



TOWN OF MILTON
MASSACHUSETTS

SUSAN M. GALVIN
Town Clerk

To Whom It May Concern:

This is to certify that the following is a true copy of Article 12 of the Warrant for the October Town Meeting held October 24, 2017 and of the vote passed thereunder.

ARTICLE 12 To see if the Town will vote to amend Chapter 10 of the General Bylaws known as the Zoning Bylaws by striking Paragraphs 3 and 5, of Section III.C by renumbering Paragraph 4 of Section III.C as Paragraph 3 and by adding the following new Paragraphs 4 and 5 to Section III.C:

4(a) Signs Permitted in the Business District. Signs, which are permissible in any residence district, are permissible in the business district. The following advertising signs, which are erected and maintained to advertise goods, services or businesses offered or conducted on the premises, are allowable in the business district by Sign Permit:

(i.) Allowable Sign Area – Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the total area of all signs erected on a lot shall not exceed two (2) square feet in area for each horizontal linear foot of the building facade(s) parallel to, or substantially parallel to, a street line.

However, if the primary façade is on a parking area, then said façade shall be used to determine the amount of allowable signage.

The area of a sign is the entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed.

(ii.) Principal Signs – No more than two principal signs shall be allowed for each business establishment. A principal sign may be a flat wall sign, a projecting sign, or a freestanding sign. Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the area and characteristics of principal signs shall be as hereafter specified and, if there shall be more than one principal sign, each such sign shall be of a different type.

(A) Wall Sign – The total area of all flat wall signs shall not exceed fifty (50) square feet on any one wall of the business establishment. Flat wall signs shall not project more than twelve (12) inches from the face of the wall. A flat wall sign may be located below the second story windows if any or the first story cornice, provided that it does not conceal any part of a window or significant



architectural details, does not go above the cornice or roof line, and its length does not exceed seven-eighths (7/8) of the facade of the business establishment.

(B) Projecting Sign – A Projecting Sign shall not extend beyond the curb line or more than 50 inches beyond the face of the building, exclusive of any supporting structure from the building. A projecting sign shall not be less than 8 feet from the ground level at the base of the building. Such sign shall not extend above the building shall not be more than six (6) square feet in area on each face shall not be more than six (6) inches in thickness, and shall not consist of more than two (2) faces. Each face shall count in computing sign area.

(C) Freestanding Sign—A freestanding sign shall not be a part of or attached to any building. It may be located elsewhere on a lot where it does not obstruct vehicular traffic sight lines or pedestrian traffic. A freestanding sign may pertain to any or all of the businesses located on a lot. A freestanding sign shall not have more than 2 faces, each of which shall count in computing sign area.

(iii.) Secondary Signs – If a business establishment consists of more than one building, or if a building has secondary frontage on a street or parking area, a secondary sign may be affixed to one wall of each building or to the second side. Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the area and characteristics of secondary signs shall be as herein specified. Secondary signs shall not exceed one square foot for each horizontal linear foot of secondary frontage on a street or parking lot, and said area shall be limited to 50% of the area allowed for the principal sign.

(iv.) Directory Sign – If there are two (2) or more businesses on a lot, or if there are businesses without an entrance on the street frontage, a secondary directory sign may be permitted for the purpose of traffic direction and control. The size of the directory shall not exceed nine (9) square feet and shall be limited to 6 feet in height. Such a directory shall be included in the calculation of total allowable sign area for the lot.

(v.) Awning – Fabric awnings projecting from the wall of a building for the purpose of shielding the doorway or windows from the elements shall not be considered signs. Awnings shall contain no lettering or commercial images. Awnings shall be located such that significant architectural features and details are not concealed. Awnings shall have a traditional sloped form with no sides or valence and shall not extend unbroken beyond a single storefront.

(vi.) Sidewalk Signs – One “A” frame sidewalk sign per business premises may be permitted in addition to the other signs permitted; however at no time may there be more than one such sign within 150 feet of another such sign. Sidewalk signs are not permitted in the public street.

