

ZONING BYLAW AMENDMENTS



ARTICLE 30: Section 5.3 Signs – Replace Section 5.3 Signs With New Organization

Planning Board

To see if the Town will delete Chapter 173 section 5.3 of the Westford Zoning Bylaw in its entirety and replace it with the following: (replacement text is shown in **bold and underlined**).

5.3 SIGNS

5.3.1 Purpose. To regulate the quantity, location and appearance of signs.

5.3.2 Applicability. **No sign shall hereafter be erected or maintained except as provided by this Section and after a permit has been issued by the Board of Selectmen. All signs erected hereunder shall be erected in the exact location and manner described in the permit. The permit number shall be clearly visible on the sign.**

5.3.3 Exemptions. **No permit is required for the following types of signs:**

1. **A sign in a Residential A or Residential B District erected in accordance with the provisions of Section 5.3.7 herein.**

Any sign legally erected before the date of the Town Meeting approving this Section shall be exempt from the requirements herein. The exemption herein granted shall terminate with respect to any sign which:

- a. **shall have been abandoned;**
- b. **advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises;**
- c. **shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Building Commissioner; or**
- d. **has been rebuilt or relocated without a permit hereunder subsequent to the date of the Town Meeting approval.**

3. **Any sign erected or required by the Town or by the Commonwealth of Massachusetts or by the United States, or any subdivision or agency thereof, or for any sign intended solely for the protection of life or property.**

4. **Temporary sign which does not exceed 12 square feet in area and which advertises the sale of services or products, which shall be allowed for a period not to exceed 14 days.**

5.3.4 Definitions. See Section 10.2 of the Zoning Bylaw.

5.3.5 Signs Allowed in Business (B), Commercial Highway (CH) and Business, Limited (BL) Zoning Districts. **The following signs are allowed in the Business and Commercial Districts with a permit:**

1. **No sign shall be allowed other than 1 wall sign, individual letter sign, roof sign or projecting sign affixed to a building for each store, except as provided in subsection 3, below, or as otherwise allowed in this section. No sign shall project above the highest line of the roof or building; provided, however, that if the sign is attached to**

RECEIVED

2011 FEB -8 AM 7:55

TOWN OF WESTFORD
TOWN CLERK'S OFFICE

- a wall having a parapet extending above the highest line of such roof, then the sign may reach but may not project above the top of the parapet wall. A wall sign, individual letter sign or roof sign shall not exceed 6 feet overall in height. A wall sign or individual letter sign on the exterior wall of the first floor of a building shall not exceed an area of 1.5 square feet of each linear foot of the front store wall. No such sign shall exceed 40 feet overall in width or extend beyond the full width of the front store wall. The length of signs of stores occupying other than the first floor of a building shall not exceed 6 feet.
2. Projecting signs shall not project more than 6 feet and shall not contain more than 24 square feet of exposed area.
 3. There shall be no more than 1 exterior sign for each business unit, except that if the business unit has a direct entrance into the store in a wall other than the storefront, there may be a secondary sign affixed to such wall, and if the store has a wall other than the storefront that faces upon a street or parking area, there may be a secondary sign affixed to such wall, whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than 2 secondary signs in any event. The exposed area of each of the secondary signs shall not exceed 6 square feet. In addition to the foregoing sign or signs, there may be 1 directory of the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building or freestanding elsewhere on the premises. Such directory shall not exceed an area determined on the basis of 2 square feet for each occupant or tenant of the building.
 4. Any business may divide the 1 exterior sign affixed to the front wall of the building, to which it is entitled or hereinabove provided, into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business; provided, however, that the total of the width of the separate signs shall not exceed the maximum width allowed under this Bylaw for a single exterior sign on such wall.
 5. The Board of Selectmen may allow a single freestanding pole sign, provided that such sign shall not exceed an area of one-half the maximum area of the wall sign, individual letter sign or roof sign allowed for the applicant's store or business under Subsection 5.3.5.1 of this section nor 15 feet in overall height, if, in its discretion, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise allowed signs.
 6. The standard type of gasoline pump bearing thereon in usual size and form the name and type of gasoline and the price thereof shall not be deemed to be a sign under this Bylaw.
 7. During construction of a new building, a freestanding pole or ground sign may be erected upon the premises to identify the building, the owner, the contractor, the architect or the engineers as well as advertise the rental, sale or lease of the premises, provided that such a sign shall not exceed 32 square feet in area or 10 feet in width or height. Each sign shall be removed within 7 days of issuance of an occupancy permit. If such a sign permit is sought and approved, then no such sign as described in Section 5.3.5.8 below shall be allowed.

8. If no permit for a sign is sought under Subsection 5.3.5.7, above, then 1 wall sign, freestanding pole or ground sign or temporary sign not exceeding 12 square feet in area, advertising the rental, lease or sale of the premises, is allowed without a permit; provided, however, that such a sign shall be removed within 7 days of the rental, lease or sale of the premises.
9. Where a building contains more than 1 business or store where a building is a commercial multi-tenant structure, the Board of Selectmen may allow 1 single freestanding pole sign for such building or multi-tenant structure if, in the discretion of the Board of Selectmen, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise allowed signs. If this provision is used, then Subsection 5.3.5.5, above, shall not apply.

