

November 16, 2020

# Town of Hanson Sign Regulations

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<b>Article 1. General Provisions</b>	<b>Page 4</b>
Section 1. Title	
Section 2. Intent and Purpose	
Section 3. Applicability	
Section 4. Relationship to other By-laws	<b>Page 5</b>
<b>Article 2. Exempt Signs</b>	<b>Page 5</b>
Section 1. Types of Signs Exempt from a Sign Permit	
<b>Article 3. Prohibited Signs</b>	<b>Page 7</b>
Section 1. Prohibited Signs	
<b>Article 4. Sign Standards</b>	<b>Page 8</b>
Section 1. Area and Height Measurement	
Section 2. Setbacks	
Section 3. Maximum Height and Location	<b>Page 9</b>
Section 4. Illumination	
Section 5. Clearance	<b>Page 10</b>
Section 6. Sign Standards by Sign Type	<b>Page 11</b>
A. Wall Signs	<b>Page 11</b>
B. Window Signs	<b>Page 12</b>
C. Awning Signs	<b>Page 13</b>
D. Projecting Signs	<b>Page 14</b>
E. Monument Signs	<b>Page 15</b>
F. Free Standing Post Signs	<b>Page 16</b>
G. Pole Signs	<b>Page 17</b>
H. Sandwich Board Signs	<b>Page 18</b>
I. Murals	<b>Page 19</b>
J. Electronic Message Center	<b>Page 20</b>
K. Shopping Center Identification Signs	<b>Page 21</b>
L. Residential Subdivision Signs	<b>Page 22</b>
M. Directory Signs	<b>Page 23</b>
Section 7. Signs Requiring Site Plan Review	<b>Page 24</b>
Section 8. Sign Programs	

# Town of Hanson Sign Regulations

---

<b><i>Article 5. Sign Permits: Application and Processing Procedures</i></b>	<b>Page 24</b>
Section 1. Permit Required	
Section 2. Sign Permit Application - Contents	
Section 3. Special Permit Granting Authority Application	<b>Page 25</b>
Section 4. Denial	
Section 5. Appeals	
<b><i>Article 6. Exceptions to Sign Standards</i></b>	<b>Page 25</b>
Section 1. Requests for Exceptions	
Section 2. Findings for Approval of an Exception	
<b><i>Article 7. Sign Maintenance and Abandoned Signs</i></b>	<b>Page 26</b>
Section 1. Maintaining Signs	
Section 2. Abandoned Signs	
Section 3. Unsafe Signs	
<b><i>Article 8. Enforcement</i></b>	<b>Page 27</b>
Section 1. Type of Offense	
Section 2. Public Nuisance	
<b><i>Article 9. Definitions</i></b>	<b>Page 27</b>

# Town of Hanson Sign Regulations

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## **Article 1. General Provisions**

### **Section 1. Title**

This chapter shall be known and cited as the Town of Hanson “Sign Regulations.”

### **Section 2. Intent and Purpose**

The Town of Hanson has determined that these Sign Regulations are necessary because:

- A.** The Sign Regulations are intended to protect and enhance the character of the community and its various neighborhoods and districts against visual blight.
- B.** It is necessary to regulate the size, type and location of signs to encourage the effective use of signs as a means of communication and to provide equity among sign owners and those who wish to use signs.
- C.** Controlling the size and number of signs is necessary to implement community goals and policies expressed in the Town of Hanson Master Plan.
- D.** Signs have an important design component and must be architecturally compatible with affected structures and the character of surrounding development in order to maintain the overall quality of a neighborhood or commercial district.
- E.** The cumulative effect of numerous signs close to each other has a detrimental impact which cannot be addressed in any way other than by limiting the number and size of all signs.
- F.** It is necessary for public safety that official traffic regulation devices be easily visible and free from nearby visual obstructions and distractions, such as attention-getting signs, an excessive number of signs, or signs in any way resembling official signs.
- G.** It is the intent of these regulations to regulate the time, place and manner under which signs are permitted, and not the content of signage. Although examples of content may be provided in the regulations for clarity, content will not be used as a basis for determining whether or not a proposed sign may be permitted.

### **Section 3. Applicability**

This section shall apply to all property and land within the jurisdiction of the Town of Hanson. It is unlawful for any person, firm, or corporation that owns, occupies, or controls property in the Town of Hanson to construct, maintain, display or alter or cause to be constructed, maintained, displayed or altered, a sign within the Town except in conformance with this section.

# Town of Hanson Sign Regulations

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## Section 4. Relationship to other By-laws

- A. Nothing in these regulations shall be construed as exempting an applicant from any other applicable Town, County, or Commonwealth by-laws.
- B. To the extent that the requirements of these regulations differ from or are not in accordance with any other applicable requirements, the more restrictive requirements shall apply.

