



TOWN OF HINGHAM

Board of Appeals

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Town Clerk
Hingham, MA

NOTICE OF DECISION

IN THE MATTER OF:

Applicant/Owner: W/S/M Hingham Properties LLC
33 Boylston Street, Suite 3000
Chestnut Hill, MA 02467

Agent: Victoria Maguire, Director of Development
WS Development
33 Boylston Street, Suite 3000
Chestnut Hill, MA 02467

Premises: 90-100 Derby Street & 124 Old Derby Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 30816, Page 261 and
Book 24538, Page 298

Plans Reference: "Derby Street Shops, Tenant Sign Criteria," Final Amended Version
- Dated April 27, 2022

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of W/S/M Hingham Properties, LLC (the "Applicant") to update a Special Permit A1 under § V-B of the Zoning By-Law and such other relief as necessary to update the signage criteria to use logos on signage and to provide additional clarity to decision making around signage size at Derby Street Shops in Industrial Park / South Hingham Development Overlay Districts.

Pursuant to the Board's Rules and Regulations, the application was heard by the Zoning Administrator, Jennifer Oram, at a duly noticed public hearing held remotely on April 26, 2022, via Zoom, as an alternative means of public access pursuant to Chapter 20 of the Acts of 21, suspending certain provisions of the Open Meeting Law. The Applicant, Victoria Maguire, Director of Development for WS Development, and Caroline Hessberg, General Manager of the Derby Street Shops, appeared during the public hearing to represent the request.

At the conclusion of the hearing, the Zoning Administrator granted the requested modification to the Special Permit.

BACKGROUND & DISCUSSION

The Board amended and restated Special Permit A1 and Variance Decisions, originally issued February 10, 2003, and amended again on December 1, 2020, in order to modify the Tenant Signage Criteria approved for the Derby Street Shops. The present application seeks further modification to the Special Permit A1 to update the Signage Criteria to allow the use of logos as part of their tenant's signage, and to provide additional clarity to guide decision making around signage size, as well as decal size, and adding additional building Number 500 to the signage criteria.

At the hearing, the Applicant, Ms. Maguire, noted that the Tenant Signage Criteria has become an extremely helpful guiding document for them to work from, and then reviewed the requested modifications. The first was to add Building number 500 to the Signage Criteria as it is not currently included. Building 500 previously held the Rite Aid Pharmacy, and is presently under renovation. The new lay out will open up space to two new tenants in the Derby Street Shops.

The Applicant would also like to now allow logos for tenants who consider logos as part of their branding. Logos are currently not permitted under the existing Signage Criteria. The Applicant has seen an increase in requests from existing and new tenants who want the ability to have a logo as part of their signage. During the discussion at the hearing, it was agreed upon that the logo size would be controlled by the existing lettering dimensional requirements.

The Applicant also requested continued flexibility of logos/branding on awnings, and the ability to approve temporary window decals that would be larger than that what are allowed permanently. All logos and decals would be considered on a case by case basis and the applicants would keep the Town apprised of these requests from their tenants.

FINDINGS

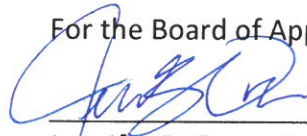
Based on the information submitted and presented during the hearing, and the deliberations and discussions held during the meeting, the Zoning Administrator made the following findings:

1. That the proposed modifications do not materially affect the findings made in connection with the Special Permit A1, originally issued February 10, 2003, and amended on December 1, 2020, under § V-B of the By-Law.
2. That the amendments and restatement of the prior Decisions to reflect all conditions currently in force and effect as of the date hereof is in the interest of the project and the Town of Hingham insomuch as it will allow for the efficient review of project compliance with such conditions.

DECISION

That the Special Permit A1, originally issued February 10, 2003, and amended December 1, 2020, under § V-B of the By-Law, and such other relief as necessary in order to update the applicable Tenant Signage Criteria, to use logos on signage and to provide additional clarity to decision making around signage size, at Derby Street Shops in Industrial Park / South Hingham Development Overlay Districts is **GRANTED**.

For the Board of Appeals,



Jennifer B. Oram, Zoning Administrator

May 12, 2022

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.