The sign shall be erected upon issuance of a 30-day permit. The Town Administrator shall issue permits on a first-come, first-served basis and maintain a waiting list if an existing permit has been issued for a business within 150 feet of the first. A permit may only be renewed if there is not an applicant on the waiting list to install a sign within 150 feet. Such signs are subject to the following conditions and any other conditions specified by the Building Commissioner:

(A) The sign shall only be displayed in front of the place of business.

- (B) The sign shall be placed so as to maintain at least 48" of sidewalk area in compliance with ADA requirements.
- (C) The sign shall not exceed 24" in width and 36" in height.
- (D) The sign shall advertise only the business on the premises.
- (E) The sign shall be free of sharp corners, protrusions and devices which could cause injury and shall be constructed with a cross-brace for stability and have sufficient strength to withstand wind gusts without moving.
- (H) The sign may be displayed only during business hours and must be removed thereafter.
- (I) Liability insurance coverage shall be carried, and evidence of same may be requested by the Building Commissioner. Said insurance shall cover personal injuries or property damage which may occur on account of such sign. Such liability insurance coverage shall include the Town of Milton as an insured in amounts specified by the Town Administrator.

- (vii.) Window Signs. Businesses may have advertising signs covering no more than 20% of the window area of the storefront. Signs positioned within the premises but with the principal effect of being seen through the window from the outside shall be subject to this requirement. Temporary advertising window signs displayed for a period not to exceed 60 consecutive days shall not require a sign permit but, in conjunction with other window signs, shall not cover more than 20% of the window area.

(b.) Application Submittal and Reference to the Sign Review Committee

—Any person desiring to erect, install, place, construct, alter, move or maintain an advertising sign in the business district shall apply to the Building Commissioner for a permit. The applicant for a sign permit shall submit a completed application in form and content as the Building Commissioner may specify. Electronic submissions may be required. The applicant shall be duly authorized by the owner of the business premises. Following receipt of the application and payment of a fee the Building Commissioner shall refer it to the Sign Review Committee which may request additional information in addition to the following:

- (i) An elevation drawing, including dimensional information for the sign, the building façade (if applicable), and the relationship of the sign to the frontage of the building.
- (ii) Material specifications, construction and application method.
- (iii) Sign drawing, including letter style, size and color.
- (iv) Sign cross-section.
- (v) A color photograph of the existing storefront or façade and the storefronts or facades to either side.
- (vi) Applicant's name, phone number, email and address. If the Applicant is a sign contractor, then the name of the owner of the business premises and the owner's phone number, email and address and the name, phone number, email and address of the owner of the business (if different).

- (vii) The allowable total sign area determined under Paragraph 4(a)(1) or the Sign and Façade Design Handbook and the proposed total sign area.
- (viii) In the event that an illuminated sign is sought, the design, type and model (if applicable) of the lighting equipment and the strength, color, type and intensity of the light emitted shall be specified as well as specifications showing compliance with the following:
 - (A) No sign shall use flashing, intermittent or unduly bright lights.
 - (B) No signs, other than barber poles and time and temperature displays shall have visible moving parts.
 - (C) Signs may only be illuminated by steady, stationary light which does not reflect or shine on or into neighboring properties or the street.
 - (D) A sign may be illuminated for a business operating after sunset only during its hours of operation.
- (ix) In the event that the total area of signs for which application is made exceeds the allowable area specified in subparagraph 4(a)(1) there shall be a detailed statement in the application showing good cause for additional allowable area.

(c) Action by the Sign Review Committee— Following receipt of the application and all required information, the Sign Review Committee shall schedule a public hearing at the expense of the applicant if the application seeks authorization of additional allowable area or if it seeks one or more illuminated signs. Otherwise, it may act on the application without a hearing. Public hearings shall require published notice and mailed notice at the expense of the applicant at least one week before the date of the hearing. Permissible action on an application shall include:

- (i) The Sign Review Committee shall approve applications for unilluminated or illuminated signs meeting all requirements set out herein and all relevant standards and requirements in the Sign and Façade Design Handbook.
- (ii) The Sign Review Committee may approve an application with conditions which ensure that all relevant standards and requirements are met.
- (iii) The Sign Review Committee may deny an application upon a determination that relevant requirements or standards have not been met and that conditions would not be a reasonable cure.
- (iv) The Sign Review Committee may allow additional allowable area for signs if good cause has been shown.

