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TOWN OF TYNGSBOROUGH
SPECIAL TOWN MEETING

FINANCE COMMITTEE REPORT & MEETING GUIDEBOOK

Tyngsborough Elementary School
205 Westford Rd, Tyngsborough MA 01879

October 22, 2024
7:00 PM

To the Citizens of Tyngsborough:

Background

In Massachusetts, towns with a property valuation of over a million dollars are required to create a Finance Committee. Under Massachusetts General Law and Tyngsborough By-laws, a Finance Committee “shall consider any or all municipal questions for the purpose of making reports or recommendations to the town and shall submit a budget at the annual town meeting” (Massachusetts General Law, Chapter 39, section 16). The Town of Tyngsborough By-laws state there shall be a Finance Committee consisting of five elected members. The By-laws also outline further duties of the Finance Committee including the consideration of all matters of business to be considered within the articles of any warrant and the requirements of a written report on such considerations. The Finance Committee Reports are made available at least seven days before Town Meeting.

FY 2025 Operating Budget

The operating budget consists of local aid received from the Commonwealth, our local taxes (property, excise and business) and other fees collected by the Town. All Town activities, not specifically directed to other accounts such as the Sewer or Ambulance Enterprise Funds, are funded through this budget. As a result, most of the Town’s operating expenditures are paid through this appropriation.

Free Cash Policy and Stabilization Account Funding

Free Cash is a term used in municipal finance that represents the amount of the fund balance that is available for appropriation by the Town Meeting. Free Cash is generated when actual revenue collections are in excess of the revenue estimates and/or actual expenditures are less than the appropriations for a particular fiscal year. The Director of the Bureau of Accounts of the Massachusetts Department of Revenue certifies the Free Cash amount as of July 1st of each fiscal year. It is only with this certification that the Free Cash is available for appropriation.

The Select Board, working with the Finance Committee and the School Committee, has established a policy regarding the use of Free Cash to prioritize its’ use toward funding expenses rather than the Operating Budget. The Select Board and Finance Committee reviewed the status of the following funds: Town Stabilization, Capital Asset Stabilization, Other Post-Employment Benefits (OPEB), and the Compensated Absence Fund.

Economic Outlook

The U.S. economy is projected to maintain healthy momentum throughout the end of 2024 into 2025 with a modest deceleration in the near term. Real GDP growth is expected to average about 2.0 percent annualized in the second half of 2024, while the unemployment rate continues inching up to 4.0 percent. Meaningful progress towards inflation normalization, coupled with a gradually softening labor market, set the stage for the first fed funds rate cut of this cycle in September 2024.

The Town of Tyngsboro put a significant effort into keeping borrowing to a minimum which contributed to us being awarded a bond rating of AA+ for the 8th year in a row by S&P Global Ratings. This rating reflects our view of the town’s stable economy and will help significantly in minimizing the interest rate of the loan for the Middle School.

In our official watchdog role, your Tyngsborough Finance Committee will continue to diligently observe the town’s revenue intake and recommending prudent government spending.

Respectfully Submitted,
Tyngsborough Finance Committee

Lawrence G. Clawson, Chair
Ed Smith

Carolyn Scafidi
Earl Mason

TOWN OF TYNGSBOROUGH BY LAWS

ARTICLE I TOWN MEETINGS

SECTION 1. The Annual Town Meeting shall be held each May on the first Tuesday at 7:00 in the afternoon.

SECTION 2. The copies of warrants for all Town Meetings shall be posted in accordance with law at the following locations: Town Hall, Community Center, Fire Station #1, Fire Station No. 2 on Lakeview Avenue and Flints Corner Plaza.

SECTION 3. The proceedings of Town Meetings shall be governed by the rules of practice contained in Robert's Rules of Order, except as modified by law or by these By-laws.

SECTION 4. A motion shall, if required by the moderator, be reduced to writing before being submitted to the meeting.

SECTION 5. No vote shall be reconsidered except by a two-thirds vote of those present and voting.

SECTION 6. On proposed amendments involving sums of money the smaller or smallest amount shall be put to the question first and an affirmative vote thereon shall be a negative vote on any larger amount.

SECTION 7. All committees shall be appointed by the moderator unless otherwise specially directed by the Meeting, and all committees shall be directed to report within a definite time.

SECTION 8. Any warrant article or motion thereunder receiving unfavorable action at any Town Meeting shall require a 3/4 vote for adoption at a Special Town Meeting. This restriction shall apply when an article or motion presented at a Special Town Meeting contains the same subject matter or would produce the same effect as one acted upon at a previous meeting. A request for a different sum of money shall not be construed as changing the subject matter of such an article or motion. Said Section 8 shall not apply, however, to amendments to the Town By-laws or Zoning By-laws.

