

Staff Report

Devens
Enterprise
Commission

Date: July 14, 2022

To: Devens Enterprise Commission

Cc:

From: Neil Angus, Environmental Planner and Peter Lowitt, Director

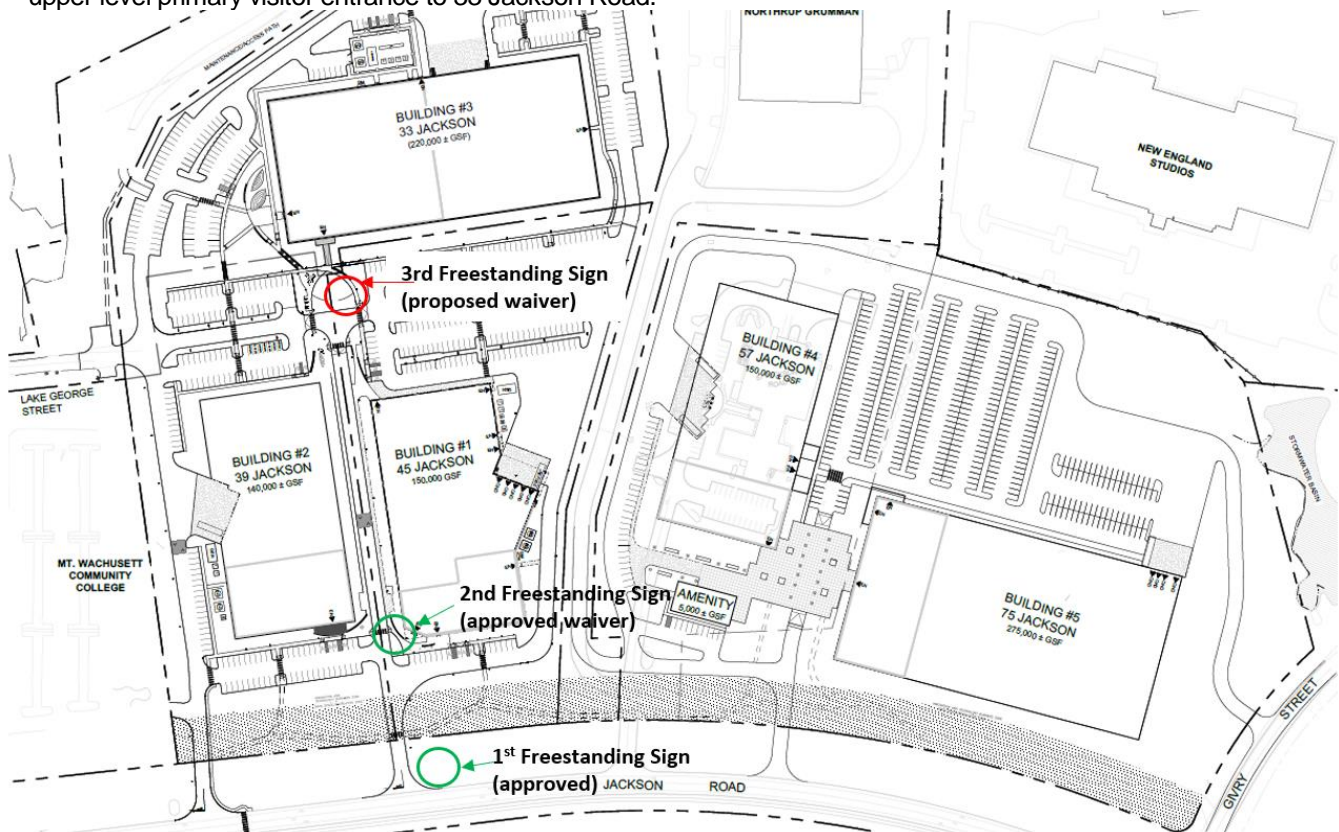
RE: 45 Jackson Road – King Devens, LLC 3rd Freestanding Sign Waiver Request Level 2 Unified Permit

Owner/App.: King 45 Jackson, LLC and King 33 Jackson, LLC.