## *Article 2. Exempt Signs*

### Section 1. Types of Signs Exempt from a Sign Permit

The Town of Hanson has a compelling interest in permitting the following signs in order to comply with the Commonwealth and local laws and to promote public safety on Town property and/or in the street right-of-way. The following signs may be installed without a sign permit, provided they meet the requirements listed below. Under certain circumstances these signs may require a building permit. Contact the Town of Hanson Building Commissioner/Zoning Enforcement Officer for permitting requirements prior to installing any of the signs listed below. These signs shall not be included in the determination of type, number, or area of signs allowed on a given property. Signs exempt from a sign permit shall not be internally illuminated.

- A. **Construction Signs:** A maximum of four signs located on construction sites not exceeding 16 square feet in aggregate while a valid construction permit is active. For commercial and residential projects on sites 3 acres or larger, the maximum exempt sign area is 32 square feet.
- B. **Government Signs:** Official Federal, Commonwealth or local government signs and notices issued by any court, person or officer in performance of a public duty.
- C. **Miscellaneous Small Signs:** Signs with an aggregate area not to exceed 3 square feet and located within 5 feet of an entrance to a building.
- D. **No Trespassing Signs:** Trespassing warnings that are posted in compliance with the requirements of Federal, Commonwealth and local laws.
- E. **Traffic Safety Signs:** Signs warning of construction, excavation, or similar hazards if expressly approved by the Town of Hanson Zoning Enforcement Officer. Parking lot and other private traffic directional signs each not exceeding 3 feet in height and 5 square feet in area and limited to guidance of pedestrian or vehicular traffic within the premises on which they are located.

## Town of Hanson Sign Regulations

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- F. Real Estate Signs:** Temporary signs indicating that the property on which the sign is located is for sale, rent or lease, as provided for by law. Only two such signs are permitted to face on each street adjacent to the property. Such signs may be single or double-faced and are limited in size to 6 square feet or less on property in residential zones, and 10 square feet or less on property in commercial zones.
- G. Temporary Window Signs:** Temporary signs on commercial properties, affixed to the inside of a window, or hung within 12 inches of a window promoting grand openings and special events (commercial or non-commercial), provided the sign or signs do not exceed 10 percent of each window area, or 4 square feet per window, whichever is greater.
- H. Transit Signs:** Signs identifying transit stops, facilities, times and routes.
- I. Utility Signs:** Signs placed by utility companies as part of the normal operation and maintenance of facilities such as public telephones and underground services.
- J. Vehicle Signs:** Painted signs or decals affixed to the body of any vehicle, unless parked for the primary purpose of displaying the sign.
- K. Political Signs:** No sign permit or department notification is required for Political Signs. Political signs are allowed in all zoning districts on private property with the property owner's authorization; there is no placement of political signage on municipal property. Political signs are not limited in size however, public safety is key and structures will require a building permit. Political signs must not block reasonable sight lines of other signs. Public safety is paramount; the Building Commissioner may take any necessary action, including sign removal.
- L. Farm Stands:** A farm stand may have no more than two temporary ground identification signs. Such signs shall not exceed 12 square feet in area and six feet in height from the ground; be located on the same lot as the farm stand; and may have temporary sign(s) at the nearest intersecting streets with the land owner's permission; not be illuminated or create a hazard to traffic; and be removed when the farm stand closes for the season.
- M. Yard Sales:** Signs for charity and/or neighborhood yard sales shall be limited to not more than three consecutive days. All personal property to be sold at the sale shall be owned, utilized, and maintained by such persons or members of his or her family on or in connection with the premises which they occupy and shall not have been acquired or consigned to him or her for the purposes of resale.
- N. Lot Signs:** Temporary lot location signs are exempt, not to exceed 4 square feet.

## ***Article 3. Prohibited Signs***

### **Section 1. Prohibited Signs**

The following signs are prohibited and subject to immediate abatement by the Town of Hanson's Zoning Enforcement Officer. The Town has a compelling interest to prohibit the following signs to further the Intent and Purpose of these Sign Regulations and to enforce local, Commonwealth and Federal law.

- A. Moving or Flashing Signs:** No signs shall contain, include or be illuminated by any flashing, intermittent or moving lights, or contain or consist of pennants, decorations or ribbons, balloons, streamers or spinners, moving devices, or have any animated, motorized or moving parts or lights of variable or varying light intensities, except traffic control signs. Holiday displays, commercial or residential, employing customary strings of white or colored lights or other holiday decorations, are specifically excluded from this restriction.
- B. Banner Signs:** are prohibited unless:
  - a. Approved in conjunction with a temporary or intermittent use permit for special event permit; or
  - b. Approved with a sign permit as a temporary sign pending manufacture and installation of an approved permanent sign; or
  - c. Approved by the Highway Surveyor over designated rights-of-way.
- C. Outdoor Advertising Displays and Off-Site Signs:** Outdoor advertising displays such as billboards are prohibited within the Town of Hanson.
- D. Highly Reflective and Fluorescent Signs:** Signs made wholly or partially of highly reflective material and fluorescent or day-glow painted signs.
- E. Signs on Street Trees:** Any sign posted on or affixed to a street tree, fence or utility pole.
- F. Signs that Block Ingress or Egress:** Any sign, such as a sandwich-board sign, placed or maintained so as to interfere with free ingress to or egress from any door, window, fire escape, or parking lot.
- G. Signs in the Street Right-of-way:** Any sign placed in any street right-of-way without a valid permit or prior approval for the purpose of safety or traffic control. No sign shall be affixed to or posted in front of any guardrails located in a public right-of-way.