Such sign shall not exceed an area of one-half the maximum area of the wall sign, individual letter sign or roof sign allowed for the applicant's building under subsection 1 of this section nor 15 feet in overall height.

In addition to the foregoing sign and in the discretion of the Board of Selectmen, there may be 1 directory of the occupants or tenants of the building integrated into and attached to the allowed freestanding pole sign, not to exceed an area determined on the basis of 2 square feet for each occupant or tenant of the building. The directory shall not cause the freestanding pole sign to exceed 15 feet in overall height.

10. Freestanding pole signs allowed under Subsection 5.3.5.5 of this section shall be set back at least 20 feet extending back from the front lot line and at least 20 feet extending inward from the side lot lines.

5.3.6 Signs Allowed in Industrial Highway (IH), Industrial A (IA), Industrial B (IB), Industrial C (IC) and Industrial D (ID) Zoning Districts. The following signs are allowed in the Industrial Districts with a permit:

1. All signs allowed under Section 5.3.5 shall be allowed in an industrial district, subject to all the provisions and restrictions set forth therein; provided, however, that in any industrial district the sign shall not exceed 32 square feet.
2. A projecting sign shall not project more than 6 feet and shall not have an exposed area of more than 4 square feet. One projecting sign shall be allowed per doorway.
3. Freestanding pole signs allowed under this Section shall be set back at least 30 feet extending back from the front lot line and at least 35 feet extending inward from the side lot lines.

5.3.7 Signs Allowed in Residential A (RA) and Residential B (RB) Zoning Districts. {5.3.8} The following signs are allowed in the Residential Districts without a permit:

1. One wall sign or freestanding pole or ground sign which does not exceed 2 square feet in area, having the name of the occupant or designation of any authorized occupation allowed in the district, or both, shall be allowed.
2. One wall sign, freestanding pole or ground sign or temporary sign which does not exceed 6 square feet in area, advertising the rental, lease or sale of the premises, shall

be allowed; provided, however, that such sign shall be removed within 7 days of the rental, lease or sale of the premises.

3. Temporary signs not exceeding 6 square feet in area may be erected to warn against contagious diseases, to warn against danger or to ensure silence where serious illness exists.

5.3.8 General Standards.

1. Electric Signs.

- a. Electric signs are not allowed within RA or RB Districts.
- b. No red or green or other colored lights shall be used on any sign if, in the opinion of the Board of Selectmen, such light would create a driving hazard.
- c. No sign may be illuminated more than 30 minutes after closing of any store or business or 30 minutes after working hours in an industrial building, except signs identifying public buildings; provided however, that the Selectmen, in granting a permit, may, for good cause shown, extend the time during which a sign may be illuminated.

2. Moving Signs. The following signs are prohibited:

- a. swinging signs
 - b. flashing signs
 - c. revolving signs
 - d. signs consisting of pennants, ribbons, streamers, spinners, strings of light bulbs, revolving beacons
 - e. searchlights
 - f. animated signs
 - g. signs illuminated to create the illusion of motion.
3. No sign shall be erected so as to obstruct any fire escape, window, door, or other opening or so as to prevent free passage from one part of a roof to any other part thereof.
 4. No sign shall be attached in any manner to a fire escape or shall be placed to interfere with an opening which is required for ventilation.
 5. No exposed, uninsulated parts of an electrical sign shall be allowed.
 6. No sign shall be erected that shall in any way create a traffic hazard nor in any way obscure or confuse traffic control.
 7. No sign or sign structure shall project or extend over a public way, including sidewalks.
 8. Letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to or superimposed upon any sign, shall be safely and securely built or attached to the sign structure.

9. Signs shall be designed, constructed and erected in accordance with this Zoning Bylaw and the State Building Code.
10. No sign shall be posted on or attached to utility poles, trees nor attached to any parapet.
11. Maintenance. Every sign shall be maintained by the owner in a clean, sanitary condition and in good repair. In addition, every freestanding pole or ground sign shall be kept free and clear of all obnoxious substances, rubbish and weeds.

5.3.9 Permit Procedures.

1. Application. Application for a sign permit shall be made in writing upon forms furnished by the Board of Selectmen. Such application shall contain the location by street number of the proposed sign, the name and address of the owner of the sign, the name and address of the sign contractor or erector, if any, and a scale drawing showing the construction, the method of installation or support, colors, dimensions, and position of the sign, method of illumination and such other relevant information as may be requested.
2. Fee. A sign permit fee shall be paid to the town for each permit in accordance with the schedule established by the Board of Selectmen.
3. Inspection. The Building Commissioner shall inspect every sign within 30 days after it is erected and shall report to the Board of Selectmen that said sign has been erected properly and in accordance with the provisions of this Section and any other applicable law.
4. Constructive Grant. If no sign permit has been denied within 60 days after application therefor has been made, it shall be deemed to be approved.
5. Lapse. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of 6 months from the date of the permit; provided, however, that the Board of Selectmen may, in its discretion, issue extensions covering a period not to exceed 1 year from the date of issue of the original permit. The applicant shall notify the Building Commissioner of completion of work under a permit within 10 days of completion.
6. Special Permit. Notwithstanding the provisions set forth in this Section 5.3, the Planning Board may authorize larger signs or a greater number of signs by the grant of a special permit, where such relief is not detrimental to the neighborhood or the town.
7. Nonprofit Organizations. The Board of Selectmen may waive any requirement or regulation pertaining to any sign for any nonprofit organization which it deems will not be detrimental to the neighborhood.

