

# Staff Report

Devens  
Enterprise  
Commission

**Date:** July 18, 2022

**To:** Devens Enterprise Commission

**Cc:**

**From:** Peter Lowitt and Neil Angus FAICPs

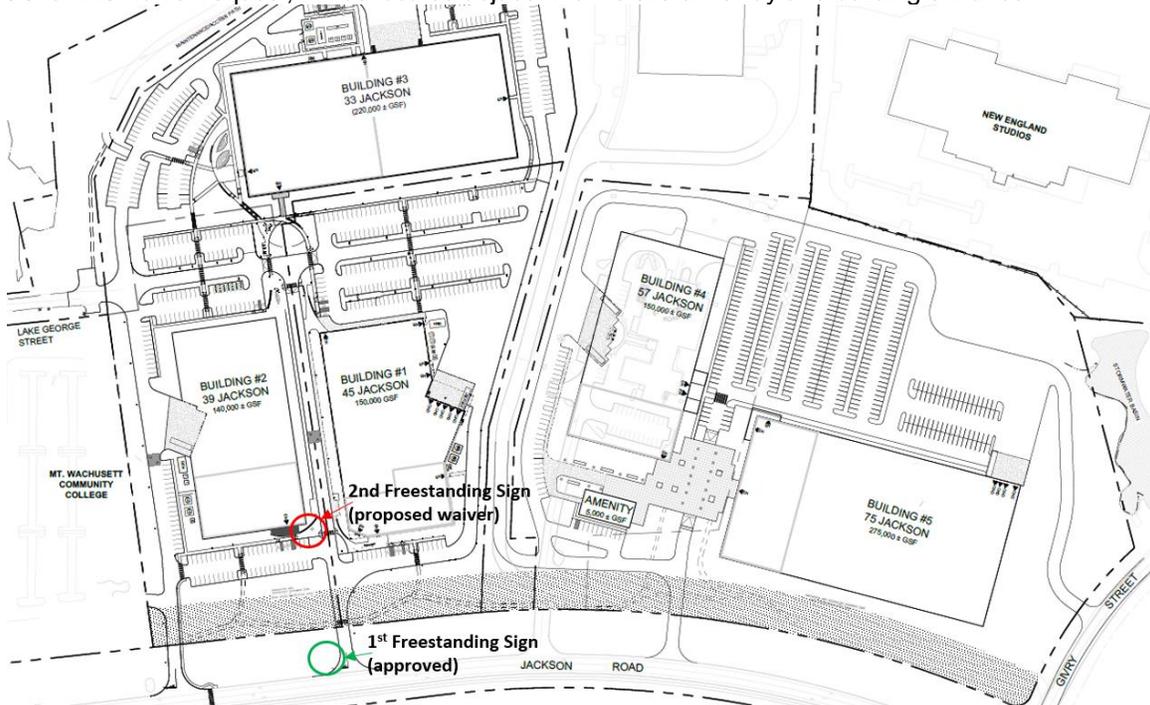
**RE:** 39 Jackson Road – King 39 Jackson, LLC Freestanding Sign Waiver Request Level 2 Unified Permit

**Owner/App.:** King 39 Jackson, LLC. 800 Boylston Street Suite 2400, Boston, MA 02199

**Location:** 39 Jackson Road, Devens, MA

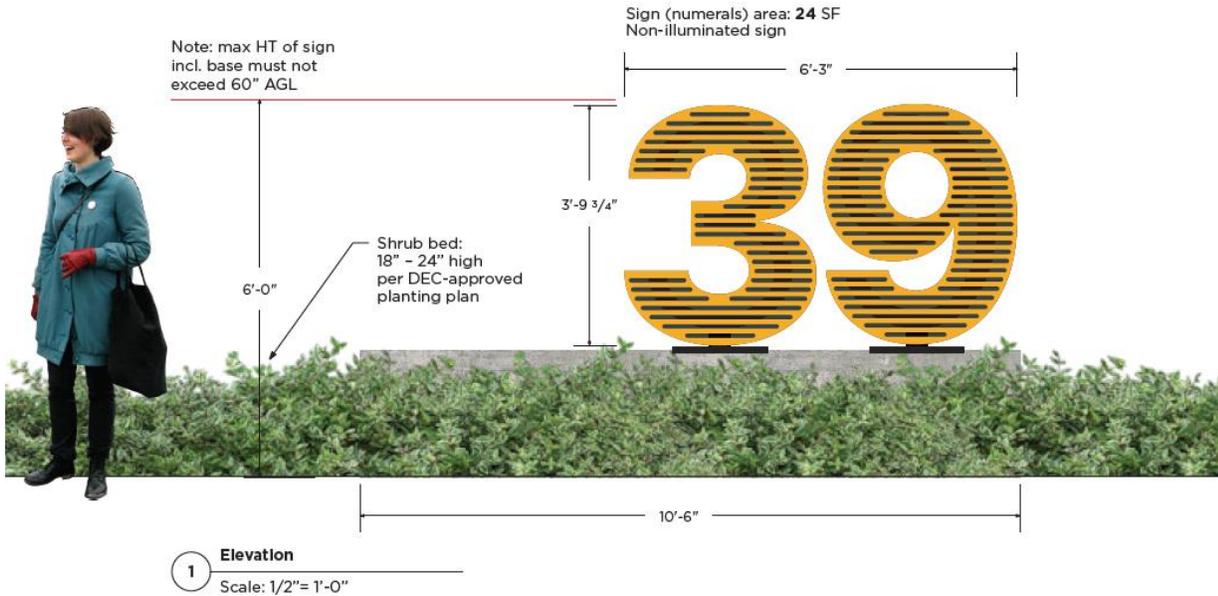
**Zoning:** Innovation & Technology Business District, Watershed Protection Overlay District and Viewshed Protection Overlay District.