# Town of Hanson Sign Regulations

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- H. Simulated Traffic Signs:** Any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which makes use of words, symbols or characters in such a manner as to interfere with, mislead, or confuse pedestrian or vehicular traffic.
- I. Private Signs on Town Property:** Unless a permit for such a sign is authorized by the Board of Selectmen following review and comment by the Zoning Enforcement Officer, no such signs are permitted. No such authorization shall be given until after a duly advertised public hearing. Except for setback from property lines, any such signs shall conform in all respects to all other provisions of this Article. Permits for such signs may be revoked at any time by the Board of Selectmen.
- J. Portable Signs:** Portable signs, including portable signs attached to a permanent post or installed on any portable vehicle, except temporary real estate or contractor signs are not permitted, excluding sandwich board signs.

## ***Article 4. Sign Standards***

### **Section 1. Area and Height Measurement**

The sign area is calculated by determining the number of square feet of the smallest rectangle(s) within which a sign face can be enclosed. In determining the area of an individual sign that has more than one face (e.g. a monument or projecting sign), the single sign face with the greatest area shall be used. The total sign area is the sum of all individual sign areas.

The height of a sign shall be measured from the ground, adjacent to the sign, to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.

### **Section 2. Setbacks**

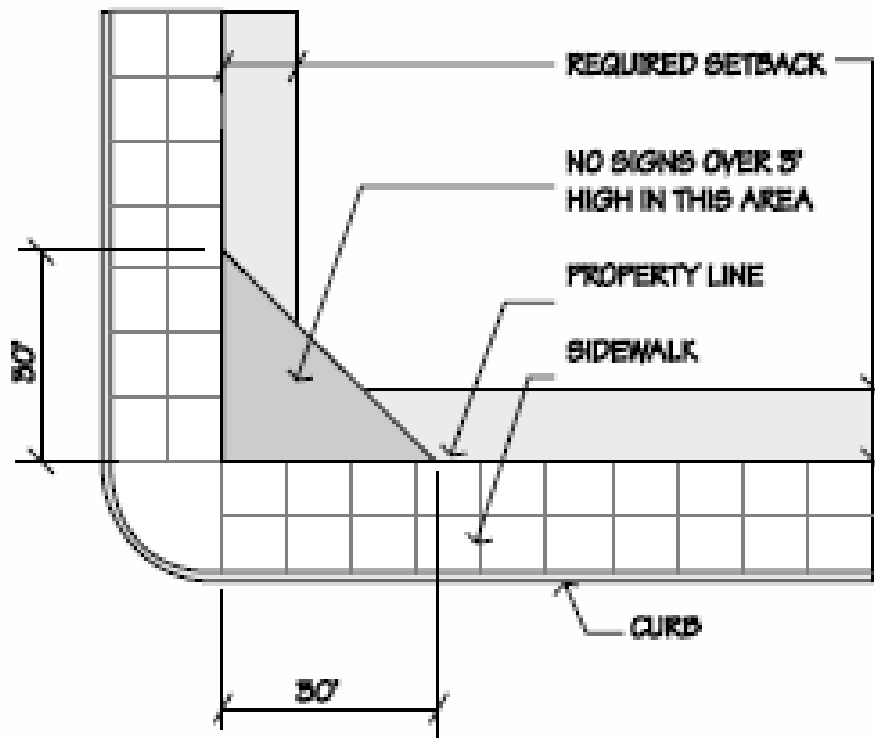
No sign shall be located within 20 Feet of the edge of roadway of any public or private way.

- A.** Signs taller than 3 feet may not be located within the visibility triangle depicted below. Minor exceptions may be granted for controlled intersections if approved by the Zoning Enforcement Officer, if a finding is made that the proposed sign will not affect the line of sight of vehicles or pedestrians at the intersection.



## Town of Hanson Sign Regulations

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- B. With Zoning Enforcement Officer approval, traffic directional signs may be placed in the required setback, providing they do not interfere with visibility required for safe vehicular and pedestrian circulation, especially at street corners.
- C. With Zoning Enforcement Officer approval, monument signs may be located in the required setback area, provided they are outside of the visibility triangle, provide adequate site distance for driveways and meet applicable height and area limits established for the zoning district.

### Section 3. Maximum Height and Location

The maximum height of any sign is 25 feet above the adjacent grade. A sign may not be located above the highest point of the second story of any building.

### Section 4. Illumination

Where illumination of signs is permitted, the following standards shall apply.

1. Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises.
2. The light source, whether internal to the sign or external, shall be shielded from view. This requirement is not intended to preclude the use of diffused exposed neon.

