

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on _____ notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

- Precinct 1 J. Warren Killam School, 333 Charles Street
- Precinct 2 Peter Sanborn Place, 50 Bay State Road
- Precinct 3 Reading Police Station, 15 Union Street
- Precinct 4 Joshua Eaton School, 365 Summer Avenue
- Precinct 5 Town Hall, 16 Lowell Street
- Precinct 6 Austin Preparatory School, 101 Willow Street
- Precinct 7 Reading Library, Local History Room, 64 Middlesex Avenue
- Precinct 8 Wood End School, 85 Sunset Rock Lane

The date of posting being not less than fourteen (14) days prior to April 6, 2010, the date set for the Local Election in this Warrant.

I also caused a posting of this Warrant to be published in the Reading Chronicle in the issue of _____ with an attested copy of this Warrant to be published on the Town of Reading website on _____

I also caused an attested copy of this Warrant to be published in the Reading Chronicle in the issue of _____

Alan W. Ulrich, Constable

A true copy. Attest:

Laura Gemme, Town Clerk

**TOWN WARRANT
(Seal)
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in the Local Elections and Town affairs, to meet in the following place designated for the eight precincts in said Town, namely:

Precincts 1, 2, 3, 4, 5, 6, 7 and 8
Reading Memorial High School, Hawkes Field House, Oakland Road

TUESDAY, the SIXTH DAY OF APRIL, A.D., 2010
from 7:00 a.m. to 8:00 p.m. to act on the following Articles, viz:

ARTICLE 1 To elect by ballot the following Town Officers:

A Moderator for one year;
Two members of the Board of Selectmen for three years;
One member of the Board of Assessors for three years;
One member of the Board of Assessors for one year;
Two members of the Board of Library Trustees for three years;
Two members of the Municipal Light Board for three years;
Two members of the School Committee for three years; and
Seventy Town Meeting Members shall be elected to represent each of the following precincts:

Precinct 1	Eight members for three years;
Precinct 2	Eight members for three years; Two members for two years; One member for one year;
Precinct 3	Eight members for three years;
Precinct 4	Eight members for three years; One member for two years; One member for one year;
Precinct 5	Eight members for three years; One member for two years;
Precinct 6	Eight members for three years;
Precinct 7	Eight members for three years; and
Precinct 8	Eight members for three years.

Ballot Question 1

Move that the Town vote, pursuant to Section 8-1 of the Reading Home Rule Charter, to amend Section 4-10: Other Committees, to delete Section 4-10 (a) Land

Bank Committee, and to re-letter Sections (b) and (c) thereof so that Section 4-10 will read in its entirety as follows:

Section 4-10: Other Committees

The Selectmen shall appoint the following committees and determine the number of members and their term of appointment, not to exceed three (3) years:

- (a) Town Forest Committee
- (b) Historical Commission

The Board of Selectmen may establish and appoint standing advisory committees from time to time for a specific purpose. Such committees shall be considered a "multiple-member body" as defined in the Charter, shall be appointed in accordance with the process detailed in Section 8-12, and members shall physically reside in the Town of Reading at the time of their appointment and during their term of office.

Any of the elected boards or committees as listed in Article 3 of the Charter may, from time to time, establish and appoint ad hoc committees which shall serve no longer than 12 months. The term may be extended one time only for up to an additional 12 months. Each ad hoc committee shall be considered a "multiple-member body" as defined in the Charter, and shall be bound by all laws of the Commonwealth of Massachusetts but shall not be required to meet the requirements of Section 8-12 of the

Reading Home Rule Charter as to the appointment process.

and to meet at the Reading Memorial High School, 62 Oakland Road, in said Reading on

MONDAY, the TWENTY-SIXTH DAY OF APRIL A.D., 2010

at seven-thirty o'clock in the evening, at which time and place the following Articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

ARTICLE 2 To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Town Manager and any other Official, Board or Special Committee.

