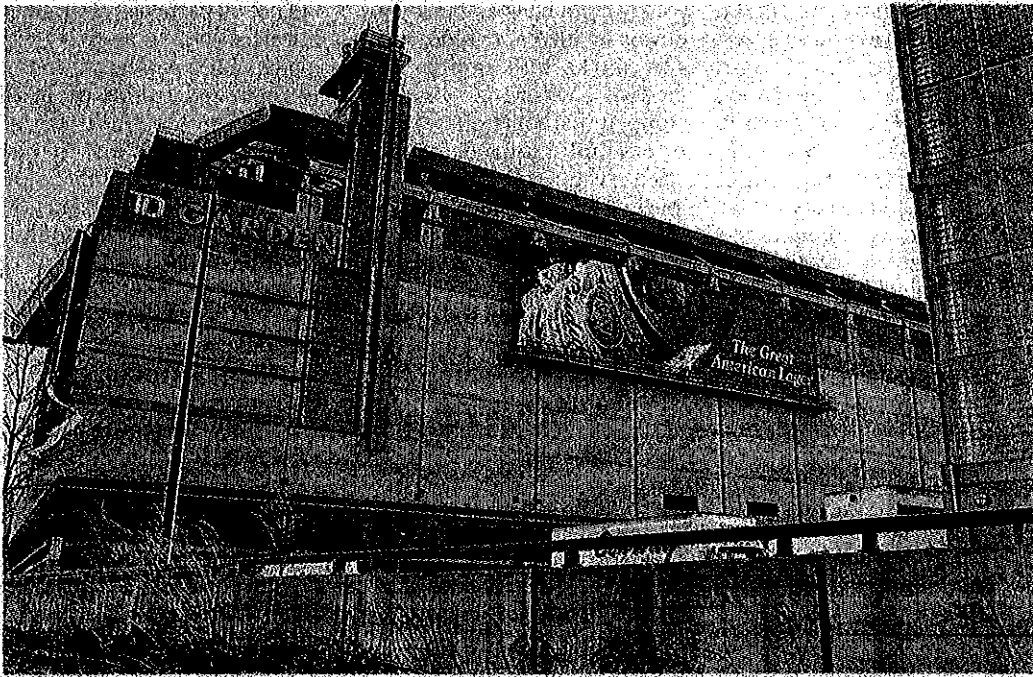


# The Boston Globe

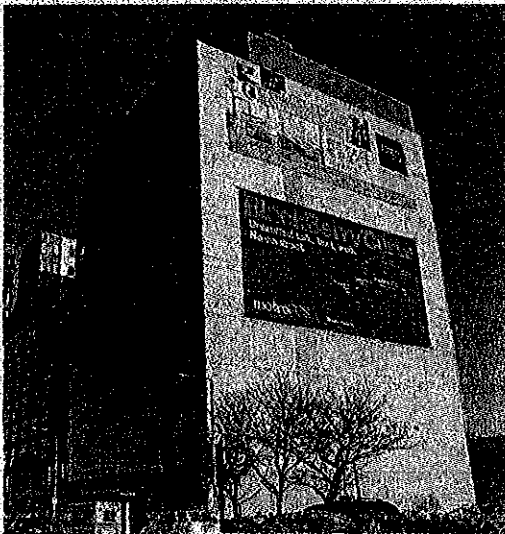
WEDNESDAY, MARCH 2, 2011

## US targets Hub signs

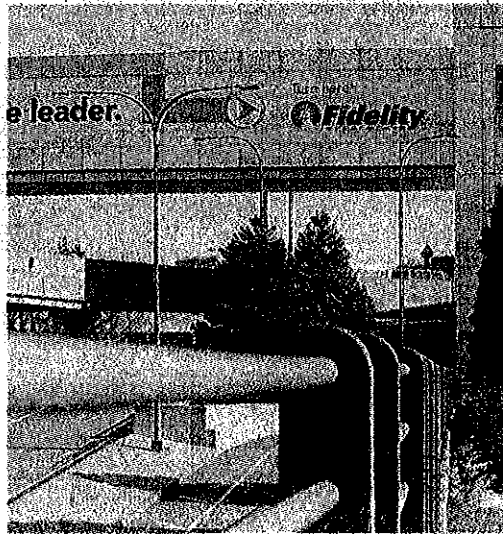


PHOTOS BY KAYANA SZYMCAK FOR THE BOSTON GLOBE

**TD GARDEN** No permit for advertising an unrelated business, Budweiser beer.



**1330 BOYLSTON ST.** Sign may be too large to appear on a federally controlled route.



**LOGAN AIRPORT** No permit was sought for this sign or three others.

High-profile ads cited as violations

Beautification review 1st in years

By Todd Wallack  
GLOBE STAFF

Some of the most visible billboards in the Boston area, including the mammoth advertisement for beer on the side of the TD Garden, appear to be illegal and may have to come down, federal highway authorities concluded in a recent review.

The Federal Highway Administration found the problem signs during its first inspection of Massachusetts' outdoor advertising program in more than a decade, and reported its findings last week.

As part of beautification efforts that date to the 1960s, federal and state rules limit billboards and other signs along roads funded at least in part with US tax dollars. For instance, signs can't be too close together, in order to reduce visual clutter and avoid distracting drivers.

