TOWN OF ROCKLAND ZONING BOARD OF APPEALS APPLICATION FOR A PUBLIC HEARING

I. I/We hereby apply for a public hearing before the Zoning Board for the following:
(Check all that are applicable)
X Application for Dimensional Variance
Application for a Section 6 Finding
Special Permit for Use permissible by Special Permit
X Appeal from a Decision of the Zoning Enforcement Officer
Comprehensive Permit (Chapter 40B)
Comprehensive I ethnic (Chapter 10B)
II. Answer all of the following questions that pertain to your application:
1. Address of the property in question: <u>120 Bill Delahunt Parkway –</u>
Assessors Map 19 Lot 108, 14 lot 92, Map 19 Lot 47, Map 13 Lot 3
2. Name(s) of Owner(s) of Property: Forest Delahunt Development LLC
3. Owner's Address: <u>276 Weymouth Street,Rockland MA</u>
4. Name of Applicant(s):Forest Delahunt Development LLC
5. Address of Applicant: 276 Weymouth Street, Rockland MA
02370
6. Applicant's Phone: Home: Work: Work:
7. State the Assessor's Map #_(see Attached) and Lot # _ of the property.
8. State the Zoning District in which the property is located: <u>I-2 & R-2</u>
9. Explain in-depth what you are proposing to do: Request a waiver from the sign Bylaw to allow an 85 SF sign in the Industrial District.
See attached letter for
details
uvund

	Describe in detail any currently existing variance(s) or special permit(s) pertaining to this property. Copy/copies must be obtained at the Town Clerk's Office and must be attached to this application:
	List all applicable section of the Zoning Bylaw that pertains to this application: This section is to be filled out by the Building Inspector/Zoning Enforcement Officer.
	Initialed by ZEO: Tom Ruble
that lot a hard	If you are applying for a dimensional variance, state in detail any specific conditions a effect the shape, soil, topography or structures on your lot that specifically effects your and do not effect the zoning district as a whole, and why these conditions cause a dship to the land that warrants the grant of a variance a separate piece of paper if necessary) Not applicable
are	If this is an application for a special permit, describe in detail the permit you seeking and provide the Board with specific information as to how the proposed use will the performance standards of the Zoning By-Laws of Rockland:

Inspec	ds upon which you claim that the Zoning Enforcement Officer/ Building etor's decision was in error.
Signe	d:
_	
Owner(s)	of Record All owners must sign
Signe	d:
	Applicant(s) If Different from owner
	All applicants must sign
Signe	d:
O	d: Signature of Attorney (if any)
Date:	
The Zon	ing Enforcement Officer, for compliance with the attached
	ons, must approve this application and all relevant documentation.
<i>hirteen</i>	lpha (13) copies are then required before submission to the Town Clerk
or date	stamp.
	Tom Ruble Zoning Enforcement Officer
	Tom Ruble, Zoning Enforcement Officer Date:

Rockland Zoning Board Application Page 3 of 3

Signed:	C 20
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A. lairen	S. Monahan
All owners m	iust sign
Signed:	
Applicant(s) If	f Different from owner
All applicants	
Signed:	Attorney (if any)
Signature of A	Attorney (if any)
Date:	
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August 17, 2022

Zoning Board of Appeals C/o Town Clerk Town Hall Rockland MA02370

RE: Appeal to the Board of Appeals under RZBL 415-41 – 120 Bill Delahunt Parkway – Lovell Arena - Assessors Map 19 Lot 108, Map 14 Lot 6, Map 13 Lot 2, 14 lot 92, Map 19 Lot 47, Map 13 Lot 3 Applicant – Forest Delahunt Development LLC

Dear Board Members:

On behalf of the applicant, we hereby submit this application for a dimensional Variance and an appeal of the decision of the Zoning Enforcement Officer at the above referenced address. The applicant is seeking to appeal to the Board of Appeals under section 415-45 to appeal the refusal of the building inspector to issue a permit for erecting a sign at the above referenced address. Enclosed please find the following:

- 1. \$200 Application Fee for Special Permit and\or Variance
- 2. 13 copies of Petition application.
- 3. 13 copies of certified list of abutters
- 4. 13 copies of the Sign Plan
- 5. 1 business sized pre-addressed stamped envelope for each name on certified abutters list.
- 6. 1 business sized pre-addressed stamped envelope for each Planning Board in Surrounding Towns.
- 7. 1 certified envelope addressed to the applicant and 1 addressed to the owner with green card and white slip filled out.
- 8. Decision Mailing 1 business sized pre-addressed stamped envelope for each name on certified abutters list
- 9. Decision Mailing 1 certified envelope addressed to the applicant and 1 addressed to the owner with green card and white slip filled out

The property is located at 120 Bill Delahunt parkway Street in the I-2 District and R-2 Districts. The majority of the property is located in the I-2 zoning district. The applicant is proposing to construct a sign on the façade of the Lovell Arena that is currently under construction. The sign is an 85 SF aluminum and acrylic wall sign. Detailed sign plans are enclosed for your reference. The Zoning Bylaw only allows 24 Sf sign in Industrial districts. It is the applicant's opinion that the 24 Sf sign allowed would be too small for the size of the building and parking lot. The 24 Sf sign would be illegible from the intersection of the driveway and parking lot and would not serve the patrons as a signal that they have arrived at the Lovell Academy.