5.3.10 Enforcement. See section 9.1.3 of the Zoning Bylaw.

Or act in relation thereto.

ARTICLE 31: Amend Section 5.3 Signs – Purpose, Permit Granting Authority,
Temporary Signs, and LED Signs

Planning Board

To see if the Town will amend Chapter 173 section 5.3 of the Westford Zoning Bylaw to: (added words are shown in **bold and underlined**, deleted words are shown in ~~strikethrough~~).

5.3 SIGNS

5.3.1 General. No sign shall hereafter be erected or maintained except as provided by this Section and after a permit has been issued by the **permit granting authority**. All signs erected hereunder shall be erected in the exact location and manner described in the permit. The permit number shall be clearly visible on the sign.

5.3.2 Permit Procedures.

1. *Application.* Application for a sign permit shall be made in writing upon forms furnished by the **Building Department**. Such application shall contain the location by street number of the proposed sign, the name and address of the owner of the sign, the name and address of the sign contractor or erector, if any, and a scale drawing showing the construction, the method of installation or support, colors, dimensions, and position of the sign, method of illumination and such other relevant information as may be requested.

2. *Fee.* A sign permit fee shall be paid to the town for each permit in accordance with the schedule established by the Board of Selectmen.

3. **Reviewing Authority.** **When a sign permit is proposed within a project that is subject to site plan review by the Planning Board, the Planning Board shall be the permit granting authority for the sign permit(s) and shall process the site plan review application and the sign permit application concurrently to the maximum extent practicable. For all other sign permits required by this Bylaw, the Board of Selectmen shall be the permit granting authority.**

4. *Inspection.* The Building Inspector shall inspect every sign within thirty (30) days after it is erected and shall report to the **permit granting authority** that said sign has been erected properly and in accordance with the provisions of this Section and any other applicable law.

5. *Constructive Grant.* If no sign permit has been denied within sixty (60) days after application therefor has been made, it shall be deemed to be approved.

6. *Lapse.* A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of six (6) months from the date of the permit; provided,

5.3.4 Electric Signs.

1. Electric signs are not permitted within RA or RB Districts.
2. No red or green or other colored lights shall be used on any sign if, in the opinion of the permit granting authority, such light would create a driving hazard.
3. No sign may be illuminated more than thirty (30) minutes after closing of any store or business or thirty (30) minutes after working hours in an industrial building, except signs identifying public buildings; provided however, that the permit granting authority, in granting a permit, may, for good cause shown, extend the time during which a sign may be illuminated.
4. No sign shall use exposed Light Emitting Diodes (LEDs) for direct illumination. LEDs may be used for internal illumination of backlit signs.

5.3.5 Moving Signs. Swinging signs, flashing signs, revolving signs, and signs consisting of pennants, ribbons, streamers, spinners, strings of light bulbs, revolving beacons, searchlights, animated signs, and signs illuminated to create the illusion of motion are prohibited.

5.3.6 General Standards.

1. No sign shall be erected so as to obstruct any fire escape, window, door, or other opening or so as to prevent free passage from one part of a roof to any other part thereof.
2. No sign shall be attached in any manner to a fire escape or shall be placed to interfere with an opening which is required for ventilation.
3. No exposed, uninsulated parts of an electrical sign shall be permitted.
4. No sign shall be erected that shall in any way create a traffic hazard nor in any way obscure or confuse traffic control.
5. No sign or sign structure shall project or extend over a public way, including sidewalks.
6. Letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to or superimposed upon any sign, shall be safely and securely built or attached to the sign structure.
7. Signs shall be designed, constructed and erected in accordance with this Zoning By-Law and the State Building Code.

however, that the permit granting authority may, in its discretion, issue extensions covering a period not to exceed one (1) year from the date of issue of the original permit. The applicant shall notify the Building Inspector of completion of work under a permit within ten (10) days of completion.

5.3.3 Exemptions. No permit is required for the following types of signs:

1. A sign in a RA or RB District erected in accordance with the provisions of Section G(1) 5.3.8 herein.
2. Any sign legally erected before the date of the Town meeting approving this Section shall be exempt from the requirements herein. The exemption herein granted shall terminate with respect to any sign which:
 - a. shall have been abandoned;
 - b. advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises;
 - c. shall not have been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the Building Inspector; or
 - d. has been rebuilt or relocated without a permit hereunder subsequent to the date of the Town Meeting approval.
3. Any sign erected or required by the Town or by the Commonwealth of Massachusetts or by the United States, or any subdivision or agency thereof, or for any sign intended solely for the protection of life or property.
4. *Nonprofit Organizations.* The permit granting authority may waive any requirement or regulation pertaining to any sign for any nonprofit organization which it deems will not be detrimental to the neighborhood.
5. Temporary sign which does not exceed twelve (12) square feet in area and which advertises the sale of services or products, which shall be permitted for a period not to exceed fourteen (14) days per quarter of the calendar year. Such quarter is defined as the periods from January 1st to March 31th, from April 1st to June 30th, from July 1st to September 30th and from October 1st until December 31st. There shall be at least fourteen (14) days between the display of temporary signs. .