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Article 1: Appropriations – General Fund for Fiscal Year 2025

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to fund Town expenses for Fiscal Year 2025, as follows, or take any other action relative thereto.

Amount	From	To	For the following purpose:
\$109,588.13	FY25 Local Receipts	Debt Service	Town portion of Phase 2 Sewer Debt
\$32,240.84	FY25 Local Receipts	Debt Service	Town portion of Phase I West Sewer Debt
\$23,567.34	FY25 Local Receipts	Police Dept. Salaries & Wages	Salaries & Wages for recently settled Police Superior Union Collective Bargaining Agreement.
\$21,207.14	FY25 Local Receipts	Communications Salary & Wages	Salaries & Wages for recently settled Police Communication Specialists Union Collective Bargaining Agreement

Explanation: Article 1 is a funding article to fund the items listed in the article language. Importantly, these are not new taxes or increasing the tax levy presented to Town Meeting. The items included here will be paid for using local receipts and the existing tax levy. However, because they were not included in the posted budget in May, a new Town Meeting vote is required.

Submitted By: Select Board
 Select Board: 3-0-0 In Favor
 Finance Committee: 4-0-0 In Favor

Vote Required: Majority Vote

Article 2: Approve Prior Fiscal Year Bills

To see if the Town will vote to approve payment on the following bills which were incurred during a previous fiscal year, or take any other action relative thereto:

Vendor	Invoice	Amount	Account	Department
McGovern Ford	762347	\$80.13	01410200-578010	Engineering
Tri-State Mechanical	7094	\$710.50	01541200-524015	Council on Aging

National Grid	52532-58002	\$222.26	60460200-521010	Sewer
National Grid	52532-58002	\$4258.67	60460200-521010	Sewer

Explanation: Article 2 seeks Town Meeting approval to pay four bills that were incurred during a previous fiscal year using the funding available in Fiscal Year 2025. Under Massachusetts General Laws, municipalities are prohibited from using a current year budget to pay prior year bills. If approved, these bills will be paid using existing FY25 appropriations, they will not result in a new appropriation

Submitted By: **Select Board**
 Select Board: 3-0-0 In Favor
 Finance Committee: 4-0-0 In Favor

 Vote Required: 9/10ths Majority Vote

Article 3: Rescind In-Part Prior Funding Authorization – Community Preservation Committee Fund

To see if the Town will vote to rescind a portion of the funding authorization voted at the May 7, 2024 Annual Town Meeting, pursuant to Article 12 on the warrant therefor, which portion authorized the expenditure of \$350,000 to acquire the affordable unit identified as 10 Merrimac Way Unit C, or take any other action relative thereto.

Explanation: This article asks Town Meeting to rescind a prior authorization which will return the money to the CPC fund balance. This item was intended to allow the Affordable Housing Trust to acquire an affordable unit that was being auctioned by the bank, however, the auction took place before Town Meeting and as such the Town did not have an opportunity to purchase the unit.

Submitted By: **Community Preservation Committee**
 Select Board: 3-0-0 In Favor
 Finance Committee: 4-0-0 In Favor
 CPC 8-0-0 In Favor

 Vote Required: Majority Vote

Article 4: Appropriation – Community Preservation Committee Fund

To see if the Town will vote a sum of money to be appropriated or reserved from estimated annual revenues of the Community Preservation Fund for Fiscal Year 2025,

with each item to be considered a separate appropriation, as follows, or take any other action relative thereto.

Description	Amount	Fund Category
Tyngsborough Public Library Historic Preservation Project	\$55,000.00	Fund Balance
Sherburne Road Recreation Parcel Phase II	\$550,000.00	Fund Balance

Explanation: Article 4 is seeking Town Meeting approval of two CPC items as recommended by the Community Preservation Committee. These items are funded through the CPC Fund which is collected as a surcharge on tax bills in Tyngsborough and includes a match from the Commonwealth. CPC funds can be spent on the following categories:

Open Space, Recreation, Affordable Housing, and Historic Preservation.

Submitted By: **Select Board**
 Select Board: 3-0-0 In Favor
 Finance Committee: 4-0-0 In Favor
 CPC 7-1-0 In Favor

Vote Required: Majority Vote

Article 5: Town General Bylaw Addition: Prohibition of beaching motorboats on the shore of Lake Mascopic.

To see if the Town will vote to amend Article X of the Town’s General Bylaws by adding the text shown below in bold and by deleting the text shown below as stricken-through, or take any other action relative thereto.

Article X: Motorboats

SECTION 1. No motorboat may be operated under power within a distance of 200 feet from the shore of Pinehaven Beach (Town Beach), or any other recognized beach, between the hours of 10 A.M. and one hour after sunset.