The building Enforcement Officer has refused to issue a permit to construct the wall sign as it does not conform with the bylaw. The applicant seeks a waiver from the Board of Appeals to allow the installation of a non-conforming sign at the above referenced property. It is our opinion that the Board can issue a waiver to allow the non-conforming sign as there are unique circumstances at this location and the Board has the authority to allow a non-conforming sign at its discretion.

The Zoning Board of Appeals shall give due consideration to promoting the public health, safety, convenience and welfare, encouraging the most appropriate use of land, and conserving property values, that it shall permit no building or use injurious, noxious, offensive or detrimental to a neighborhood, and that it shall prescribe appropriate conditions and safeguards in each case

The unique circumstances involving the sign at this location are as follows:

- 1. The front building elevation of the Lovel academy is 11,680 s.f. The 24 Sf sign that is allowed under the bylaw would cover 0.2% of the front façade and would be illegible from much of the parking lot. The 85 SF sign would provide better symmetry, clarity and would still only cover 0.7% of the front façade.
- 2. The sign is not visible from any roadway and will not distract drivers or be a detriment or offensive to the Town in General. Bill Delahunt Parkway is 1100 ft from the proposed sign. to the towns roadway. Forest Street is 750 ft from the proposed sign.
- 3. The sign faces the entrance and does not face toward the abutting residential uses. The closest residence is approximately 550 ft from the proposed sign. There are approximately 200 ft of mature woods between the sign and the closest dwelling. The mature woods are to be protected in perpetuity as the woodland is within a conservation restriction.

The requested waiver meets this standard for the board to exercise is discretion to allow an increase in the size of the wall sign as the increase in the size of the will not be injurious, noxious, offensive or detrimental to a neighborhood. The Board may prescribe appropriate safeguards. The applicant is willing to discuss any safeguards the Board may feel are appropriate to protect the abutters and the community.

The requested variance meets this standard. By allowing the proposed access the Board will have improved impacts to the abutters and the Town of Rockland. The access improves traffic, noise, vibration and its affects by allowing the access to be located from Bill Delahunt Parkway instead of its frontage that is located in the R-2 Zoning District.

The Board may grant a Variance if all 4 statutory findings have been proven by the applicant.

The statutory findings are met as follows:

There are circumstances relating to the soil conditions, shape or topography which especially affect the land or structure in question, but which do not affect generally the zoning district in which the land or structure is located; This is an Industrial Zoned property that has frontage in a residential Zone. There are significant wetland resource areas on the residential portion of the property. The lot is an extremely odd shape. The topography of the property changes from elev 168 at the entrance to el=140 at the building, a drop of 28 ft.

That due to those circumstances especially affecting the land or structure, literal enforcement of the provisions of the zoning bylaw would involve substantial hardship, financial or otherwise, to the Petitioner. Literal enforcement of the 24 SF wall sign would create a potentially dangerous condition for vehicle operators to locate and view the sign from the entrance of the parking lot. The larger sign will allow operators to locate the sign to confirm they have arrived at the correct destination or not more quickly allowing the operator to get their eyes back on the roadway sooner. Literal Enforcement of this provision would pose a substantial financial hardship as the value of the property would be diminished.

That the desired relief may be granted without substantial detriment to the Public good. Relief would not be a detriment to the public good. As descried above, the sign will not be visible from abutting roadways. It will be located a significant distance from abutting residences and it is faced away from the residences.

The desired relief may be granted without nullifying or substantially derogating from the intent or purpose of the bylaw. The intent of the bylaw is to protect the town and abutters from injurious, noxious, offensive or detrimental to a neighborhood. The sign as designed is located to face away from abutters. It is not visible from abutting roadways. The sign covers less than 1% of the front building elevation and will not be injurious, noxious, offensive or detrimental to a neighborhood.

Please notify us of the scheduled hearing at your earliest convenience.

If you have any questions please do not hesitate to call.

Sincerely,

GRADY CONSULTING, L.L.C.