Inspectors conducted a spot check of 42 signs along major routes in the Boston area in August and found more than a dozen that were erected illegally or without permits. Among them were several owned by the cash-strapped MBTA, which uses the advertising revenue from the billboards to offset its operating deficits.

For instance, federal officials  
**SIGNS, Page A8**

# US says high-profile Boston signs violate rules

► SIGNS  
Continued from Page A1

said that the gigantic sign at TD Garden, which now promotes Budweiser beer to travelers entering the city across the Zakim Bridge, "appears to be an illegal sign" because it does not have the necessary state permit. Authorities recommended that the state either require the owner to obtain a proper permit or remove the sign.

TD Garden officials, however, insisted they don't need a state permit. "We are confident the sign on the TD Garden's north facade has been and continues to be in compliance with applicable regulations," said John Wentzell, president of the TD Garden & Delaware North Companies, which owns and operates the arena.

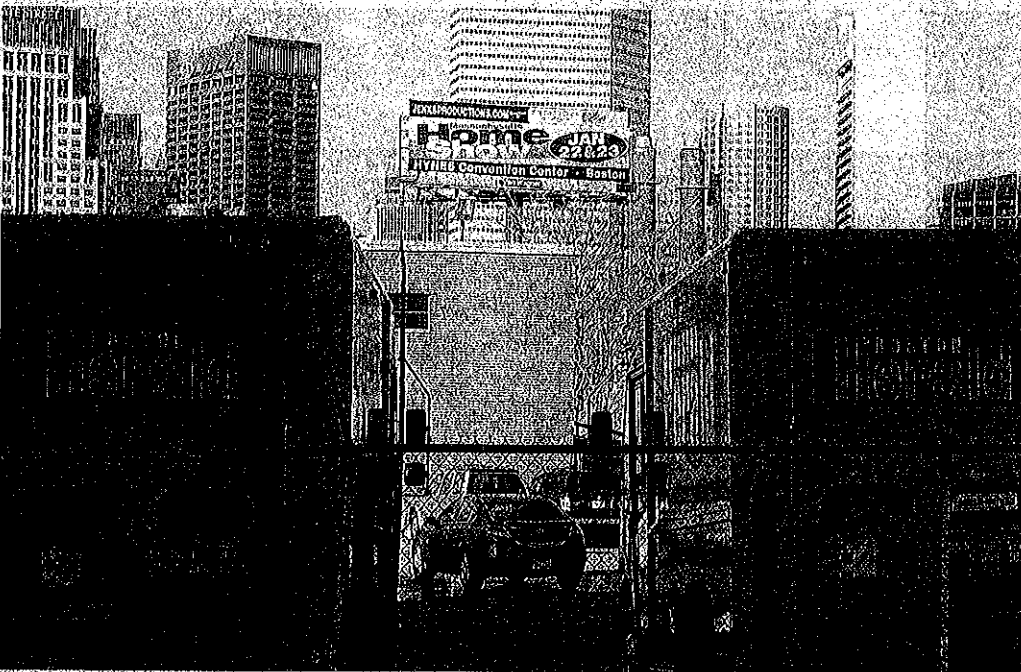
Federal officials overall found that Massachusetts had a well-run program policing outdoor advertising; however, they said, inspectors were not receiving sufficient training to do their job.