SECTION 2. Any motorboat used for the purpose of towing persons on water-skis or an aquaplane shall be occupied by at least two persons, one, who will give his full attention to the operation of the boat, and the other to direct his full attention to the welfare and safety of the person or persons being towed.

SECTION 3. No motorboat shall be operated unless it fully complies with the provisions set forth in Chapter 102, Section 15, of the General Laws as to proper lighting and exhaust muffling devices.

SECTION 4. No person shall operate upon the waters of this town any boat propelled by electric or mechanical power recklessly or so that the lives and safety of others might be endangered. No person shall, while under the influence of intoxicating liquor, or any narcotic or habit producing drug, operate any such boat upon such waters.

SECTION 5. These provisions shall not restrict in anyway the duly licensed operations of party boats used to convey the public for hire; or to craft operating on the Merrimack River within the town limits.

SECTION 6. No motorboat shall be parked or beached along any public shoreline along Lake Mascuppic except in the case of emergency. The provision of Article X, Section 6 shall be enforced by the Tyngsborough Police Department or other duly authorized law enforcement agency. Fines for violations of Article X, Section 6 shall be \$100 for the first offense, and \$250 for each subsequent offense.

~~SECTION 6~~ SECTION 7 Penalty – not more than \$20 fine **except for violations of Section 6 of this Article X as further specified in said Section 6. The Town is authorized to enforce the provisions of Article X, including Section 6, under the non-criminal disposition process specified in G.L. c. 40, § 21D, or by any other process or procedure authorized by law.**

Explanation: This article seeks Town Meeting approval of an amendment to the Town's General Bylaws, specifically Article X "Motorboats" by prohibiting the beaching (or parking) of motorboats (including jet skis and other personal watercraft) on public shorelines along Lake Mascuppic. This change will allow the Tyngsborough Police Department to better control seasonal boating activity on Lake Mascuppic at the request of residents living on the lake.

Submitted By: Select Board

Select Board: 3-0-0 In Favor

Finance Committee: 4-0-0 In Favor

Vote Required: Majority Vote

Article 6: Zoning Bylaw Amendment – Sign Bylaw

To see if the Town will vote to amend the Town’s Zoning Bylaw, specifically Section 7.2 thereof, entitled “Signs,” as follows, or take any other action relative thereto:

(a) by adding to Subsections 7.2(B), 7.2(C) and 7.2(D) the text shown below in bold and by deleting therefrom the text shown below as stricken-through:

7.2 Signs

- A. Purpose: Section 7.2 is adopted under the zoning authority of the Town in furtherance of the more general purposes set forth in this Bylaw. The purpose of this section is to:
 - 1. Regulate the effective use of signs as a means of communication in the Town;
 - 2. Maintain and enhance the aesthetic environment and the Town’s ability to attract sources of economic development and growth;
 - 3. Maintain pedestrian and traffic safety;
 - 4. Minimize the possible adverse effect of signs on nearby public and private property; and
 - 5. Enable the fair and consistent enforcement of these sign regulations.

- B. Exceptions: The following shall not be considered signs within the context of this Bylaw:
 - 1. Flags and insignia of any government, except when displayed in connection with commercial promotion;
 - 2. Legal notices or informational devices erected or required by public agencies, with the exception of Electronic Message Center signs as provided for in Sections 7.2.SI and 7.2.J;
 - 3. Standard gasoline pumps bearing thereon in usual size and form the name, type, and price of the gasoline or similar automobile fuel products;
 - 4. Integral decorative or architectural features on buildings, except that letters, trademarks, moving parts, or parts internally illuminated or decorated with gaseous tubing or other lights shall be considered signs;
 - 5. On-premise devices and incidental signs guiding and directing traffic and parking, not exceeding two square feet in area, and bearing no advertising;
 - 6. Dial-faced clocks, either unlighted or internally lit, bearing no advertising.

- C. General Provisions
 - 1. Permits. No sign shall be erected, enlarged, or structurally altered without a sign permit issued by the Building Commissioner or other appropriate authority as specified in this Bylaw unless specifically exempted from this requirement. Permits shall only be issued

for signs in conformance with this Bylaw. Permit applications must be accompanied by two prints of scale drawings of the sign, supporting structure, and the location. A copy of any relevant Special Permit issued under Section 2.7 of this Bylaw shall also accompany the application. All freestanding or roof signs shall be registered and identified as required by ~~Section 3102.4~~ **of the State Building Code 780 CMR Chapter 31**, as amended. All applications must be accompanied by the appropriate fees.