Kevin Grady Project Engineer

Forest Delahunt Development LLC 276 Weymouth Street Rockland MA 02370

J:\2017\17-276\Signage\#120 Bill Delahunt\ZBA - Signage - Appeal of the Zoning Enforcement Officer - 120 Bill Delahunt.doc

RECORD OWNER(S):
ASSESSOR MAP 19 LOT 108
120 BILL DELAHUNT PARKWAY
Forest Delahunt LLC
Certificate 131245

ASSESSOR MAP 14 LOT 92 0 BILL DELAHUNT PARKWAY FOREST DELAHUNT DEVELOPMENT LLC DEED BOOK 54183 PAGE 246 PLAN BOOK 64 PAGE 822

ASSESSOR MAP 19 LOT 47 0 FOREST STREET FOREST DELAHUNT DEVELOPMENT LLC CERTIFICATE 131245 LC PLAN 35481A

ASSESSOR MAP 13 LOT 3 338 FOREST STREET FOREST DELAHUNT DEVELOPMENT LLC DEED BOOK 53980 PAGE 301 PLAN BOOK 25 PAGE 423



TOWN OF ROCKLAND Building Department 242 Union Street Rockland, M Tel 781-871-0596

	No. 1		
1A 02370			
Fax 781-	616-	6824	

Permit No.						
			: :			
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Fee.				·		

APPLICATION FOR SIGN PERMIT

	Date 7/13/22
To the INSPECTOR OF BUILDINGS;	
The undersigned hereby applies for a Sign Permit the Massachusetts State Building Code.	according to the Sign By-Laws of the Town of Rockland and
Location of Sign 120 Bill Delahunt Parl	
	velapment LLC Tel. No. 617 771 5780
Address 276 Wcymouth Str	cet Cochland MA 02370
Name of Contactor is CADWELL design	1 + 3191 Tel No. 508-429-3100
Address 241 Kuniholm Drive	BID#3 Holliston MA 01746
Type of Sign is: Wall, Free standing po	ole or ground sign, Roof, Letter,
Projecting, Marquee	, Temporary 🗆 60 days 🗀 120 days, Awning,
Directional, Combinati	on, Electric,
Refacing	, Electronic
Aluminum CombinationAss.ylic	Plastic , Glass , Size 85 SF (Surface Area) 175"W x 133" H
Type of Support or Attachment: Sice \ Angle	tron + 4" X4" Steel Tube
ESTIMATED COST (Must Be Answered) \$	
Map 19 Lot 108	Zoning I-12
Signature of Owner or Authorized Representative:	
	Tel. No
Building Department Town of Rockland, MA	Approved(Inspector of Buildings)
January 2015	Date

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TOWN OF ROCKLAND



Board of Assessors

Town Hall 242 Union Street Rockland, Massachusetts 02370

July 21, 2022

CERTIFIED ABUTTERS LIST OF MAP/PARCEL 13-3, 14-92, 19-47 & 19-108 120 BILL DELAHUNT PARKWAY

BOARD - ZBA

REQUIREMENTS – Abutters, next abutter within 300 ft and directly across a public or private street or way.

CERTIFIED BY:

Annette Murray- Administrative Assistant

Parcel ID	Owner	Location	Mailing Street	Mailing City, ST & ZIP
13-3	FOREST HUNT DEVELOPMNT LLC	0 BILL DELAHUNT PKWY	276 WEYMOUTH ST	ROCKLAND, MA 02370
14-92	FOREST DELAHUNT DEVELOPMNT LLC	80 BILL DELAHUNT PKWY	129 JACOBS LN	NORWELL, MA 02061
19-47	FOREST DELAHUNT DEVELOPMNT LLC	0 FOREST ST	276 WEYMOUTH ST	ROCKLAND, MA 02370
19-108	FOREST DELAHUNT DEVELOPMNT LLC	120 BILL DELAHUNT PKWY	276 WEYMOUTH ST	ROCKLAND, MA 02370
7-3-A	MASS DOT ON BEHALF OF TOWN OF ROCKLAND CONSERVATION	0 BILL DELAHUNT PKWY	242 UNION ST	ROCKLAND, MA 02370
13-1	FOREST DELAHUNT DEVELOPMNT LLC	0 FOREST ST	129 JACOBS LN	NORWELL, MA 02061
13-4	DEAGLE ANNETTE	340 FOREST ST	340 FOREST ST	ROCKLAND, MA 02370
13-5	DAMASCENO JAIDER L	350 FOREST ST	350 FOREST ST	ROCKLAND, MA 02370
13-813	LSTAR SOUTHFIELD LLC	0 ROCKLAND	ATTN: STEVE VINING 516 N WEST ST	RALEIGH, NC 27603
13-853	LSTAR SOUTHFIELD LLC	0 ROCKLAND	ATTN:STEVE VINING 516 N WEST ST	RALEIGH, NC 27603
13-859	NATIONAL PARK SERVICE US DEPT OF THE INTERIOR	0 ROCKLAND	15 STATE STREET	BOSTON, MA 02109
13-860	NATIONAL PARK SERVICE US DEPT OF THE INTERIOR	0 ROCKLAND	15 STATE STREET	BOSTON, MA 02109
13-864	NATIONAL PARK SERVICE US DEPT OF THE INTERIOR	0 ROCKLAND	15 STATE STREET	BOSTON, MA 02109
13-876	LSTAR SOUTHFIELD LLC	0 ROCKLAND	ATTN:STEVE VINING 516 N WEST ST	RALEIGH, NC 27603
14-1	MASS DOT ON BEHALF OF TOWN OF ROCKLAND CONSERVATION	0 BILL DELAHUNT PKWY	242 UNION ST	ROCKLAND, MA 02370
14-2	MORIARTY ROBERT D & MORIARTY KATIE	368 FOREST ST	368 FOREST ST	ROCKLAND, MA 02370
14-3-370	CONNOLLY MATTHEW C/O CONNOLLY MATTHEW TRUSTEE	370 FOREST ST	370 FOREST ST	ROCKLAND, MA 02370

