

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

PROPERTY OWNER: Petruziello Properties, LLC
21 Eastbrook Road
Dedham, MA 02090

PETITIONER: Mike Disarro
308 Water Street
Wakefield, MA 01880

LAND AFFECTED: 274 Washington Street
Westwood, Massachusetts 02090
Map 23 Lot 187

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 Wednesday December 14, 2022 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 [Signs-Special Permits], 6.2.6 [Signs-Maximum Number] and 6.2.6.2 [Signs-Maximum Area]. The application proposes to add four window signs, which exceeds the maximum of two signs at the establishment. The proposed total square footage of the signs exceeds the maximum allowable under section §6.2.6.2. The four window signs are approximately 22.4 square feet of area, where 20 square feet is the maximum allowed. The applicant is seeking relief for the four additional window signs pursuant to section §6.2.15. The property is located in the Local Business B (LBB) Zoning District.

BOARD MEMBERS: John Lally, Chairman
Michael McCusker
Linda Walsh

APPLICABLE SECTIONS OF THE WESTWOOD ZONING BYLAW

6.2.6 Signs Allowed in Local Business A (LBA) and Local Business B (LBB) Districts.

The following signs may be erected or maintained in Local Business A and Local Business B Districts, provided such signs are in compliance with all conditions set forth in this Section: Awning signs, directory signs, freestanding signs, marquee signs, projecting signs, wall signs and window signs.

6.2.6.1 The maximum number of signs shall not exceed the number of commercial establishments located on the premises, plus one (1) additional sign, plus one (1) additional historic sign.

6.2.6.2 The maximum area of one (1) sign associated with a commercial establishment shall not exceed seventy-five (75) square feet, and the maximum area of all other signs associated with that same commercial establishment shall not exceed twenty (20) square feet each.

- 6.2.6.3 The total square footage of all signs associated with any commercial establishment shall not exceed ten percent (10%) of the facade attributed to that commercial establishment.
 - 6.2.6.4 The sign surface of any sign other than an awning sign shall be wood or synthetic material made to resemble wood. The supporting framework of any sign other than an awning sign shall be wood or granite, or synthetic material made to resemble wood or granite.
 - 6.2.6.5 Notwithstanding the above limitations on number and area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.
- 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 274 Washington Street within the Local Business B (LBB) zoning district. The Petitioner proposes to add four window signs to the commercial establishment. The proposed signs exceed the maximum number and size requirements in the Bylaw, thus requiring a Special Permit. The Board of Appeals is the Special Permit Granting Authority.

2. The Petitioner proposes to display four window signs, in addition to an existing sign at the business. The proposal would result in five (5) signs at the establishment. The additional signs exceed the maximum number of two (2) allowed in the Bylaw.
3. The proposed window signs are approximately 22.4 square feet of area, where 20 square feet is the maximum allowed.
4. 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.
5. 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 to add four (4) window signs pursuant to Sections § 6.2.6, § 6.2.6.2 and § 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 titled "Proposed Layout Site Plan, East Street Side, Islington Village, Westwood, MA, Norfolk County" prepared by GCB Associates, Inc., Wilmington, MA, dated December 12., 2017 last revised November 5, 2020 and sign plan titled "Neroli Mercato, Market Signage", prepared by Assembly Design Studio, 125 B Street #4A Boston, Ma 02127, consisting of one (1) sheet.
2. 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.

RECORD OF VOTE

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

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