Board of Selectmen

ARTICLE 3 To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 4 To see if the Town will vote to amend the FY 2010 - FY 2019 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 5 To see if the Town will vote to amend one or more of the votes taken under Article 14 of the Warrant of the Annual Town Meeting of April 27, 2009, as amended under Article 4 of the November 9, 2009 Subsequent Town Meeting; and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

ARTICLE 6 To see if the Town will vote to authorize the payment during Fiscal Year 2010 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see if the Town will vote to authorize the Board of Selectmen to sell, or exchange, or dispose of, upon such terms and conditions as they may determine, various items of Town tangible property, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8 To see if the Town will vote to authorize revolving funds for certain Town Departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2010 with the receipts, as specified, credited to each fund, the purposes, as listed, for which each fund may be spent, the maximum amount that may be spent from each fund for the fiscal year, and the disposition of the balance of each fund at fiscal year end.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Consulting Fees	Conservation Commission	Fees as provided for in Reading General Bylaws Section 5.7, Wetlands Protection	Consulting and engineering services for the review of designs and engineering work for the protection of wetlands.	\$25,000	Available for expenditure next year
Inspection Revolving Fund	Town Manager	Building Plumbing, Wiring, Gas and other permits for the Walkers Brook Crossing, Oaktree, Addison-Wesley/	Legal, oversight and inspection, plan review, initial property appraisals and appeals, Community	\$200,000	Available for expenditure next year

		Pearson and Johnson Woods developments	Services general management, landfill monitoring costs, curb sidewalks and pedestrian safety improvements, records archiving and other project related costs.		
Public Health Clinics and Services	Board of Health	Clinic Fees and third party reimbursements	Vaccines, materials for screening clinics and clinical supply costs, medical equipment and supplies, immunizations, educational materials	\$25,000	Available for expenditure next year
Library Materials Replacement	Library Director and Trustees	Charges for lost or damaged Library materials	Acquire Library materials to replace lost or damaged items	\$15,000	Available for expenditure next year
Mattera Cabin Operating	Recreation Administrator	Rental Fees	Utilities and all other maintenance and operating expenses	\$10,000	Available for expenditure next year

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 9 To see if the Town will vote to approve the FY 2011 – FY 2020 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 10 To see what sum the Town will vote to appropriate by borrowing, whether in anticipation of reimbursement from the State under Chapter 44, Section 6, Massachusetts General Laws, or pursuant to any other enabling authority or from the tax levy, or transfer from available funds, or otherwise, for highway projects in accordance with Chapter 90, Massachusetts General Laws, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 11 To see if the Town will raise and appropriate the sum of \$25,000 (Twenty Five Thousand Dollars) for snow plowing and/or removal in all church parking lots.

By Petition

ARTICLE 12 To see if the Town will vote to determine how much money the Town will appropriate by borrowing, or from the tax levy, or transfer from available funds, or otherwise, for the operation of the Town and its government for Fiscal Year 2011 beginning July 1, 2010, or take any other action with respect thereto.

Finance Committee

ARTICLE 13 To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64L, § 2(a) to impose a local sales tax upon the sale of restaurant meals originating within the Town by a vendor at the rate of .75 percent of the gross receipts of the vendor from the sale of restaurant meals to take effect January 1, 2010, or take any other action with respect thereto.

Finance Committee

ARTICLE 14 To see if the town will vote to change the name of the Gateway Smart Growth Zoning Incentive Payment Stabilization Fund to the Smart Growth Zoning Incentive Payment Stabilization Fund, and to include in the purpose any 40R project for which the Town of Reading receives a Zoning Incentive Payment and further, to transfer additional funds into the Stabilization Fund, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see if the Town will vote pursuant to Massachusetts General Laws Chapter 59, Section 5, Clause 41C to adopt a change in the income, asset and age limits of certain elderly tax exemptions as follows:

To increase the income limits for unmarried persons to \$20,000.00 and for married persons to \$30,000.00; to increase the asset limits for unmarried persons to \$40,000.00 and for married persons to \$55,000.00; to reduce the age of eligibility to 65 years or older; and to increase the exemption amount from \$500.00 to \$750.00,

or take any other action with respect thereto.

Board of Assessors

ARTICLE 16 To see if the Town will vote pursuant to Massachusetts General Laws Chapter 30B, Section 12 to authorize the Town Manager to enter into a contract or contracts including all extensions renewals and options for the collection of rubbish and recyclables, and for the disposal of rubbish for a period greater than three years but not exceeding 20 years upon such terms and conditions determined by the Town Manager, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 17 To see if the Town will vote to accept the following gifts:

1. Scholarship Fund: To be established as a permanent trust fund to be known as "*Patrons for Older Adults Scholarship*" with the income there from to be used as an annual scholarship award for a student who is a resident of Reading, Massachusetts, who is planning to enter a profession that helps senior citizens (such as, but not limited to, medicine, social work, etc.).