8. No sign shall be posted on or attached to utility poles, trees nor attached to any parapet.

5.3.7 Maintenance. Every sign shall be maintained by the owner in a clean, sanitary condition and in good repair. In addition, every freestanding pole or ground sign shall be kept free and clear of all obnoxious substances, rubbish and weeds.

5.3.8 Signs in the RA and RB Districts. The following signs are permitted in the Residential Districts:

1. One (1) wall sign or freestanding pole or ground sign which does not exceed two (2) square feet in area, having the name of the occupant or designation of any authorized occupation permitted in the district, or both, shall be permitted.
2. One (1) wall sign, freestanding pole or ground sign or temporary sign which does not exceed six square feet in area, advertising the rental, lease or sale of the premises, shall be permitted; provided, however, that such sign shall be removed within seven (7) days of the rental, lease or sale of the premises.
3. Temporary signs not exceeding six (6) square feet in area may be erected to warn against contagious diseases, to warn against danger or to ensure silence where serious illness exists.

5.3.9 Signs in the B, CH, and BL Districts. The following signs are permitted in the Commercial Districts:

1. No sign shall be allowed other than one (1) wall sign, individual letter sign, roof sign or projecting sign affixed to a building for each store, except as provided in subsection 3, below, or as otherwise permitted in this section. No sign shall project above the highest line of the roof or building; provided, however, that if the sign is attached to a wall having a parapet extending above the highest line of such roof, then the sign may reach but may not project above the top of the parapet wall. A wall sign, individual letter sign or roof sign shall not exceed six (6) feet overall in height. A wall sign or individual letter sign on the exterior wall of the first floor of a building shall not exceed an area of one and one-half (1.5) square feet of each linear foot of the front store wall. No such sign shall exceed forty (40) feet overall in width or extend beyond the full width of the front store wall. The length of signs of stores occupying other than the first floor of a building shall not exceed six (6) feet.
2. Projecting signs shall not project more than six feet and shall not contain more than twenty-four (24) square feet of exposed area.
3. There shall be no more than one (1) exterior sign for each business unit, except that if the business unit has a direct entrance into the store in a wall other than the storefront, there may be a secondary sign affixed to such wall, and if the store has a wall other than the

storefront that faces upon a street or parking area, there may be a secondary sign affixed to such wall, whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than two (2) secondary signs in any event. The exposed area of each of the secondary signs shall not exceed six (6) square feet. In addition to the foregoing sign or signs, there may be one (1) directory of the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building or freestanding elsewhere on the premises. Such directory shall not exceed an area determined on the basis of two (2) square feet for each occupant or tenant of the building.

4. Any business may divide the one (1) exterior sign affixed to the front wall of the building, to which it is entitled or hereinabove provided, into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business; provided, however, that the total of the width of the separate signs shall not exceed the maximum width permitted under this Bylaw for a single exterior sign on such wall.
5. The permit granting authority may permit a single freestanding pole sign, provided that such sign shall not exceed an area of one-half (1/2) the maximum area of the wall sign, individual letter sign or roof sign permitted for the applicant's store or business under Subsection 5.3.9.1 of this section nor fifteen (15) feet in overall height, if, in the permit granting authority's discretion, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise permitted signs.
6. The standard type of gasoline pump bearing thereon in unusual size and form the name and type of gasoline and the price thereof shall not be deemed to be a sign under this Bylaw.
7. During construction of a new building, a freestanding pole or ground sign may be erected upon the premises to identify the building, the owner, the contractor, the architect or the engineers as well as advertise the rental, sale or lease of the premises, provided that such a sign shall not exceed thirty-two (32) square feet in area or ten (10) feet in width or height. Each sign shall be removed within seven days of issuance of an occupancy permit. If such a sign permit is sought and approved, then no such sign as described in Section 5.3.9.8 below shall be allowed.
8. If no permit for a sign is sought under Subsection 5.3.9.7, above, then one (1) wall sign, freestanding pole or ground sign or temporary sign not exceeding twelve (12) square feet in area, advertising the rental, lease or sale of the premises, is allowed without a permit; provided, however, that such a sign shall be removed within seven (7) days of the rental, lease or sale of the premises.
9. Where a building contains more than one (1) business or store where a building is a commercial multi-tenant structure, the permit granting authority ~~Board of Selectmen~~ may permit one (1) single freestanding pole sign for such building or multi-tenant structure if, in

the discretion of the permit granting authority, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise permitted signs. If this provision is used, then Subsection 5.3.9.5, above, shall not be available apply.

Such sign shall not exceed an area of one-half (1/2) the maximum area of the wall sign, individual letter sign or roof sign permitted for the applicant's building under subsection 1 of this section nor fifteen feet in overall height, ~~if, in the discretion of the Board of Selectmen, usual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise permitted signs.~~

In addition to the foregoing sign and in the discretion of the permit granting authority ~~Board of Selectmen~~, there may be one (1) directory of the occupants or tenants of the building integrated into and attached to the permitted freestanding pole sign, not to exceed an area determined on the basis of two (2) square feet for each occupant or tenant of the building. The directory shall not cause the freestanding pole sign to exceed fifteen (15) feet in overall height.

10. Freestanding pole signs permitted under Subsection 5.3.9.5 of this section shall be set back at least twenty (20) feet extending back from the front lot line and at least twenty (20) feet extending inward from the side lot lines.