Within 60 days of receipt of the application the Sign Review Committee shall issue a proposed decision to the Building Commissioner who may accept it and issue a permit or who may refer the matter back to

the Sign Review Committee specifying the aspects of the proposed decision which did not reflect proper application of the relevant standards or requirements. If a matter is referred back to it, the Sign Review Committee shall act upon the Building Commissioner's comments and issue a revised proposed decision, which the Building Commissioner may accept and issue a permit or which the Building Commissioner may further revise and issue a permit, with a detailed explanation for the revisions. The Building Commissioner may also deny the permit with a written denial specifying the reasons for denial. The Building Commissioner shall mail or deliver copies of the permit or of the permit denial to Applicant, the Town Planner, the Town Administrator and the Sign Review Committee and file it with the Town Clerk.

(d) **Appeal to Board of Appeals.** An applicant, Board of Selectmen, Planning Board, the Sign Review Committee or person aggrieved by a permit issued by the Building Commissioner or denial of a permit may appeal to the Board of Appeals in the same manner as with an enforcement order of the Building Commissioner. In the event of an appeal the Building Commissioner after consultation with the Sign Review Committee may authorize temporary advertising signs during the continuance of the appeal.

[Alternate Paragraph (d)]:

Appeal to Board of Selectmen. An applicant, Planning Board, Sign Review Committee, or person aggrieved by a permit issued by the Building Commissioner or denial of a permit may appeal to the Board of Selectmen in the same manner as an appeal from an enforcement order of the Building Commissioner may be taken to the Board of Appeals; the Board of Selectmen shall establish specific procedures for such appeals. In the event of an appeal the Building Commissioner after consultation with the Sign Review Committee may authorize temporary advertising signs during continuance of an appeal.

[New Paragraph 5]

5. **Sign and Façade Design Handbook.** The Sign Review Committee subject to the approval of the Board of Selectmen, shall prepare, maintain and periodically update or revise a Sign and Façade Design Handbook. The handbook shall contain detailed standards and requirements for advertising signs in the business district including standards or requirements which may differ with the provisions of this Paragraph 4 as herein authorized and to act on anything relating thereto.

VOTED. The Town voted to amend Chapter 10 of the General Bylaws known as the Zoning Bylaws by striking Paragraphs 3 and 5, of Section III.C by renumbering Paragraph 4 of Section III.C as Paragraph 3 and by adding the following new Paragraphs 4 and 5 to Section III.C: Advertising Signs in the Business District

4(a) **Signs Permitted in the Business District.** Signs, which are permissible in any residence district, are permissible in the business district. The following advertising signs, which are erected and maintained to advertise goods, services or businesses offered or conducted on the premises, are allowable in the business district by Sign Permit:

(i) **Allowable Sign Area** – Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the total area of all signs erected on a lot shall not exceed two (2) square feet in area for each horizontal linear foot of the building facade(s) parallel to, or substantially parallel to, a street line.

However, if the primary façade is on a parking area, then said façade shall be used to determine the amount of allowable signage.

The area of a sign is the entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed.