2. Support Fund: To establish a permanent trust fund to be known as "*Patrons for Older Adults Support Fund*" with the income there from to be used no less frequently than annually to sponsor programs which support the social needs of Reading's senior citizens (such as, but not limited to, parties, group events, transportation to such events, etc.); to be expended as determined by the Council on Aging in concert with the Elder/Human Services Division.

the foregoing to be administered by the Town of Reading Commissioners of Trust Funds in accordance with the wishes of the donors, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 18 To see if the Town will vote to accept a gift to establish the Patrick A. Schettini, Jr. Memorial Scholarship Fund to be administered by the Town of Reading Commissioners of Trust Funds in accordance with the wishes of the donors, or take any other action with respect thereto.

School Committee

ARTICLE 19 To see if the Town will vote to accept a gift from the Downtown Steering Committee to fund a trust fund to be known as the "Downtown Improvement and Events Trust." The trust fund may accept donations which may be added to the funds to be invested and reinvested and shall be expended by the Town Manager or his designee under the general direction of the Economic Development Committee, for the sole purposes of supporting and funding improvements, promotions and community events in the Downtown area of Reading. The trust shall begin upon the acceptance hereof by Town Meeting, and shall terminate immediately and automatically in 20 years unless the Board of Selectmen shall determine at that time that the need and purposes of the trust continue. If the trust continues past 20 years, the Board of Selectmen shall evaluate and determine the ongoing need for the trust every 10 years thereafter. Upon the termination of the Trust, the trust assets shall be transferred to the Town of Reading to be used for any other purpose.

The Trust is to be administered by the Town of Reading Commissioners of Trust Funds in accordance with the wishes of the donors,

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 20 To see if the Town will vote to transfer the sum of \$61,001 which was previously appropriated and raised by borrowing under Article 23 (Sunnyside Avenue sewer) of the Warrant at the April 30, 2007 Town Meeting, and which sum is no longer needed to complete the project for which it was initially borrowed, to pay all or a portion of the cost of the California Road sewer, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 21 To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 148, Section 26I which provides that any building constructed or substantially rehabilitated so as to constitute the equivalent of new construction and occupied in whole or in part for residential purposes and containing not less than four dwelling units including but not limited to lodging houses, boarding houses, apartments, hotels, condominiums and group residences shall be equipped with an automatic sprinkler system in accordance with the Massachusetts State Building Code, or take any other action with respect thereto.

ARTICLE 22 To see if the Town will vote to amend Section 4.5.2, Junk, of the Town of Reading General Bylaws by deleting Section 4.5.2 in its entirety and replacing it with the following:

4.5.2 Purchase, Sale or Barter of Junk, Old Metals and Second-Hand Articles

4.5.2.1 No person shall use any building, enclosure or other structure for the storage, sale or keeping of rags, waste paper stock or other inflammable material without a license therefore from the Board of Selectmen.

4.5.2.2 The Board of Selectmen may license suitable persons, upon such terms and conditions as the Board shall determine, to be dealers in and keepers of shops for the purchase, sale or barter of junk, old metals and second-hand articles, and no person shall be such a dealer or keeper without such a license.

4.5.2.3 The Board of Selectmen may also license suitable persons as junk collectors to collect by purchase or otherwise, junk, old metals and second-hand articles from place to place within the Town, and no person shall engage in such business without such a license.

4.5.2.4 In addition to any other means of enforcement, the provisions of this bylaw may be enforced by non-criminal disposition in accordance with Section 5.11 of this bylaw,

or to take any other action with respect thereto.

ARTICLE 23 To see if the Town will vote to amend Article 2, Town Meeting, of the Town of Reading General Bylaws as follows (new language in italics):

2.1 General

2.1.9 *Any tax and/or fee increase rejected by a vote of Town Meeting cannot be brought back before Town Meeting for approval for a period of eighteen (18) months. Nothing in this section limits the Town's ability to put such tax and/or fee increase on the ballot at the next local election for voter approval,*

or take any other action with respect thereto.

ARTICLE 24 To see if the Town will vote to authorize the Board of Selectmen to convey a sewer easement to the owner of the land located at 757 Main Street which easement is shown on a plan entitled: "Easement Plan 767 Main Street Reading, Massachusetts, dated February 25, 2010," upon such terms and conditions and for such

consideration as the Board of Selectmen deems to be in the best interest of the Town, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 25 To see if the Town will vote to authorize the Board of Selectmen to accept the conveyance of drainage easements located on Howard Street which easements are shown on a plan entitled: "Plan of Drainage Easement Howard Street, Reading, Massachusetts, dated February 2, 2010," upon such terms and conditions and for such consideration as the Board of Selectmen deems to be in the best interest of the Town, or take any other action with respect thereto

Board of Selectmen

ARTICLE 26 To see if the Town will vote to amend Section 2.0, Definitions, Section 2.2.22 and Section 6.3, Nonconforming Uses and Structures, of the Town of Reading Zoning By-Laws by deleting in their entirety Section 2.2.22 and Section 6.3, and inserting in their place the following new definition and section:

Definitions (New)

2.2.22 Nonconforming - A lawful pre-existing building, structure, vacant lot, or use of buildings or land that does not conform to the zoning regulations for the district in which it is located, but did conform at the time it was built or established.