## Town of Hanson Sign Regulations

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3. Sign illumination for externally illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
4. Signs shall not be illuminated after 11:00 PM or close of business, whichever is later.
5. Units of illumination:
  - A. Each sign shall be designed so that illumination does not exceed 100 luxes (10 foot-candles) measured at a distance of 10 feet from the base of the sign. Except in the following Zoning Districts:
    1. **Business and Flex Zones:** Illumination of the sign face shall not exceed 10 Luxes (1 foot-candle) measured at a distance of 10 feet from the sign.
    - 2.) **Residential Zones: A, AA, and B:** Signs may not be illuminated, except directory signs, which shall not exceed 10 luxes (1 foot-candle) measured at a distance of 10 feet from the sign.

### Section 5. Clearance

Where permitted, awning, projecting, marquee and suspended signs shall conform to the following requirements:

1. **Vertical clearance:** The minimum clearance between the lowest point of a sign and the grade immediately below shall be 8 feet for public right-of-way and private sidewalk areas.

## Section 6. Sign Standards by Sign Type

This section is intended to be used in conjunction with other standards contained in these Sign Regulations. In no case may the maximum number or size of signs, or their illumination levels, exceed the standards provided by Section 6 (Sign Standards by District) and Section 4 (Illumination) of these regulations, respectively.

### A. Wall Signs



#### *Signage Guidelines*

Wall signs include most types of signage that are attached to the face of a building wall. These include channel letters made out of wood, metal or plastic. Wall signs may be painted on a wall, or on a board that is attached to a wall. Wall signs should be oriented to achieve balanced composition and harmony with other architectural elements of a building façade. Wall signs should be placed on a flat building surface.

#### *1. Location and Number Permitted*

Wall signs must be located on a building face that has a public entrance. The maximum number of wall signs permitted is two per tenant space.

#### *2. Size*

Wall signs may be a maximum of 100 square feet or 15% of the building face where the sign is attached, whichever is less.

#### *3. Illumination*

Wall signs may be illuminated by any means consistent with Section 4 of these Sign Regulations.

# Town of Hanson Sign Regulations

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## ***4. Zoning***

Wall signs are allowed in all zoning districts.

### **B. Window Signs**



#### ***Signage Guidelines***

Window signs should be scaled to the pedestrian and oriented to window shoppers on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or to provide information

#### ***1. Location and Number***

There is no specific location requirement or limit to the number of window signs allowed. A window sign is a sign that is painted on or attached to a window and located within 12-inches of the face of a window. Window signs do not include business hours of operation or open/closed signs. Window displays, including merchandise displays, graphics and text, that are located more than 12 inches from the face of a window are not considered signs.

#### ***2. Size***

Window signs are limited to a maximum of 24 square feet or 15% of the window area, whichever is less.

#### ***3. Illumination***

Window signs may be illuminated by any means consistent with Section 4 of these Sign Regulations.

#### ***4. Zoning***

# Town of Hanson Sign Regulations

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Window signs are allowed in all Business, Commercial-Industrial and Flexible Overlay zoning districts.

## C. Awning Signs



### ***Signage Guidelines***

Signs on awnings should be minimized and are only appropriate if there are no wall signs, projecting signs or hanging and suspended signs. Signage should be limited to the skirt of the awning and should not be on the awning face.

### ***1. Location and Number***

Signs may be located on awnings subject to size criteria. One awning sign is permitted per tenant space and must maintain a minimum clearance of 8 feet above any public right-of-way or private sidewalk area.

### ***2. Size***

Signs on awnings shall not cover more than 25 percent of the main area of the awning, or exceed 25 square feet in size, whichever is smaller. Awning skirts shall not be deeper than 14”.

### ***3. Illumination***

Awning signs may be externally illuminated consistent with Section 4 of these Sign Regulations.

### ***4. Zoning***

Awning signs may be located in all Business, Commercial-Industrial and Flexible Overlay zoning districts.

## D. Projecting Signs



### *Signage Guidelines*

Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are very effective when oriented to pedestrians on the sidewalk level. Appropriate materials include wood and metal with carved or applied lettering.

#### **1. Location and Number**

Projecting signs must be attached to building façades that have a public entrance and must maintain a minimum clearance of 8 feet above the public right-of-way or private sidewalk area. One projecting sign is allowed per business space.

#### **2. Size**

Projecting signs may have a maximum area of 12 square feet.

#### **3. Illumination**

Projecting signs may be illuminated by any means consistent with Section 4 of these Sign Regulations.

#### **4. Zoning**



# Town of Hanson Sign Regulations

Projecting signs are allowed in the Business, Commercial, Industrial and Flexible Overlay zoning districts only.

## E. Monument Signs



### *Signage Guidelines*

Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people that are trying to identify a use. Monument signs have a solid base that the sign face is installed upon. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the buildings on the site. They are typically oriented perpendicular to the adjacent street and sidewalk and have a maximum of two parallel sign faces.

#### ***1. Location and Number Permitted***

Only one monument sign is permitted per parcel.

#### ***2. Size***

Monument signs may be a maximum of 24 square feet. The maximum height of a monument sign is 6 feet.

#### ***3. Illumination***

If illumination of monument signs is desired, then external illumination or halo lighting is preferred.