Location: 45 Jackson Road, Devens, MA

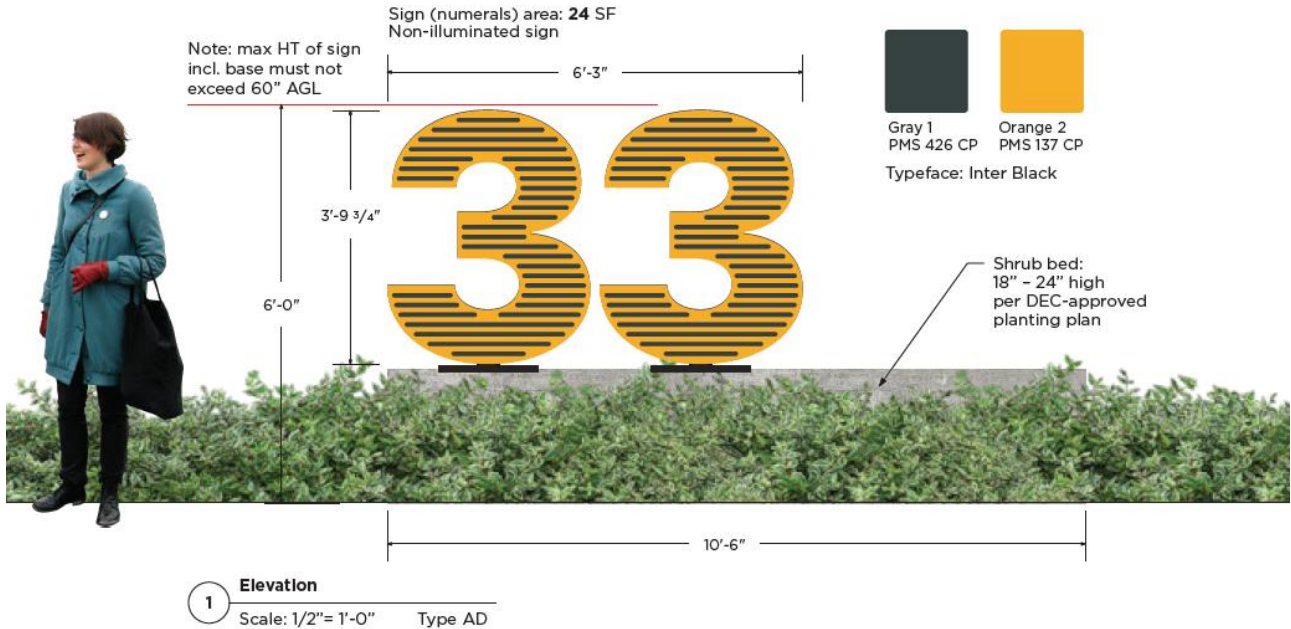
Zoning: Innovation & Technology Business District, Watershed Protection Overlay District and Viewshed Protection Overlay District.

Proposed Project: Highpoint Engineering, on behalf of King 45 Jackson, LLC, and King 33 Jackson, LLC (co-applicants) has submitted a Level 2 Unified Permit for the placement of a third Type 2 on-premises free-standing sign at 45 Jackson Road. The Applicant is requesting a waiver from 974 CMR 6.03(5)(b) to construct a third 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) and in March of this year granted a waiver to allow a second sign to be located on the premises. The third freestanding sign, which is the basis for this waiver request, would be located at the far end of the entrance drive in front of the upper level primary visitor entrance to 33 Jackson Road.



The Applicant seeks a waiver from the regulations to construct this third freestanding sign because of the need for visibility from Jackson Road. This sign location is dictated by the internal driveway network, current property line configuration, and the need to properly identify the 33 Jackson second floor entrance. The third freestanding address sign will be for the benefit of 33 Jackson Road freestanding identity sign placement, but on 45 Jackson Road.

The sign will be approximately 24 square feet in area, non-illuminated, and mounted on a 24" high cast in place concrete foundation pedestal in full compliance with DEC requirements.



