

**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 264-9636  
Fax (978) 264-9630

**Planning Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Planning Board **Date:** December 11, 2006  
**From:** Kristin K. Alexander, AICP, Assistant Town Planner *VKA*  
**Subject:** Sovereign Bank Sign Special Permit – 409 Massachusetts Avenue

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Attached are the application and department/agency comments for a Sovereign Bank Sign Special Permit proposal. Below is basic information about the proposal, a project summary, and Planning Department comments. The applicant should address all department/agency comments.

**Location:** 409 Massachusetts Avenue  
**Map and Parcel:** F-3, 108  
**Zoning:** Kelley's Corner (KC)  
Groundwater Protection District (GPD) Zone 4  
**Requested Sign Type:** 1 additional sign (a freestanding sign)  
**Applicant:** Back Bay Sign, Medford, MA  
**Property Owner:** 411 Mass Ave LLC, Brookline, MA  
**Public Hearing:** December 12, 2006 (8:15 p.m.)  
**Decision Due:** February 2, 2007

**Project Summary**

The applicant is requesting a sign special permit for one additional sign, a freestanding sign, for the new Sovereign Bank building on "No Name Road" in Kelley's Corner. The Acton Zoning Bylaw (Bylaw) only allows one freestanding sign per lot (Bylaw Section 7.8.1). The Sovereign Bank building is located on the same property as the 411 Massachusetts Avenue building (where Starbucks, AAA, etc., are located). The property already has one freestanding sign for the 411 Mass Ave. building on it located at the corner of No Name Road and Mass Ave., so this proposal would be for a second freestanding sign on the property. The second freestanding sign would be a monument-style sign, read "Sovereign Bank 24-Hour ATM", and be located in front of the Sovereign Bank building along No Name Road facing vehicles traveling north and south along No Name Road. Under Acton Zoning Bylaw (Bylaw) Section 7.13.1.1, people can apply to the Planning Board for a special permit for a greater number of signs than allowed under Section 7.7 and 7.8 of the Bylaw. The proposed sign would be in addition to three other signs that Sovereign Bank has already received licenses from the Acton Building Department (Sign Licenses #2833, #2833A, and #2833B issued on 8/4/06). The applicant has not specified in the application why

the freestanding sign is necessary. Staff is assuming that the applicant believes the signs on the Sovereign bank building are not visible enough to people driving on No Name Road.

### **Application Comments**

1. The application does not include a written statement indicating why a special permit is requested (Rules and Regulations for Special Permits for Signs (Rules) Section 3.6).
2. The Sign Location Plan (Drawing 8) does not include a legend explaining each of the numbered signs on the lot. A legend should be submitted for review.
3. Bylaw Section 7.8.3 requires landscaping around the freestanding sign. A landscaping plan should be submitted for review.

### **Proposal Comments**

4. Bylaw Section 7.4.3.4 requires the background of the sign to be opaque, meaning that the background "shall appear black when the sign is lit at night." The applicant should clarify on the sign drawing (Drawing 9) that the red background will appear opaque when the sign is internally illuminated.
5. Bylaw Section 7.8.4 requires freestanding signs to be erected at least 5 feet from "the sideline of a street or any right of way customarily used by the public, or within such greater distance that is equal to the height of the freestanding sign" (in this case, the freestanding sign is proposed to be 4 feet high). It is not clear from the drawings submitted whether the sign location complies with this section of the Bylaw. The applicant should label the distances between the sign and the right of way (or easement line) and the sign and the bank building (as stated in Rules Section 3.5.3) to determine compliance with the Bylaw.
6. Bylaw Section 7.8.5.1 states the maximum display area (the portion of sign that forms a box around the text down to the brick base) for a four foot high freestanding monument signs is 16 square feet. The proposed freestanding sign does not comply with this requirement.
7. The additional freestanding sign is located far enough from the existing freestanding sign on the property that staff does not believe adding the proposed sign is excessive. Bylaw Section 7.13.2 states that a special permit shall only be issued if the Planning Board finds that the proposal meets certain criteria (Bylaw Sections 7.13.2.1 - 7.13.2.9 and Section 10.3.5). One of the criteria states "the proposed sign is necessary for adequate identification of a business which for site specific reasons would not reasonably be possible under the otherwise applicable standards and available options of this Bylaw" (Bylaw Section 7.13.2.9). Staff is uncertain whether this proposal would meet this criteria. A statement from the applicant explaining why they are proposing this sign (as discussed in comment #1 above) might help determine whether this criteria is being met. However, after visiting the site, staff thought of an alternative signage plan for Sovereign Bank if bank building visibility is the applicant's concern (see below).