#### ***4. Zoning***

# Town of Hanson Sign Regulations

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Monument signs are allowed in all commercial districts.

## F. Free-Standing Post Signs



### ***Signage Guidelines***

Free-standing post signs are primarily used to identify office uses, especially where a former residence has been converted into an office. They are similar to monument signs, except they do not have a base other than the support posts, they usually have a single sign face, and they are usually oriented parallel to the sidewalk instead of perpendicular.

### ***1. Location and Number***

Free-standing post signs may be located in required street yards for any given zone. Only one free-standing post sign is permitted per premises, per street frontage.

### ***2. Size***

The maximum sign area for free-standing post signs is 20 square feet. Free-standing post signs shall not be taller than 6 feet, measured from the ground to the top of the sign structure. Where two or more uses are located on the same premises, the sign area for free-standing post signs must be shared.

### ***3. Illumination***

Free-standing post signs may be externally illuminated consistent with Section 4 of these Sign Regulations.



# Town of Hanson Sign Regulations

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## 4. Zoning

Free-standing post signs are allowed in all zoning districts.

## G. Pole Signs



### *Signage Guidelines*

Pole signs are primarily intended to communicate with people in automobiles. The sign structure is typically located on a single pole, but other types of supports may be used.

### *1. Location and Number*

Pole signs must be located outside of required yard or setback areas, unless an exception is approved by the Zoning Board of Appeals during review of the sign design, as provided for by Article 4 Section 2 Setbacks. One pole sign is permitted per premises.

### *2. Size*

Pole signs may have a maximum height of 16 feet and a maximum area of 72 square feet. Where two or more uses are located on the same premises, the sign area for pole signs must be shared.

### *3. Illumination*

Pole signs may be illuminated by any means consistent with Article 4 Section 4 Illumination of these Sign Regulations.

### *4. Zoning*

Pole signs are allowed in the Business, Commercial-Industrial and Flexible Overlay zones only.

# Town of Hanson Sign Regulations

## H. Sandwich-Board Signs



### *Signage Guidelines*

Sandwich-board signs can be effective for certain types of uses, such as markets, restaurants or bakeries that have changing specials and menus. These sign may have re-writable surfaces, such as chalk boards or dry-erase boards.

### *1. Location and Number*

Sandwich-board signs are prohibited in the public right-of-way and must be placed on private property. Sandwich-board signs may be located in required street yards for any given zone, subject to the approval of the Zoning Enforcement Officer, as provided for in Article 4 Section 2 Setbacks of these Sign Regulations. They may be placed in a front yard or in a foyer, portico or other building entry provided they do not interfere with pedestrian ingress or egress as required by the Building Code. Only one sandwich-board sign is permitted per tenant space.

### *2. Size*

Sandwich-board signs may have a maximum area of 8 square feet and a maximum height of 4 feet, measured from the ground to the top of the sign structure.

### *3. Illumination*

Sandwich-board signs may not be illuminated.

### *4. Zoning*

# Town of Hanson Sign Regulations

Sandwich-board signs are allowed in all Business, Commercial-Industrial and Overlay zones.

**5. Duration** Temporary signs shall be allowed only for specific purposes not as semi-permanent displays. A “special sale” sign may be permitted (with a permit) for the actual duration of the sale or for two (2) weeks, whichever is less, four times a year. Not more than four such sale signs shall be permitted in any one year for any one business. A new business may utilize a temporary sign (with a permit) for a period not to exceed two (2) weeks prior to opening and three weeks after opening. These permits for temporary signs are not renewable.

## I. Murals



### *Signage Guidelines*

Certain building walls present opportunities for murals. Murals should not contain text or any specific commercial message.

### **1. Location and Number**

Murals may be located on any one building wall.

### **2. Size**

Murals may be any size.

### **3. Illumination**

Murals may be externally illuminated, consistent with Article 4 Section 4 Illumination of these Sign Regulations.

### **4. Zoning**

Murals may be located in all Business, Commercial-Industrial and Flexible Overlay Districts.

## J. Electronic Message Centers



### *Signage Guidelines*

Electronic message centers (EMCs) come in different shapes and sizes. Some EMCs have interactive computer screens.

### *1. Location and Number*

Electronic message centers may be incorporated into pole signs, mounted or free standing. One EMC is permitted per premises.

### *2. Size*

The allowable size of an electronic message center is determined as part of Site Plan Review.

### *3. Illumination*

EMC's may be illuminated, consistent with Article 4 Section 4 Illumination of these Sign Regulations. There shall be no flashing lights, moving video or audio in the display. . Electronic message centers may be required to display public services announcements for not more than fifteen (15) hours per month as determined by the Board of Selectmen.



# Town of Hanson Sign Regulations

## 4. Zoning

EMC's may be located in all Business, Commercial-Industrial and Flexible Overlay zoning districts, subject to approval by the Zoning Board of Appeals under Site Plan Review.

