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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, Clerk

-

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Ralph J. Rivkind, Assistant Clerk  
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Matthew H. Greene  
Stephen T. Bright  
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***Corrected***  
**FINDINGS AND DECISION**  
*of*  
**The Norwell Board of Appeals**

***File No. 19-11***

*To correct Scrivener's Error*  
*Replaces Decision filed with the Norwell Town Clerk on 10/28/19*  
*No additional appeal period applies*

A Public Hearing by the Norwell Zoning Board of Appeals was scheduled on October 16, 2019, under M.G.L. c. 40A, Sections 9 and 10, at the Norwell Town offices, 345 Main Street, Norwell, MA on the application of:

**Sheri Sibley**  
**Engel & Volkers Real Estate**  
**7 Brantwood Road**  
**Norwell, MA 02061**

For a **Sign Variance** under Sections 3300, and 3323 (b) and (c) of the Norwell Zoning Bylaws, the applicant is requesting on behalf of the building occupant, Engel & Volkers Real Estate office, installation of one Free Standing sign. The applicant is seeking approval for one free-standing sign measuring 18 sq. ft. where a 25 sq. ft. freestanding

sign is allowed. The property is located at 7 Brantwood Road in Residential District B as shown on Assessor's Map 12C, Block 25, Lot 001, and recorded at the Plymouth County Registry of Deeds in Book 48362, Page 259. The building was constructed in 1964.

The Public Hearing for this application was duly noticed in *The Patriot Ledger* on October 2, 2019 and October 9, 2019.

Sheri Sibley, representing the Applicant, presented the application and responded to Board questions during the public hearing.

No member of the public was present in the audience to speak in favor of or in opposition to this application.

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**FILE DOCUMENTATION:**

1. Copy of public notice
2. Assessors' Card and list of abutters receiving notice
3. Completed application for a public hearing, date-stamped by the Town Clerk and the Board of Appeals on September 9, 2019, signed by Sheri Sibley of Engel & Volkers Real Estate office, on September 29, 2019.
4. Deed for 7 Brantwood Road, Norwell, Plymouth County, Massachusetts 02061, Book 49362, Page 259, recorded at the Plymouth County Registry of Deeds.
5. Plan (n.d.), showing the proposed sign to be installed, including measurements of proposed sign to be installed and pictures showing where the sign will be located on the property.

**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 installation of the sign would not violate Sections 201, 14.2B and 14.5A of the Norwell Zoning Bylaw.
2. The overall dimensions of the proposed sign and any additional signs to be installed will not exceed six (6) feet by five (5) feet, or thirty (30) square feet in total.
3. There is no current sign visible from the road that indicates to motor vehicle traffic that the building houses the Engel & Volkers Real Estate office.
4. The Board further finds that:
  - a. A literal enforcement of the provisions of this bylaw would involve a substantial hardship to the petitioner. (See Finding 3 above.)
  - b. The hardship is owing to circumstances relating to the siting of the existing sign. (See Findings 2 and 3 above.)
  - c. Granting of relief is of benefit to the public health, safety, and welfare and does not substantially derogate from the intent or purpose of this Bylaw,

as the square footage of the sign and sign placement are within applicable standards.

***DECISION OF THE BOARD:***

Based upon the application received, representations by the Applicant, and evidence presented during the public hearing, upon a motion duly made and seconded, members of the Board of Appeals **VOTED** unanimously to grant the requested zoning relief for the property located at **7 Brantwood Road**, in order to install the sign in accordance with the plans submitted.

**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 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. ***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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*David Lee Turner*

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*Ralph J. Rivkind*

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Stephen T. Bright

Date Filed with Office of the Town Clerk

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**NOTICE OF APPELLATE RIGHTS:** Note that the original decision was filed with the Norwell Town Clerk on October 28, 2019. This decision corrects the spelling of the Applicant's name on Page 1 of this document to Sheri Sibley (from "Sheri Shelby" that was incorrect). No other changes were made to this decision. The twenty- (20) day appeal period has expired without no appeal taken.