6.3 Nonconforming Uses and Structures:

6.3.1 Applicability:

This bylaw shall not apply to uses or structures lawfully in existence or lawfully begun, or to a building or Special Permit issued before the first publication of notice of the public hearing required by G.L. c. 40A, s. 5 at which this bylaw, or any relevant part thereof, was adopted. No modification of a lawfully existing nonconforming use or structure is allowed except as authorized hereunder.

6.3.2 Nonconforming Uses:

The Board of Appeals may grant a Special Permit to change or extend a nonconforming use only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The following types of changes to nonconforming uses may be considered by the Board of Appeals:

- a. Modification or extension of the existing nonconforming use;
- b. Change from one nonconforming use to another, less detrimental, nonconforming use.

Once a nonconforming use is changed to a conforming use, there is no authority to allow the property to revert to a nonconforming use.

6.3.3 Nonconforming Structures:

6.3.3.1 The Building Inspector may issue a Building Permit for an interior renovation, interior alteration or interior reconstruction of a pre-existing, nonconforming structure that does or will not extend the nonconformity or create a new nonconformity.

6.3.3.2 The Board of Appeals may grant a Special Permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration or change does not increase the nonconforming nature of said structure or create a new nonconformity and shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The following types of changes to nonconforming structures may be considered by the Board of Appeals:

- a. A reconstruction, extension or structural change;
- b. An alteration to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent.

6.3.3.3 For purposes of this bylaw, an increase in the nonconforming nature of a structure will result when the portion added to the structure violates any provision of this Zoning By-Law applicable at the time of application for the building permit required for such addition. An increase in the nature of a nonconforming structure will not result from a mere replacement, without undue delay, of a nonconforming portion thereof.

6.3.3.4 Nothing in this bylaw shall prevent the strengthening or restoring to a safe condition of any building or structure, or part thereof, declared unsafe by the Building Inspector.

6.3.4 Variance Required:

Except as provided in Section 6.3.5 herein, the reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, including the extension of an exterior wall at or along the same nonconforming distance within a required yard, shall require the issuance of a variance from the Board of Appeals.

6.3.5 Alteration of Nonconforming Single and Two-Family Residential Structures – As of Right:

Nonconforming single and two-family residential structures may be extended, altered or structurally changed (collectively “alteration”) upon a determination by the Building Inspector that such proposed alteration does not increase the nonconforming nature of said structure. The Building Inspector may issue a Building Permit under any of the following circumstances:

- a. For the alteration of a single or two-family structure which will not increase the footprint of the existing structure, create a new dimensional nonconformity or extend an existing dimensional nonconformity, provided that the existing height restrictions shall not be exceeded. This clause shall apply regardless of whether the lot complies with the current area and/or frontage requirements;

- b. For the alteration of a single or two-family structure that is located on a lot which is nonconforming only with respect to area, where such alteration will comply with all current setback, yard, lot coverage and building height requirements;
- c. For the alteration of a single or two-family structure that is located on a lot which is nonconforming only with respect to frontage where such alteration complies with all current setback, yard, lot coverage and building height requirements; and
- d. For the alteration of a single or two-family structure which encroaches upon one or more required yard or setback areas, where the alteration will comply with all current setback, yard, lot coverage and building height requirements.

6.3.6 Alteration of Nonconforming Single and Two-Family Residential Structures – by Special Permit:

In the event that the Building Inspector determines, after consideration of Section 6.3.5 above, that the nonconforming nature of such structure would be increased by the proposed extension, alteration or change, the Board of Appeals may, by special permit, allow such extension, alteration or change where it determines that the proposed extension, alteration or change will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

6.3.7 Reconstruction after Catastrophe:

A lawful, pre-existing, nonconforming single or two-family building, structure or use, which has been destroyed or damaged by fire or other casualty may be re-established, restored or reconstructed within two years of occurrence of the damage or destruction. Re-establishment, restoration or reconstruction shall be permitted provided that there is no increase in the degree of the nonconformity.

Any proposed change of use is subject to the provisions of this bylaw.