2. Maintenance. All signs shall be kept in a safe condition and maintained in accordance with ~~Sections 3102.5 and 3102.6~~ **of the State Building Code 780 CMR Chapter 31**, as amended.
3. Nonconformance. Any nonconforming sign legally erected prior to the adoption of this provision, or any amendments hereto, may be continued and maintained. Any signs rendered nonconforming through change or termination of activities on the premises shall be removed within thirty days of order by the Building Commissioner. No existing sign shall be enlarged, redesigned, or altered in any way unless it conforms to the provisions contained herein. Any sign which has been destroyed or damaged to the extent that the cost to restore or repair will exceed one third of the replacement value as of the date of destruction shall not be repaired, rebuilt, restored, or altered unless in conformity with this bylaw.

D. Prohibitions

1. No sign shall be lighted, except by a steady, stationary light, shielded and directed solely at or internal to the sign, with the exception of Electronic Message Center signs as provided for in Section 7.2.**SI and 7.2.J**. Use of neon or other gaseous elements is prohibited except as allowed under specific district regulations.
2. No illumination which casts glare onto any residential premises or onto any portion of a way so as to create a traffic hazard shall be permitted. All determinations on traffic hazards shall be made by the Chief of Police.
3. No sign shall be illuminated in any residential district between the hours of 11:00 P.M. and 7:00 A.M. unless the establishment is legally open to the public during those hours.
4. No sign having red or green lights shall be erected within sight of a traffic signal unless approved as non-hazardous by the Chief of Police.
5. No animated, revolving, or flashing sign shall be permitted, with the exception of Electronic Message Center signs as provided for in Sections 7.2.**SI and 7.2.J**.
6. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted, except as allowed by a sign permit from the Select Board.
7. No signs shall be attached to any motor vehicles, trailers, or movable objects such as portable signs, regularly or recurrently located for fixed display.

8. Corner visibility shall not be obstructed in such a manner that will create a traffic hazard. All determinations of traffic hazards shall be made by the Chief of Police.
9. **Billboards, as defined in Section 11 Definitions, are prohibited in all zoning districts.**

and

(b) by deleting Subsections 7.2(H) through 7.2(O) and 7.2(R) through 7.2(S), and substituting the following therefore, sequentially:

7.2H		OFF-PREMISE SIGNS			
GENERAL SIGN REQUIREMENTS					
Only signs pertaining exclusively to the premises on which they are located or to products, accommodations, services, or activities on the premises shall be allowed except for the exclusions in this Section 7.2H. Off-premise signs permitted by this Section shall be allowed in every Zoning District subject to the requirements and conditions in this Section 7.2H.					
Directional Signs					
Number	One off-premises directional sign designating the route to an establishment, not located on the street to which the sign is oriented, may be erected and maintained on a free-standing pole within the public right-of-way at any intersection, subject to the permit requirements listed below.				
Maximum Size	6 inches by 24 inches				
Maximum Height	The sign pole shall not be more than 8 feet above the ground level.				
Location	Sign poles and location are subject to the approval of the Building Commissioner and the Superintendent of Public Works.				
Standards	<ul style="list-style-type: none"> An off-premise sign shall be authorized only upon the authorizing agency's determination that it will promote the public interest and will not endanger the public safety. In locations where directions to more than one establishment are to be provided, all directional information shall be incorporated into a single pole. The pole shall be no more than eight feet above the road surface and may be shared by a maximum of six businesses. All directional signs shall be unlighted and shall only bear the name of a business, distance, and directional arrow. 				
Permit Requirement	If located within a public right-of-way, a Sign Permit from the Select Board is required. If located on private property, a Special Permit from the Zoning Board of Appeals is required.				
Local Sales and Public Event Signs					
Number	To be determined by the Select Board				
Maximum Size					
Maximum Height					
Location	The sign may be erected on Town-owned designated sign kiosks.				
Standards	<ul style="list-style-type: none"> The signs shall be limited to advertising local sales or special events of a public, charitable, or religious organizations. The signs shall not contain commercial advertising. 				
Permit Requirement	Signs shall only be authorized by the issuance of a Sign Permit by the Select Board.				

7.21 RESIDENTIAL ZONING DISTRICTS

**R-1 Low Density Residential District;
R-2 Moderate Density Residential District
R-3 Multi-family Residential District**

GENERAL SIGN REQUIREMENTS

- Sign are permitted in the Residential Districts are also permitted in the Business Districts and the Industrial District unless specifically classified in a different manner in the individual Business Districts.
- No part of any sign shall be located within 10 feet of any property line unless attached to a building.