TOWN OF ROCKLAND



Board of Assessors

Town Hall 242 Union Street Rockland, Massachusetts 02370

14-3-372	CATALONI CHARLES G III & DEBRA	372 FOREST ST	372 FOREST ST	ROCKLAND, MA 02370
14-3-380	CORNER RUSSELL C & JANET W	380 FOREST ST	380 FOREST ST	ROCKLAND, MA 02370
14-3-382	FIELD LEONARD C JR & CAROLINE A	382 FOREST ST	382 FOREST ST	ROCKLAND, MA 02370
14-4	WENZ DANIEL R	392 FOREST ST	392 FOREST ST	ROCKLAND, MA 02370
14-5	FRAZIER DAVID G & MARY L	400 FOREST ST	400 FOREST ST	ROCKLAND, MA 02370
14-6	CASA DEVELOPMENT INC	0 BILL DELAHUNT PKWY	20 WINTHROP SQ	BOSTON, MA 02110
14-7	JACKSON GREGORY & ELYSEE CAROLE	416 FOREST ST	416 FOREST ST	ROCKLAND, MA 02370
14-8	GREENE HERBERT T & MAUREEN A	428 FOREST ST	428-B FOREST ST	ROCKLAND, MA 02370
14-9	NAUGHTON JOSH J	436 FOREST ST	436 FOREST ST	ROCKLAND, MA 02370
14-10	MCCARTHY ALEX C & GASSETT EMMA	452 FOREST ST	452 FOREST ST	ROCKLAND, MA 02370
14-76	EASTMAN TODD W & MELISSA L	399 FOREST ST	399 FOREST ST	ROCKLAND, MA 02370
14-77	GILDEA SEAN J	405 FOREST ST	405 FOREST ST	ROCKLAND, MA 02370
14-92-A	MASS DOT ON BEHALF OF TOWN OF ROCKLAND CONSERVATION	0 BILL DELAHUNT PKWY	242 UNION ST	ROCKLAND, MA 02370
14-106	CASA DEVELOPMENT INC	0 BILL DELAHUNT PKWY	20 WINTHROP SQ	BOSTON, MA 02110
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18-61	TRAINI R TR OF MOSAIC LEND TR	1059-REAR UNION ST	404 SO HUNTINGTON AV	BOSTON, MA 02130
19-27	ZOTOV ALEKSANDR & IRINA	2 STANLEY AV	2 STANLEY AV	ROCKLAND, MA 02370
19-28	QUIN TRACY P	18 STANLEY AV	18 STANLEY AVE	ROCKLAND, MA 02370
19-29	LEARY BARBARA A M	20 STANLEY AV	20 STANLEY AVE	ROCKLAND, MA 02370
19-30	CHENEY RUSSELL M & CHENEY NADINA M	26 STANLEY AV	26 STANLEY AVE	ROCKLAND, MA 02370
19-41	AHMED GHADA & RABAB	184 FOREST ST	184 FOREST ST	ROCKLAND, MA 02370
19-43	OROURKE MICHAEL B	194 FOREST ST	194 FOREST ST	ROCKLAND, MA 02370
19-44	KHOURI JULIE A TRUSTEE KHOURI FAMILY LIVING TRUST	216 FOREST ST	216 FOREST ST	ROCKLAND, MA 02370
19-46	MAHAR PAMELA A	238 FOREST ST	238 FOREST ST	ROCKLAND, MA 02370
19-48	FOREST DELAHUNT DEVELOPMNT LLC	272 FOREST ST	276 WEYMOUTH ST	ROCKLAND, MA 02370

TOWN OF ROCKLAND



Board of Assessors

Town Hall 242 Union Street Rockland, Massachusetts 02370

19-49	KEOUGH DEBRA E	274 FOREST ST	274 FOREST ST	ROCKLAND, MA 02370
19-50	PUGLISI DAVID E	312 FOREST ST	312 FOREST ST	ROCKLAND, MA 02370
19-51	CONNORS JOHN E & CATHERINE T	330 FOREST ST	330 FOREST ST	ROCKLAND, MA 02370
19-59	APPLEGATE DANIEL J & BARBARA E	295 FOREST ST	295 FOREST ST	ROCKLAND, MA 02370
19-60	MAHONEY LINDA	287 FOREST ST	287 FOREST ST	ROCKLAND, MA 02370
19-61	DEPIPPO JOHN C	279 FOREST ST	279 FOREST ST	ROCKLAND, MA 02370
19-63	NICHOLS RICHARD M & JILL ANN	361 PLEASANT ST	361 PLEASANT ST	ROCKLAND, MA 02370
19-99	MAHONEY LINDA R/ TRUSTEE SIDE LOT NOMINEE TRUST	0 FOREST ST	287 FOREST ST	ROCKLAND, MA 02370
19-103	TOWN OF ROCKLAND HOWLAND PARK	0 PLEASANT ST	242 UNION ST	ROCKLAND, MA 02370
19-110	KENNEDY KARLA A & MAGUIRE MICHAEL P	200 FOREST ST	200 FOREST ST	ROCKLAND, MA 02370

