



OFFICE OF THE
LITTLETON BOARD OF APPEALS
LITTLETON, MASSACHUSETTS 01460

received
1/3/11 10:10 AM
(initials)

Petitioner: Scott Hopkins, Agent for Signature Signs
Property Address: 50 Mill Road
Case No: 787A
Date Filed: August 23, 2010

The Littleton Board of Appeals (the "Board") conducted a public hearing on October 21, November 18 and December 16, 2010 at Shattuck Street Municipal Building, 37 Shattuck Street, Littleton on the petition of Scott Hopkins, Agent for Signature Signs for a Variance pursuant to the Town of Littleton Zoning Bylaws Section 173-36, "On-premises signs in residential districts" to allow a sign with size greater than allowed and color other than allowed at 50 Mill Road. Notice of the hearing was given by publication in the Littleton Independent, a newspaper circulated in Littleton, on October 7 and 14, 2010 and by mail to all abutters and parties in interest. Present and voting were Sherrill Gould, Chair, William Farnsworth, John Cantino, Jeff Yates, Members, and Alternate Member Rod Stewart. Present but not voting were Cheryl Cowley Hollinger, Member, Marc Saucier Alan Bell, Alternates.

Submitted with the petition and to the Board is:

- Application for petition
- Letter from Signature Signs, dated September 22, 2010 stating that Signature Signs will be acting as agent on behalf of 50 Mill Road
- Copy of letter from Roland Bernier, Building Commissioner to C.A.R.D., 50 Mill Road, dated 10-1-09 rejecting an application for a building permit for the sign
- Property deed for land at Mill Road
- Certified List of Abutters
- Town Property map U-38
- Photo of existing sign
- Drawing of proposed sign, dated 7-13-09
- Color preview sheet for sign color

Submitted at hearing on December 16, 2010:

- Drawing of revised proposed sign, dated 11-23-10

The petitioner, Scott Hopkins, Agent for Signature Signs, presented the petition to the Board. Mr. Hopkins stated that he had applied for a building permit for the proposed sign which would replace an existing sign at 50 Mill Road. The permit application was denied by the Building Commissioner, Zoning Enforcement Officer because "unable to verify the existing sign as permitted in 1984. A Variance was required for the sign back in 1984." The original petition to the Board was for a Special Permit for replacing an existing non-conforming sign. During the presentation the petition was changed to be a request for a variance because the proposed size is larger than allowed and the color is other than allowed under the zoning bylaw. The original proposal was for a sign at 23.33 square feet and 6 feet above grade. The proposed sign design was revised to 18 square feet and 53 inches above grade. The proposed color is "Country Redwood" (dark red) or similar. The existing sign is 18.33 square feet and 44 inches high.

Abutters were present and commented on the size, height and color of the proposed sign.

Roland Bernier was present and explained the permit application and his letter of rejection.

FINDINGS: The Board made the following findings:

1. The property is in the Residential District
2. The existing sign is not in compliance with the sign regulations
3. The proposed sign, revised per plan dated 11-23-2010 is not in compliance with section 173-36 of the town's zoning bylaw
4. The site is unique, the shape of the lot does not allow the building to be visible to the street
5. The hardship is that a sign is needed for recognition of the address and location of the residences
6. The site is appropriate and no significant nuisance, hazard or congestion will be created and that there will be no substantial harm to the neighborhood or derogation from the intent of the bylaw. The proposed sign will make it safer for traffic and recognition of the address.

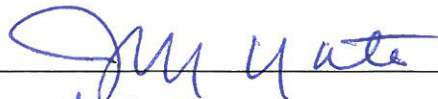
DECISION: The Board voted unanimously to GRANT, under Section 173-36 of the Town of Littleton Zoning Bylaws, Variance for size and color to construct a sign at 50 Mill Road generally as per the drawing titled "Main ID Sign", dated 11-23-10 as prepared by Signature Signs.

Appeals, if any, shall be made pursuant to M.G.L. C. 40A, Section 17 and shall be filed within twenty (20) days after the date of filing of this Decision in the office of the Town Clerk.

The Variance shall not take effect until a copy of the Decision bearing the certificate of the Town Clerk is recorded with the Middlesex District Registry of Deeds in accordance with the provisions of M.G.L. C. 40A, Section 11 and 15 stating that twenty (20) days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed, or if such appeal has been filed it has been dismissed or denied.

If the rights authorized by this Variance are not exercised within one (1) year from the date of granting it shall elapse in accordance with the provisions of M.G.L. C. 40A Section 10.

Signed: _____



Jeff Yates, Clerk

Date: _____

1.3.11

Book: 15319, Page: 084

I herby signify that twenty (20) 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