6.3.8 Voluntary Demolition and Reconstruction:

6.3.8.1 Any new construction, following voluntary demolition of a nonconforming structure, shall be in conformance with this Zoning By-Law, except in the following circumstances:

- a. A single-family or two-family dwelling which is nonconforming only with respect to lot size and/or frontage may be voluntarily removed or demolished and replaced by a new single-family or two-family dwelling. Such reconstruction must comply with the current dimensional controls for the district in which the dwelling is located.
- b. In the event that the proposed reconstruction would (a) cause the structure to exceed the volume or area of the original nonconforming structure or (b) cause the structure to be located other than on the original footprint, a special permit shall be required from the Board of Appeals prior to such demolition. The Board of Appeals may, by Special Permit, allow such reconstruction where it determines that the proposed reconstruction will not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

- c. A detached accessory structure which is accessory to a single-family or two-family dwelling that has nonconforming setbacks may be demolished and a new accessory structure may be built in the same footprint; provided, that the new accessory structure does not exceed the existing height and size limitations for accessory structures.

6.3.9 Abandonment or Non-Use:

A nonconforming use of a structure or land that has been abandoned or not used for a period of two (2) years, shall lose its protected status and be subject to all of the provisions of this Zoning By-Law,

or take any other action with respect thereto.

Community Planning and Development Commission

ARTICLE 27 To see if the Town will vote to amend Section 2.0 Definitions, 2.2.29 Sign, Section 4.3.3 Site Plan Review and Section 6.2, Signs, of the Town of Reading Zoning By-Laws by deleting in its entirety 2.2.29., 4.3.3.5.1.a., 4.3.3.6.f. and Section 6.2, and inserting in its place the following new sections:

New Definition in Section 2.2.29 to read,

- 2.2.29. Sign:** Any word or combination of number, emblem, picture, design, trademark or other device including the support structure of freestanding signs.

Signage is the collection of signs. Signage does not include temporary holiday decorations, historical date markers or plaques, or artwork that contains no commercial messages.

The words in italics in the following two paragraphs show language to be added in the existing bylaw.

4.3.3.5.1.a.

Site Layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, *signage*, loading facilities, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale acceptable to CPDC, showing the entire project and its relation to the existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the staff.

4.3.3.6.f.

Minimize unreasonable departure from the character, materials, *signage* and scale of buildings in the vicinity, as viewed from public ways and places;

To replace Section 6.2 entirely with the following:

6.2. SIGNS

- 6.2.1** Signs perform important functions in the community such as communicating messages and providing information about goods and services available. Because signs potentially have detrimental impact on the visual and perceptual environment, signs must be regulated. It is the intent of Section 6.2 of the zoning by-law to protect property values, create an attractive business climate, enhance and protect the physical appearance of the community and to encourage the most appropriate use of the land. This section will also assist those installing signs within the Town of Reading by setting forth the process governing the application, installation, and maintenance of such signs.
- 6.2.1.2.** Applicability: A sign may be erected, placed, established, painted, created or maintained only in conformity with the provisions of this Section.
- 6.2.1.3** Zoning Districts: The zoning districts are as shown on the official zoning map which is on file with the Engineering Department and the Town Clerk's Office and can also be found on the Town website. Reading has also adopted a Downtown Smart Growth District (DSGD) and a Gateway Smart Growth District (GSGD). Please refer to Section 4.12 for DSGD regulations and Section 4.11 for GSGD regulations.
- 6.2.2. Definitions:** For the purposes of Section 6.2., the following terms shall have the meanings hereby assigned to them:
- a. Awning Sign: A sign painted on or attached to the cloth, canvas or metal cover of a movable or stationary frame of the fixed, hinged, rolled or folding type of awning.
 - b. Banner or Pennant: Any sign of lightweight fabric or similar material that is mounted or affixed at one or more edges.
 - c. Beacon: A stationary or revolving light, not primarily illuminating a sign, which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention, except any such fixture which is required by the Federal Aviation Administration or a similar agency, and is installed and operated under the safety regulations of such agency.
 - d. Bulletin Board: Any sign erected by a charitable, educational, or religious institution or a public body on its property for purposes of announcing events which are held on the premises, and contains no commercial information.
 - e. Commercial Message: Any sign wording, logo or other representation that directly or indirectly names, advertises, or calls attention to a business, product, service, sale or sales event or other commercial activity.
 - f. Façade: The area of the face of a building, typically the principal or front wall of a building.
 - g. Free-Standing Sign: Any and every sign erected on or permanently affixed to the land, including any and every sign that is not attached to a building.
 - h. Halo Lighting: Light showing from the back of or from within a letter or graphic shape out towards the surface that the letter or graphic is mounted on without having any light visible through the face of the letter or graphic.

