



Office of the

LITTLETON BOARD OF APPEALS

Received
10/30/15 10:30 AM

Petitioner: NEHEMIAH, LLC, C/O O'BRIEN COMMERCIAL PROPERTIES

Case No: 846A

Date Filed: December 22, 2014

The Littleton Board of Appeals conducted a public hearing on January 15, 2015, continued to March 19, 2015, at 7:30 PM at the Shattuck Street Municipal Building, Shattuck Street, Littleton, for a dimensional Variance from Sections 173-35C (1), to allow a freestanding sign to exceed 50 square feet at 37 Ayer Road, Littleton. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on January 1, and 8, 2015, and by mail to all abutters and parties in interest. Present and voting: Sherrill R. Gould, Chairman, William Farnsworth, and Jeff Yates, Members and Alan Bell, and Patrick Joyce, Alternates. Present and not voting were John Cantino, Member, Marc Saucier and Rod Stewart, Alternates.

The Petitioner, represented by Viewpoint Sign & Awning, presented a request to replace an existing 40 square foot post and panel directory sign with an externally illuminated double sided directory sign for the 10 tenant building. The initial proposal was for a 73 square foot sign setback 17 feet from the road. The petitioner stated the current sign is in disrepair and needs replacing, but that the current sign location is not easily visible to oncoming traffic, and the current sign accommodates only 7 seven tenants; the projected occupancy is for 10 tenants. The Petitioner presented evidence that the property is in an industrial zone and the building sits perpendicular to the street some distance back from the frontage. The current sign is set back 35 feet from the road. The posted speed on Ayer Road, a state highway, is 45 miles per hour, but there is heavy truck and commercial traffic traveling in both directions, often at a higher speed. The property is the first industrial property heading westerly and is surrounded to the west and across the street by other similar properties, so that signage is important to identify the building and the tenants, to allow a safe approach to the entrance. The initial request was for a 73 square foot sign. The Board requested the petitioner to construct a mockup and the hearing was continued twice. No abutters appeared in opposition. The building inspector had denied the sign application for size but had no further comment.

FINDINGS: At both continuances, the Board agreed that the Petitioner satisfied the requirements for a hardship due to the unique placement of the building on the site, the need for identification and direction on a high speed state highway, and the size of the building. The board requested, however, that the Petitioner reduce the requested size of the sign to minimize the variance.

DECISION: The Board voted unanimously to GRANT a Variance from the requirements of Section 173-35C(1) to allow a freestanding sign at 37 Ayer Road, Littleton, Massachusetts, not to exceed 63 square feet and not to exceed a height of 9 feet, with external illumination and a landscaped base, substantially in accordance with the plans dated February 17, 2015.

Appeals, if any, shall be made pursuant to G.L. 40A, Section 17 and shall be filed within twenty days after the date of filing of this Notice in the office of the Town Clerk.

Signed: Jeffrey Yates
Jeffrey Yates, Clerk

Dated: March 30, 2015
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I hereby signify that twenty days have elapsed since the filing of the above decision by the Board of Appeals and that no appeal concerning said decision has been filed or that any appeal that has been filed has been dismissed or denied.

True Copy Attest: _____
Town Clerk

Littleton, Massachusetts

Dated: