



Planning Department

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***INTERDEPARTMENTAL COMMUNICATION- 3***

***(With review comments on plan revisions)***

**To:** Planning Board

**Date:** March 12, 2015

**Updated:** April 7, 2015

**From:** Kristen Guichard, AICP, Assistant Town Planner

*KSG*

**Subject:** Wetherbee Plaza II – 107-115 Great Road  
Sign Special Permit Application

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**Location:** 107-115 Great Road

**Applicant:** Leo Bertolami

**Property Owner:** Wetherbee Plaza, LLC

**Sign Type:** 1 free standing sign, 5 wall signs ~~(clarification needed)~~

**Bylaw Sections:** 7.13.1.1 & 7.13.1.2 ~~(insufficient information, other sections may still apply.)~~

**Map & Parcel:** G4-28

**Zoning:** East Acton Village (EAV)

**Public Hearing:** February 17, 2015, continued to March 17, 2015, **continued to April 21, 2015**

**Decision Deadline:** May 18, 2015

**Overview**

Please see prior memo dated February 11, 2015. The February 17, 2015 public hearing was continued due to insufficient information being provided by the applicant, and was continued to March 17, 2015. The Applicant was to provide required information to the Planning Department by March 10, 2015. To date we have received a letter from the Applicant dated February 25, 2015 stating that the Northeast Collections business will be limited to internet sales and clarifying that one of the Milldam Leasing signs proposed will replace the existing Milldam Leasing sign, permit #3041. Additional sign application materials were submitted to the Planning Board on March 10, 2015 but remain insufficient. Below is a review of each sign request to the extent practical given the information provided.

On March 26, 2015 the Planning Department received revised sign plans as well as additional clarification on March 30<sup>th</sup> and 31<sup>st</sup> from Stamski and McNary on behalf of the applicant. All required dimensional information has been submitted. A review of the revised plans is shown in red.

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### **Atir Natural Nail Care Clinic – 1 Freestanding Sign at 115 Great Road**

One principle projecting Sign is currently located on the building at 115 Great Road (location of Atir Natural Nail Care Clinic) above the entrance facing Great Road. In addition, one secondary wall sign is located on the building at 115 Great Road above the south side parking lot entrance. In addition, one freestanding business center sign is located on the 107-115 Great Road property. This freestanding sign was approved by the Planning Board in October of 2012 for an increase in display area and maximum height not otherwise allowed under Section 7.7 and 7.8 of the Zoning Bylaw, and subsequently issued a sign permit by the Zoning Enforcement Officer in 2013 as permit #3048. No business names have been added to the business center sign to date.

1. Bylaw Section 7.8.1 limits one freestanding sign per LOT by-right. The Bylaw provides the Board with the authority to grant a special permit for this sign under the following Section:
  - 7.13.1.1, a greater number of signs than allowed under Section 7.7 and 7.8.
2. The Applicant references a “historic sign by-law”. The entire site including the proposed freestanding sign is not subject to an historic sign bylaw—we are unaware of the bylaw referenced in the letter.
3. The proposed freestanding sign meets the requirements of Section 7.8.6.2. The sign structure is 5 feet high and has a display area of 6.9 square feet.
4. The plan shows the building located at 115 Great Road meets the requirements of Section 7.8.6.1. The building is setback 38 feet from the sideline of the street.
5. The proposed sign is not illuminated. If it is to be illuminated it must comply with Bylaw Sections 7.4.3 and 7.4.3.6(c).
6. The proposed sign material seems to meet the requirements of Section 7.4.1. The sign material is wood. The posts are pressure treated wood with PVC sleeve covers. If approved, the PVC covers should have a wooden appearance.
7. No landscape plan was provided. The proposed freestanding sign must be integrated into a 100 square foot landscape area as defined by Bylaw Section 7.8.3.

A landscape plan was submitted and meets the landscape area requirements of Bylaw Section 7.8.3. The plan shows a 100 sq. ft. landscaped area around the proposed sign. The Special permit if granted should specify, in general, the planting elements needed to comply with the landscape design requirements.
8. A sign location plan and description was submitted, but is unclear. Section 7.8.2 requires the freestanding sign be setback a minimum of 5 feet from the property line.

A revised sign location plan was submitted. The plan shows the proposed sign meets the setback requirement of Bylaw Section 7.8.2. The sign structure is 5 feet high and is setback 6 feet from the right-of-way where only a 5 foot setback is required.