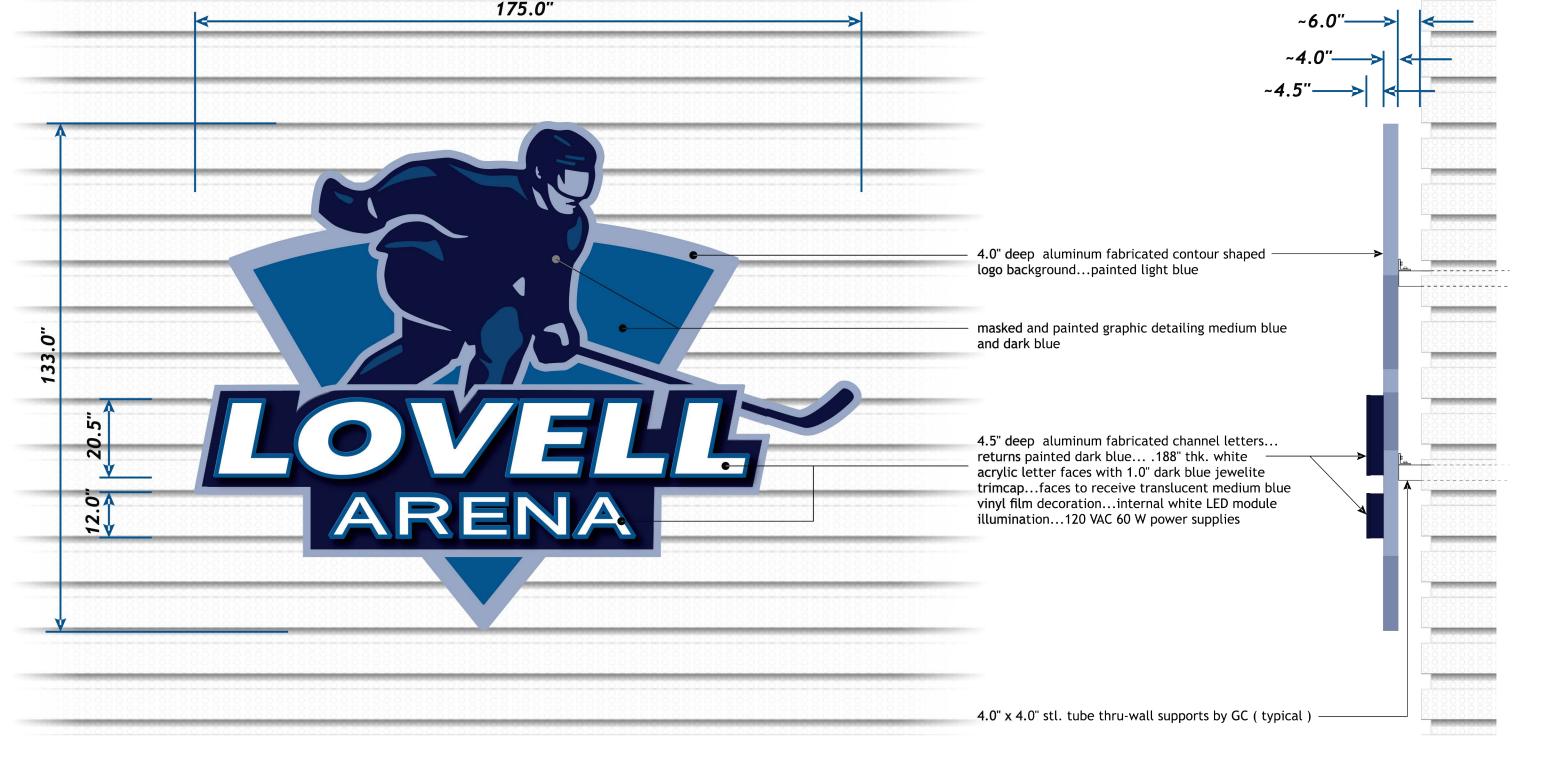
Planning Boards: Rockland, Abington, Whitman, Norwell, Hanson, Hanover, Hingham & Weymouth:

Rockland Board of Assessors (Notice of decision only)

The above constitutes a complete list of all parties in interest as found in the most recent tax list, pursuant to Chapter 40A, Section 11, of the General Law.