PERMANENT SIGNS

Sign Type	Maximum Number	Maximum Size	Location	Standards	Permit Requirement
Name of Owner or Occupant and Street Number	1	2 square feet	Attached or free-standing		Not required
Sign pertaining to a permitted nonresidential principal use of the premises	1	12 square feet	Attached or free-standing	Oriented to the primary street on which the premises has frontage or access.	Sign Permit
Name of residential subdivision, apartments, condominiums, or similar residential use	1	12 square feet			Sign Permit
Ballfield, arena, stadium sign		12 square feet	Fences or walls oriented to be viewed from the inside or playing portion of the field or arena.	<ul style="list-style-type: none"> • Maximum sign coverage of fences or wall area where the signs are attached shall be 50%. • Signs shall be unlighted 	Not required, but written notice shall be submitted to Building Commissioner.
Home occupation sign	1	2 square feet		See Section 4.4	Sign Permit
“Open” or holiday decorative flag	2/residence or business	12 square feet each			Not required unless the flag is an advertising flag as determined by the Building Commissioner.

ELECTRONIC MESSAGE CENTER SIGNS (EMC) – EDUCATIONAL AND MUNICIPAL USES ONLY

Location	<ul style="list-style-type: none"> • EMCs shall be permitted only for the following uses in all Residential Zoning Districts: Educational Institutions and Municipal Uses, subject to the standards listed below. EMCs shall be prohibited for all other uses. • EMCs shall not be located closer than 10 feet to the front property line.
Number	1/use
Maximum Size	32 sq. ft.
Maximum Height	8 feet above ground level
Standards	<ul style="list-style-type: none"> • EMC signs shall not create any safety hazards based on the sign’s location or position and its effect on traffic patterns, traffic lights, or public safety. • The following illumination standards shall apply to the EMC sign:

7.2I

RESIDENTIAL ZONING DISTRICTS

**R-1 Low Density Residential District;
R-2 Moderate Density Residential District
R-3 Multi-family Residential District**

- a) There shall be no safety hazards created based on the sign’s illumination effect on traffic patterns, traffic lights, or public safety.
 - b) No sign shall exceed 7,500 nits (nit is the industry standard of luminosity measurement of one candela per square meter) and the sign shall be accompanied by a manufacturer’s certificate to that effect.
 - c) Each sign shall have a photocell sensor that automatically adjusts brightness according to ambient light conditions and include settings to reduce the brightness to 10% or less of the maximum setting at night.
 - d) Each sign must include a factory override to adjust the nighttime brightness to less than 10% if necessary.
 - e) Each sign shall be equipped with a default design or message that will be displayed in the event that a malfunction occurs.
- The messages be displayed for a period of at least 10 seconds.
 - The messages displayed shall be static and the transition from one static display to another static display shall be instantaneous to the human eye without having any transition effects.
 - EMC signs shall not be lighted or operating between the hours of 10:00 pm and 6:00 am.
 - Signs shall meet the definition of EMC signs located under the “Sign” subsection of Section 11 DEFINITIONS.

Permit Requirements	Sign permit
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TEMPORARY SIGNS (SEE SECTION 7.2E)

Sign Type	Maximum Number	Maximum Size	Location	Standards	Permit Requirement
Construction sign	1	25 square feet		<ul style="list-style-type: none"> • Unlighted • Indicates name and address of parties involved in the construction on the premises. 	Sign Permit required unless the sign is not more than 12 square feet and the sign shall be removed within 45 days of installation.
Real Estate sign	1	6 square feet			Sign Permit required unless written notice is provided to the Building Commissioner that the sign will be removed within 45 days of installation.

7.2J

BUSINESS DISTRICTS & INDUSTRIAL DISTRICT

Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
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GENERAL SIGN REQUIREMENTS

- Sign are permitted in the Residential Districts are also permitted in the Business Districts and the Industrial District unless specifically classified in the individual Business Districts.
- No part of any sign shall be located within 10 feet of any property line unless attached to a building.
- In the Business 3 (B-3) District and the Industrial 1 (I-1) District, the Zoning Board of Appeals may authorize, by issuance of a Special Permit, up to one additional attached sign and/or up to 30% increase in the maximum square footage of attached sign(s) beyond what is otherwise permitted in Section 7.2; provided however that the Zoning Board of Appeals finds that the variation in number or size is not incongruous with the applicable zoning district nor injurious to traffic and safety conditions.

