



TOWN OF HINGHAM

Board of Appeals

NOTICE OF DECISION VARIANCE

IN THE MATTER OF:

Applicant/Owner: Hingham Historical Society
c/o Deirdre Anderson, Executive Director
34 Main Street
Hingham, MA 02043

Property: 34 Main Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 3332 Page 65

Plan References: Plans entitled, "Proposed Signage, Hingham Historical Society, 34 Main Street, Hingham, MA, Parcel 61-0-128," prepared by Hassan Sign Company, 799 Chief Justice Cushing Hwy, Cohasset, MA, dated April 13, 2021 (1 Sheet);

"Proposed Hand Carved Sign" prepared by Hassan Sign Company, 799 Chief Justice Cushing Hwy, Cohasset, MA, dated October 17, 2019 (3 Drawings);

and "Proposed Painted Signs" prepared by Hassan Sign Company, 799 Chief Justice Cushing Hwy, Cohasset, MA, dated March 4, 2019 (2 Drawings)

SUMMARY OF PROCEEDINGS:

This matter came before the Board of Appeals (the "Board") on the application of the Hingham Historical Society (the "Applicant") for a Variance from § V-B of the Zoning By-Law (the "By-Law") to install two ground signs in the front (southwest) and left-side (west) setbacks, where only one ground sign is permitted and a 10' setback is required at 34 Main Street in Business District A and the Downtown Hingham Overlay District. Pursuant to the Board's Rules and Regulations, the application was heard by the Zoning Administrator, Emily Wentworth, during a noticed public hearing held on September 23, 2021 via Zoom pursuant to Chapter 20 of the Acts of 2021, suspending certain provisions of the Open Meeting Law. The Applicant's representative, David

Hassan, Hassan Sign Company, attended to present the request. At the conclusion of the hearing, the Zoning Administrator issued the requested relief.

BACKGROUND:

The subject property consists of 23,086 SF of land located on the north side of Main Street. The lot is improved by the Old Derby Academy building (ca. 1640), which serves today as the Hingham Heritage Museum and Visitor Center. The building is situated approximately 15' above the grade of the paved portion of Main Street. As a result, building signage is not readily visible to either motorists or pedestrians passing by the site.

The proposed plan calls for the installation of two ground signs within in the required front and left-side setbacks. The first ground sign, consisting of 15 SF, would be mounted on an existing stone, centered between the stairways that provide pedestrian access from Main Street to the facility. The second ground sign, consisting of 5.17 SF, would be mounted on a single post at the driveway to the property.

FINDINGS:

Based on the information submitted and presented during the hearing, and discussions with the Applicant during the meetings, the Zoning Administrator made the following findings in accordance with the Variance Approval Criteria under Section I-D, 2.c:

1. **There are circumstances relating to soil conditions, shape or topography especially affecting the land but not affecting generally the zoning district.** The lot is affected by significant grade changes, such that the building is not visible from Main Street. This topographical feature is not generally found in the zoning district.
2. **The literal enforcement of the Bylaws would involve substantial hardship financial or otherwise.** Absent relief, ground signs in a conforming location would be partially obscured from view from the travelled portion of Main Street. Signs are intended to promote the use operated on a site and direct visitors or customers to the use in operation. A grant of a Variance in this instance will allow the applicant to install functional signage to support the permitted use of the property.
3. **A variance may be granted without substantial detriment to the public good.** The proposed signage location will enhance the visibility of the Heritage Museum and Visitors Center and eliminate any potential traffic hazards as motorists and pedestrians will be able to identify the facility more readily. There will be no adverse effects on the neighborhood and there will be no harm to the public good.
4. **A variance may be granted without nullifying or substantially derogating from the**

intent or purposes of the Bylaw. Relief will permit placement of signs in a location that will effectively promote the use of the property. The granting of a dimensional variance in this instance is consistent with the purposes of the By-Law.

DECISION:

The application of the Hingham Historical Society for a Variance from § V-B of the Zoning By-Law to install two ground signs in the front (southwest) and left-side (west) setbacks, where only one ground sign is permitted and a 10' setback is required at 34 Main Street in Business District A and the Downtown Hingham Overlay District is hereby granted.

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (30) 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.

For the Board of Appeals,

Emily Wentworth, Zoning Administrator
September 30, 2021