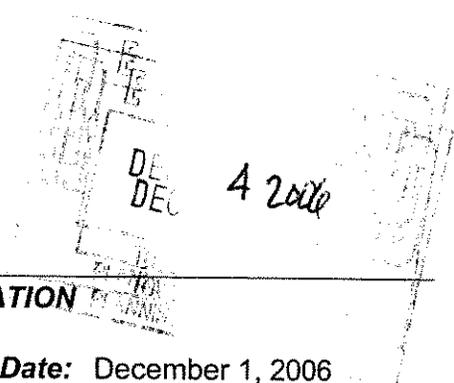
### **Alternative Idea - Proposed by Staff**

8. After visiting the site, staff believes that a freestanding monument sign would not help the bank be more visible to vehicles traveling on Mass Ave. (Route 111) or Main Street (Route 27) because it is so low to the ground. It would only make the building slightly more visible to No Name Road drivers. Drivers would not see the proposed freestanding sign while traveling on Mass Ave. because there are so many vehicles and a trailer parked in the Roche Bros. supermarket plaza, and because of the vehicles traveling on No Name Road. However, Mass Ave. drivers can see the south facing wall of the bank building (Drawing 1 – Sign Permit #2833B). Drivers would not see the proposed freestanding sign while traveling on Main St. until they were right on top of the No Name Road/Main St. intersection because of vehicles parked in the area (looking south through the Dunkin Donuts plaza) and a new stockade fence between Sovereign Bank and the Exxon gasoline station. However, Main St. drivers heading south can see the east facing wall of the bank building (Drawing 2, Sign Permit #2833). By the time Main St. drivers heading north would see the proposed freestanding sign, they would have already seen the front (east facing) wall sign because the building is slightly angled north. In addition, No Name Road drivers are already able to see the east facing and south facing wall signs.

If bank building visibility is the applicant's concern, the applicant might want to consider modifying the application to propose a larger south facing (secondary wall) sign, the one facing Mass Ave., instead of proposing an additional freestanding sign. If the south facing sign was a little larger, it would be visible to drivers heading west on Mass Ave. as they enter Kelley's Corner from Route 2. It would also be more visible to No Name Road drivers traveling north. We acknowledge this memo is late, but if you can find time before the Tuesday night meeting, please stop by the site to better understand this alternative idea.

**Staff recommends continuing the public hearing to January 23, 2007 and the decision deadline extended to February 15, 2007 so the applicant can provide more information to help address Bylaw compliance questions.**

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**Engineering Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To: Planning Department**

**Date: December 1, 2006**

**From: Engineering Department**

**Subject: Review of Sign Special Permit for Sovereign Bank (409 Mass Ave)**

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The Engineering Department has reviewed the sign special permit for the Sovereign Bank at 409 Mass Ave. The proposed freestanding sign shown between the existing building and the road and the additional signs attached to the building will not obstruct the sight distance of vehicles in the site or on the adjacent road.

The engineer also submitted a sketch from Back Bay Sign entitled Drawing #8 and dated August 9, 2005 that has identified several locations for other signs on the site. However, there is no legend or descriptions of these other signs submitted with the application.

ACTON PLANNING DEPARTMENT  
Inter-departmental Memo  
978-264-9636

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**Date:** November 27, 2006

**To:** Steve Barrett, Finance Director  
**From:** Kim DeNigro   
**Subject:** Review of Sign Special Permit – Sovereign Bank  
409 Massachusetts Avenue  
F-3 / 108

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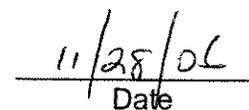
The Planning Board has received an application for approval of a Sign Special Permit and is scheduled to hold a public hearing on December 12, 2006 at 8:15PM. Please advise the Board of any delinquent taxes owed on the property at this time. If any property taxes are overdue, the Planning Board will include a condition requiring tax payment in their decision.

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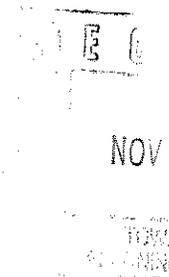
No property taxes due at this time.

