

ARTICLE: Amend Zoning Bylaw Section 6.3 Signs

To see if the Town will vote to amend the Zoning Bylaw by amending section 6.3 to read in its entirety as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

Planning Board Summary

The Planning Board is proposing a targeted amendment to the portion of the Zoning Bylaw that regulates signs for the purpose of allowing businesses in certain districts to continue to use internally illuminated signs, such as “open” signs, until such time as a more thorough review of sign bylaws may take place. This amendment would permit a single internally illuminated sign up to three (3) square feet in size for each establishment within the Business, Compact Business, Industrial, and Refuse Disposal zoning districts. Internally illuminated signs would remain prohibited in the Residential and Recreation-Conservation Districts. A severability clause has also been added to ensure that should one section of the sign bylaw face judicial review, other sections may remain in effect.

A) Amend Section 6.3.1.5 to read in its entirety as stated below:
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6.3.1.5 SIGNS which are oscillating, flashing or operating with moving parts are not permitted;

B) Amend Section 6.3.3 to read in its entirety as stated below:
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6.3.3 On Site - Permanent - PERMANENT SIGNS are permitted subject to the General Regulations of following subsections:

6.3.3.1 Residential and Recreation-Conservation Districts:

1. One (1) ON-SITE SIGN is permitted not exceeding five (5) square feet in area on State numbered highways and three (3) square feet in area elsewhere.
2. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding three (3) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.
3. One ON-SITE SIGN pertaining to agriculture, as permitted in Sections 3.1.1.2, 3.1.1.3, 3.1.1.5, and Section 3.2.1.1, each not exceeding sixteen (16) square feet in area, may be ERECTED.
4. Internally illuminated SIGNS are not permitted.

6.3.3.2 Business, Compact Business, Commercial, Industrial and Refuse Disposal Districts:

1. For each establishment, one (1) ON-SITE SIGN attached to the facade of the BUILDING not exceeding the lesser of one square foot for each one lineal foot of

business, commercial or industrial BUILDING frontage or eighty (80) square feet in area.

2. Window SIGNS in total may be the larger of 30% of the window or three (3) square feet.
3. For each establishment, one (1) internally illuminated window SIGN not exceeding three (3) square feet.
4. One (1) primary free standing SIGN visible from the main public way not exceeding twenty (20) square feet in area.
5. In the case of multiple businesses in the same BUILDING or sharing the same access and/or parking facilities, only one SIGN is permitted per principal access.
6. If the business is on a corner LOT and the primary SIGN is not visible from the intersecting road, a secondary SIGN not larger than 50% of the primary SIGN is permitted.
7. One (1) ON-SITE SIGN pertaining to the rent, lease or sale of land or BUILDING(s) not exceeding six (6) square feet in area. All such SIGNS shall be removed within seven (7) days of rental, lease or sale of land or BUILDING.

C) Insert new Section 6.3.7.9 to read in its entirety as stated below:

6.3.7.9 Severability – If any provision of this section, or the application thereof to any person or circumstance, shall be held invalid by any court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this section are hereby declared to be severable.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

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