- (ii) Principal Signs – No more than two principal signs shall be allowed for each business establishment. A principal sign may be a flat wall sign, a projecting sign, or a freestanding sign. Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the area and characteristics of principal signs shall be as hereafter specified and, if there shall be more than one principal sign, each such sign shall be of a different type.
 - (A) Wall Sign – The total area of all flat wall signs shall not exceed fifty (50) square feet on any one wall of the business establishment. Flat wall signs shall not project more than twelve (12) inches from the face of the wall. A flat wall sign may be located below the second story windows if any or the first story cornice, provided that it does not conceal any part of a window or significant architectural details, does not go above the cornice or roof line, and its length does not exceed seven-eighths (7/8) of the facade of the business establishment.
 - (B) Projecting Sign – A Projecting Sign shall not extend beyond the curb line or more than 50 inches beyond the face of the building, exclusive of any supporting structure from the building. A projecting sign shall not be less than 8 feet from the ground level at the base of the building. Such sign shall not extend above the building shall not be more than six (6) square feet in area on each face shall not be more than six (6) inches in thickness, and shall not consist of more than two (2) faces. Each face shall count in computing sign area.
 - (C) Freestanding Sign - A freestanding sign shall not be a part of or attached to any building. It may be located elsewhere on a lot where it does not obstruct vehicular traffic sight lines or pedestrian traffic. A freestanding sign may pertain to any or all of the businesses located on a lot. A freestanding sign shall not have more than 2 faces, each of which shall count in computing sign area.
- (iii) Secondary Signs – If a business establishment consists of more than one building, or if a building has secondary frontage on a street or parking area, a secondary sign may be affixed to one wall of each building or to the second side. Unless otherwise determined in accordance with the Sign and Façade Design Handbook, the area and characteristics of secondary signs shall be as herein specified. Secondary signs shall not exceed one square foot for each horizontal linear foot of secondary frontage on a street or parking lot, and said area shall be limited to 50% of the area allowed for the principal sign.
- (iv) Directory Sign – If there are two (2) or more businesses on a lot, or if there are businesses without an entrance on the street frontage, a secondary directory sign may be permitted for the purpose of traffic direction and control. The size of the directory shall not exceed nine (9) square feet and shall be limited to 6 feet in height. Such a directory shall be included in the calculation of total allowable sign area for the lot.

- (v) Awning – Fabric awnings projecting from the wall of a building for the purpose of shielding the doorway or windows from the elements shall not be considered signs. Awnings shall contain no lettering or commercial images. Awnings shall be located such that significant architectural features and details are not concealed. Awnings shall have a traditional sloped form with no sides or valence and shall not extend unbroken beyond a single storefront.
- (vi) Sidewalk Signs – One “A” frame sidewalk sign per business premises may be permitted in addition to the other signs permitted; however at no time may there be more than one such sign within 150 feet of another such sign. Sidewalk signs are not permitted in the public street.

The sign shall be erected upon issuance of a 30-day permit. The Town Administrator shall issue permits on a first-come, first-served basis and maintain a waiting list if an existing permit has been issued for a business within 150 feet of the first. A permit may only be renewed if there is not an applicant on the waiting list to install a sign within 150 feet. Such signs are subject to the following conditions and any other conditions specified by the Building Commissioner:

- (A) The sign shall only be displayed in front of the place of business.
- (B) The sign shall be placed so as to maintain at least 48" of sidewalk area in compliance with ADA requirements.
- (C) The sign shall not exceed 24" in width and 36" in height.
- (D) The sign shall advertise only the business on the premises.
- (E) The sign shall be free of sharp corners, protrusions and devices which could cause injury and shall be constructed with a cross-brace for stability and have sufficient strength to withstand wind gusts without moving.
- (F) The sign may be displayed only during business hours and must be removed thereafter.
- (G) Liability insurance coverage shall be carried, and evidence of same may be requested by the Building Commissioner. Said insurance shall cover personal injuries or property damage which may occur on account of such sign. Such liability insurance coverage shall include the Town of Milton as an insured in amounts specified by the Town Administrator.

- (vii) Window Signs. Businesses may have advertising signs covering no more than 20% of the window area of the storefront. Signs positioned within the premises but with the principal effect of being seen through the window from the outside shall be subject to this requirement. Temporary advertising window signs displayed for a period not to exceed 60 consecutive days shall not require a sign permit but, in conjunction with other window signs, shall not cover more than 20% of the window area.

