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*Penny St. Louis Littell - Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

December 11, 2008

1140 Brighton Avenue Associates
738 Bark Street
Swansea, MA 02777

Re: 1140 Brighton Avenue – 265 B004 – B-2 – sign permit for Kon Asian Bistro –
permit # 08-1491

Dear Sir,

I am in receipt of your application to install a building sign for the Kon Asian Bistro at 1140 Brighton Avenue. I have reviewed your application, and I am denying it. Your application proposes to locate the sign on the new façade that is being installed on the front of the building. This façade is not part of the wall of the building and extends above the roof. Section 14-367 of the ordinance gives the definition of a roof sign as “Any sign erected wholly on and over the roof of a building, including attachment to a rooftop mechanical parapet supported by the roof structure, and extending vertically above the highest portion of the roof.” Using this definition, your proposed sign is a roof sign. Section 14-369.5, Table 1 of the ordinance lists the sign types that are permitted by zone. Your property is located in the B-2 zone, and Table 1 shows that a roof sign is not permitted in the B-2 zone. Since a roof sign is not allowed, I am denying your permit.

You have the right to appeal my decision. Section 14 – 368.5(g) of the ordinance states that an applicant who has been denied a permit or approval for failure to meet the signage regulations of section 14 – 369.5 “may apply to the planning authority for review of the denied signage pursuant to the standards set forth in section 14 – 526(a)(23)”. If the planning authority denies the application, then under section 14 – 527 of the ordinance you may appeal the decision to the Planning Board within ten (10) days of the decision being rendered.

If you choose not to apply to the planning authority for a review, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit. Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc. file