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
PERMANENT SIGNS					
<i>Attached Signs</i>					
Number	1/business	1/business	1/business	1/business	1/business
Maximum Size	12 square feet	25 square feet	100 square feet	100 square feet	200 square feet
Location	Attached flat against the wall or fixed canopy of the building or projecting from it	Same as B-1 District	Same as B-1 District	Same as B-1 District	Attached flat against the wall or fixed canopy of the building.
Standards	<ul style="list-style-type: none"> • Oriented to the street on which the premises has frontage or access. • The area of sign for any occupant shall not exceed 20 percent of the portion of the wall area assigned to the occupant up to the maximum 12 square feet. • One projecting sign of not more than 12 square feet may be used in lieu of a wall sign. • Individual unlighted window signs not exceeding 2 square feet and identifying the occupant therein shall be excluded from the above requirements. • In the Business 3 (B-3) District only, a business located such that the front wall of the portion of the building where the business is located faces one street and the side wall of its building where the building is located faces a second street, shall be allowed a second attached sign on the building side wall with a maximum size of 100 square feet. 				<ul style="list-style-type: none"> • Oriented to the street on which the premises has frontage or access. • Roof signs projecting no more than 6 feet above a wall may be used in lieu of the attached sign area.
Permit Requirements	Sign Permit	Sign Permit	Sign Permit	Sign Permit	Sign Permit
<i>Attached Signs Abutting Limited Access, High-Speed Highways</i>					
Special Permit	The Select Board may grant a special permit for an additional attached sign on a building abutting a limited access highway or high-speed highway. The sign shall be limited to the name of the principal building tenant.				
<i>Freestanding Signs</i>					
Number					1 sign per each street on which the premises have access
Maximum Size					25 square feet
Maximum Height					8 feet above ground level
Location					
Standards					Sign shall only contain the name of the firms or services available or produced on the premises
Permit Requirements					Sign Permit
<i>Freestanding Signs – Single Business on a Lot</i>					
Number	1	1	1	1	
Maximum Size	12 square feet	25 square feet	25 square feet	25 square feet	

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
Maximum Height	8 feet above ground level	8 feet above ground level	8 feet above ground level	8 feet above ground level	
Location	On same lot where business is located.	On same lot where business is located.	On same lot where business is located.	On same lot where business is located.	
Standards	Zoning Board of Appeals may allow a sign of no more than 50 square feet and 25 feet above ground level if it determines the sign will not be incongruous with the B-1 District nor injurious to traffic and safety conditions.		Zoning Board of Appeals may allow a sign of no more than 50 square feet and 25 feet in height if it determines the sign will not be incongruous with the B-3 District nor injurious to traffic and safety conditions.	Zoning Board of Appeals may allow a sign of no more than 50 square feet and 25 feet in height if it determines the sign will not be incongruous with the B-4 District nor injurious to traffic and safety conditions.	
Permit Requirements	Sign Permit	Sign Permit	Sign Permit	Sign Permit	
<i>Freestanding Signs – Retail Complex of 50,000 square feet or More of Floor Area, with Three or More Businesses</i>					
Number			1/lot	1/lot	
Maximum Size			100 square feet	100 square feet	
Maximum Height			25 feet above ground level	25 feet above ground level	
Location			Located on a single lot.	Located on a single lot.	
Standards			<ul style="list-style-type: none"> Oriented to the street on which the premises have frontage or access. Sign shall only contain the name of the complex and the names of businesses or occupants within the complex. 	<ul style="list-style-type: none"> Oriented to the street on which the premises have frontage or access. Sign shall only contain the name of the complex and the names of businesses or occupants within the complex. 	
Permit Requirements			Sign Permit	Sign Permit	
<i>Freestanding Signs – Retail Complex (Shopping Center or Mall of 150,000 square feet or more of Floor Area on a Single Lot</i>					
Number			1/lot	1/lot	
Maximum Size			300 Square feet	300 square feet	
Maximum Height			25 feet above ground level	25 feet above ground level	

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
Location			Oriented to the street on which the premises have frontage or access.		
Standards			<ul style="list-style-type: none"> • Signs shall only contain the name of the complex and the businesses or occupant within the complex. • Where one occupant of the complex is a multiplex theater, the sign may include the theater's current billings. 	<ul style="list-style-type: none"> • Signs shall only contain the name of the complex and the businesses or occupant within the complex. • Where one occupant of the complex is a multiplex theater, the sign may include the theater's current billings. 	
Permit Requirements			Sign Permit	Sign Permit	
Multiple Business Signs					
Number	1/business	1/business	1/business	1/business	
Maximum Size	<ul style="list-style-type: none"> • 20% of wall area if attached • 25 sq. ft. if free-standing 	<ul style="list-style-type: none"> • 20% of wall area if attached • 25 sq. ft. if free-standing 	<ul style="list-style-type: none"> • 20% of wall area if attached • 25 sq. ft. if free-standing 	<ul style="list-style-type: none"> • 20% of wall area if attached • 25 sq. ft. if free-standing 	
Maximum Height	8 feet above ground level	8 feet above ground level	8 feet above ground level	8 feet above ground level	
Location	On same lot where business is located	On same lot where business is located	On same lot where business is located	On same lot where business is located	
Standards	<ul style="list-style-type: none"> • Sign shall identify the businesses or occupants of the premises. • Zoning Board of appeals may allow a sign of no more than 50 square feet and 25 feet in height if it determines the sign will not be incongruous with the B-1 District nor injurious to 	<ul style="list-style-type: none"> • Sign shall identify the businesses or occupants of the premises. 	<ul style="list-style-type: none"> • Sign shall identify the businesses or occupants of the premises. • Zoning Board of appeals may allow a sign of no more than 50 square feet and 25 feet in height if it determines the sign will not be incongruous with the B-3 District nor injurious to 	<ul style="list-style-type: none"> • Sign shall identify the businesses or occupants of the premises. • Zoning Board of appeals may allow a sign of no more than 50 square feet and 25 feet in height if it determines the sign will not be incongruous with the B-4 District nor 	

