancaster Minor League
113 Ivy Drive
Lancaster, MA 01523

RECEIVED

OCT 24 1989

BOARD OF SELECTMEN
LANCASTER, MASS. 01523

October 23, 1989

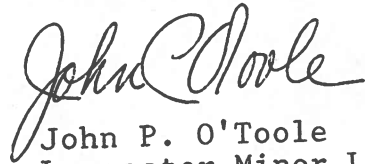
Mr. Henry A. Richter, Chairman
Lancaster Board of Selectmen
Town Hall
Lancaster, MA 01523

Dear Mr. Richter:

In response to your letter dated October 11, 1989 I would like to inform you that we have been in compliance with our special permit inasmuch as the signs were removed on or about the first week in July, 1989 from the Minor League Field.

I would also like to inform you that we will be seeking a modification of the terms of the present special permit through the Board of Appeals.

Sincerely,



John P. O'Toole
Lancaster Minor League

JPO:jeo



Town Of Lancaster

MASSACHUSETTS 01523

P.O. BOX 293
OFFICE OF THE

BOARD OF SELECTMEN

June 22, 1992

John P. O'Toole
113 Ivy Dr.
Lancaster, MA 01523

Dear Mr. O'Toole:

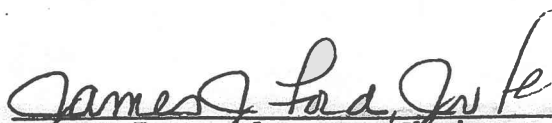
We have received several complaints from residents of the Mill St. Extension area in the vicinity of the Minor League field regarding building materials, debris and litter with the field that is causing an eye sore for these homeowners.

We would appreciate your cleaning up this area at the earliest possible time and would ask that you let us know when that clean up has been completed by calling our office at 365-3326.

Thank you for your kind attention to this matter.

Very truly yours,

LANCASTER BOARD OF SELECTMEN


James J. Ford, Jr., Chairman

JJF:kal

C: James M. Burgoyne, Chairman, Board of Appeals