The Planning Department does **not** recommend the approval of a second freestanding sign on the Site. The Planning Board previously approved a special permit for a business center sign for the Site, which has been erected but currently sits empty. To date no business names have been added to this sign. Once the business names on the site have been added to the sign we believe

this will provide more than adequate visibility for Atir Natural Nail Care Clinic, in addition to the two visible existing exterior signs on the Atir Natural Nail Car Clinic building.

The Planning Department maintains their position regarding this request for a secondary freestanding sign.

### **Milldam Leasing – Wall Sign #1 (Left Side Elevation) at 107 Great Road**

The Applicant is requesting a wall sign for Milldam leasing to replace the existing wall sign permit # 3041 as shown on the left elevation of the building for the front entrance to the business.

1. The display area of the proposed sign meets the requirements of Section 7.7.4.1. The Sign is proposed with a display area of ~~30~~ 26.25 square feet.
2. A by-right, a wall sign in a village district is limited to a width of 1 foot for each 3 feet of lineal feet of wall. From the information provided the store front for Milldam Leasing is approximately 30 feet and therefore the maximum sign width is approximately 10 feet. The Sign is proposed with a width of 15 feet. The Bylaw provides the Board with the authority to grant a special permit for this sign under the following Sections:
  - 7.13.1.2, signs with dimensions in excess of those permitted under Section 7.7 and 7.8.

The Board should take note that the renderings as shown are not to scale and are not in proportion with the building or panels. The renderings are more in proportion to the 10-foot width allowed by-right (one third of the store front width), whereas the requested width as indicated below the rendering is 15 feet (half the width of the store front).

3. The proposed sign height meets the requirements of Section 7.7.4.2 for signs in village districts. The sign height is  $\geq$  1.75 feet.
4. No dimensions were provided from the sign to architectural features or the horizontal edge of the building. Dimensions must be provided. The proposed wall sign must be 6 inches from any architectural feature and the horizontal edge of the building as defined in Section 7.7.2 or request a special permit under Section 7.13.1.3 for a sign in a location or position not otherwise allowed.

Sign location plans were revised. The proposed sign meets the setback requirements from architectural features and the horizontal edge of the building. The proposed wall sign is .5' (or 6") from architectural features and the horizontal edge of the building.

The proposed sign meets the setback requirements of Section 7.7.2. The proposed sign is 1 foot below the second story window.

The proposed sign meets the setback requirements of Section 7.7.4.7. The proposed sign is 8.4 feet from the vertical edge of the building where only 2 feet are required.

5. No dimensions were provided to show the signs projection from the wall surface. Section 7.7.4.6 limits a projection of not more than 1 foot. Dimensions must be provided. The plans include a note that, "All signage shall project <1' from the wall surface."
6. The proposed sign is not illuminated. If it is to be illuminated it must comply with Bylaw Sections 7.4.3 and 7.4.3.6(c).

7. The proposed sign material appears it would meet the requirements of Section 7.4.1. The proposed Sign is to, “match existing sign in molding, material and color”. The existing Milldam Leasing Sign Permit #3041 states, “The sign is to be constructed of a high density urethane (HDU) sign foam material, which when installed, shall have a wooden appearance.” (See attached.) The existing sign has a black background with gold lettering and red highlights. If approved, the decision should condition the materials as noted.

### **Milldam Leasing – Wall Sign #2 (Rear Elevation) at 107 Great Road**

The proposed wall sign is located above a “proposed garage door.” A garage door has been proposed by the Applicant to the Board of Selectmen as part of a Site Plan Special Permit Amendment which is currently under consideration. Secondary exterior signs are allowed by-right if a business has a direct entrance into the business in a wall other than the front wall. Currently, there is no secondary entrance and therefore the business would not be entitled to a Secondary exterior sign by-right. Therefore this review assumes “Wall Sign #2” is a request for one additional wall sign not otherwise allowed.

1. By-right, a business is allowed one exterior sign. The Bylaw provides the Board with the authority to grant a special permit for this sign under the following Sections:
  - 7.13.1.1, a greater number of signs than allowed under Section 7.7 and 7.8.
2. The display area of the proposed wall sign meets the requirements of Section 7.7.4.1. The display area is 7 square feet.
3. The width of the proposed wall sign meets the requirements of Section 7.7.4.3. The width of the sign is 7 feet.
4. The proposed sign height meets the requirements of Section 7.7.4.2 for signs in village districts. The sign height is 1 foot.
5. No dimensions were provided from the sign to architectural features or the horizontal edge of the building. Dimensions must be provided. The proposed wall sign must be 6 inches from any architectural feature and horizontal edge of the building as defined in Section 7.7.2 or request a special permit under Section 7.13.1.3 for a sign in a location or position not otherwise allowed.