- i. Informational and Directional Signage: A sign that has a purpose secondary to the use of the lot on which it is located, such as “no parking, private parking, enter, exit, one-way, street address or drive-thru teller.”
- j. Identification Sign:
- Joint Identification Sign: A sign which serves as common or collective identification for a group of persons or businesses operating on the same lot and which contains the names and logos of establishments but no advertising or promotional information.
 - Area Identification Sign: A sign, located at the site entrance(s), identifying a common area containing a group of structures, or a single structure containing several uses.
- k. Marquee Sign: Any sign attached to or made part of a marquee, that is, any permanent canopy or structure projecting beyond and extending along a building wall.
- l. Monument Sign: A free-standing sign with a low height configuration permanently affixed to the ground at its base and not mounted on a pole.
- m. Off-Premises Sign: Any sign which directs attention to a business, commodity, service, entertainment, attraction or other commercial activity which is sold, offered or existing elsewhere than upon the same lot on which such sign is located, including any outdoor advertising sign ("billboard") on which space is leased or rented for the purpose of conveying a commercial or non-commercial message.
- n. Portable Sign: Any sign not permanently attached to the ground or any permanent structure or a sign designed to be transported in any way including:
- signs converted to "A" or "T" frames;
 - menu and sandwich-board signs.
- o. Projecting/Blade Sign: A sign which is affixed to a building or other structure where the sign face is approximately perpendicular to the building facade.
- p. Reader Board: A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or surface of the sign or signboard. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a reader board sign. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a reader board sign.
- q. Sign Area: The area contained entirely within the signboard (the flat surface of durable material upon which letters or other graphic content of a sign is displayed) or if no sign board is present, the area contained entirely within the smallest rectangle which completely encloses the outer extremities of all graphic material of a sign.
- r. Sign Height: The distance from the base of the sign at normal grade to the top of the highest attached component of the sign or sign structure. Normal grade shall be construed to be the lower of:

- (1) Existing grade prior to construction, or
- (2) The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

In cases in which the normal grade cannot be reasonably determined, sign height shall be computed on the assumption that the normal grade is the elevation of the nearest point of the crown of the public street along which the lot has frontage or the grade of the land at the principal entrance to the principal structure on the lot, whichever is lower.

- s. Temporary Sign: Any sign which is used temporarily, relates to events of a temporary nature, or is not permanently mounted.

Table 6.2.3. Signs Permitted According to Zoning District						
		Max.	Max.			
		Sign	Sign	Setbacks:		
	Permit	Area	Height	Front	Side	Maximum
Type	Required	(sq. ft.)	(ft.)	(ft.)	(ft.)	Number
All Zoning Districts:						
1. Personal Message	N	4	6	N/A	20	1/lot
2. Identification (Joint and Area)	N	4	8 (A)	N/A	N/A	1/lot
3. Construction	N	16(B)	N/A	N/A	20	N/A
4. Subdivision Sales	(C)	48	N/A	N/A	N/A	1/subdiv.
5. Subdivision	(C)	24	N/A	N/A	N/A	1/subdiv.
6. Real Estate Sales	N	8 (G)	6	N/A	20	1/lot
7. Temp. Open House	N	4	N/A	N/A	20	1/agency per lot
8. Garage/Yard Sale	N	4	N/A	N/A	20	1/lot
9. Informational / Directional	N	4	6	N/A	N/A	N/A
10. Portable / A-Frame	Regulated by the Board of Selectmen – Annual Permit Required					
11. Temporary Business Signs	Y	16 or 30	N/A	(See Section 6.2.6.2.h.)		
Business-A, Business-C and Industrial Zoning Districts:						
12. Free-Standing	Y	50(D)	20	0	20	1/lot
13. Wall	Y	2/4E	(A)	N/A	10	1/business
14. Projecting/Blade	Y	8	(A)(H)	N/A	10	1/business

