

ANNUAL TOWN MEETING – May 9, 2009

REPORT FOR ZONING ARTICLE
April 2, 2009

ARTICLE # **PB-02** - ZONING BY-LAW AMENDMENT
Illuminated Sign Regulations
(Proposed by the Planning Board)

Article **PB-02**: To see if the Town will vote to amend the Zoning By-Law in regard to Sign Regulations by amending:

- Section 8 **GENERAL PROVISIONS**, Subpart (F) **Signs**, paragraph 7 - Illumination of Signs to provide standards for approval/disapproval of illumination of signs by adding the following subparagraph “b” to read as follows:
 - b. Adverse to surrounding neighborhood or community. Signs which illuminate more than what is necessary to convey the message or name being promoted or create glare which may impact motorists are generally considered to have an adverse impact on the community. Such adverse impact arises from excessive light pollution. Therefore, in determining whether to approve the illumination of a sign, the Planning Board shall:
 - 1.) consider and minimize the illumination impact of the signage illumination on the surrounding properties; and,
 - 2.) only approve internally-illuminated signs where only the lettering or logo of the enterprise or message being promoted are illuminated; and,
 - 3.) ensure that the illuminated sign does not illuminate adjoining or nearby residential properties or pose a danger to motorists on adjoining or nearby roadways which might arise from glare from the illumination source; and,
 - 4.) not approve exposed or illuminated neon signs; and,
 - 5.) require that illumination sources not illuminate the background or field of a sign except to the extent that the background or field (due to the shape of the sign area) is clearly a logo of the company or enterprise being advertised.

or take any other action relative thereto.

PUBLIC HEARING: The Planning Board will conduct a public hearing on this amendment on April 27, 2009 at 8:00 p.m. according to the provisions of Chapter 40-A of the M.G.L. (see the attached public hearing notice). Based on comments received at the public hearing and subsequent analysis, the Planning Board will provide a recommendation at Town Meeting. All Town Meeting members are welcome and encouraged to attend the public hearing.

REPORT: At present, the South Hadley Zoning Bylaw requires that “no illuminated signs shall be permitted unless first approved by the Planning Board.” The present Zoning Bylaw

provides general guidance as to the basis for approving an illuminated sign by requiring that “the Planning Board must make a determination that the sign will not be adverse to the character of the surrounding neighborhood or the community”. However, this standard has been viewed as somewhat vague.

The effect of this amendment is to provide clarity to the standard by which the Planning Board is to evaluate proposed illumination of signs. It effectively embodies in the Zoning Bylaw the criteria that the Planning Board has used in applying the existing standard.

ATTACHMENTS:

- Attachment 1 is an excerpt of Section 8(F) paragraph 7 of the Zoning Bylaw as it would be amended by this article.

RECOMMENDATION: The Planning Board will consider the comments received at the Public Hearing to be held on April 27, 2009. Subsequently, the Board will make a recommendation regarding this proposed amendment and submit that recommendation for Town Meeting’s consideration.

Attachment 1

*(Excerpt of Section 8(F) paragraph 7 as amended by Article PB-01 is attached)
(Changes noted with strike through for deletions and bold, italics for insertions)*

7. Illumination of Signs. No illuminated signs shall be permitted unless first approved by the Planning Board. Prior to approving an illuminated sign, the Planning Board must make a determination that the sign will not be adverse to the character of the surrounding neighborhood or the community. The Planning Board shall notify, by mail, abutters of the date, time, and place of the Planning Board meeting at which the request for an illuminated sign is to be considered.
 - a. Exception. Traffic control and directional signs by Municipal, State and Federal agencies shall be excepted from this requirement.
 - b. Adverse to surrounding neighborhood or community. Signs which illuminate more than what is necessary to convey the message or name being promoted or create glare which may impact motorists are generally considered to have an adverse impact on the community. Such adverse impact arises from excessive light pollution. Therefore, in determining whether to approve the illumination of a sign, the Planning Board shall:
 - 1.) consider and minimize the illumination impact of the signage illumination on the surrounding properties; and,
 - 2.) only approve internally-illuminated signs where only the lettering or logo of the enterprise or message being promoted are illuminated; and,
 - 3.) ensure that the illuminated sign does not illuminate adjoining or nearby residential properties or pose a danger to motorists on adjoining or nearby roadways which might arise from glare from the illumination source; and,
 - 4.) not approve exposed or illuminated neon signs; and,
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