## K. Shopping Center Identification Signs



### *Signage Guidelines*

Shopping center identification signs should be compatible with the design theme of the development. They may identify multiple tenants, but larger shopping centers with more than 5 tenants should avoid listing individual tenants, other than the project anchors, to avoid sign clutter. The sign structure should contain elements of the design theme of the buildings in the center.

### *1. Location and Number*

One shopping center identification sign may be located on each major street frontage of a development.

### *2. Size*

The size of the sign shall be subject to the approval of the Zoning Board of Appeals acting as Special Permit Granting Authority and the height is limited to 16 feet.

### *3. Illumination*

Shopping Center Identification signs may be illuminated consistent with Article 4 Section 4 Illumination of these Sign Regulations.

## 4. Zoning

# Town of Hanson Sign Regulations

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Shopping Center Identification signs may be located in the Business, Commercial-Industrial and Flexible Overlay Use zoning districts only, subject to the approval of the Zoning Board of Appeals acting as Special Permit Granting Authority.

## L. Residential Subdivision Signs



### ***Signage Guidelines***

The purpose of residential subdivision signs is to identify the name of a subdivision, provided the subdivision is not an in-fill project within an established neighborhood. They are usually monument signs or wall signs placed on a wall feature in a landscaped open space area at the entry of the development.

#### ***1. Location and Number***

One residential subdivision sign is allowed at each major street frontage of a subdivision. They must be located within a landscaped area that is maintained by a homeowner's association.

#### ***2. Size***

Each sign may be up to 20 square feet and have a maximum height of four feet.

#### ***3. Illumination***

Residential subdivision signs may not be internally illuminated.

#### ***4. Zoning***

# Town of Hanson Sign Regulations

Residential subdivision signs are allowed in all zones, subject to the approval of the Planning Board.

## M. Directory Signs



### *Signage Guidelines*

Directory signs are used for multi-tenant buildings to provide a directory of tenant locations within the building. They may also serve as the address sign for the property. Directory signs are small scale and are oriented to pedestrians.

### *1. Location and Number*

Directory signs shall be fixed on an exterior wall. One directory sign may be permitted per premises.

### *2. Size*

Directory signs may be no larger than 12 square feet in area, and individual letters may not exceed 6 inches in height.

### *3. Illumination*

Directory signs may be illuminated by any means consistent with Article 4 Section 4 Illumination of these Sign Regulations.

# Town of Hanson Sign Regulations

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## ***4. Zoning***

Directory signs are allowed in all zoning districts.

## **Section 7. Signs Requiring Special Permit Granting Authority Review.**

Before a nonexempt sign is erected, constructed, structurally altered or moved, it shall conform to all applicable requirements contained in this by-law and shall be approved and shall have received a permit from the Building Department unless the sign is expressly exempted herein from the provisions of this by-law.

## **Section 8. Sign Programs**

The Zoning Board of Appeals acting as Special Permit Granting Authority may approve a sign program for a particular development or property. Prior to submitting a sign permit application to the Building Department under a sign program, the program must have been approved by the Zoning Board of Appeals and all appeal periods must have expired.

## ***Article 5. Sign Permits: Application and Processing Procedures***

### **Section 1. Permit Required**

No sign shall be constructeddisplayed or altered without a sign permit obtained as provided in this chapter, unless the sign is specifically exempted from permit requirements. No permit is necessary for normal sign maintenance.

### **Section 2. Sign Permit Application - Contents**

Any person desiring to construct, repair, alter or display a sign for which a permit is required shall submit an application and associated fees, established by resolution of the Zoning Board of Appeals, to the Building Commissioner/Zoning Enforcement Officer.

Such application shall include descriptive material sufficient to enable evaluation of the proposal's conformance with the Sign Regulations including at least the following items:

1. A complete construction permit application and supplemental sign permit worksheet.



# Town of Hanson Sign Regulations

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2. A site plan showing existing improvements and proposed sign locations.
3. A detailed plan of the proposed signage, including dimensions and method of illumination, if any.
4. Samples and descriptions of the proposed sign's colors and materials.
5. Photographs of all existing signage and of the building faces or site areas where signage is proposed.

The Zoning Enforcement Officer will review all sign permit applications for completeness and consistency with these regulations. Staff will notify the applicant within 21 days if approval by the Zoning Board of Appeals acting as Special Permit Granting Authority is required.

## **Section 3. Special Permit Granting Authority Application**

When approval from the Zoning Board of Appeals is required, a separate application for such review together with fees, as established by resolution of the Zoning Board of Appeals shall be required.

## **Section 4. Denial**

Denial of a sign permit application shall be explained in writing on specific findings explaining how the proposed sign fails to satisfy the evaluation criteria above or other provisions of these regulations.

## **Section 5. Appeals**

- A. Zoning Enforcement Officer Decisions:** Any discretionary decision of the Zoning Enforcement Officer authorized by these regulations may be appealed to the Zoning Board of Appeals.
- B. Filing Time:** Appeals must be filed in writing with the Town Clerk on behalf of the Zoning Board of Appeals within 30 days of the Zoning Enforcement Officer's decision. If the 30<sup>th</sup> day is a Saturday, Sunday, or holiday, the appeal period shall extend to the next use day.
- C. Public Hearing:** Once an appeal has been filed, it shall be considered at the earliest available Zoning Board of Appeals meeting, considering public hearing notification requirements.