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
	traffic and safety conditions.		traffic and safety conditions.	injurious to traffic and safety conditions.	
Permit Requirements	Sign Permit	Sign Permit	Sign Permit	Sign Permit	
<i>Electronic Message Center Signs (EMC) – Educational Institutions and Municipal Uses only</i>					
Location	<ul style="list-style-type: none"> EMCs shall be permitted only for the following uses in all Business and Industrial Zoning Districts: Educational Institutions and Municipal Uses, subject to the standards listed below. EMCs shall be prohibited for all other uses. They shall not be located closer than 10 feet to the front property line. 				
Number	1/use	1/use	1/use	1/use	1/use
Maximum Size	32 sq. ft.				
Maximum Height	8 feet above ground level				
Standards	<ul style="list-style-type: none"> EMC signs shall not create any safety hazards based on the sign’s location or position and its effect on traffic patterns, traffic lights, or public safety. The following illumination standards shall apply to the EMC sign: <ul style="list-style-type: none"> a) There shall be no safety hazards created based on the sign’s illumination effect on traffic patterns, traffic lights, or public safety. b) No sign shall exceed 7,500 nits (nit is the industry standard of luminosity measurement of one candela per square meter) and the sign shall be accompanied by a manufacturer’s certificate to that effect. c) Each sign shall have a photocell sensor that automatically adjusts brightness according to ambient light conditions and include settings to reduce the brightness to 10% or less of the maximum setting at night. d) Each sign must include a factory override to adjust the nighttime brightness to less than 10% if necessary. e) Each sign shall be equipped with a default design or message that will be displayed in the event that a malfunction occurs. The messages be displayed for a period of at least 10 seconds. The messages displayed shall be static and the transition from one static display to another static display shall be instantaneous to the human eye without having any transition effects. EMC signs shall not be lighted or operating between the hours of 10:00 pm and 6:00 am. Signs shall meet the definition of EMC signs located under the “Sign” subsection of Section 11 DEFINITIONS. 				
Permit Requirements	Sign Permit	Sign Permit	Sign Permit	Sign Permit	Sign Permit
<i>Internally Lit Window Signs</i>					
Number	1 per business or occupant	Prohibited	1 per business or occupant	1 per business or occupant	Prohibited
Maximum Size	6 square feet		6 square feet	6 square feet	
Location	Window		Window	Window	
Standards	Neon sign is allowed		Neon sign is allowed	Neon sign is allowed	
Permit Requirements	Sign Permit		Sign Permit	Sign Permit	
<i>Business “Open” or Holiday Decorative Flag Sign</i>					
Number	2 per residence or business	2 per residence or business	2-per residence or business	2 per residence or business	2 per residence or business

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
Maximum Size	12 square feet each	12 square feet each	12 square feet each	12 square feet each	12 square feet each
Maximum Height					
Location					
Standards					
Permit Requirements	Not required unless the flag is an advertising flag as determined by the Building Commissioner				
Office/Industrial Development Lot Subdivision Identification Sign					
Number	Prohibited	1	1	1	1
Maximum Size		25 square feet	25 square feet	25 square feet	25 square feet
Maximum Height		8 feet above ground level			
Location		Signs shall be oriented to the primary street on which the premises have access.	Signs shall be oriented to the primary street on which the premises have access.	Signs shall be oriented to the primary street on which the premises have access.	Signs shall be oriented to the primary street on which the premises have access.
Standards					
Permit Requirements		Sign Permit	Sign Permit	Sign Permit	Sign Permit
Local Sales and Public Event Signs					
Number	To be determined by the Select Board				
Maximum Size					
Maximum Height					
Location	The sign may be erected on Town-owned designated sign kiosks.				
Standards	<ul style="list-style-type: none"> The signs shall be limited to advertising local sales or special events of a public, charitable, or religious organizations. The signs shall not contain commercial advertising. 				
Permit Requirement	Signs shall only be authorized by the issuance of a sign permit by the Select Board.				
TEMPORARY SIGNS (SEE SECTION 7.2E)					
Unlighted Window Sign					
Number					
Maximum Size	Shall not occupy more than 30% of the glass area of the window	Shall not occupy more than 30% of the glass area of the window	Shall not occupy more than 30% of the glass area of the window	Shall not occupy more than 30% of the glass area of the window	
Maximum Height					
Location	Window	Window	Window	Window	
Standards					
Permit Requirements	No permit required	No permit required	No permit required	No permit required	
Unlighted Real Estate Sign					
Number	1	1	1	1	1
Maximum Size	25 square feet	12 square feet	25 square feet	25 square feet	25 square feet