Any person or entity that is requesting an abutters' list where the subject property abuts or is located within 300 feet of the town's boundary line with another town is advised to obtain a certified abutters' list for abutters and abutters to abutters within 300 feet in the adjoining town.

LIST IS VALID FOR 90 DAYS



(1)...SF Wall Sign with Internally Illuminated Channel Letters....NTS



This is an original, unpublished drawing created by Cadwell Products Company, Inc. It is submitted for your personal use in conjunction with a project being planned for you by Cadwell Products Company, Inc. It is not to be shown to anyone outside of your organization, nor is it to be used or exhibited in any fashion.

Internally Illuminated Wall Sign

REVISED: XXXX

REVISED:

DATE: 03.28.22

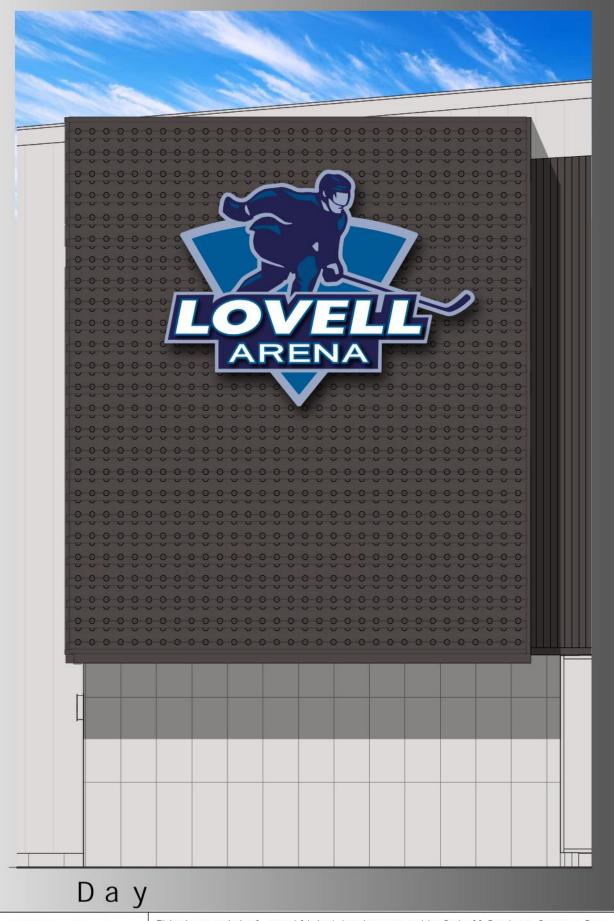
REVISED: XXXX

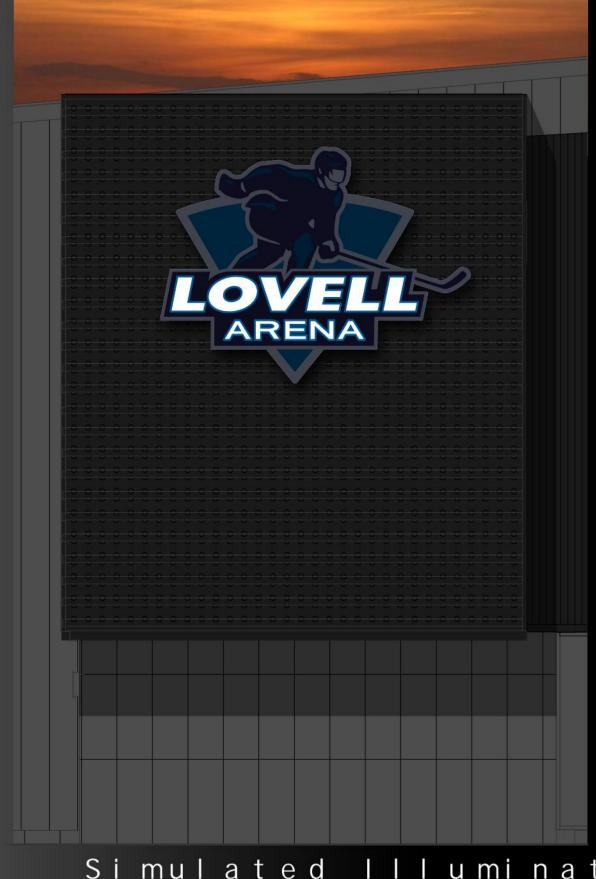
Lovell Arena

Delahunt Parkway Rockland, MA

SHEET: 1 OF 3 DRAWN BY: LH

DATE: Customer approval:





