

TOWN OF NORWELL  
TOWN CLERK

2017 MAY 17 PM 6:46

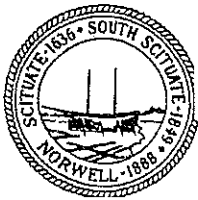
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*A True Copy  
Attest:*

*Laurinda Davis  
Asst. Town Clerk  
June 19, 2017*

## TOWN OF NORWELL

345 MAIN STREET, P.O. BOX 295  
NORWELL, MASSACHUSETTS 02061  
(781) 659-8018 • Fax (781) 659-1892



OFFICE OF  
BOARD OF APPEALS

### Members

Lois S. Barbour, Chair  
Philip Y. Brown, Vice Chair  
David Lee Turner, Clerk

### Associate Members

Thomas P. Harrison  
Ralph J. Rivkind

## FINDINGS AND DECISION

of

The Norwell Board Of Appeals

*File No. 17-05*

A Public Hearing by the Norwell Zoning Board of Appeals was scheduled on May 3, 2017, under M.G.L. c. 40A, Section 10, at the Norwell Town offices, 345 Main Street, Norwell, MA on the application of:

**Craig Riccierelli, Owner  
Transition Kitchens & Baths  
171 Washington Street  
Norwell, MA 02061**

For a **Sign Variance** under Sections 3300 (Signs), 3323 (c), where one wall sign not to exceed 15 SF is allowed under the Norwell Zoning Bylaw. The applicant proposes a square 8.5' x 8.5' wall sign above the business entrance, which is located 240' from the street. Property was constructed in 1967 and is located at **433R Washington Street** in Business District B-7 and Residence B, as shown on Assessor's Map 120, Block 26, Lot 005, and recorded at the Plymouth Country Registry of Deeds Book 26940 Page 172.

The Public Hearing for this application was duly noticed in *The Norwell Mariner* on April 13, 2017, and April 20, 2017, and posted by the Town Clerk in accordance with the Open Meeting Law.

Craig Riccierelli, owner of Transitions Kitchens presented the application and responded to Board questions during the public hearing. A representative of Unicorn Realty Trust, property owner, was also in attendance in support of the application

No member of the public spoke either in support of or in opposition to this application.

**FILE DOCUMENTATION:**

*A True Copy*  
*Attest:*

1. Copy of the legal notice
2. Assessors' Card and list of abutters receiving notice
3. Completed application for a public hearing, dated 3/20/17, signed by the applicant and property owner
4. Certificate of incorporation, as of April 10, 2006, signed by the Secretary of the Commonwealth, dated March 16, 2017.
5. Copy of the proposed design, prepared by Metro Sign & Awning, dated 10/25/16, indicating square footage of the proposed sign at 72.25 SF (square 102" x 102")
6. 11" x 17" photo with simulation of proposed sign

*Hallina Davis*  
*Asst. Town Clerk*  
*June 19, 2017*

**FINDINGS OF THE BOARD:** Based upon the evidence submitted and/or upon representations made by the Applicant during the public hearing, the Board finds the following:

1. The entrance for this business is located 240' from Washington Street, where a 15 SF sign allowed by right under §3323 c) would not be readily visible from the street.
2. The Board finds that the increased size of the replacement sign will increase visibility and identification of this business from the street to members of the public, delivery and service employees, and emergency personnel.
3. The proposed sign will be affixed to the building wall above the business entrance and will be 102" x 102" square for a total area of 72.5 SF.
4. The proposed sign will be internally lighted.
5. The proposed signage will not, in the opinion of this Board, be substantially detrimental to the public good nor nullify or substantially derogate from the intent or purpose of this bylaw but will serve to improve the opportunity for economic success of this business.

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### **DECISION OF THE BOARD:**

Based upon the application and documentation received from the Applicant and evidence presented during the public hearing, upon a motion duly made and seconded, Members Harrison, Brown, and Rivkind **VOTED** unanimously to grant the requested zoning relief for the property located at **433R Washington Street** to place an 8.5' x 8.5' sign over the business entrance in accordance with the plans submitted.

*Handwritten:*  
Harrison A. Davis  
Asst. Town Clerk  
June 19, 2017

### **CONDITIONS APPLYING TO ALL DECISIONS:**

1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed than dismissed or denied, a copy of the Board's decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded and indexed in the grantor index under the name of the owner of record in the case of the unregistered land, or with the Recorder of the Land Court to be registered and noted on the owner's certificate of title in the case of registered land.
2. **RECORDING RECEIPT:** A copy of the recording fee receipt must be returned to the Board of Appeals. **NOTE: No building permit shall be issued without such evidence.**
3. **EFFECTIVE DATE OF APPROVAL:** The zoning relief granted by this Decision shall take effect only at such time as a copy of this Decision, certified by the Office of the Town Clerk of the Town of Norwell, is recorded with the Registrar of Deeds or Recorder of the Land Court.
4. **LAPSE OF VARIANCE:** The Applicant must exercise any Variance granted by the Board of Appeals within one year of the date this Decision is filed with the Office of the Town Clerk or it shall lapse.

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TOWN CLERK  
NORWELL

*Philip Y. Brown*

Philip Y. Brown

*Thomas B. Harrison*

Thomas B. Harrison

*Ralph J. Rivkind*

Ralph J. Rivkind

This space is for Date Stamp of  
Town Clerk

2017 MAY 17 PM 6:46

Date Filed with Office of the Town Clerk

**NOTICE OF APPELLATE RIGHTS:** Any decision of the Board of Appeals may be appealed to Superior Court within twenty (20) days after filing of the written decision with the Town Clerk. Any construction or pre-construction activity is undertaken at the applicant's risk during the appeal period.

I hereby certify that notice of approval of this application for a Sign Variance submitted by Craig Riccierelli to the Norwell Zoning Board of Appeals was received and recorded at this office on May 17, 2017, and that no appeal was received during the twenty days next after such receipt and recording of said notice.

*Laurie A. Davis*

TOWN CLERK - ASSISTANT TOWN CLERK

DATE: June 19, 2017

*A True Copy*  
*Attest:*