

**DECISION OF THE ZONING BOARD OF APPEALS  
of the  
TOWN OF WESTWOOD**

**PROPERTY OWNER(S): Rte One Management LD Trust LLC**

**PETITIONER(S):** Richard Pretorius  
Pretorius Electric & Sign Company LLC  
267A South Main  
West Bridgewater, MA 02379

**LAND AFFECTED:** 420 Providence Highway  
Westwood, Massachusetts 02090  
Map 24, Lot 083

**HEARING:**

The Board of Appeals for the Town of Westwood held a Public Hearing according to the General Laws of the Commonwealth of Massachusetts on Tuesday May 19, 2021 at 7:00 P.M. via remote participation to consider the Petitioner's request for a special permit pursuant to the Westwood Zoning Bylaw Sections §6.2.15 [Sign – Special Permits]. The application proposes to install a total of six (6) signs that exceed the maximum allowable number and area. The property is located in the HB (Highway Business) zoning district.

**BOARD MEMBERS:** John Lally, Chairman  
Douglas Stebbins, Clerk  
Michael McCusker

**APPLICABLE SECTIONS OF THE WESTWOOD ZONING BYLAW**

**6.2.15 Special Permit.** The Board of Appeals may grant a special permit for a sign that does not comply with sign area, height, or setback requirements set forth herein, or which exceeds the maximum number of signs permitted, provided that said sign is otherwise in compliance with all other provisions of this section, and provided further that the Board of Appeals makes the following findings:

**6.2.15.1** Applicant has adequately demonstrated that compliance with the provisions of this Section will be an undue hardship.

**6.2.15.2** Sign scale is determined to be in reasonable relation to the scale of the building or structure and the sizes of signs on nearby structures.

**6.2.15.3** Sign size, shape and placement serves to define or enhance architectural elements of the building or structure such as columns, sill lines, cornices and roof edges.

**6.2.15.4** Sign design is harmonious with other signage on the same or adjacent structures and provides reasonable continuity in mounting location and height, proportions and materials.

6.2.15.5 Sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, and surrounding neighborhood.

6.2.15.6 Sign size, location, design and illumination do not present a safety hazard to vehicular or pedestrian traffic.

### FINDINGS

In consideration of all of the testimony and exhibits and documents submitted before the Board, the Board makes the following findings of fact:

1. The Subject Property is located at 420 Providence Highway. The Petitioner is proposing to install a total of six (6) signs that exceed the maximum allowable number and area. The total sign area is proposed to be 314.30 SF. Relief in the form of a Special Permit pursuant to Section §6.2.15 was requested. The Board of Appeals is the Special Permit Granting Authority.
2. The Applicant has adequately demonstrated that compliance with the provisions of this Section will be an undue hardship.
3. The sign scale is determined to be in reasonable relation to the scale of the building or structure and the sizes of signs on nearby structures.
4. The sign size, shape and placement serves to define or enhance architectural elements of the building or structure such as columns, sill lines, cornices and roof edges.
5. The sign design is harmonious with other signage on the same or adjacent structures and provides reasonable continuity in mounting location and height, proportions and materials.
6. The sign materials, colors, lettering style, illumination and form are reasonably compatible with building design, and surrounding neighborhood.
7. The sign size, location, design and illumination do not present a safety hazard to vehicular or pedestrian traffic.
8. Any adverse effects of the Petitioner's proposed construction will not outweigh its beneficial impact to the Town, or the neighborhood, in view of the particular characteristics of the site and the proposal in relation to that site.
9. The Petitioner's proposal will not have a material adverse effect on the value of the land and buildings in the neighborhood, or on the amenities thereof, or be detrimental to the normal use of the adjacent property, and it will not be injurious or dangerous to the public health or hazardous because of traffic congestion, or other reason, and any adverse effects of the proposed use do not outweigh its beneficial aspects, all in view of the particular characteristics of the site and of the proposal in relation to that site.
10. The Petitioner has met all the requirements for a Special Permit pursuant to the Westwood Zoning Bylaw.

**DECISION and CONDITIONS**

The Board of Appeals voted unanimously to grant the Petitioner's request for a Special Permit pursuant to Section 6.2.15 of the Westwood Zoning Bylaw and upon the following conditions:

1. The Project shall be constructed in conformity with the submitted site plan prepared by Kelly Engineering Group, 0 Campanelli Drive, Braintree, MA 02184, dated December 17, 2020 and revised through January 14, 2021, and the following five (5) plan sets:
  - 1) Mazda Pylon Sign Plan consisting of twenty-seven (27) pages, prepared by Architectural Graphics, Inc., 2655 International Parkway, Virginia Beach, VA 23452, dated December 10, 2020;
  - 2) Mazda Wall Sign Plan consisting of five (5) pages, prepared by Architectural Graphics, Inc., 2655 International Parkway, Virginia Beach, VA 23452, dated March 23, 2016;
  - 3) Prime Wall Sign Plan consisting of three (3) pages, prepared by Architectural Graphics, Inc., 2655 International Parkway, Virginia Beach, VA 23452, dated December 9, 2020;
  - 4) Service Wall Sign Plan consisting of three (3) pages, prepared by Architectural Graphics, Inc., 2655 International Parkway, Virginia Beach, VA 23452, dated July 28, 2020; and
  - 5) Service Free-standing Sign Plan consisting of three (3) pages, prepared by Architectural Graphics, Inc., 2655 International Parkway, Virginia Beach, VA 23452, dated January 29, 2016.
2. The Applicant shall pursue completion of the Project with reasonable diligence and continuity.
3. This Special Permit shall not take effect until a copy of the Decision, bearing the certification of the Town Clerk that twenty (20) days have elapsed after the filing of the decision and either that no appeal has been filed or that an appeal has been filed within such time period, is recorded in the Registry of Deeds and indexed under the name of the property owner of record and the parcel address. A copy of these recordings shall be provided to the Building Commissioner, Town Clerk and the Board of Appeals.
4. **The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and any construction performed under the permit may be ordered to be undone.**
5. This Special Permit shall lapse within a specified period of time, of not more than two (2) years, which shall not include such time required to pursue or await the determination of the appeal referred to in Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause. Prior to the expiration of the Special Permit, the Applicant may apply for an extension of the Special Permit for a period not to exceed one (1) year if the substantial construction or use thereof has not commenced for good cause.

**RECORD OF VOTE**

The following members of the Board of Appeals voted to grant the Special Permit for the above-mentioned project: John Lally, Douglas Stebbins, and Michael McCusker.

The following members of the Board of Appeals voted in opposition to the grant of the Special Permit: None.

Received June 15, 2021 @ 2:41PM

Westwood Town Clerk



**WESTWOOD ZONING BOARD OF APPEALS**

John Lally, Chairman

Douglas Stebbins, Clerk

Michael McCusker

Date 6/15/21

420 Providence Hwy