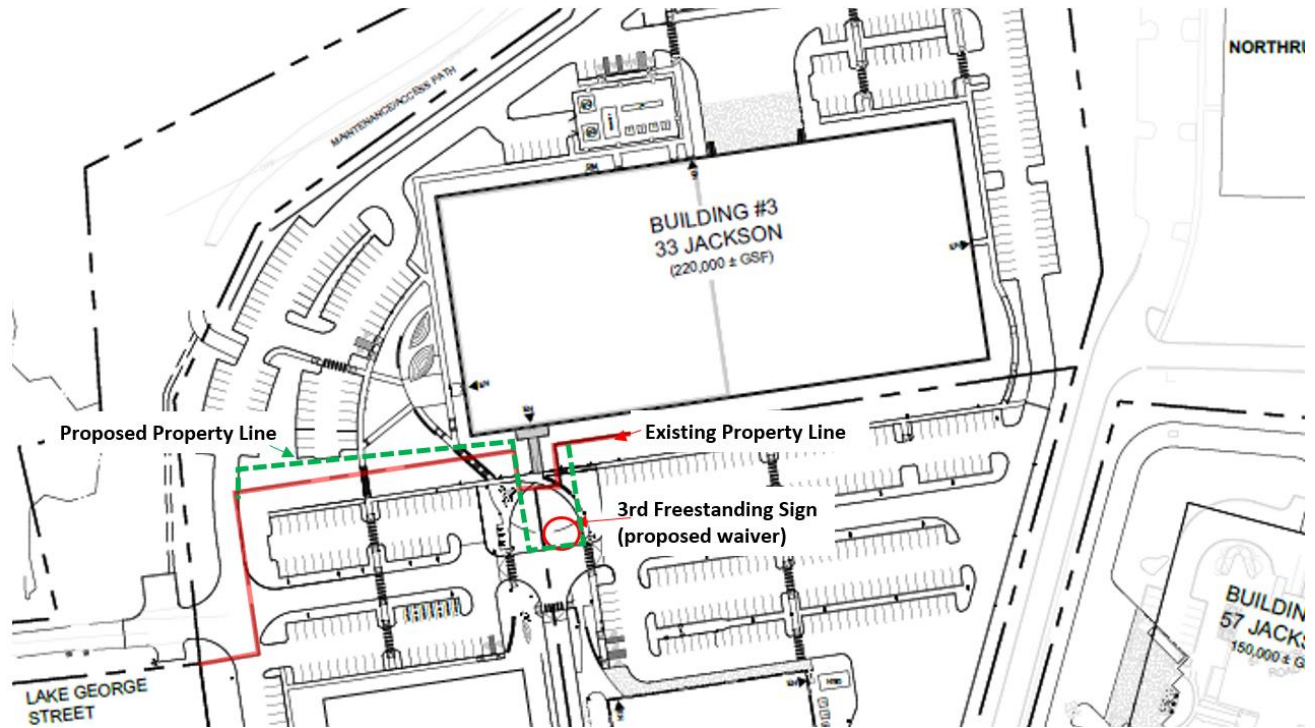
Key Project issues:

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 displeasing 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 third 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 previously approved freestanding signs. 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. Staff recommends the Applicants change the property line to include the sign location on 33 Jackson property in the currently proposed location. We note that the application cover letter from Highpoint Engineering dated 6/2/2022 includes the language “*This sign location is dictated by the internal driveway network, **current property line configuration**, and the need to properly identify the 33 Jackson second floor entrance.*” (emphasis added).



Application and Process: Highpoint Engineering, on behalf of King 45 Jackson, LLC and King 33 Jackson LLC (Co-Applicants), submitted the Unified Permit Application on June 6, 2022 and the Determination of Completeness was issued on June 8, 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 and 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 continue the hearing to the August 4, 2022 meeting at 7:30AM to allow staff sufficient time to prepare a Draft Record of Decision rendering any decision.