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ZONING BOARD OF APPEALS

KATHARINE E. TOY
Administrative Secretary
Telephone
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Petition of Old Colony Bank

Pursuant to due notice the Special Permit Granting Authority held a public hearing in the hearing room on the second floor of the Town Hall at 8:25 p.m. on November 30, 1978, on the petition of Old Colony Bank, requesting a special permit, under the provisions of Section XXIIIA, Part C. Subpart 3. (a) 2. and 4. and Section XXV of the Zoning By-law, which will allow the erection of a wall sign on the building at 180 Linden Street, owned by F. Diehl & Son. Said sign would violate Section XXIIIA Part C., Subpart 3 (a) 2 and 4, which limits the size, colors and lighting of wall signs.

On November 15, 1978, the petitioner requested a hearing before this Authority and thereafter due notice of the hearing was given by mailing and publication.

Francis McCormack, a representative from the Old Colony Bank, explained in detail the need for the proposed sign.

Statement of Facts

The property involved is located on the northerly side of Linden Street, in an Industrial District. There is a large building on the site which has been owned and occupied by F. Diehl & Son, a supplier of building materials, fuel oil, etc., for over seventy-five years.

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The petitioner recently leased a portion of the building and seeks permission to erect a sign to identify its new location. It was explained that there are three areas where the proposed sign as designed, will not comply with the Sign Code, namely, the size, illumination and the number of colors. The proposed sign is to be a wall sign 4' x 25', which will exceed the limitation of fifty square feet under the Code. It was stated that it is essential to establish the petitioner's identity within the building involved, which has traditionally been known to local residents by a proper name, i. e. Diehl's. It was further stated that the facade of the building is so large in comparison to the portion of the building which the petitioner will be occupying, and the existing sign identifying Diehl's is so impressive, that it is felt, a sign of the size permitted by the Code would cause hardship to the petitioner.

The proposed sign, it was further stated, represents a standard which is used for the common identity of all the petitioner's banking offices. To maintain this standard identity, permission therefore is sought for illumination from within and for a third color. The basic color of the sign will be dark brown and it will have white letters, with the logo, which is an eagle, in gold color. It was pointed out that while a smaller sign could be seen by any one across the street, it could not be seen by those approaching from an easterly or westerly direction, due to the angle from which it would be viewed.

The petitioner feels that the design of the sign, including the method of illumination, is in good taste and is compatible with the general character of the building and the Linden Street shopping area.

A plan of the proposed sign was submitted which showed its proposed location on the building, size and colors.

Decision

The Authority has made a careful study of the evidence submitted, studied the plan and taken a view of the locus. In its opinion, the proposed sign would not be in harmony with the general purpose and intent of the Zoning By-law, a finding it must make under the provisions of Section XXV of the Zoning By-law. The Authority believes that a sign can be designed, smaller in size, which will provide adequate identification for the petitioner's new location, and meet the size limitations of the Sign Code. It is the further belief of this Authority, that due to the size of the existing sign on the building identifying the owner's business, to allow a sign as proposed, would be contrary to the intent and purpose of the Zoning By-law governing signs.

Therefore, the petition is denied.

Francis L. Swift

Francis L. Swift

William O. Hewett

William O. Hewett

William F. Cullinane

William F. Cullinane

Filed with Town Clerk _____

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Copies of the decision and all plans referred to in this decision have been filed with the Planning Board and with the Town Clerk.