

23-464
LICENSING, PERMITTING, AND SIGNS SUBCOMMITTEE
MEETING REPORT
TUESDAY, FEBRUARY 6, 2024 @ 6:00 P.M.

Attendees: Councillor George Scarpelli, Subcommittee Chair; Councillor Anna Callahan, Councillor Matt Leming; Council President Isaac “Zac” Bears; City Clerk Adam Hurtubise; Attorney Kathleen Desmond, for Raising Cane’s; Jeff Pountney, Raising Cane’s; Danielle Evans, Senior Planner, Office of Planning, Development, and Sustainability; other participants as noted in the body of this report.

Chair Scarpelli called the meeting to order at 6:00 p.m. on February 6, 2024 in the Medford City Council Chambers on the second floor of Medford City Hall, and via Zoom. The purpose of the meeting was to additional on-premises signage for Raising Cane’s, 760 Fellsway (Paper **23-464**).

Chair Scarpelli thanked participants for attending. He invited Attorney Desmond to present. Attorney Desmond said her client is seeking minimal accommodation for two additional signs for its restaurant on the Fellsway. She said some items should be exempt from the permit requirement because they are not visible from roadways and they face the inside of the parking area.

Chair Scarpelli said that the Council has occasionally given leeway to businesses whose signs do not have an adverse impact on neighbors. He said issues such as size and illumination would matter to the Council because they would matter to residents.

Adam Karachi from Raising Cane’s said that there is an internally illuminated static sign, illuminated with LEDs. He said it will be on between dusk and dawn. He said Raising Cane’s is requesting four, one facing each public right of way, allowed by right, and two facing inside the parking area. He said that there will also be an art display for the community. He said that the founder of the company started as a small business and got an SBA loan, and the components of the art reflect the founder’s history building the business. He said that this sign is downlit. He said that there is also a directional sign for the drive through. There is also a picture of a dog that is the company mascot for whom the company is named. There is also a one love (all caps) slogan that reflects the company’s quality chicken finger meal. He said the company is also asking for a monument sign. He said that the menu boards and pre-sell boards are mission critical.

Mr. Karachi said he was not aware last summer that some of these signs would require a special permit. He explained the preferred layout of all the signs. Attorney Desmond said that the one love sign would not face the neighborhood. She said that the total of the four signs is about 123 square feet and 300 square feet are allowed.

Chair Scarpelli said that he wants to help businesses, but that this is a lot. He said whether these signs face the neighbors or not, they are illuminated. He said that just alone, these signs are visible and it is going to be a busy area. He said he wants to help businesses but that there are also concerns from residents and neighbors. He said he thinks that this is too much. He said he hopes we can compromise. He said that he thinks the downlit signs are okay.

Attorney Desmond said that some of this was not defined in the previous code. She said that there is significant landscaping involved. Chair Scarpelli said that the landscaping softens the impact. Mr. Karachi said that most of the lighting is impact lighting.

Ms. Evans said that there are appeals to the City Council and there are special permits in which the Council is the Special Permit Granting Authority, so this would have to go through the notification process with notification to abutters, advertising, and a hearing. If this were an appeal, it would state that the determination from the Building Department is incorrect. She said she doesn't know if branded directional signs are necessarily allowed.

Chair Scarpelli asked if some of these signs could be shut down after hours. He said he would like to know what is a necessity.

Councillor Leming said he is still trying to understand the process and how essential some of this is to the overall business. Mr. Karachi said he was willing to remove the flame from the drive-through. He said the critical signs are the menu boards and the one love sign. He said he could agree to remove that sign from the roof. He said he could remove the A, H, and G signs. He said he would be willing to remove the monument sign as well.

Chair Scarpelli said that the biggest thing is making sure the neighbors are heard and he thinks that some of this is a good compromise. He said he would talk to the Building Department and find a way to advertise this and move it forward.

Attorney Desmond said that there is language about official signs in the new code but no definition of what an official sign is. Councillor Scarpelli said that the overall presentation looked fine and he could see that the one love sign was essential to the business. He said he would be interested in getting more information after the meeting. He said our zoning needs to be overhauled.

President Bears said he voted for the late hours. He said that if Attorney Desmond has concerns as we move forward with our zoning, the Council would very much appreciate her input. Chair Scarpelli asked about a variety of the proposed signs and Mr. Karachi said that he'd be willing to remove the E, by the pre-sell board. Chair Scarpelli

suggested the I, the A, the H. Chair Scarpelli said he had enough information and would contact Attorney Desmond.

Ms. Evans asked what is considered the primary signs. Attorney Desmond said that they face the Fellsway and Riverside where the painted mural would be. Ms. Evans asked if all the signs were considered non-exempt. Attorney Desmond said she maintains that some of the signs should be exempt. Chair Scarpelli said he would go to the Building Department to get some additional information. He said his understanding is that this is about the number of signs.

Chair Scarpelli asked that this report be placed on file.

Councillor Leming moved to adjourn at 6:45 p.m. (Chair Scarpelli second)—approved.

Chair Scarpelli adjourned the meeting at 6:45 p.m.