(b) Application Submittal and Reference to the Sign Review Committee

–Any person desiring to erect, install, place, construct, alter, move or maintain an advertising sign in the business district shall apply to the Building Commissioner for a permit. The applicant for a sign permit shall submit a completed application in form and content as the Building Commissioner may specify. Electronic submissions may be required. The applicant shall be duly authorized by the owner of the business premises. Following receipt of the application and payment of a fee the Building Commissioner shall refer it to the Sign Review Committee which may request additional information in addition to the following:

- (i) An elevation drawing, including dimensional information for the sign, the building façade (if applicable), and the relationship of the sign to the frontage of the building.
- (ii) Material specifications, construction and application method.
- (iii) Sign drawing, including letter style, size and color.
- (iv) Sign cross-section.
- (v) A color photograph of the existing storefront or façade and the storefronts or facades to either side.
- (vi) Applicant's name, phone number, email and address. If the Applicant is a sign contractor, then the name of the owner of the business premises and the owner's phone number, email and address and the name, phone number, email and address of the owner of the business (if different).
- (vii) The allowable total sign area determined under Paragraph 4(a)(1) or the Sign and Façade Design Handbook and the proposed total sign area.
- (viii) In the event that an illuminated sign is sought, the design, type and model (if applicable) of the lighting equipment and the strength, color, type and intensity of the light emitted shall be specified as well as specifications showing compliance with the following:
 - (A) No sign shall use flashing, intermittent or unduly bright lights.
 - (B) No signs, other than barber poles and time and temperature displays shall have visible moving parts.
 - (C) Signs may only be illuminated by steady, stationary light which does not reflect or shine on or into neighboring properties or the street.
 - (D) A sign may be illuminated for a business operating after sunset only during its hours of operation.
- (ix) In the event that the total area of signs for which application is made exceeds the allowable area specified in subparagraph 4(a)(1) there shall be a detailed statement in the application showing good cause for additional allowable area.

(c) Action by the Sign Review Committee - Following receipt of the application and all required information, the Sign Review Committee shall schedule a public hearing at the expense of the applicant if the application seeks authorization of additional allowable area or if it seeks one or more illuminated signs. Otherwise, it may act on the application without a hearing. Public hearings shall require published notice and mailed notice at the expense of the applicant at least one week before the date of the hearing. Permissible action on an application shall include:

- (i) The Sign Review Committee shall approve applications for unilluminated or illuminated signs meeting all requirements set out herein and all relevant standards and requirements in the Sign and Façade Design Handbook.

- (ii) The Sign Review Committee may approve an application with conditions which ensure that all relevant standards and requirements are met.
- (iii) The Sign Review Committee may deny an application upon a determination that relevant requirements or standards have not been met and that conditions would not be a reasonable cure.
- (iv) The Sign Review Committee may allow additional allowable area for signs if good cause has been shown.

Within 60 days of receipt of the application the Sign Review Committee shall issue a proposed decision to the Building Commissioner who may accept it and issue a permit or who may refer the matter back to the Sign Review Committee specifying the aspects of the proposed decision which did not reflect proper application of the relevant standards or requirements. If a matter is referred back to it, the Sign Review Committee shall act upon the Building Commissioner's comments and issue a revised proposed decision, which the Building Commissioner may accept and issue a permit or which the Building Commissioner may further revise and issue a permit, with a detailed explanation for the revisions. The Building Commissioner may also deny the permit with a written denial specifying the reasons for denial. The Building Commissioner shall mail or deliver copies of the permit or of the permit denial to Applicant, the Town Planner, the Town Administrator and the Sign Review Committee and file it with the Town Clerk.

- (d) Appeal to Board of Selectmen. An applicant, Planning Board, Sign Review Committee, or person aggrieved by a permit issued by the Building Commissioner or denial of a permit may appeal to the Board of Selectmen in the same manner as an appeal from an enforcement order of the Building Commissioner may be taken to the Board of Appeals; the Board of Selectmen shall establish specific procedures for such appeals. In the event of an appeal the Building Commissioner after consultation with the Sign Review Committee may authorize temporary advertising signs during continuance of an appeal.

5. Sign and Façade Design Handbook. The Sign Review Committee subject to the approval of the Board of Selectmen, shall prepare, maintain and periodically update or revise a Sign and Façade Design Handbook. The handbook shall contain detailed standards and requirements for advertising signs in the business district including standards or requirements which may differ with the provisions of this Paragraph 4 as herein authorized.

VOICE VOTE

The Moderator declared a two-thirds vote.

A true copy, Attest:

Susan M. Malvin
Town Clerk