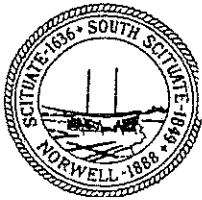


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TOWN OF NORWELL



OFFICE OF
BOARD OF APPEALS

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

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. 17-16

A Public Hearing by the Norwell Zoning Board of Appeals was held on October 25, 2017, under M.G.L. c. 40A, Section 10, at the Norwell Town offices, 345 Main Street, Norwell, MA on the application of:

Martin Block
28 Village Ln
Scituate, MA 02066

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 hanging 3' by 5' sign over the business entrance. Property was constructed in 1900 and is located at **680-682 Street** in Business District A, as shown on Assessor's Map 15C, Block 58, Lot 55, and recorded at the Plymouth Country Registry of Deeds Book 48967 Page 224.

The Public Hearing for this application was duly noticed in *The Norwell Mariner* on October 5, 2017, and October 12, 2017, and posted by the Town Clerk in accordance with the Open Meeting Law.

Martin and Diana Block, new owners of a business known as Norwell Package & General Store (until recently k/a Shields and, previously, k/a Drum's Emporium) presented the application and responded to Board questions during the public hearing.

Norwell Hardware owner, Jill Parker spoke in support of the application.

FILE DOCUMENTATION:

1. Copy of the legal notice
2. Assessors' Card and list of abutters receiving notice
3. Completed application for a public hearing, dated 9/26/17, signed by the applicant
4. Copy of the proposed design, prepared by Hassan Sign of Cohasset, dated 9/26/17
5. 8 1/2" x 11" mock-ups of the proposed sign detail and as it would appear on site

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 current owner is continuing a business similar to that of at least two prior businesses and will sell liquor and sundries.
2. The Board finds the proposed 3' x 5' sign would be reduced from the 4' x 6' sign of the prior business owner.
3. The proposed sign will be visible for traffic passing in both directions, whereas a wall sign would be readily observable by drivers passing through the Town's small Business District A.
4. The proposed sign will be down-lighted, similar to the previously existing sign.
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, a benefit to the Town and its residents.

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DECISION OF THE BOARD:

In accordance with the application and documentation submitted by the Applicant, evidence presented during the public hearing and Findings of the Board incorporated herein, upon a motion duly made and seconded, Members Turner, Rivkind, and Barbour **VOTED** unanimously to grant the requested Sign Variance for the property located at **680-682 Main Street** to replace the hanging sign over the entrance with a 3' by 5' sign in accordance with the approved plans.

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 OF NORWELL

David Lee Turner

David Lee Turner

Ralph J. Rivkind

Ralph J. Rivkind

Lois S. Barbour

Lois S. Barbour

*This space is for Date Stamp of
Town Clerk*

Date Filed with Office of the Town Clerk

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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.