



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

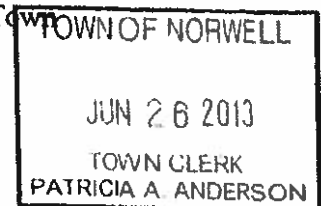
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Philip Y. Brown, Vice Chair  
David Lee Turner  
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Associate Members  
Michael E. Kieman, Clerk  
Thomas P. Harrison

## FINDINGS AND DECISION OF THE NORWELLBOARD OF APPEALS

File No. 13-9

A **PUBLIC HEARING** was held on June 12, 2013, by the Norwell Zoning Board of Appeals under Massachusetts General Laws, Chapter 40(A), in the Norwell Town Offices, 345 Main Street, Norwell, MA, on the application of:

**DressBarn**  
**30 Dunnigan Drive**  
**Suffern, NY 10901**



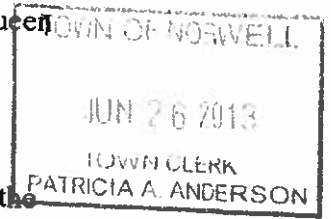
For a **Sign Variance** under Sections 1322, 3300(signs), 3323(All Business Districts) and 3323(c) (Wall Sign). The applicant proposed three wall signs: a sign reading "DRESSBARN" measuring 65.6 sq. ft.; a sign reading "WOMAN" measuring 3 sq. ft. and a sign reading "MISSES" measuring 2.7 sq. ft. The applicant seeks to utilize internally illuminating channel letters. The property is located at **10 Washington Street** and shown on Assessors Map 5D, Block 17, Lot 15, Registry of Deeds Book 13338, Page 48 and Business District B and the Aquifer Protection District.

The Public Hearing was duly noticed in *The Patriot Ledger* on May 23, 2013 and in *The Norwell Mariner* on May 30, 2013, and posted by the Town Clerk, as required by the Open Meeting Law.

The following information was received into the file:

1. An Abutters list.
2. A photograph of the Hannaford Supermarket sign in at Queen Ann's shopping plaza.
3. Assessors card.
4. Application for Public Hearing. The aforementioned was date-stamped by the Board of Appeals and the Town Clerk on May 20, 2013.
5. A depiction of the sign as it will exist on the scale as proposed. The aforementioned was prepared by Adart Sign Company of Flower Mound, Texas dated March 7, 2013.
6. A letter from Debbie Benedict an operations representative of DressBarn dated May 17, 2013. Ms. Benedict's correspondence merely indicates that

DressBarn is working with ProSign Service for their signage at the Queen Anne's Plaza



**FINDINGS:**

1. In consideration of the application, the Board determined that permitting the proposed signage as outlined in the application submitted to the Board would not be detrimental to the neighborhood; and, denial would cause a substantial hardship to the applicant. The Board further determined that the allowance of the variance would not alter the character of the neighborhood, which is comprised of storefronts, many of which have similarly sized signs.

**DECISION:**

Accordingly, the Board **VOTED** unanimously to approve a **Sign Variance** for DressBarn located at **10 Washington Street**, subject to the following:

**SPECIAL CONDITIONS:**

1. The applicant is not to exceed the dimensions as identified on the plan prepared by Adart Sign Company dated March 7, 2013 identified by file name 13-0172. Specifically, the DressBarn sign shall be no more than 36 inches tall by 21 ft. 10 ¼ inches long. The WOMEN sign shall be no more than 8 inches tall and 53.5 inches long and the MISSES sign shall be no more than 8 inches high and 48.2 inches long. The proposed sign is to be on the front upper facade of the building located at 10 Washington Street.


**CONDITIONS APPLYING TO ALL DECISIONS:**

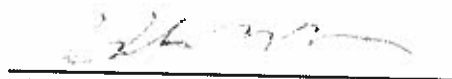
1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed then dismissed or denied, a copy of the Board's decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded 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.
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 Sign 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.

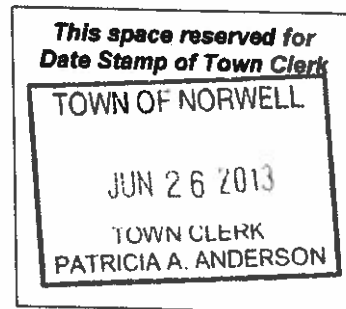
4. **EXPIRATION:** The applicant must exercise any variance granted within one year from the date of this decision or by extension or it shall lapse.

  
Michael E. Kiernan

  
David Lee Turner

  
Philip Y. Brown

**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 the Superior Court within twenty (20) days after filing of the written decision with the Town Clerk. Any construction or pre-construction activities undertaken at the applicants risk during the appeal period