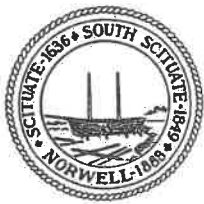


TOWN OF NORWELL
TOWN CLERK
2024 MAY 20 PM 12:45

RECEIVED



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
Stephen H. Lynch, Vice Chair
Ralph J. Rivkind, Clerk

Associate Members

Daniel M. Senteno
William J. Lazzaro
Sthefano Piassa

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

File No. 24-04

To correct Scrivener's Error

Replaces Decision filed with the Norwell Town Clerk on 5/6/2024

No additional appeal period applies

A public hearing by the Norwell Zoning Board of Appeals was held on April 24, 2024, under MA General Laws, Chapter 40A, Section 10, in person at the Norwell Public Library, 64 South Street, Norwell, MA and broadcast live from the Library Meeting Room on Comcast Channel 9 and Verizon Channel 40 with a Zoom option, on the application of:

Papa Gino's Pizzeria/D'Angelo Grilled Sandwiches
10 Washington Street c/o Viewpoint Sign & Awning
35 Lyman Street
Northboro, MA 01532

For a **Sign Variance** under Sections 201-3.2B and 201-14.6B(1) of the Norwell Zoning Bylaws, the applicant is requesting on behalf of the building occupant, Papa Gino's Pizzeria/D'Angelo Grilled Sandwiches, to rewrap existing awning frame with new fabric and graphics. The proposed graphics on the awning are 20'h x 10'6 1/4" w(17.5 sq ft), with letter heights ranging up to 14 1/2", where the bylaw reads "not to exceed 1/2 sq ft per linear foot of building upon which awning is attached, or eight sq ft, whichever is less. The property is located at **10 Washington Street** in

Business District B as shown on Assessor's Map 5D, Block 17, Lot 15, and recorded at the Plymouth County Registry of Deeds in Book 13338, Page 48. The building was constructed in 1965.

The application was duly noticed in *The Mariner* on April 3, 2024, and on April 10, 2024, and posted at the Norwell Town Hall to fulfill requirements of the Open Meeting Law.

Bart Steele of ViewPoint Sign, representing the applicant, responded to Board questions during the Public Hearing. No one was present in support of or in opposition to this application.

FILE INVENTORY: Documents submitted, including but not limited to the following, were received by the Board:

1. Application, dated 2/22/24, signed by the owner's representative, Lauren Delarda, Permit Manager of ViewPoint Sign & Awning of Northboro, MA, received and stamped by the Town Clerk on 3/05/24.
2. Cover letter explaining the reason for the application with changes proposed, dated February 22, 2024, for signage updates on the front and the Pond Street sides of the building.
Public Notice Authorization, dated 2/22/24.
Letter of 1/24/24 to Thomas M. Barry, C.B.O. from Federal Realty, Property Manager, relating to the proposed sign permit.
Copies of three prior ZBA-issued decisions for sign variances.
6. Google Maps -Aerial view of 10 Washington Street with locations of proposed sign modifications and views of both the Washington Street and Pond Street street-sides.
7. Proposal Drawing by ViewPoint Sign and Awning, dated 1/9/24, providing details of existing signage and proposed changes.

FINDINGS: The Board made the following findings:

1. The property is located at 10 Washington Street in Business District B.
2. Papa Gino's Pizzeria is undergoing renovation to become a Papa Gino's Pizzeria/D'Angelo Grilled Sandwiches dual location that will require updated signage.
3. The Applicant is seeking to rewrap the existing awning frame with new fabric and graphics. The proposed graphics on the awning are 20"h x 10'6 1/4" w (17.5 sq ft), with letter heights ranging up to 14 1/2".
4. The Board of Appeals has granted sign variances for similar business locations in the area.

DECISION OF THE BOARD: Based upon the evidence presented and its findings detailed above and incorporated herein and forming a part of this decision, upon a motion duly made and seconded, Members Rivkind, Barbour, and Lynch **VOTED** unanimously to grant a Sign Variance on the property located at **10 Washington Street** in accordance with the plans submitted, further subject to the following:

CONDITIONS APPLYING TO ALL DECISIONS:

CLERK OF NORWELL
TOWN CLERK

2024 MAY 20 PM 12:45

REC'D
MAY 20 2024

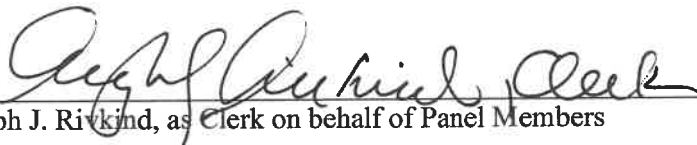
1. **RECORDING OF THE DECISION:** After receiving certification from the Town Clerk that no appeal has been taken within twenty days, or if appealed than dismissed or denied, a copy of the Board's decision must be filed with either the Registrar of the Plymouth County Registry of Deeds to be recorded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

----- The remainder of this page is intentionally left blank. -----

RECEIVED
2024 MAY 20 PM 12:48
TOWN OF NORWELL
TOWN CLERK

By unanimous vote of the Board of Appeals at its duly advertised meeting on October 25, 2023, its Clerk or Assistant Clerk is authorized to sign decisions on behalf of the panel members, which in this instance are:

Ralph J. Rivkind
Stephen H. Lynch
William J. Lazzaro



Ralph J. Rivkind, as Clerk on behalf of Panel Members

Date Filed with Office of the Town Clerk

*This space reserved for
Date Stamp of Town Clerk*

RECEIVED

2024 MAY 20 PM 12:45

OFFICE OF
TOWN CLERK

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.