5.3.10 Signs in the IH, IA, IB, IC, and ID Districts. The following signs are permitted in the Industrial Districts.

1. All signs permitted under Section 5.3.9 shall be permitted in an industrial district, subject to all the provisions and restrictions set forth therein; provided, however, that in any industrial district the sign shall not exceed thirty-two (32) square feet.
2. A projecting sign shall not project more than six feet and shall not have an exposed area of more than four (4) square feet. One (1) projecting sign shall be allowed per doorway.
3. Freestanding pole signs permitted under this Section shall be set back at least thirty (30) feet extending back from the front lot line and at least thirty-five (35) feet extending inward from the side lot lines.

5.3.11 Special Permit. Notwithstanding the provisions set forth in this Section 5.3, the Planning Board may authorize larger signs or a greater number of signs by the grant of a special permit, where such relief is not detrimental to the neighborhood or the town.

ARTICLE 32:	Combined Amendments to Section 5.3 Signs of the Zoning Bylaw Including Reorganization, Purpose, Permit Granting Authority Temporary Signs, and LED Signs.	<i>Planning Board</i>
--------------------	--	-----------------------

To see if the Town will amend Chapter 173 section 5.3 of the Westford Zoning Bylaw to further amend the reorganized bylaw (if Article 30 is approved) with additional revisions shown in ~~striketrough~~ for deletions, and additions are in **bold underline**. (added words are shown in **bold and underlined**, deleted words are shown in ~~striketrough~~). The reorganized bylaw (if Article 30 is approved) is shown in normal text.

5.3 SIGNS

5.3.1 Purpose. **To regulate the quantity, location and appearance of signs.**

5.3.2 Applicability. No sign shall hereafter be erected or maintained except as provided by this Section and after a permit has been issued by the Board of Selectmen **appropriate permit granting authority**. All signs erected hereunder shall be erected in the exact location and manner described in the permit. The permit number shall be clearly visible on the sign.

5.3.3 Exemptions. No permit is required for the following types of signs:

1. A sign in a Residential A or Residential B District erected in accordance with the provisions of Section 5.3.7 herein.
2. Any sign legally erected before the date of the Town Meeting approving this Section shall be exempt from the requirements herein. The exemption herein granted shall terminate with respect to any sign which:
 - a. shall have been abandoned;
 - b. advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises;
 - c. shall not have been repaired or properly maintained within 60 days after notice to that effect has been given by the Building Commissioner; or
 - d. has been rebuilt or relocated without a permit hereunder subsequent to the date of the Town Meeting approval.
3. Any sign erected or required by the Town or by the Commonwealth of Massachusetts or by the United States, or any subdivision or agency thereof, or for any sign intended solely for the protection of life or property.
4. Temporary sign which does not exceed 12 square feet in area and shall be allowed for a period not to exceed 14 days: **per quarter of the calendar year. Such quarter is defined as the periods from January 1st to March 31th, from April 1st to June 30th, from July 1st to September 30th and from October 1st until December 31st. There shall be at least fourteen (14) days between the display of temporary signs.**

5.3.4 Definitions. See Section 10.2 of the Zoning Bylaw.

5.3.5 Signs Allowed in Business (B), Commercial Highway (CH) and Business, Limited (BL) Zoning Districts. The following signs are allowed in the Business and Commercial Districts with a permit:

1. No sign shall be allowed other than 1 wall sign, individual letter sign, roof sign or projecting sign affixed to a building for each store, except as provided in subsection 3,

For consideration at a Planning Board Public Hearing beginning on
Tuesday, February 22 at 8:15 PM at the Millennium All Purpose Room, 23 Depot Street, Westford

below, or as otherwise allowed in this section. No sign shall project above the highest line of the roof or building; provided, however, that if the sign is attached to a wall having a parapet extending above the highest line of such roof, then the sign may reach but may not project above the top of the parapet wall. A wall sign, individual letter sign or roof sign shall not exceed 6 feet overall in height. A wall sign or individual letter sign on the exterior wall of the first floor of a building shall not exceed an area of 1.5 square feet of each linear foot of the front store wall. No such sign shall exceed 40 feet overall in width or extend beyond the full width of the front store wall. The length of signs of stores occupying other than the first floor of a building shall not exceed 6 feet.

2. Projecting signs shall not project more than 6 feet and shall not contain more than 24 square feet of exposed area.
3. There shall be no more than 1 exterior sign for each business unit, except that if the business unit has a direct entrance into the store in a wall other than the storefront, there may be a secondary sign affixed to such wall, and if the store has a wall other than the storefront that faces upon a street or parking area, there may be a secondary sign affixed to such wall, whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than 2 secondary signs in any event. The exposed area of each of the secondary signs shall not exceed 6 square feet. In addition to the foregoing sign or signs, there may be 1 directory of the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building or freestanding elsewhere on the premises. Such directory shall not exceed an area determined on the basis of 2 square feet for each occupant or tenant of the building.
4. Any business may divide the 1 exterior sign affixed to the front wall of the building, to which it is entitled or hereinabove provided, into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business; provided, however, that the total of the width of the separate signs shall not exceed the maximum width allowed under this Bylaw for a single exterior sign on such wall.
5. The ~~Board of Selectmen~~ permit granting authority may allow a single freestanding pole or ground sign, provided that such sign shall not exceed an area of one-half the maximum area of the wall sign, individual letter sign or roof sign allowed for the applicant's store or business under Subsection 5.3.5.1 of this section nor 15 feet in overall height, if, in its permit granting authority's discretion, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise allowed signs.
6. The standard type of gasoline pump bearing thereon in usual size and form the name and type of gasoline and the price thereof shall not be deemed to be a sign under this Bylaw.
7. During construction of a new building, a freestanding pole or ground sign may be erected upon the premises to identify the building, the owner, the contractor, the architect or the engineers as well as advertise the rental, sale or lease of the premises, provided that such a sign shall not exceed 32 square feet in area or 10 feet in width or height. Each sign shall be removed within 7 days of issuance of an occupancy permit. If such a sign permit is sought and approved, then no such sign as described in Section 5.3.5.8 below shall be allowed.