Moreover, the state Office of Outdoor Advertising is apparently overwhelmed and unable to keep up with the flood of signs across the state, with some not being inspected for years, according to the report. In an attached memo, the Massachusetts director, Edward Farley, said his office should have more than double its current complement of four employees.

The federal report was vague on whether the violations that inspectors found are technical in nature — that the property owners merely need to seek the proper permits — or whether the signs themselves would not be allowed under federal guidelines because they were either too big or for an unpermitted use.

Other "problematic" signs cited by the report included:

■ A billboard on the Boston Herald parking lot along Interstate 93. Although Boston Herald publisher Pat Purcell had previously received state permits, the report said that Farley, the Massachusetts director of outdoor advertising, was reluctant to approve a new one, apparently because the sign is too close to other billboards. Federal authorities recommended that the state tell Purcell his previous permit may have been granted in



KAYANA SZYMCAK FOR THE BOSTON GLOBE



YOOKS, BYUNG/GLOBE STAFF

error and advised officials to also research the law, to figure out how to handle the situation. Boston Herald spokeswoman Gwen Gage declined to comment.

■ Numerous signs at MBTA stations, which need permits be-

cause they primarily advertised products of private businesses, not just the MBTA. At the time of their review last summer, inspectors found a Chipotle Mexican Grill Restaurant sign adorning the Science Park Green Line

stop, and another one for the financial services company Prudential at South Station Bus Terminal. The T also hangs long advertising banners outside the entrance to South Station that are illegal, according to the fed-

eral report. The MBTA did not return requests for comment.

■ Logan International Airport advertisements draped along pedestrian overpasses and terminal buildings, including those for Dunkin' Donuts, Fidel-

ity Investments, and Samsonite luggage. The report said Massachusetts officials previously did not enforce advertising rules at Logan because they were unsure the roadways there were covered by federal law. Authorities recommended that state officials require Massport, which operates Logan, to apply for permits for the signs. Massport spokesman Matt Brelis said the agency couldn't comment because it hasn't had a chance to fully review the report.

■ A giant poster pasted on the side of the Fenway Health building on Boylston Street near Fenway Park, which currently is an advertisement for MetroPCS wireless service. While Fenway Health has permits from the city and state, apparently the sign may be too large under federal rules, according to the health center's media broker, Peter Brown, a partner with Direct Media Inc., said the sign, which measures 40 feet by 80 feet, is larger than what is normally allowed for highway signs. Federal officials said Massachusetts should insist on the sign being removed.

■ A billboard on Broad Street near the Rose Fitzgerald Kennedy Greenway that federal officials also insisted should be removed. At the time of the inspection, the billboard ran an ad for Heineken light beer with the slogan "See the Light."

Federal inspectors also found three billboards along I-93 in Somerville that advertised products in full-motion video, in violation of rules that bar digital signs from changing messages more than once every 10 seconds, to avoid distracting drivers.

However, the federal report also found that some noncommercial billboards without permits are probably protected by First Amendment free speech rights, including one for gun control along the Massachusetts Turnpike near Fenway Park.

A spokesman for the Massachusetts outdoor advertising office, Adam Hurtubise, said the agency is reviewing the recommendations on individual signs and will notify owners about what they need to do to comply.

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