

Office Use Only

Filed with Town Clerk

(Time Stamp)

2024 MAR 27 AM 11:02

TOWN CLERK

Case Number: 24-2

Decision Due: May 8, 2024

Received By Board

(Date Stamp)

MAR 27 2024

HANOVER CDMI
Planning

Application Form

The undersigned hereby petitions (or appeals to) the Board of Appeals for a hearing and decision on the following:

Applicant / Petitioner Information

Name	HEATHER HOPKINS DUDKO (FOR: SIGN EFFLUIS)
Address	27 OLD MEETINGHOUSE ROAD
Telephone	AUBURN, MA 01501
Fax (optional)	(508) 612-6954
Email Address (optional)	hwoodhopkins@charter.net
Owner of Record & Address (provide Title)	REALTY INCOME CORPORATION
<input type="checkbox"/> Same as Applicant	11995 EL CAMINO ROAD
<input checked="" type="checkbox"/> Other (Please identify name, address, and phone)	SAN DIEGO, CA 92130

Application / Petition Type

Check appropriate box.

In the instructions, see the Required Findings. Attach proof of the four (4) prerequisites in a detailed explanation along with any significant support or documentation.

☒ Petition for Variance

☐ Application for Special Permit

☐ Application for Construction & Erection of Wireless Telecommunications Tower

☐ Application for Installation of Wireless Telecommunications Antennae on Existing Towers

☐ Notice of appeal from Order or Decision of Building Inspector or other Administrative Official Indicate date of order or decision being appealed here: _____ Title of Administrative Official: _____ (Attach a copy of the applicable order or decision hereto.)

☐ Notice of appeal from Order or Decision of Sign Officer as indicated in Hanover Sign Bylaw. Indicate date of order or decision being appealed here: _____ (Attach a copy of the applicable order or decision hereto, along with a copy of the original application for sign permit.)

Project Locus & General Information

Address(s) (List All Street Numbers & Street Names)

272 COLUMBIA ROAD

Map & Lot Number(s)

(Use "Two-Digit Dash Three-Digit" Format available from Assessors Office. Example: 12-345)

57/56/5

Status of Wetlands (WPA - M.G.L. Ch. 31, S. 40)

☐ Present On Property ☐ Within 100 ft. ☒ Not Applicable

Status of Flood Plain & Flood Zones	<input type="checkbox"/> Present On Property <input checked="" type="checkbox"/> Not Applicable
Status of Site Plan Review	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required <input type="checkbox"/> Limited Review Requested
Zoning District(s) (Check all that apply) (* Indicates Overlay District) († Proposed overlay for applicable projects)	<input type="checkbox"/> Residence A District <input type="checkbox"/> Planned Shopping Center District <input type="checkbox"/> Business District <input type="checkbox"/> Commercial District <input type="checkbox"/> Industrial District <input type="checkbox"/> Limited Industrial District <input type="checkbox"/> Fireworks District <input type="checkbox"/> Aquifer Protection Zone <input type="checkbox"/> Well Protection Zone * <input type="checkbox"/> Flood Zone * <input type="checkbox"/> Wireless Telecommunications District * <input type="checkbox"/> Village Planned Unit Development (VPUD) †

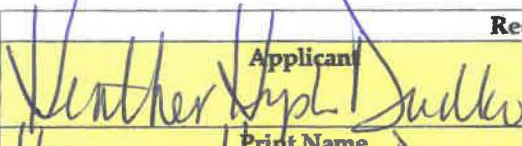

Filing Details (List all Applicable By-Law Sections.)

SIGN BYLAW - ARTICLE 7.2 - NUMBER OF ATTACHED SIGNS IS LIMITED TO 1 PER SIDE OF BUILDING UNLESS THERE IS MORE THAN 1 PUBLIC ENTRANCE.

- ROCKLAND TRUST PROPOSES TO ADD 2 WALL SIGNS TO THE BUILDING (WHERE THERE IS NO ADDITIONAL PUBLIC ENTRANCE)
- (A) "SERVING LOCAL COMMUNITIES SINCE 1907" c 31A
 (B) "WHERE EACH RELATIONSHIP MATTERS" c 14A

NOTE: THERE ARE TWO EXISTING "ROCKLAND TRUST" WALL SIGNS THAT WILL REMAIN AS IS ON THE BUILDING.