The following property taxes are overdue at this time:

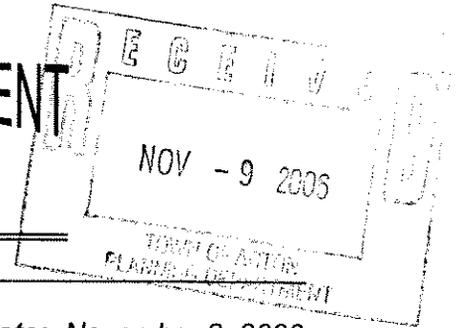
  
Signature

  
Date

Thank you for your attention to this request.



ACTON PLANNING DEPARTMENT  
Inter-departmental Memo  
978-264-9636



Date: November 8, 2006

To: Building Commissioner                      Historic District Commission  
Municipal Properties Director              Town Assessor  
Engineering Department  
Historical Commission

From: Kim DelNigro 

Subject: Review of Sign Special Permit, Sovereign Bank (409 Mass Avenue)

Attached is an application for approval of a Sign Special Permit for Sovereign Bank at 409 Mass Avenue. General information about the proposed sign is as follows:

Location:                      409 Massachusetts Avenue  
Applicant:                      Back Bay Sign Commercial & Architectural Fabrication  
Owner:                              Sovereign bank  
Sign Type:                        Free Standing  
Bylaw Sections:                7.13.1.3  
Map & Parcel:                  F-3 / 108  
Zoning:                              KC  
Decision Deadline:              February 2, 2007

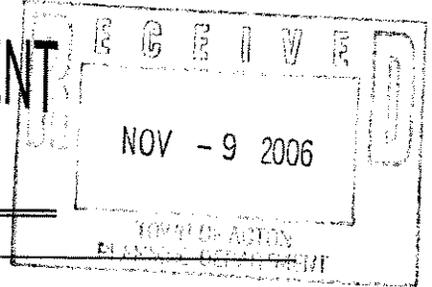
Please review the enclosed application and send your comments to the Planning Department no later than **December 5, 2006**. The public hearing is scheduled for **December 12, 2006 at 8:15PM**. If you have any questions, please call me at 264-9636.

Review Comments:

*IF MONUMENT APPEARS TOO LARGE - AND NOT NEEDED\*  
FOR THIS SCALE SIGN ON SIDE ACCESS / MINOR  
ROAD, CONSIDER MAKING SIMPLER.  
\* ILLUMINATED LETTERS WOULD BE ADEQUATE  
\* 411 MASS AVE SIGNAGE, ADJACENT, IS NOT ILLUMINATED*

Signature:  Date: 11/8/06

ACTON PLANNING DEPARTMENT  
Inter-departmental Memo  
978-264-9636



Date: November 8, 2006

To: Building Commissioner                      Historic District Commission  
Municipal Properties Director              Town Assessor  
Engineering Department  
Historical Commission

From: Kim DelNigro 

Subject: Review of Sign Special Permit, Sovereign Bank (409 Mass Avenue)

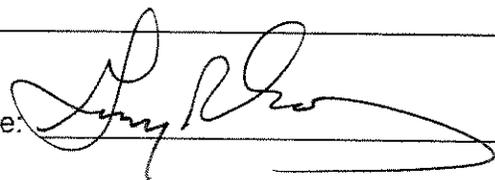
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Sign Type:                    Free Standing  
Bylaw Sections:              7.13.1.3  
Map & Parcel:                F-3 / 108  
Zoning:                        KC  
Decision Deadline:          February 2, 2007

Please review the enclosed application and send your comments to the Planning Department no later than **December 5, 2006**. The public hearing is scheduled for **December 12, 2006 at 8:15PM**. If you have any questions, please call me at 264-9636.

Review Comments:

*no comments*

Signature: 

Date: *11/8/06*

# ACTON MUNICIPAL PROPERTIES DEPARTMENT

## INTERDEPARTMENTAL COMMUNICATION

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**To:** Kim DelNigro, Planning Department **Date:** 11/8/06  
**From:** Dean A. Charter, Municipal Properties Director *DA*  
**Subject:** Review of sign permit application for Sovereign Bank, 409 Massachusetts Avenue

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I have reviewed the plans submitted, and I am familiar with the site for the proposed signs. These signs will not impact any of my areas of interest, and I thus have no comments.

