

**FINDINGS AND DECISION
OF
THE NORWELL BOARD OF APPEALS**

File No. 18-5

PUBLIC HEARINGS were held on Wednesday, April 4, 2018 by the Norwell Zoning Board of Appeals under Massachusetts General Laws, Chapter 40A, Section 10, at the Norwell Town offices, 345 Main Street Norwell, MA on the application of:

Team Garner Enterprises Corp. d/b/a Remax Deluxe
293 Washington Street
Norwell, MA 02061

For a Sign Variance under Sections 3331(a) and (f) of the Norwell Zoning Bylaws. The applicant seeks to install a 66"x48" free-standing sign, at the front of the building, where one previously existed but was not permitted. The Property is located at 293 Washington Street, in Business District B-6 as shown on Assessor's Map 12, Block 24, Lot 26 and recorded at the Plymouth County Registry of Deeds in Book 16493, Page 16.

The Public Hearing for this application was duly noticed in The Norwell Mariner on March 15, 2018 and March 22, 2018 and posted by the Town Clerk, as required by the Open Meeting Law.

The Board received the following information into its files:

1. A Completed application for Variance signed by the property owner and the tenant, date-stamped by the Town Clerk on February 27, 2018.
2. An abutters list.
3. An assessor's card.
4. An architectural drawing of the proposed sign.
5. A photograph of the prior sign as shown on September 2008.
6. An as built mortgage plot plan dated November 25, 1980.

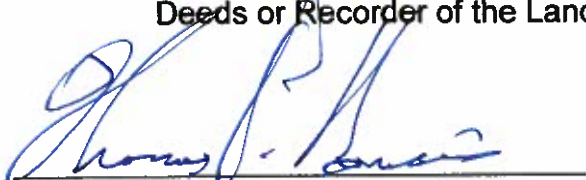
Mr. Garner, the owner of the Remax Deluxe franchise presented the plan along with a representative of the owner of the property. The applicant seeks to replace a former sign with a new one. The former sign, which was for a prior real estate brokerage firm, was not permitted. The new sign will be approximately the same size and will be constructed in accordance with the architectural rendering. The proposed sign is in keeping with the size of the building and with other signs in the area.

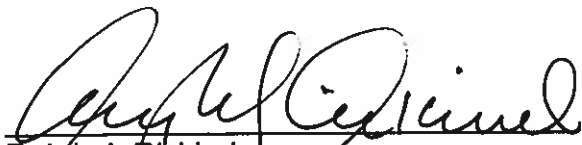
DECISION OF THE BOARD:

Based on the application and evidence presented, and upon a motion duly made and seconded, the Board VOTED unanimously to approve the sign variance in accordance with the application submitted. The applicant would suffer a substantial hardship if the variance is not granted since the sign is an integral part of the marketing for Remax Deluxe. There is no detriment the public by issuing the sign variance because the sign is in keeping with other signs in the area. Accordingly, issuance of the variance also will not derogate from the intent or purpose of this Bylaw.

CONDITIONS APPLYING TO ALL VARIANCES:

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 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 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.


Thomas P. Harrison


Ralph J. Rivkind


Philip Y. Brown

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TOWN CLERK