## ***Article 6. Exceptions to Sign Standards***

### **Section 1. Requests for Exceptions**

Unusual site conditions or other design factors may warrant signs not otherwise permitted by these regulations. A sign permit application which includes a request for exceptions to

# Town of Hanson Sign Regulations

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standards established by these regulations is subject to Special Permit Granting Authority approval by the Zoning Board of Appeals and shall include reasons for the request. Exceptions require a separate application and fees for Special Permit Granting Authority review, which must be approved before a sign permit will be issued.

## **Section 2. Findings for Approval of an Exception**

Granting an exception to the sign regulations must be based on at least one of the following findings:

- A.** There are exceptional or unusual circumstances applying to the property involved which do not apply generally to properties in the vicinity with the same zoning, such as, but not limited to:
  - 1. The presence of a legal, nonconforming use;
  - 2. Visual obstructions;
  - 3. Unusual building location on-site;
  - 4. Unusual building design, topography, architectural style, or historic significance.
- B.** The sign for which an exception is requested is a nonconforming sign that acts as a neighborhood landmark or focal point while not disrupting views of prominent community landscape features. When granting an exception, the Zoning Board of Appeals shall require that as many nonconforming elements of the sign as possible be eliminated while allowing its basic form and character to remain.
- C.** The sign exception will not result in visual clutter and is consistent with the intent and purpose of these sign regulations.

## ***Article 7. Sign Maintenance and Abandoned Signs***

### **Section 1. Maintaining Signs**

All signs must be maintained in the same condition as when the sign was installed. Normal wear and tear of aged signs shall be repaired when they detract from the visible quality of the sign, as determined by the Zoning Enforcement Officer. When signs are repaired, they must be done so in a manner (paint colors shall match, etc.) that is consistent with the approved sign permit or Zoning Board of Appeals approval for the sign. When signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the building wall. No permits are necessary for sign maintenance.

### **Section 2. Abandoned and Unsafe Signs**

# Town of Hanson Sign Regulations

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Any sign which no longer identifies the current occupant after 60 days, shall be deemed an abandoned sign and shall be corrected and/or removed by the owner of the property on which it is located upon 30 days written notice by the Zoning Enforcement Officer.

Any sign that, in the opinion of the Building Commissioner/Zoning Enforcement Officer, is unsafe or insecure, shall be deemed an unsafe sign and shall be corrected or removed, together with any supporting structure, by the owner of the property on which the sign is located, within 72 hours of written notice by the Zoning Enforcement Officer. If an immediate public safety concern so requires, the Building Commissioner may take any necessary action, including removal of a sign.

## ***Article 8. Enforcement***

### **Section 1. Type of Offense**

Any person who violates any provision of this ordinance shall be guilty of an infraction. Nothing in this chapter shall be deemed or constituted to prevent the Town from commencing any civil proceedings otherwise authorized by law for the declaration or abatement of a public nuisance. Enforcement of the Sign by-law is initiated by a written complaint, which is a public document.

### **Section 2. Public Nuisance**

If the owner of any premises fails or neglects to comply with the provisions of this chapter, it shall constitute a public nuisance. Any aggrieved party may, in addition to any other right or remedy he or she may possess either at law or in equity, pursue a private cause of action to abate a public nuisance.

## ***Article 9. Definitions***

As used in this Chapter, the following terms and phrases shall have the indicated meanings:

**Abandoned Sign** - a sign which no longer identifies or advertises a bona fide business, owner, lessor, lessee, service, product, or activity, or for which no legal owner can be found, or if found, disclaims any interest in the sign

**A-Frame/Easel/Sandwich Signs** - Usually a double-faced, freestanding, portable sign.

**Attention-getting sign** - Any sign with moving parts, flashing lights, and/or neon colors, or signs incorporating pennants, streamers, large helium balloons or any similar visual device used for the purpose of drawing attention.

**Banner Sign** - A flexible sign of lightweight fabric or similar material typically supported at two or more points and hung on a building or otherwise suspended down or across its face, or across a public right-of-way.

**Building face** - The building face means the whole of a building visible in an elevation view, excluding sloped roof surfaces.

# Town of Hanson Sign Regulations

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**Building Commissioner** - The Town of Hanson Building Commissioner or Building Inspector.

**Business Operations Signs** - Any on-premises sign used in the day to day operations of a business such as:

- a. **Business Hour Signs** Open/Closed and related hours-of-operation signs which do not exceed one square foot.
- b. **Directional Signs** Any on-premises sign that directs the movement or placement of pedestrian or vehicular traffic without reference to or inclusion of the name of a product sold or services performed.
- c. **Open Flag** One "open" flag per business establishment shall be allowed and shall not exceed 24 square feet in size.