**Proposed Project:** Highpoint Engineering, on behalf of King 39 Jackson LLC, has submitted a Level 2 Unified Permit for the placement of a second Type 2 on-premises free-standing sign at 39 Jackson Road. The Applicant is requesting a waiver from 974 CMR 6.03(5)(b) to construct a second free-standing sign on the premises. The regulation only allows for one freestanding monument sign per property. DEC Staff has already administratively approved a primary freestanding sign for the property to be located at the main entrance driveway off Jackson Road (location subject to a license agreement with MassDevelopment). The second freestanding sign, which is the basis for this waiver request, will be located adjacent to the site driveway and building entrance.



The Applicant seeks a waiver from the regulations to construct this second freestanding sign because they feel that a building entrance-canopy mounted address sign, when viewed from the primary access driveway, will be obscured by landscape vegetation that was approved under the 39 Jackson Road Level 2 Unified Permit. The Commission granted a similar waiver for 45 Jackson earlier this year.

The sign will be approximately 24 square feet in area, non-illuminated, and mounted on a 24" high cast in place concrete foundation pedestal which will be mostly obscured by shrubs and groundcovers when viewed from the site driveway:

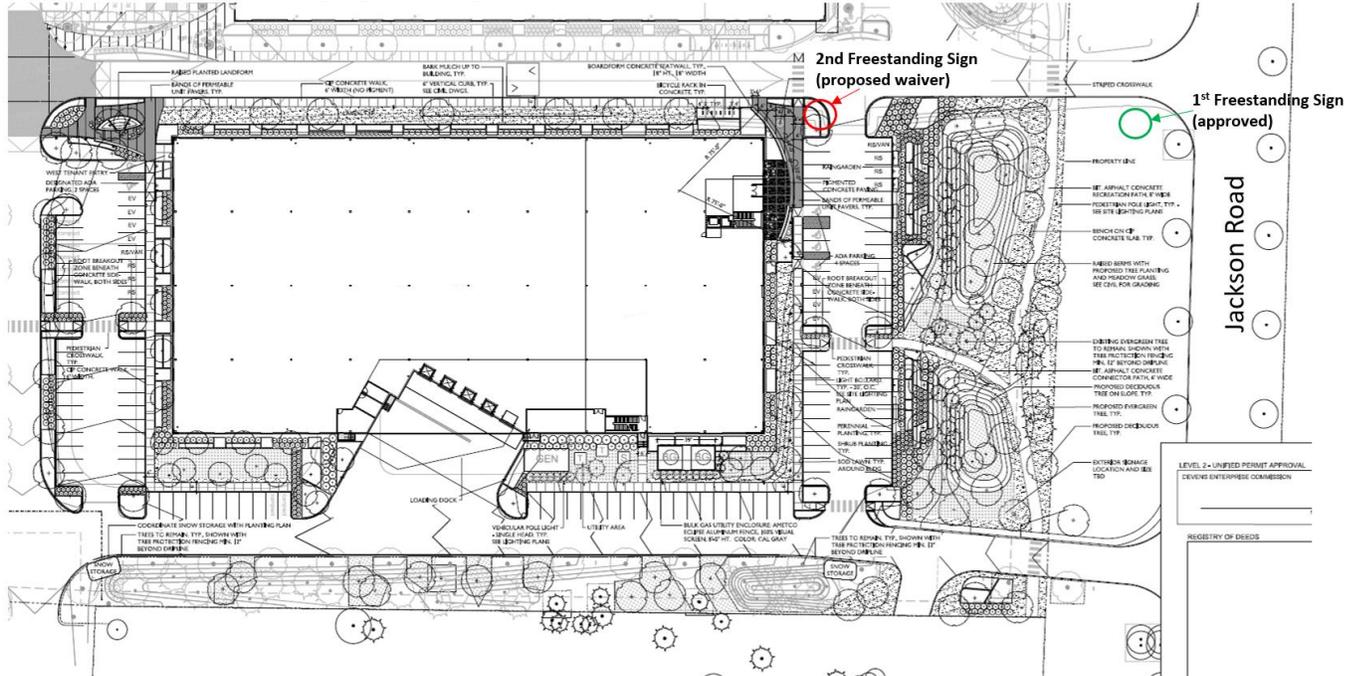


**Key Project issues:**

Typically, a building address sign is placed on the actual building façade but in this case, the Applicant is seeking to make the address sign more of an on-site architectural feature. Justification for the waiver could have been that this would replace the need for any building-mounted signage, however, once a tenant is selected, they may request a building-mounted sign as well:

The DEC sign regulations are in place to minimize visual clutter as it can be aesthetically unpleasing and can lead to driver confusion and safety issues (drivers looking at signage and not paying attention to the roads or pedestrians). In this case, the second sign is more of an architectural element that identifies the building, is not visually distracting

(not obstructing any sight lines) and is far enough back from Jackson Road where it would not conflict with the existing approved freestanding sign. The sign size complies with 974 CMR 6.05(b).



As this is part of a larger campus, having a unique identifier for each building closer to the building will help with directing visitors to the right building.

**Application and Process:** Highpoint Engineering, on behalf of King Street Properties, submitted the Unified Permit Application on June 6, 2022 and the Determination of Completeness was issued on June 7, 2022. Copies of the application were received by the surrounding Towns on June 15, 2022. Legal notices were placed in Nashoba Publications on July 1, 2022 and in July 8, 2022. All abutting property owners were duly notified by certified mail. The 30-day Town comment period expired on July 18, 2022. No comments were received.

**Recommended Action:** The 30-day town comment has expired. Once the Commission and public have had an opportunity to ask any questions and comments, the DEC should close the hearing and take action on the draft Record of Decision.