☐ Is this filing related to a current or pending filing before another Town Board or Department? If so, check here and provide reference information for such filing(s).

Required Signatures	
Applicant  Print Name HEATHER HOPKINS DWYKO	Owner  Print Name Stephen Carroll

508-612-6954.
 hwoodhopkins@charter.net.

Stephen Carroll
 Senior Vice President
 Director of Corporate Services
 Rockland Trust Company



VIA : stephen.carroll@rocklandtrust.com

July 14, 2023

Rockland Trust Company
Stephen Carroll
288 Union Street
Rockland, MA 02370

Re: **Rockland Trust**
272 Columbia Rd, Hanover, MA 02339 ("Premises")
Our File # 3872

Sbj: **Proposed Installation of Signage**

Dear Stephen Carroll,

Rockland Trust Company, as "Tenant" under the lease agreement for the Premises dated on or about May 1, 2008 (if and as amended and/or assigned, the "Lease"), proposes to apply for a permit to install certain signage ("Signage") on or about the Premises, all as more particularly set forth in that certain e-mail dated July 14, 2023.

Realty Income Corporation, on behalf of itself or as manager of the "Landlord" under the Lease, consents to such Signage, subject to Tenant's compliance with all of the following:

1. The Signage, and all maintenance, repairs and replacements thereof, shall comply with the applicable provisions of the Lease.
2. The Signage, and any maintenance, repairs and replacements thereof, shall be accomplished in a good, quality workmanlike manner, in compliance with all applicable rules, regulations, laws, codes and/or ordinances affecting the Premises, and shall be authorized or permitted by any governmental authority(ies) having jurisdiction over the Premises, if and as required. Tenant shall deliver to Landlord copies of such approvals or permits prior to installing the Signage.
3. The Signage, and any maintenance, repairs and replacements thereof, shall comply with any and all covenants, conditions, restrictions, easements, rights of way, and other matters of record encumbering or affecting the Premises (collectively, "Restrictions"). In connection therewith, Tenant shall have the affirmative obligation, at Tenant's sole cost and expense, to notify, and/or obtain any consents and/or approvals from, the declarant, CAM manager or other third party whose notification, consent and/or approval may be required under any Restrictions. Tenant shall deliver to Landlord copies of such notifications, consents and/or approvals prior to installing the Signage.
4. Without limiting any indemnification by Tenant of Landlord under the Lease, Tenant shall indemnify, defend and hold harmless Landlord from and against any and all suits, claims, actions, damages, liability, and expenses in connection with (i) personal injury, and/or

07/14/2023
Stephen Carroll
Rockland Trust
Page 2 of 2

property damage relating to or arising from the Signage, and/or (ii) any violation (or alleged violation) of the Lease, applicable laws, and/or Restrictions.

This letter is not an amendment or modification to the Lease.

If you have any questions, please contact me.

Sincerely,

REALTY INCOME CORPORATION

A handwritten signature in black ink, appearing to read 'J. Cortes', with a stylized flourish at the end.

Jennica Cortes
Property Manager

Subject: 272 Columbia Rockland Trust
Date: Tue, Dec 12 2023 01:04 PM
From: Joseph Stack<joseph.stack@hanover-ma.gov>
To: hwoodhopkins@charter.net

Heather,

Unfortunately I need to deny this signage application. Per our sign By-Laws Article 7 Accessory Signs 7.2 the number of attached signs is limited to 1 per side of the building unless there is more than 1 public entrance on the side in question.

Thanks

Joe Stack, Manager CDMI

Building Commissioner

Assistant Health Agent

781-826-5000 ex 1007

Rockland Trust – Hanover Variance Statutory Responses



- That 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.

The topography of the property and configuration of the buildings within the Columbia Retail Center negatively impact Rockland Trust's drive-up banking services and the ability of the organization to effectively attract prospective customers and generate new business leads and increased growth activity. Vast and obstructive landscaping (vegetation) and tall trees along Columbia Road inhibit sight lines and quick visual awareness to the bank property (plaza endcap suite), which leads to decreased knowledge of the business with regard to all passerby in both directions on Columbia Road. Further, access to drive-up banking requires customers to awkwardly enter the property from the adjacent business complex, and as a result on the indirect point of ingress and straightforward navigation into the drive-up lanes, the bank is hindered in their outward ability to establish and foster new customers and building high(er) volume business banking relationships with business owners, residents/community members.