**Cautionary Signs** - Signs warning of prohibited activities such as trespassing, hunting, fishing, or swimming.

**Cluster Sign** - A ground sign which provides space for identifying multiple tenants or uses within a project or premises having more than one tenant or use such as a business, commercial or industrial development.

**Commercial zone** - Commercial zone refers to all non-residential zones, regardless of how the property is actually used.

**Election/Town Meeting Sign** - Any sign erected by the Town of Hanson to alert the public to an election or a Town Meeting.

**Flyers** - Flyers for special events measuring not more than two square feet in total area.

**Frontage** - Frontage is the horizontal distance along a lot line adjacent to a public street, or the side of a lot adjacent to a public street.

**Ground Sign** - A sign supported by poles, uprights or braces extending from the ground but not attached to any part of a building.

**Height** - The height of a sign is the vertical distance from average grade (ground level) immediately below the sign to the top of the sign - including the support structure and any projecting design elements.

**Home Occupation Signs** - Signs identifying any home occupation.

**Illegal sign** - An illegal sign is any sign which does not meet the requirements of these regulations and which has not received legal, nonconforming status.

**Non-conforming** - A non-conforming sign is a sign which was erected legally, but which does not now comply with these subsequently enacted Sign Regulations.

**Major Street Frontage** - A major street frontage is any arterial road shown on the Town Map.

**Marquee** - A building element that is part of a permanent entryway or entry canopy and traditionally associated with theaters. A marquee sometimes includes a projecting vertical sign which may extend above the cornice line of a building. The design and allowable sign area for a

# Town of Hanson Sign Regulations

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marquee are determined by the Zoning Board of Appeals during their review of the proposed building and/or marquee.

**Municipal Property** - Any land owned and/or controlled by the Town of Hanson, including public rights-of-way. Municipal-owned property, for purposes of this regulation, shall be determined by the road layout as maintained by the Highway Surveyor with the assumption that the road is properly located. For ease of determination, any property located between the edge of the municipal-owned road surface and the greater distance to any of the following shall be considered municipal-owned or controlled: street sign, utility pole, fire hydrant and/or sidewalk.

**Municipal Signs** - Permanent signs posted for more than 60 consecutive days by a Town entity and placed on Town property or within the municipal property right-of-way required or authorized for a public purpose by law or statute.

**Municipal Signs Temporary** - Signs posted for 60 or fewer days by a Town entity and placed on municipal property for the purpose of promoting a Town-sponsored event or alerting the public to a public safety matter or event.

**Off-Premises Sign** - Signs placed on property separate from where a business is located.

**On-Premises Sign** - Signs placed on the same property where a business is located.

**Outdoor advertising display** - An outdoor advertising display is a sign, such as a billboard, that advertises a product or display

**Premises** - A lot or series of lots under common ownership and/or developed together as a single development site, regardless of how many uses occupy the site.

**Public entrance** - The public entrance is one or more places of entry to a structure that is accessible to the general public.

**Quarter Board, Residential** - A decoratively carved and painted wood sign fashioned after those traditionally used on sailing vessels.

**Real Estate Signs** - A temporary wall or ground sign advertising the sale, rental, or lease of a designated structure or land area for a permitted use on which the signs are located.

**Roof sign** - A roof sign is any sign where any part of the sign is on or over any portion of any roof, eave, or parapet of a building or structure.

**Sign** - A sign is any visual device or representation designed or used for the purpose of communicating a message or identifying or attracting attention to a premises, product, service, person, organization, business or event, with or without the use of words.

**Sign area or area of sign** - The area of a sign is the number of square feet of the smallest rectangle within which an individual sign face can be enclosed.

**Sign face** - The sign face is the visible portion of the sign, including all characters, symbols, and structural or nonstructural background (e.g. cabinet frame or painted border), but not including the base of a pole sign, monument sign, or free standing sign.

## Town of Hanson Sign Regulations

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**Sign Permit** - A permit issued by the Building Commissioner for the erection, construction, enlargement, alteration, repair, or improvement of any sign requiring a permit. Such permit shall be permanently displayed and available. At the option of the Building Commissioner, temporary and/or off-premises signs may require a special sticker.

**Storefront** - A storefront is a distinct architectural feature that is immediately accessible from a public sidewalk and consisting of window displays and entry doors to a one or more uses.

**Street Tree** – Any tree or part of a tree, existing or new planting, including the canopy or root system that lies on or has grown onto or over public property, or in public “Right-of-Way” owned by a public entity.

**Temporary Sign** - A temporary sign is a sign that is temporary in nature and that is displayed for no more than 45 days in a row, or no more than 90 days within any 365 day period.

**Tenant's building face** - The tenant building face is that portion of the building face enclosing the area of the building occupied by the tenant. In multi-tenant buildings with interior tenant spaces, each tenant's building face shall be the proportionate share of the building face enclosing the area occupied by all tenants.

**Window Display** - A window display is an arrangement of merchandise, including graphics and text that is displayed in a building window. Provided the display is located more than 12 inches back from the inside of the window the display is not considered a sign.

**V sign** - A V sign is a sign consisting of two, essentially equal, sign faces positioned at an angle less than 180 degrees.