Sign location plans were revised. The proposed sign meets the setback requirements from architectural features and the horizontal edge of the building. The proposed wall sign is .86’ (or 10.23”) from architectural features and the horizontal edge of the building.

The proposed sign meets the setback requirements of Section 7.7.2. The proposed sign is 1 foot below the second story window.

The proposed sign meets the setback requirements of Section 7.7.4.7. The proposed sign is 23.8 feet from the vertical edge of the building where only 2 feet is required.

6. No dimensions were provided to show the signs projection from the wall surface. Section 7.7.4.6 limits a projection of not more than 1 foot. Dimensions must be provided. The plans include a note that, “All signage shall project <1’ from the wall surface.”

7. The proposed sign is not illuminated. If it is to be illuminated it must comply with Bylaw Sections 7.4.3 and 7.4.3.6(c).
8. The proposed sign material appears it would meet the requirements of Section 7.4.1. The proposed Sign is to, “match existing sign in molding, material and color”. The existing Milldam Leasing Sign Permit #3041 states, “The sign is to be constructed of a high density urethane (HDU) sign foam material, which when installed, shall have a wooden appearance.” (See attached.) The existing sign has a black background with gold lettering and red highlights. If approved, the decision should condition the materials as noted.

### **Northeast Collections (3 Wall Signs) at 107 Great Road**

As noted above, the Applicant submitted a letter stating Northeast Collections will be limited to internet sales which is an allowed use in the EAV District. Internet sales are a permitted use in the EAV District and therefore this business use description is allowed signage. The Applicant proposes three wall signs for the Northeast Collections business. For the purposes of this review the sign on the front elevation will be referred to as the Principle Wall Sign, the two signs on the left side elevation will be referred to as Additional Sign A and Secondary Sign B – one of which must be considered a Secondary sign under Section 7.7.7 as the Board only has the authority to grant a special permit for one additional sign not otherwise allowed.

The Board should take note that the renderings as shown are not to scale and are not in proportion with the building or panels. The renderings are more in proportion to the 10-foot width allowed by-right (one third of the store front width), whereas the requested width as indicated below the rendering is 15 feet (half the width of the store front).

We do not typically comment on the content of proposed signs but, two of the three wall signs depict images of a car where the Applicant has just submitted a statement that the business will only be for internet sales, an office use. The car image is suggestive that the use is a car dealership.

### **Principle Wall Sign - Front Elevation at 107 Great Road**

1. The display area of the proposed sign meets the requirements of Section 7.7.4.1. The Sign is proposed with a display area of 27 square feet.
2. The width of the proposed sign meets the requirements of Section 7.7.4.3. The Sign is proposed with a width of 18 feet.
3. The proposed sign height meets the requirements of Section 7.7.4.2 for signs in village districts. The sign height is 1.5 feet.
4. No dimensions were provided from the sign to architectural features or the horizontal edge of the building. Dimensions must be provided. The proposed wall sign must be 6 inches from any architectural feature and horizontal edge of the building as defined in Section 7.7.2 or request a special permit under Section 7.13.1.3 for a sign in a location or position not otherwise allowed.

Sign location plans were revised. The proposed sign meets the setback requirements from architectural features and the horizontal edge of the building. The proposed wall sign is .6' (or 7.2") from architectural features and the horizontal edge of the building.

The proposed sign meets the setback requirements of Section 7.7.2. The proposed sign is 1 foot below the second story window.

The proposed sign meets the setback requirements of Section 7.7.4.7. The proposed sign is 18.4 feet from the vertical edge of the building where only 2 feet is required.

5. No dimensions were provided to show the signs projection from the wall surface. Section 7.7.4.6 limits a projection of not more than 1 foot. Dimensions must be provided. The plans include a note that, “All signage shall project <1’ from the wall surface.”
6. The proposed sign is not illuminated. If it is to be illuminated it must comply with Bylaw Sections 7.4.3 and 7.4.3.6(c).
7. The proposed sign material appears it would meet the requirements of Section 7.4.1. The proposed Sign is to, “match existing sign in molding, material and color”. The existing Milldam Leasing Sign Permit #3041 states, “The sign is to be constructed of a high density urethane (HDU) sign foam material, which when installed, shall have a wooden appearance.” (See attached.) The existing sign has a black background with gold lettering and red highlights. If approved, the decision should condition the materials as noted.