7.2J BUSINESS DISTRICTS & INDUSTRIAL DISTRICT					
Requirements	B-1 Neighborhood Business District	B-2 Office - Professional Business District	B-3 General Shopping Business District	B-4 Adult Business District	I-1 Industrial Uses District
Maximum Height	8 feet above the ground level				
Location	Setback a minimum of 10 feet from the front property line.				
Standards	For advertising the sale, rental, or lease of the premises or subdivision on which the sign is erected.				
Permit Requirements	Permit required unless written notice is provided to the Building Commissioner that the sign will be removed within 45 days of installation.				

and

(c) by relettering the remaining Subsections 7.2(P), entitled “Submittals Generally,” and 7.2(Q), entitled “Decision Criteria,” as Subsections 7.2(K) and 7.2(L), respectively;

and

(d) by adding to former Subsection 7.2(Q), now Subsection 7.2(L) per the above, the text shown below in bold and by deleting therefrom the text shown below as stricken-through:

L. Decision Criteria. A special permit for a sign pursuant to this section shall be approved only upon determination of the Select Board that the requirements of Section 2.7 Special Permits including Section 2.7(F) Mandatory Findings of Special Permit Granting Authority and the following additional criteria:

1. Efficient Communication
 - a) Signs should not contain selling slogans or other advertising that is not an integral part of the name or other identification of the occupant.
 - b) Sign letter size should be related to the reader’s distance and speed.
 - c) Signs should be simple and avoid distracting elements so that the contents can be read quickly and easily.
2. Environmental Relationship
 - a) Sign design should take into consideration the scale of the ~~limited access highway~~ **roadway** to which the sign is oriented as well as the size, brightness, style, height, and colors of other signs in the vicinity and background lighting levels.
 - b) Projecting signs shall be used only in locations such as on side streets where projecting position is necessary for visibility from the ~~limited access highway~~ **roadway**.
3. Building Relationship
 - a) Signs should be sized and located so as to not interrupt, obscure, or hide the continuity of columns, cornices, roof eaves, sill lines, or other elements of the building structural form.

Explanation: Article 6 is a zoning amendment that seeks to reorganize the Town's zoning regulations regarding signs. Additionally, the bylaw amendment would address inconsistencies throughout the existing sign bylaw and to present the regulations in a more organized and clearer format for easier interpretation by the Town's Planning Board, Building Commissioner, Zoning Board of Appeals, and residents.

Submitted By:	Zoning Review Committee
Select Board:	3-0-0 In Favor
Finance Committee:	4-0-0 In Favor
Planning Board	3-0-0 In Favor
Vote Required:	2/3rds Majority

Article 7: Zoning Bylaw Amendment – Sign Definitions

To see if the Town will vote to amend the Town's Zoning Bylaw, specifically Section 11 thereof, entitled "Definitions," by adding the text shown below in bold, or take any other action relative thereto:

SECTION 11. DEFINITIONS

Sign

Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, attract attention, announce the purpose of, identify the purpose of a person or entity, or to communicate information of any kind to the public.

Related definitions include:

Advertising flags. flags that contain any commercial message, but not including "open" or holiday decorative flags.

Animated or moving sign. any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Banner. any sign of lightweight fabric or similar material.

***Billboard.* an advertising sign or other commercial sign that directs attention to a business, commodity, service, or attraction sold, offered, or existing elsewhere than upon the same lot where the sign is displayed.**

Commercial message. any sign wording, logo, or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service, or other commercial activity.

Electronic Message Center Sign. any sign that utilizes computer-generated messages, or

Explanation: Article 8 is a capital item approval from the Capital Asset Management Committee recommending that Town Meeting authorize borrowing of up to \$900,000 to replace a Fire Engine for the Tyngsborough Fire Department. While these items typically appear on a May Annual Town Meeting, the condition of the engine the Fire Department seeks to replace is so poor that the Town didn't think waiting was prudent.

Submitted By: Capital Asset Management Committee

Select Board: 3-0-0 In Favor

Finance Committee: 4-0-0 In Favor

CAMC: 3-0-0 In Favor

Vote Required: 2/3rds Majority