

OFFICE OF
BOARD OF APPEALS

TOWN OF NORWELL

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, Asst. Clerk

Associate Members

Michael E. Kiernan, Clerk
Thomas P. Harrison

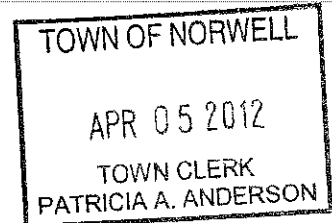
FINDINGS AND DECISION

of

The Norwell Board of Appeals

File No. 11-17

MODIFICATION No. 1



A Public Hearing by the Norwell Zoning Board of Appeals was held at the Norwell Town Offices, 345 Main Street, Norwell, MA on March 21, 2012 under M.G.L. c. 40A as a result of the applicants request for sign variances.

Fox Rock Longwater II Realty, LLC
(f/k/a Fox Rock Norwell Campus, LLC)
100 Newport Avenue Extension
Quincy, MA 02171 (the applicant)

The applicant filed a **Site Plan Modification** request for **sign variances** under Sections 1322, 3300 (signs), 3323, (all business districts), 3323(b) (free standing sign), and 33, 23(c) (wall sign) to construct three (3) 6 foot wide by 1 foot 4 inch tall building mounted signs on the 80,000 square foot building at 141 Longwater Drive where only one (1) wall sign not to exceed 15 square feet is allowed. There would be a total of four (4) wall signs. In addition, the applicant proposed to construct three (3) new monument signs measuring 3 feet by 8 feet by 1 foot to replace the two (2) existing monument signs. The property is located at **141 Longwater Drive**, as shown on Assessors Map 17B, block 18, lot 53, and 219 High Street, as shown on Assessors Map 17B, block 18, lot 14 and recorded at Registry of Deeds book 38431, page 82 and book 40104, page 216 in business district C-2, residential District B, and the Aquifer Protection District. The Public Hearing for the application was noticed in the Norwell Mariner on March 1, 2012 and March 8, 2012 and posted at the Norwell Town Hall.

Attorney Howard Kelman appeared on behalf of the applicant.

FILED DOCUMENTATION:

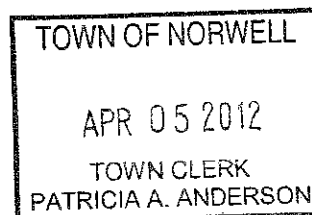
1. Correspondence from Attorney Howard Kellman on behalf of the applicant to Lois Barbour, the chair of the Norwell Zoning Board of Appeals requesting a site plan modification and sign variances. The aforementioned was date stamped by

the Board of Appeals on February 17, 2012 and by the Norwell Town Clerk on February 23, 2012.

2. Advertisement Notice for Public Hearing and Abutters List.
3. Copy of Assessor's Office card.
4. Correspondence from Joseph Sirkovich, of Steffian, Bradley Architect to Attorney Howard Kelman outlining the size, location and dimensions of the 3 monument signs and the 4 building mounted signs.
5. Conceptual drawings of both the monument and building signs.

FINDINGS OF THE BOARD

1. The property at issue consists of 2 parcels known as 141 Longwater Drive and 219 High Street respectively.
2. The parcels are shown on the Assessor's Map as lots 18-014 and 18-053 containing a combined acreage of 28.09 acres and including 16,092 feet of frontage on Longwater Drive, shown in detail on plans submitted along with the initial site plan application as Exhibit 29.
3. Lot 18-053 contains 25.4 acres and will accommodate a 269,000 square foot structure inclusive of a 178,400 foot warehouse to be renovated and an existing 91,000 square foot 2 story office building connected to the existing warehouse.
4. The 3 monument signs will be at the 3 distinct entrances to the facility. Each monument sign will be 3 feet tall, 8 feet wide and 1 foot deep constructed of deep stone and metal construction. These signs will be internally lit and sited at the 3 entrances to the facility.
5. The 3 monument signs will read as follows:
 - a. South Shore Medical Center, Atrius Health, South Entrance;
 - b. South Shore Medical Center, Atrius Health, West Entrance; and
 - c. Longwater Place- List of tenants.
6. Four building mounted signs are requested as well. These signs would be as follows:
 - a. 6 foot 8 inches wide x 2 feet 3 inches tall internally lit near the roof line. This sign will read "South Shore Medical Center Atrius Health (with logo)."
 - b. 6 feet wide x 1 foot 4 inches tall, internally lit near or above the entry doors. This sign read "Shore Medical Center Atrius Health (with logo) Pediatric entry".
 - c. 6 feet wide x 1 foot 4 inches tall, internally lit near or above the entry doors. This sign read "Shore Medical Center Atrius Health (with logo) Adult entry".
 - d. 6 feet wide x 1 foot 4 inches tall, internally lit near or above the entry doors. This sign read "Shore Medical Center Atrius Health (with logo) Service entrance".



APR 05 2012

TOWN CLERK
PATRICIA A. ANDERSON

DECISION OF THE BOARD

Based upon the facts and evidence presented and upon a motion duly made and seconded the Board voted unanimously to modify the original Site Plan decision by allowing sign variances under Section 1322, 3300 (signs), 3323 (All Business Districts), 3323 (b) (free standing sign) and 3323 (c) wall sign.

The Board finds that the size and scope of the property and building in this heavily commercialized district warrants the installation of 4 building mounted signs. Moreover, with 3 distinct entrances to the facility a considerable distance from the building the Board finds that it would cause a substantial hardship not to mark the entrances accordingly. The Board finds that literal enforcement of the sign bylaws given the aforementioned would result in a substantial undue hardship to the applicant. In light of the aforementioned the Board voted unanimously to allow the sign variances as requested.

SPECIAL CONDITIONS

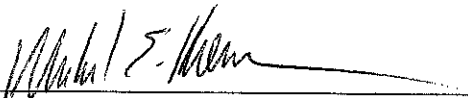
1. The only signage allowed for the property is that as outlined in the application for Site Plan Modification submitted to the Board of Appeals and the subject matter of this decision.
2. The signage shall be in conformity with the size, dimensions, specifications and locations as outlined in the Application for Site Plan Modification as presented to the Board of Appeals in this Application.
3. **ALL OTHER TERMS AND CONDITIONS OF THE BOARD'S DECISION, FILED WITH THE NORWELL TOWN CLERK ON March 9, 2012, REMAIN UNCHANGED.**

CONDITIONS APPLYING TO ALL VARIANCES:

4. **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 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.
5. **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.
6. **EFFECTIVE DATE OF APPROVAL:** The Variance 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.

7. **EXPIRATION:** The applicant must exercise any variance granted within one year from the date of this decision or by extension or it shall lapse.

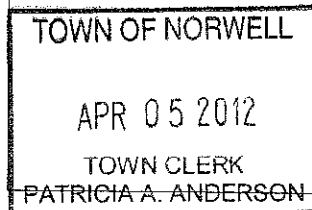

Lois S. Barbour


Michael E. Kiernan


David Lee Turner

Date Filed with Office of the Town Clerk

*This space reserved for
Date Stamp of Town Clerk*



NOTICE OF APPELLATE RIGHTS: Any decision of the Board of Appeals may be appealed to the 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 applicants risk during the appeal period.