#### **Additional Sign A- Left Side Elevation at 107 Great Road**

1. By-right, businesses are allowed one wall sign per Section 7.7.1. Bylaw provides the Board with the authority to grant a special permit for one of the additional signs in the following section:
  - 7.13.1.1, greater number of signs than allowed under Sections 7.7 and 7.8, but not more than one sign in addition to the number of signs otherwise permitted per lot or per principle use.
2. The display area of the proposed sign meets the requirements of Section 7.7.4.1. The Sign is proposed with a display area of ~~30~~ 26.25 square feet.
3. By-right, a wall sign in a village district is limited to a width of 1 foot for each 3 feet of lineal feet of wall. From the information provided the store front for Northeast Collections is approximately 30 feet and therefore the maximum sign width is approximately 10 feet. The Sign is proposed with a width of 15 feet. The Bylaw provides the Board with the authority to grant a special permit for this sign under the following Sections:
  - 7.13.1.2, signs with dimensions in excess of those permitted under Section 7.7 and 7.8.
4. The proposed sign height meets the requirements of Section 7.7.4.2 for signs in village districts. The sign height is  $\geq$  1.75 feet.
5. No dimensions were provided from the sign to architectural features or horizontal edge of the building. Dimensions must be provided. The proposed wall sign must be 6 inches from any architectural feature and horizontal edge of the building as defined in Section 7.7.2 or request a special permit under Section 7.13.1.3 for a sign in a location or position not otherwise allowed.

Sign location plans were revised. The proposed sign meets the setback requirements from architectural features and the horizontal edge of the building. The proposed wall sign is .5' (or 6") from architectural features and the horizontal edge of the building.

The proposed sign meets the setback requirements of Section 7.7.2. The proposed sign is 1 foot below the second story window.

The proposed sign meets the setback requirements of Section 7.7.4.7. The proposed sign is over 36.3 feet from the vertical edge of the building where only 2 feet is required.

6. No dimensions were provided to show the signs projection from the wall surface. Section 7.7.4.6 limits a projection of not more than 1 foot. Dimensions must be provided. The plans include a note that, "All signage shall project <1' from the wall surface."
7. The proposed sign is not illuminated. If it is to be illuminated it must comply with Bylaw Sections 7.4.3 and 7.4.3.6(c).
8. The proposed sign material appears it would meet the requirements of Section 7.4.1. The proposed Sign is to, "match existing sign in molding, material and color". The existing Milldam Leasing Sign Permit #3041 states, "The sign is to be constructed of a high density urethane (HDU) sign foam material, which when installed, shall have a wooden appearance." (See attached.) The existing sign has a black background with gold lettering and red highlights. If approved, the decision should condition the materials as noted.

### **Secondary Sign B- Left Side Elevation at 107 Great Road**

By-right, if a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary wall sign as defined in Section 7.7.7.

1. A by-right, secondary signs are limited to a display area of 6 square feet. The Sign is proposed with a display area of ~~30~~ 12 square feet. The Bylaw provides the Board with the authority to grant a special permit for Signs with dimensions in excess of those permitted under Section 7.7 and 7.8 subject to the following limitations:
  - No sign larger than twice the otherwise permitted maximum display area. The maximum display area the Board can consider is 12 square feet.

The sign plans have been modified as noted above (display area of 12 square feet). The Bylaw provides the Board with the authority to grant a special permit for this sign under the following Sections:

- 7.13.1.2, signs with dimensions in excess of those permitted under Section 7.7 and 7.8.

~~Therefore, The Board does not have the authority to grant a special permit for this sign as proposed.~~ If the Applicant amends the display area, comments 4 through 9 under "Additional Sign A- Left Side Elevation" also apply.

The proposed sign meets the setback requirements from architectural features and the horizontal edge of the building. The proposed wall sign is .9' (or 10.8") from architectural features and the horizontal edge of the building.

The plans include a note that, “All signage shall project <1’ from the wall surface.”

The proposed sign meets the setback requirements of Section 7.7.2. The proposed sign is greater than 1 foot below the second story window.

The proposed sign meets the setback requirements of Section 7.7.4.7. The proposed sign is 9.8 feet from the vertical edge of the building where only 2 feet are required.

The left side elevation of the building at 107 Great Road has three sections with three store front panels. For aesthetic purposes and balance, the Board may want to consider the middle panel as “Secondary Sign B”.