

TOWN OF BOXBOROUGH

Town Clerk

## BOARD OF APPEALS

May 3, 1984

*Decision of the Board of Appeals on the appeal and petition of* GERALD HINES*DEVELOPMENT BOSTON, LTD., 124 Mt. Auburn Street, Cambridge, Massachusetts.*

This is an application for a Special Permit for one externally illuminated, freestanding sign as provided by the Boxborough Zoning By-Law, Section 6.5.5.5, to be located at the NEC Systems site at 1414 Massachusetts Avenue, Boxborough.

After causing notice of the time and place of its public hearing and of the subject matter thereof to be published, posted and mailed to the petitioner, abutters, Board of Selectmen, Board of Health, Conservation Commission, Inspector of Buildings, Planning Board and Town Clerk as required by law, Glen A. Schricker, Chairman of the Board of Appeals, called the hearing to order at 8:00 p.m. on Thursday, April 12, 1984 at the Boxborough Town Hall. Board of Appeals Members Glen Schricker, Jeanne Garrison, Walter John and Alternate Member Waino Kangas were present throughout the proceedings. Also present throughout the hearing were Paul D. Messina and Todd Mansfield of Hines Industrial, and Steven J. Mastrovich of Rackemann, Sawyer & Brewster. The record of the proceedings and submissions upon which the permits are based may be referred to in the office of the Town Clerk.

The Board met to deliberate on the proceedings on April 19th and 26th, 1984. Submitted for their deliberations were the following exhibits:

Exhibit A - Plan entitled: Plan of Land in Boxborough, MA. (Middlesex County), dated Dec. 21, 1983, and signed by Roger M. Corbin, Registered Land Surveyor.

- Exhibit B-1 - Sketch of NECIS/Boxborough Sign Location, dated 3-16-84, John G. Crowe Associates, Inc.  
Exhibit B-2 - Sketch of Main Entrance Sign - Externally Illuminated, Double-Sided.  
Exhibit C - Planning Board Report, dated April 11, 1984.

After due consideration of the application, the record of proceedings and the exhibits, the Board makes the following findings:

1. The traffic pattern for the NEC property is a one-way pattern involving separate entrance (west) and exit (east) drives.
2. The proposed sign will be located 355<sup>±</sup> feet from the entrance drive, but only 105<sup>±</sup> feet from the exit drive.
3. The proposed location was chosen to emphasize the visual association of the sign with the NEC headquarters building.
4. The Planning Board has expressed concern that the proposed location of the sign may cause traffic problems, i.e., traffic noticing the sign may attempt to enter the property via the exit drive.
5. The sight lines near the entrance drive are obscured by trees and not as suitable for best visibility as the proposed location.
6. Do-Not-Enter signs have been installed at the opening of the exit drive onto Massachusetts Avenue.
7. The proposed sign is 10 by 2.75 feet. These dimensions do not exceed the 32 square foot limitation set forth in Section 6.5.5.5 of the Zoning By-Law.
8. The height of the sign is less than 10 feet overall.
9. The NEC headquarters building is 490<sup>±</sup> feet from Massachusetts Avenue. A sign on the exterior wall of the building would not be sufficiently visible from the roadway.
10. The proposed sign is more than 20 feet from the property line.
11. The applicant stated no objection to turning off illumination on

the sign by 11:00 p.m. each night.

12. A temporary identifying sign is at present installed at the entrance (west) drive.

THEREFORE, the Board, on April 26, 1984, VOTED UNANIMOUSLY to GRANT the application for one freestanding sign, with the following conditions:

- a. All temporary signs shall be removed 60 days after the proposed sign is completed.
- b. All illumination on the proposed sign shall be turned off at 11:00 p.m. each night.

The foregoing restrictions have been spelled out for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Boxborough Zoning By-Law.

Under the provisions of the Boxborough Zoning By-Law, Section 7.3.2.3, the Board may amend the terms and conditions of this special permit by letter agreement on the application of the owner, lessee or mortgagee of the premises or upon its own motion. All the provisions of this paragraph applicable to approval shall, where apt, be applicable to such modification or amendment. Specifically, if a traffic problem develops relating to the location of the proposed sign, the Board and the applicant may agree by letter to an alternate location. Such power is hereby reserved.

Appeals, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws Chapter 40A, and shall be filed within twenty days after the date of filing of the above-referenced decision with the Town Clerk.

WITNESS our hands this 3rd day of May, 1984.

BOXBOROUGH BOARD OF APPEALS

  
Glen A. Schricker, Chairman

Jeanne Garrison  
Jeanne Garrison, Clerk

Walter F. John 5/3/84  
Walter F. John, Member

Waino J. Kangas 5/3/84  
Waino J. Kangas, Alternate

I, Virginia B. Richardson, hereby do certify that this is a true copy of the Board of Appeals Decision, and was filed in the office of the Town Clerk on the 4th day of May, 1984.

Virginia B. Richardson  
Virginia B. Richardson  
Town Clerk of Boxborough