Simulated III umination a

CA	D۷	V	ELL	
desi	gn	+	sign	

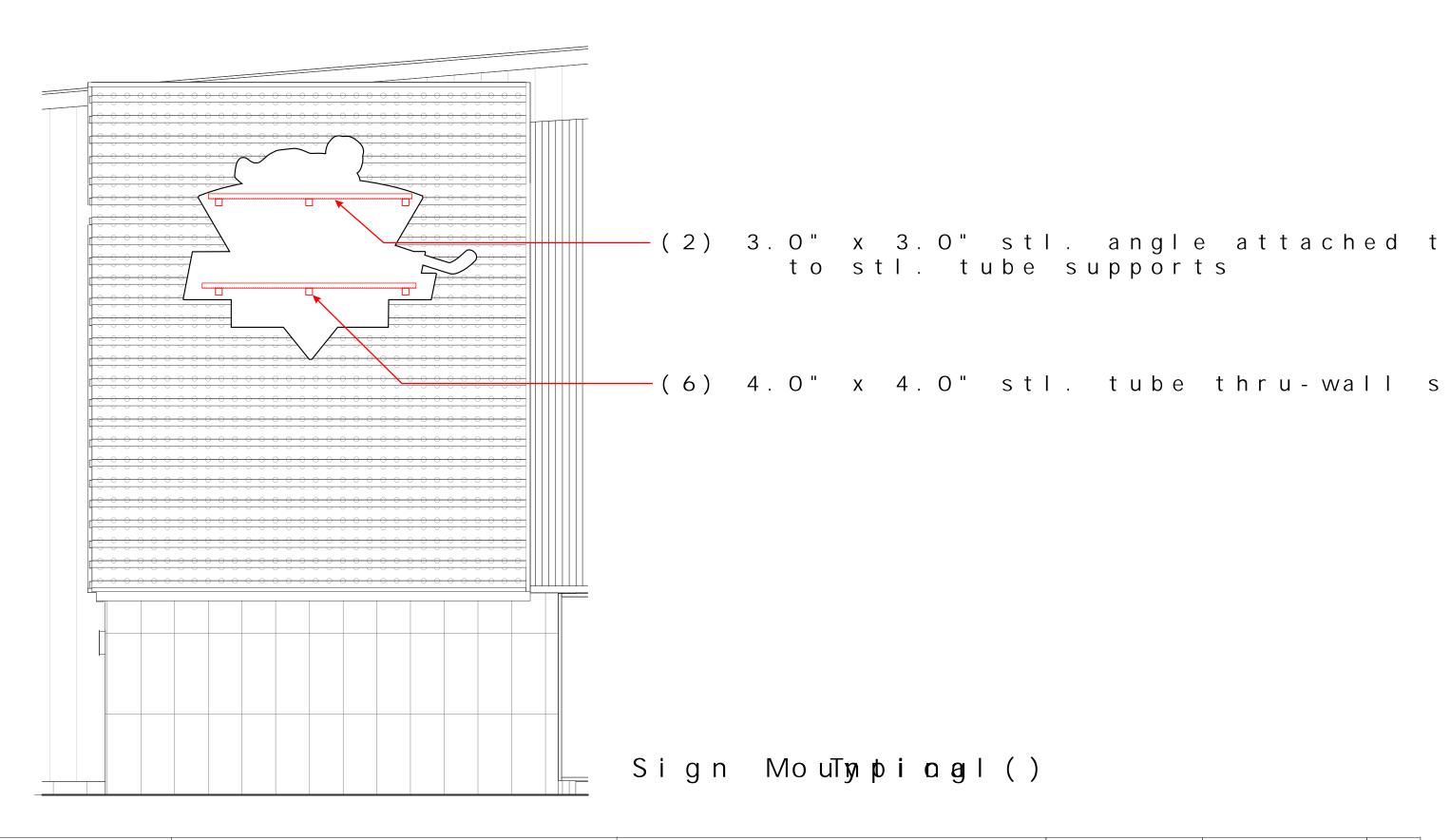
your brand | our purpose

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It is submitted for your personal use in conjunction with a project being planned	
for you by Cadwell Products Company, Inc. It is not to be shown to anyone outside	
of your organization, nor is it to be used or exhibited in any fashion.	

