



TOWN OF HINGHAM

Board of Appeals

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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, Hingham, MA 02043

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

Plans Reference: "Derby St. Shops Signage Criteria – Updated August 2026".

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") for a Modification of the Special Permit A1 and Variance Decision, originally issued February 10, 2003, as amended, under §V-B of the Zoning By-Law in order to update and amend the applicable Tenant Signage Criteria within the Derby Street Shops Shopping Center located at 90-100 Derby Street in the Industrial Park and South Hingham Development Overlay Districts.

The Board heard the application at a duly advertised and noticed public hearing on Tuesday, August 11, 2026, during a meeting held via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 and all other applicable laws temporarily amending certain provisions of the Open Meeting Law. The Board of Appeals panel consisted of regular members Jed Ruccio, Acting Chair, Paul K. Healey and Associate Member, Mario Romania, Jr. The Applicant's Agent, 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 Board voted unanimously to grant the Modification amendments of the Derby St. Shops Signage Criteria.

Throughout its deliberations, the Board was mindful of the statements of the Applicant and the comments of the general public, all as made or received at the public hearing.

BACKGROUND & DISCUSSION

The intent of the 2026 application was to update and amend the existing Derby Street Signage Criteria document. In addition to clarifying and updating the allowed signage within the Shopping Center, the application also proposed to consolidate multiple special permit and variance modifications into a single permit. A similar application to consolidate the existing signage permits at Derby Street came before the Board in 2020. The 2026 application proposes to do the same in regards to permit consolidation, but also requests to incorporate previously approved signage to the existing document for ease of reference. Amendments were also proposed to the existing signage criteria.

The Zoning Board of Appeals approved the Phase II decision on February 10, 2003. That decision approved / established the Signage Criteria for tenants. Condition 1 of the Phase II decision, also approved site signage, as well as other types of signage, but was never a part of the Derby Streets signage criteria document. The Applicant would now like to amend the existing criteria to include that language.

Condition 1 of the Phase II decision reads as follows:

Subject to item number 4 below relating to the pylon sign, this Decision incorporates the two documents entitled "Supplemental Sign Regulations for Derby Street Shoppes" and "Tenant Sign Design Criteria", each dated as of January 30, 2003 and prepared by ADD Inc., and the renderings submitted by the Applicant therewith (collectively, the "Sign Package") submitted by the Applicant to the Board. All signage at the Premises shall be consistent with the Sign Package. Except for the signage relief expressly granted in this decision, the Applicant's signage for the project shall at all times comply with both the requirements of the Zoning By-Law and the Sign Package. To the extent that any provisions of the Zoning By-Law and the Sign Package conflict, the more restrictive of the two shall govern.

In addition incorporating the Site/Property Criteria into Tenant Signage Criteria, the Applicant also requested the following amendments to the existing Tenant Signage Criteria and the Site/Property Criteria:

- Allow for smaller Architectural Panels for Tenants under the covered walkway;
- Amend the Building Key to add an additional Anchor Tenant (over 10K SF);
- Amend the Site/Property Sign Criteria to allow for multiple Pole Banner Signs affixed to Light Posts; posts shall be no greater than one of two standard sizes, 24" x 46.5" or 24: x 73";
- Amend the Site/Property Sign Criteria section for "Non Signs" to allow for artwork which identifies artist or property contact information or social media handle, as long as the identification is 5% or less of the total size of the art;

- And Incorporate into all of the allowed Signage, as called out in the documents prepared by ADD Inc. in 2003 and as previously incorporated as Condition 1 of the February 10, 2003 Special Permit and Variance decision.

FINDINGS

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

1. That the proposed amendments and modifications with respect to signage do not materially affect the findings made in connection with (a) the Special Permit A1 and Variance Decision, originally issued February 10, 2003 (referred to therein as the "Phase II Decision"), as amended on April 26, 2004, June 27, 2016, December 1, 2020 and May 12, 2022, and (b) the Variance Decision, originally issued April 16, 2023 (referred to therein as the "Phase III Decision"), as amended on April 26, 2024. All of the foregoing are collectively referred to in this Decision as the "Prior Decisions".
2. That the amendment and restatement of the Prior Decisions with respect to signage permitted within the Derby Street Shops shopping center at 90-100 Derby Street to update the permitted signage and 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 inasmuch as it will allow for the efficient review of project compliance with such conditions.

DECISION

Upon a motion made by Paul K. Healey and seconded Mario Romania, Jr., the Board voted to approve the proposed signage criteria for the Derby Street Shops shopping center at 90-100 Derby Street located in the Industrial Park and South Hingham Development Overlay Districts as set forth in the document entitled "Derby St. Shops Signage Criteria – Updated August 2026" (the "2026 Derby St. Shops Signage Criteria") and to amend and restate in their entirety the conditions with respect to signage only set forth in the Prior Decisions as follows:

1. The 2026 Signage Criteria is hereby incorporated by reference into this Decision. All signage at the Premises shall be consistent with the 2026 Signage Criteria. Except for the signage relief expressly granted in this decision, the Applicant's signage for the project shall at all times comply with both the requirements of the Zoning By-Law and the 2026 Signage Criteria.
2. To the extent that any tenant elects to use multiple building signs, the aggregate area of such signs on any particular frontage may not exceed the "10% of wall area" requirements of the Zoning By-Law.

3. The Variance allowing additional signage on the building facing Route 3 shall be limited to a maximum of four (4) tenant building signs, which otherwise shall comply with the requirements of the Zoning-By-Law.
4. No new Highway Frontage Signs shall be installed unless the proposed plans and specifications are submitted to the Board for review and approval at a regularly posted public meeting prior to application for a Building Permit.
5. Highway Frontage Signs must conform to the requirements under §V-B of the By-Law except to the extent that the regulations have been previously modified by the 2026 Signage Criteria.
6. Except as modified and specifically incorporated herein, all conditions governing signage in the Prior Decisions are superseded by this Decision. All other conditions of the Prior Decisions governing the shopping center (other than signage) shall remain in full force and effect.

For the Board of Appeals,

A handwritten signature in blue ink, reading "Joseph E. Ruccio". The signature is stylized with a large, looped "J" and a cursive "Ruccio".

Joseph Ruccio, Acting Chair
August 25, 2026

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.