For consideration at a Planning Board Public Hearing beginning on
Tuesday, February 22 at 8:15 PM at the Millennium All Purpose Room, 23 Depot Street, Westford

8. If no permit for a sign is sought under Subsection 5.3.5.7, above, then 1 wall sign, freestanding pole or ground sign or temporary sign not exceeding 12 square feet in area, advertising the rental, lease or sale of the premises, is allowed without a permit; provided, however, that such a sign shall be removed within 7 days of the rental, lease or sale of the premises.
9. Where a building contains more than one (1) business or store where a building is a commercial multi-tenant structure, the permit granting authority ~~Board of Selectmen~~ may permit one (1) single freestanding pole sign for such building or multi tenant structure if, in the discretion of the permit granting authority, unusual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise permitted signs. If this provision is used, then Subsection 5.3.9.5, above, shall not be available apply.

Such sign shall not exceed an area of one-half (1/2) the maximum area of the wall sign, individual letter sign or roof sign permitted for the applicant's building under subsection 1 of this section nor fifteen feet in overall height, ~~if, in the discretion of the Board of Selectmen, usual circumstances such as landscaping, land contours, building setback or building design preclude effective use of otherwise permitted signs.~~

In addition to the foregoing sign and in the discretion of the permit granting authority ~~Board of Selectmen~~, there may be one (1) directory of the occupants or tenants of the building integrated into and attached to the permitted freestanding pole sign, not to exceed an area determined on the basis of two (2) square feet for each occupant or tenant of the building. The directory shall not cause the freestanding pole sign to exceed fifteen (15) feet in overall height.

10. Freestanding pole signs allowed under Subsection 5.3.5.5 of this section shall be set back at least 20 feet extending back from the front lot line and at least 20 feet extending inward from the side lot lines.
- 5.3.6 Signs Allowed in Industrial Highway (IH), Industrial A (IA), Industrial B (IB), Industrial C (IC) and Industrial D (ID) Zoning Districts. The following signs are allowed in the Industrial Districts with a permit:
1. All signs allowed under Section 5.3.5 shall be allowed in an industrial district, subject to all the provisions and restrictions set forth therein; provided, however, that in any industrial district the sign shall not exceed 32 square feet.
 2. Projecting sign shall not project more than 6 feet and shall not have an exposed area of more than 4 square feet. One projecting sign shall be allowed per doorway.
 3. Freestanding pole signs allowed under this Section shall be set back at least 30 feet extending back from the front lot line and at least 35 feet extending inward from the side lot lines.
- 5.3.7 Signs Allowed in Residential A (RA) and Residential B (RB) Zoning Districts. {5.3.8} The following signs are allowed in the Residential Districts without a permit:
1. One wall sign or freestanding pole or ground sign which does not exceed 2 square feet in area, having the name of the occupant or designation of any authorized occupation allowed in the district, or both, shall be allowed.

For consideration at a Planning Board Public Hearing beginning on
Tuesday, February 22 at 8:15 PM at the Millennium All Purpose Room, 23 Depot Street, Westford

2. One wall sign, freestanding pole or ground sign or temporary sign which does not exceed 6 square feet in area, advertising the rental, lease or sale of the premises, shall be allowed; provided, however, that such sign shall be removed within 7 days of the rental, lease or sale of the premises.
3. Temporary signs not exceeding 6 square feet in area may be erected to warn against contagious diseases, to warn against danger or to ensure silence where serious illness exists.

5.3.8 General Standards.

1. Electric Signs.
 - a. Electric signs are not allowed within RA or RB Districts.
 - b. No red or green or other colored lights shall be used on any sign if, in the opinion of the ~~Board of Selectmen~~ **permit granting authority**, such light would create a driving hazard.
 - c. No sign may be illuminated more than 30 minutes after closing of any store or business or 30 minutes after working hours in an industrial building, except signs identifying public buildings; provided however, that the ~~Selectmen~~, **permit granting authority** in granting a permit, may, for good cause shown, extend the time during which a sign may be illuminated.
 - d. No sign shall use exposed Light Emitting Diodes (LEDs) for direct illumination. LEDs may be used for internal illumination of backlit signs**
2. Moving Signs. The following signs are prohibited:
 - a. swinging signs
 - b. flashing signs
 - c. revolving signs
 - d. signs consisting of pennants, ribbons, streamers, spinners, strings of light bulbs, revolving beacons
 - e. searchlights
 - f. animated signs
 - g. signs illuminated to create the illusion of motion.
3. No sign shall be erected so as to obstruct any fire escape, window, door, or other opening or so as to prevent free passage from one part of a roof to any other part thereof.
4. No sign shall be attached in any manner to a fire escape or shall be placed to interfere with an opening which is required for ventilation.
5. No exposed, uninsulated parts of an electrical sign shall be allowed.
6. No sign shall be erected that shall in any way create a traffic hazard nor in any way obscure or confuse traffic control.
7. No sign or sign structure shall project or extend over a public way, including sidewalks.