- That due to those circumstances especially affecting the land or structure; literal enforcement of the provisions of the zoning ordinance or bylaw would involve substantial hardship, financial or otherwise to the petitioner or appellant.

Exterior bank signs serve as the initial point of contact for both prospective and current customers. Under the current sign code, and because of the physical circumstances and visually obstructive conditions of the property, it is currently not possible for the business in question to be adequately signed and easily visible and accessible to the community. Strict conformance to sign code thereby results in reduced business activity that puts undue hardship and burden on the applicant, which hampers their ability and full potential capacity to generate new business activity, grow within the community, and hire new employees from within the community. Authorization of the variance is, therefore, necessary to enable the business to experience their full potential, as a community-oriented service provider, and achieve their quarterly and annual OKRs, KPIs, and other business goals. Increased visibility is directly proportional to driving new business as part of the organization's growth strategy. This leads to job growth, which allows the bank to provide new and critical products and services to the community. The overall community is thereby benefiting from job growth, and the local financial products and services that entail real face-to-face interactions with neighbors, friends, and local business owners, and families.

Community outreach is an essential part of any businesses mission, especially a bank that is so depended upon in terms of financial management for families and small and local businesses. A bank's outdoor signage plays a crucial role in building awareness about the positive contributions they make to the local community in helping homeowners and businesses thrive and prosper. Rockland Trust supports countless local charities and organizations, and provides best-in-class financial services; and their signs can highlight their community commitment in terms of making a meaningful impact in the lives of those they serve.

A bank is more than just a place where financial transactions occur; it's a close-knit community where individuals find financial support, friendship, and a profound sense of belonging. A bank's outdoor sign serves as a daily reminder that they are part of a caring for all, and that they are a valued presence because of their critical role and contribution in the respective community or region they serve.

Rockland Trust – Hanover Variance Statutory Responses

Moreover, a bank sign is not just a decorative feature, but a valuable tool for strengthening the community and connecting with others. It invites, informs, inspires, and nurtures a sense of community among members and newcomers (prospective customers) alike. It strengthens the bank's outreach and communication efforts, and visually represents a message of trust, dependency, and chance to foster community connections and sustainable growth and guidance. With their exterior brand presence currently obscured and extremely metered by the roadway vegetation and plaza ingress challenges, there is a respectful request at stake here to help ensure better brand expression and recognition out to vehicular passerby. The significance of bank signage is paramount in today's day and age with the fiercely competitive landscape of the financial sector. Rockland's brand identity inspires trust, and is integral to the overall customer experience that is depended on.

- That desirable relief may be granted without substantial detriment to the public good.

The Columbus Retail Center is the only business plaza along Columbia Road where the landscaping and topographical elements (trees/shrubs) hinder business visibility and clean and direct sight lines from the public and community. The primary access to the bank's drive-up area is via an ingress point associated with the adjacent plaza, which requires an indirect and potential hazardous navigation to the bank drive-up lanes. In this case, granting the variance for the **proposed non-illuminated** signage does not cause any substantial detriment to the community as the signs are designed to tactfully and modestly increase business awareness and identity without negatively impacting the neighboring tenants and businesses in the immediate contextual vicinity.

- That desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the zoning ordinance or bylaw.

In general, the purpose of the sign codes and ordinances are to provide for a safe, well-maintained, vibrant, and attractive city/town and community alike while accommodating the protected rights of individuals and entities to inform, direct, identify, advertise, advocate, promote, endorse, and otherwise communicate business identification information through signs. The addition of these signs will, in no way, nullify nor denigrate from this intent. This is an atypical and unique condition in which primary visibility and access to the bank branch is limited by the obstructive topography. By granting this variance, the town acknowledges this constraining condition, and recognizes the situational dynamics with respect to the impacts and benefits, and hereby seeks to provide relief by approving the petitioner's request, as applied for without further amendment.