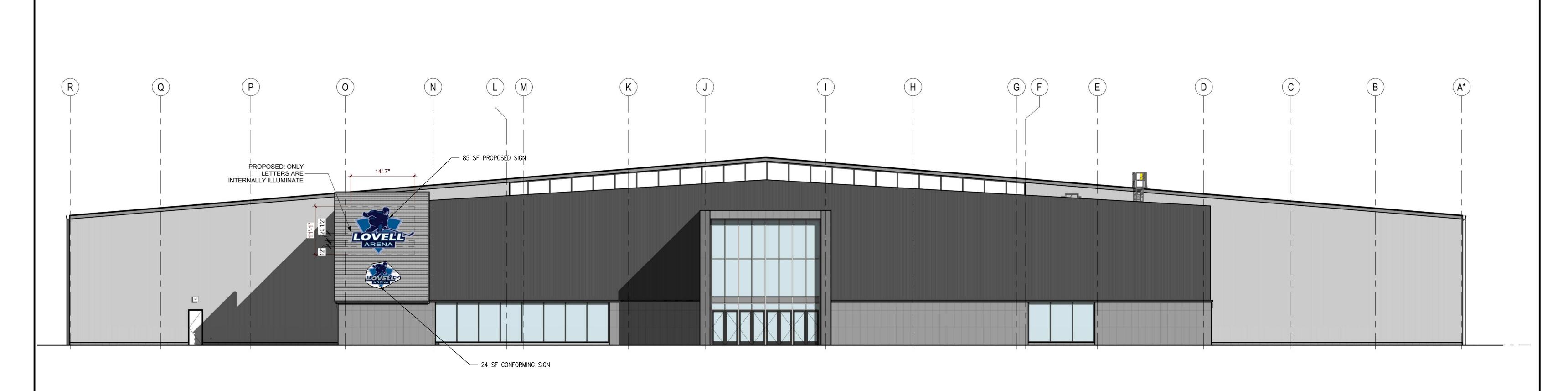
DATE:	REVISED:	XXXX	
REVISED:	REVISED:	XXXX	

Customer approval: DATE:_

DRAWN BY:



CADWELL	This is an original, unpublished drawing created by Cadwell Products Company,Inc It is submitted for your personal use in conjunction with a project being planned		DATE:	REVISED: XXXX	
design + sign	for you by Cadwell Products Company, Inc. It is not to be shown to anyone outside of your organization, nor is it to be used or exhibited in any fashion.		REVISED:	REVISED: XXXX	
your brand our purpose		DRAWN BY:	Customer approval:_	DATE:_	



SOUTH ELEVATION - UPDATED WITH NEW SIGNAGE
3/32" = 1'-0"

TROIKA

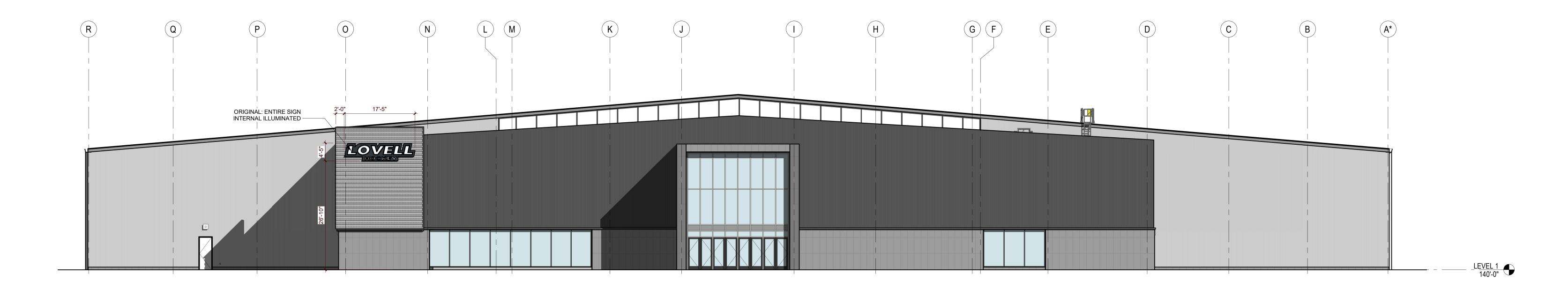
FRONT ELEVATION - BUILDING SIGNAGE LOVELL ARENA

120 BILL DELAHUNT PARKWAY, ROCKLAND, MA

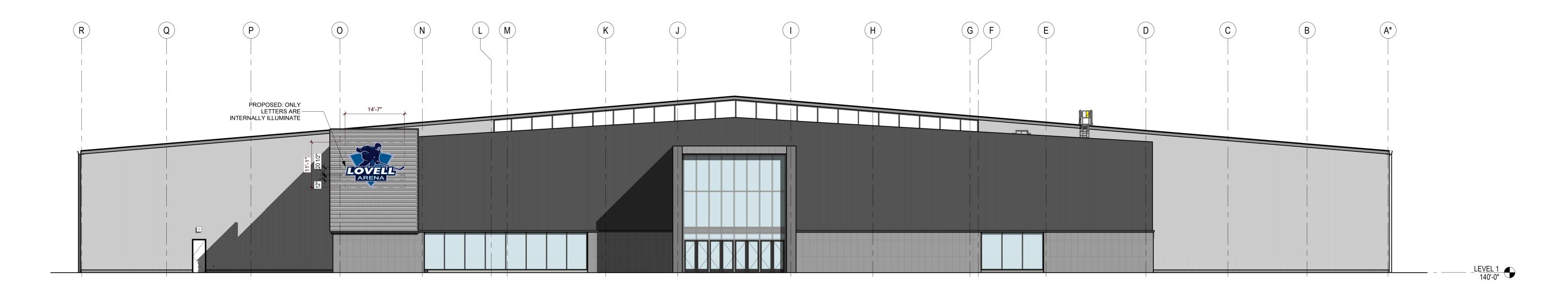
Scale 1" = 10'

SIGN EXHIBIT PLAN





SOUTH ELEVATION - ORIGINAL PROPOSED 3/32" = 1'-0"



SOUTH ELEVATION - UPDATED WITH NEW SIGNAGE 3/32" = 1'-0"