For consideration at a Planning Board Public Hearing beginning on
Tuesday, February 22 at 8:15 PM at the Millennium All Purpose Room, 23 Depot Street, Westford

8. Letters, figures, characters or representations in cutout or irregular form, maintained in conjunction with, attached to or superimposed upon any sign, shall be safely and securely built or attached to the sign structure.
9. Signs shall be designed, constructed and erected in accordance with this Zoning Bylaw and the State Building Code.
10. No sign shall be posted on or attached to utility poles, trees nor attached to any parapet.
11. Maintenance. Every sign shall be maintained by the owner in a clean, sanitary condition and in good repair. In addition, every freestanding pole or ground sign shall be kept free and clear of all obnoxious substances, rubbish and weeds.

5.3.9 Permit Procedures.

1. *Application.* Application for a sign permit shall be made in writing upon forms furnished by the ~~Board of Selectmen~~ **Building Department**. Such application shall contain the location by street number of the proposed sign, the name and address of the owner of the sign, the name and address of the sign contractor or erector, if any, and a scale drawing showing the construction, the method of installation or support, colors, dimensions, and position of the sign, method of illumination and such other relevant information as may be requested.
2. *Fee.* A sign permit fee shall be paid to the town for each permit in accordance with the schedule established by the Board of Selectmen.
3. **Reviewing Authority. When a sign permit is proposed within a project that is subject to site plan review by the Planning Board, the Planning Board shall be the permit granting authority for the sign permit and shall process the site plan review application and the sign permit application concurrently to the maximum extent practicable. For all other sign permits required by this Bylaw, the Board of Selectmen shall be the permit granting authority.**
4. ~~3.~~ *Inspection.* The Building Commissioner shall inspect every sign within 30 days after it is erected and shall report to the ~~Board of Selectmen~~ **permit granting authority** that said sign has been erected properly and in accordance with the provisions of this Section and any other applicable law.
5. ~~4.~~ *Constructive Grant.* If no sign permit has been denied within 60 days after application therefor has been made, it shall be deemed to be approved.
6. ~~5.~~ *Lapse.* A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of 6 months from the date of the permit; provided, however, that the ~~Board of Selectmen~~ **permit granting authority** may, in its discretion, issue extensions covering a period not to exceed 1 year from the date of issue of the original permit. The applicant shall notify the Building Commissioner of completion of work under a permit within 10 days of completion.
7. ~~6.~~ *Special Permit.* Notwithstanding the provisions set forth in this Section 5.3, the Planning Board may authorize larger signs or a greater number of signs by the grant of a special permit, where such relief is not detrimental to the neighborhood or the town.

8.7. Nonprofit Organizations. The ~~Board of Selectmen~~ permit granting authority may waive any requirement or regulation pertaining to any sign for any nonprofit organization which it deems will not be detrimental to the neighborhood.

5.3.10 Enforcement. See section 9.1.3 of the Zoning Bylaw.

Or act in relation thereto.

ARTICLE 33: Sections 2.1.1, 3.6 and 4.1 – Route 110 Minot’s Corner Overlay District Planning Board

To see if the Town will amend Chapter 173 sections 2.1.1, 3.6 and 4.1 of the Westford Zoning Bylaw to: (added words are shown in **bold and underlined**, deleted words are shown in ~~strikethrough~~). Only subsections that have proposed changes are included below. Subsections not listed below do not have changes proposed.

Add to 2.1.1

Route 110 Minot’s Corner Overlay District R110MCO

Add to 3.6

3.6.10. Public Acquisition creates nonconforming situation.

If, as a result of public acquisition, any building, structure, lot, parking space, loading bay, sign, landscaping no longer complies with this Bylaw, it shall be deemed to be nonconforming and entitled to the treatment afforded by this article provided it was in compliance at the time of the public acquisition.

Exemption for Route 110 Minot’s Corner Overlay District.

A set of properties along Route 110 will be affected by right of way acquisition from the Minot’s Corner intersection redesign in or after 2011. This section is intended to preserve the development opportunities of these lots. These lots are designated as the Route 110 Minot’s Corner Overlay District (R110MCO).

If, as a result of public acquisition, any building, structure, lot, parking space, loading bay, sign, landscaping or other dimensional factors within the R110MCO, no longer complies with the dimensional provision(s) of this Bylaw, it shall be deemed to conform to such dimensional provision(s) to the degree that such property conformed prior to the public acquisition or taking.

- a. Before this exemption occurs; there shall be an affirmative finding of conformance of all lots in the R110MCO. Said affirmative finding shall be recorded with the Town Clerk.
- b. The date such affirmative finding is recorded with the Town Clerk is the date from which the legally conforming status shall apply.

Add the following subsection:

4.1.4. Reduction of Lot. No lot shall be changed in size or shape so that the height, area, yard or off-street parking and loading requirements prescribed by this Bylaw are no longer satisfied. This provision shall not apply where a lot is reduced by public acquisition.

And to

Amend the Official Zoning Map to include new the new Overlay District, R110MCO defined as lots on the following list and as shown on the accompanying map.

RECEIVED

2011 FEB -8 AM 7:55

TOWN OF WESTFORD
TOWN CLERK'S OFFICE

Zoning Amendments proposed for consideration at March 26, 2011 Annual Town Meeting
 Review Draft as of February 7, 2011

	<u>Property Address</u>	<u>Parcel ID (MAP-LOT)</u>
1.	196 / 198 Littleton Road	017-0084-0000
2.	190 Littleton Road	017-0083-0000
3.	3 / 5 Carlisle Road	017-0080-0000
4.	1 Carlisle Road	017-0082-0001
5.	6 Carlisle Road	017-0028-0000
6.	180 Littleton Road	017-0027-0000
7.	174 Littleton Road	017-0026-0000
8.	160 Littleton Road	017-0024-0000
9.	142 Littleton Road	017-0023-0000
10.	134 Littleton Road	017-0022-0000
11.	197 Littleton Road	017-0006-0000
12.	193 Littleton Road	017-0007-0000
13.	187 Littleton Road	017-0008-0000
14.	80 Boston Road	017-0011-0000
15.	179 Littleton Road	017-0012-0000
16.	175 Littleton Road	017-0013-0000
17.	149 Littleton Road	017-0014-0001
18.	83 Boston Road	017-0010-0000
19.	185 Littleton Road	017-0009-0000
20.	151 Littleton Road	017-0014-0002
21.	137-145 Littleton Road	022-0120-0000

ARTICLE 34: Section 9.4 Site Plan Review for Religious, Educational and Child Care Uses *Planning Board*

To see if the Town will amend Chapter 173 section 9.4 of the Westford Zoning Bylaw to:
(added words are shown in **bold and underlined**, deleted words are shown in ~~strike~~through). Only subsections of 9.4 that have proposed changes are included below.
Subsections not listed below do not have changes proposed.

9.4 SITE PLAN REVIEW

9.4.1 Applicability. The following types of activities and uses are subject to site plan review by the Planning Board:

1. Construction, exterior alteration, exterior expansion of a nonresidential or multifamily structure or tower, or change in use;
2. Construction or expansion of a parking lot associated with a nonresidential or multifamily structure or use.

~~9.4.2 Exemptions.~~ This section shall not be construed to apply to those uses otherwise exempt by the provisions of G.L. c. 40A, s. 3

9.4.2 Site Plan Review of Exempt Religious, Educational, and Child Care Uses

1. Applicability. Religious and educational uses, Day Care Centers, and school age child care programs, as those uses are defined in this Bylaw; which are partially excepted from local zoning regulation by M.G.L. Chapter 40A, Section 3, shall be subject to a modified Site Plan Review process as specified in sub section 9.4.7.2.

2. Procedures.

a. Demonstration of Qualification. In order to qualify for the modified Site Plan Review standards in 9.4.7.2, an applicant must satisfy the Town that the use is exempt under M.G.L. Ch. 40A, Section 3.

b. General Review Procedure. Site Plan Review for these uses shall be reviewed by the Planning Board pursuant to the general review process in Section 9.4, with specific review criteria specified in sub section 9.4.7.2.

9.4.7 Site Plan Approvals

1. General Review Standards Approval. [Amended 5-7-2005 ATM Art. 17] Site Plan approval for uses listed in 9.4.1 shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that the following conditions have been satisfied. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

RECEIVED
2011 FEB -8 AM 7:55g
TOWN OF WESTFORD
TOWN CLERK'S OFFICE

- a.1. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;
- b.2. Maximize pedestrian and vehicular safety both on and offsite;
- c.3. Minimize obstruction of scenic views from publicly accessible locations;
- d.4. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;
- e.5. Minimize glare from headlights through plantings or other screening;
- f.6. Minimize lighting intrusion through use of such devices as cutoff luminaries confining direct rays to the site, with fixture mounting not higher than 20 feet;
- g.7. Minimize unreasonable departure from the character and scale of building in the vicinity, as viewed from public ways;
- h.8. Minimize contamination of groundwater from onsite wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.
- i.9. Maintain an acceptable level of traffic service, volume and infrastructure which meets the goals of the Master Plan, the Traffic and Pedestrian Safety Manual, and Route 110 Master Plan, the Sidewalk Master Plan, and other Town adopted Master Plans.
- j.10. Encourage alternative methods of transporting people, through public transportation, car pools and van pools, bicycling and walking, rather than near exclusive reliance on single-occupant vehicles.

2. Review Standards for Religious, Educational and Child Care Uses. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that the following conditions have been satisfied. In reviewing the site plan submittal for an exempt use under 9.4.2, the Planning Board shall consider the following:

- a. **Relationship of the bulk and height of structures and adequacy of open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this Bylaw, which includes, but is not limited to, building coverage requirements, yard sizes, lot areas and setbacks.**
- b. **Physical layout of the plan as it relates to convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;**

- c. Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;
- d. Physical lighting of the site, especially the adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky.

Or act in relation thereto.