Business-B Zoning Districts:						
15. Free-Standing (Service Stations only)	Y	50(d)	20	0	20	1/lot
16. Wall	Y	2(F)	(A)	0	0	2/businesses
17. Projecting/Blade	Y	8	(A)(H)	-4	0	1/business
NOTES:						
(A) No portion of such sign shall extend higher than the bottom of the sills of the windows of the second floor of a building or higher than the lowest portion of the eaves or, in the case of a gabled wall, no higher than a line equal in height to the lowest portion of the lower eave of any adjoining building wall, whichever of the above is lowest.						
(B) Aggregate sign area of all applicable signs.						
(C) Only as shown in Definitive Subdivision Plans as approved by the Community Planning and Development Commission consistent with Paragraph 6.2.1.1.						
(D) May not be larger than 75 square feet, if more than one business occupies the lot.						
*See Section 6.2.6.4.						
NOTES: (Continued)						
E) If the minimum distance from the building wall on which the sign is mounted is less than 100 feet from the centerline of the street which the sign faces, the maximum sign area shall be equal to 2 square feet per linear foot of said wall occupied by the establishment to which the sign relates; if such distance is more than 100 feet, maximum sign area shall be equal to 4 square feet per linear foot of said wall so occupied.						
(F) No wall sign for any non-residential establishment shall exceed a sign area equal to 2 square feet per linear footage of length of the front wall of the building occupied by the establishment to which the sign relates.						
(G) Real Estate Signs in the Industrial Zoning Districts are allowed one sign per business with a maximum sign area equal to 2 square feet per linear foot of said wall occupied by the establishment to which the sign relates without a sign permit.						
(H) Projecting/Blade Signs shall be at least eight (8) feet from the ground and may project no more than four (4) feet from the structure.						

6.2.4. Exempt Signs:

Signs for which no permit is required are identified in Table 6.2.3 and Section 6.2.4. The following signs are exempt from this Section 6.2 and may be installed without permit, provided that the following is complied with:

- a. Authorized signs installed by the Town of Reading or the Commonwealth of Massachusetts, or any agency thereof, or with the express written permission thereof, for the purposes of traffic control or traffic or pedestrian safety or convenience, identification of public facilities or streets, or for direction to same; public notices and warnings required by and erected by Town, State, or Federal Government agencies.
- b. Directional signs; building markers.
- c. Political signs on private properties or vehicles only, provided that such sign shall not exceed six square feet in sign area, shall not be placed in such location as to constitute a traffic or pedestrian safety hazard, and shall not be displayed for more than forty-two days prior to the applicable election or more than two days following such election.
- d. Signs for churches and other federally tax-exempt institutions.
- e. Holiday lights and decorations which contain no commercial messages and which are displayed during the appropriate season.
- f. Works of art which contain no commercial messages with prior Town Planner or CPDC written approval.
- g. Fuel pump information signs, only as required by State law, are allowed and shall not affect the computation of allowable number of signs or aggregate sign size on a property.
- h. Any sign within a structure, not attached to any window or door, which is not visible from other properties or from any street right-of-way.
- i. Signs showing resident's name, historical plaque or marker, street address and/or name of a lawful home occupation taking place on the premises.
- j. Construction Signs, identifying contractors while doing construction work on a property.
- k. Temporary Subdivision Sales Signs and permanent Subdivision Identification Signs as approved in connection with the Definitive Plans for such subdivision and located at the principal entrance to the subdivision in an acceptable easement, not within any street right-of-way or access easement.
- l. Real Estate Sales Signs, including placards showing the words "Sold" or "Sale Pending" or similar not exceeding one-third the size of the sales sign.
- m. Temporary Open House signs, not exceeding four square feet each, may be placed at a rate of one per agency per intersection per property and one on the open house property.
- n. Garage/Yard Sale Signs, limited to one sign located on the property on which the garage/yard sale is taking place and one at each of no more than two intersections of public streets.

- o. Any establishment located in a Business or Industrial Zoning District may display:
 - An "Open" Flag - with dimensional requirements not to exceed four (4) feet by six (6) feet and may contain decorative graphics.
 - A National or State Flag - with emblems of religious, educational, governmental organization or any other federally tax-exempt organization, except when displayed in connection with commercial promotions or advertising. Dimensions shall not exceed four (4) feet by six (6) feet.

6.2.5. Prohibited Signs:

No private sign shall be installed or placed on public property, except by express permission of the Town or as otherwise allowed herein.

The following signs are prohibited in any zoning district:

- a. Signs which interfere with traffic or pedestrian safety, including any which may obstruct or interfere with traffic or pedestrian visibility or movement at any intersection or into or out of any property, or which by reason of position, shape, or color may interfere with, may obstruct the view of, or be confused with any authorized traffic sign, signal, or device; or which makes use of the words "STOP," "LOOK," "DANGER," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse motorists or pedestrians.
- b. Signs placed or painted on any tree (other than street address), rock (other than street address), utility pole (other than yard sale sign), traffic safety sign, or similar fixture; painted on any building wall, bench, pavement, parking bumper or curb (other than a "Reserved" marking), or other similar outdoor surface.
- c. Internally illuminated signs, unless the background or signboard completely blocks illumination or glow except through the letters and graphics.
- d. Signs which contain a beacon of any type; which contain a spot light providing direct illumination to the public; which flash, revolve, rotate, move, or blink, or which fluctuate in light intensity; animated signs, that is, which use lighting to depict action or to create an illusion of movement or a special effect or scene.
- e. Any self illuminated or backlit signs which use LCD, LED, electronic messaging or digital technology, neon or similar signs except as displayed on the inside of windows subject to the provisions of Paragraph 6.2.6.2.c.
- f. Free-standing signs in a Business-B Zoning District (except as permitted at service stations).
- g. Internally illuminated signs in a Business-B Zoning District (except as permitted at service stations).
- h. Banners as permanent signs. Banners are allowed only as temporary signs four times a year for an annual total of 56 days with a sign permit, refer to Section 6.2.6.2.h. for full details.

- i. Signs located on any portion of a lot except a front yard or a side yard directly abutting a public street.
- j. Signs which do not meet and are not maintained to meet the provisions of this Section and all applicable building, wiring, health, and safety codes; or which are not neatly and legibly lettered.
- k. Reader Board Signs are not allowed except as price displays at gas stations.
- l. Balloons or blimps used as signs, a movable poster or panel sign, umbrellas containing any commercial message; or signs attached to or painted on vehicles traveling or parked on, or visible from any public right-of-way, unless such vehicle is used in the normal day-to-day operation of a business.

6.2.6. Signs by Zoning District:

Signs are allowed or permitted in each Zoning District and are specified in Table 6.2.3. and as follows:

6.2.6.1. Business or Commercial Signs in Residential Zoning Districts:

Legal nonconforming business or commercial operations in any residential zoning district shall follow the Business B-Zoning District regulations as specified in Subsection 6.2.6.4. except that such signs shall be set back a minimum of twenty feet from any other lot and shall not be illuminated except during hours of operation.

6.2.6.2. Signs in Business and Industrial Zoning Districts:

The following signs are allowed in all Business and Industrial Zoning Districts. In addition, please refer to Table 6.2.3:

- a. All awnings and canopies shall be impervious to light so that no illumination or glow can be seen through it. Awnings may contain letters up to four inches in height stating only the name of the business and the street number without requiring a sign permit. Such lettering shall not count toward allowed sign area.

All other awnings or canopies with lettering or graphics shall require a sign permit and count as part of the allowed sign area.

All awnings and canopies shall have a minimum ground clearance of eight feet. Ground clearance shall be measured between the lowest point of the awning or canopy and the ground or sidewalk.

- b. Bulletin boards are allowed, provided that no free-standing or wall-mounted bulletin board may exceed twelve square feet in size.
- c. Window Signs: Window signs are encouraged on the inside surface of the glass. Permanently affixed, weather resistant, individual letters that are not subject to wear and tear are permitted on the exterior of the window. Temporary or permanent signs may without permit be attached to the inside of the glass surface of a window (a single structurally supported sheet of glass or

a sash) or door, or placed within the premises closer than five feet from any window or door and situated or designed so that the sign's graphic content is visible from the outside through an window or door, provided that any such sign shall:

- (1) Be uniformly located only in thirty percent (30%) of the glass sheet or sash;
- (2) Contain no letters larger than eight (8) inches in height;
- (3) Be professional in appearance and good order shall be maintained at all times. Not be restricted with respect to graphic or message content, whether of a permanent or temporary nature, nor be restricted with respect to materials;
- (4) Have a sign area not to exceed six (6) square feet if the sign is not illuminated;
- (5) In addition to the above, any illuminated sign shall be placed only in a window, and not in a door, and shall also:
 - (a) Have a sign area not to exceed four (4) square feet;
 - (b) Be placed no closer than ten feet from any other internally illuminated window sign on the premises. In cases where there is a door or other architectural break in the façade this buffer shall be reduced to seven (7) feet;
 - (c) Be placed only in a window which contains no other signs of any type; and
 - (d) Be illuminated only during hours of operation of the business establishment.

Notwithstanding the above, window signs shall also be allowed in conformity with the provisions of Paragraph 6.2.6.2.h. below.

- d. Directional and informational signs displaying text only, no corporate logos, or slogans are allowed provided that such signs shall be limited to wall and free-standing signs with a maximum of four square feet of sign area. One such sign, not exceeding six (6) feet in height, may be placed at each vehicular entrance or exit on a lot to identify such entrance or exit provided such sign does not constitute a traffic hazard; such signs shall not affect the computation of allowable number of signs or aggregate sign size on a property. One such sign, not exceeding six feet in height and four square feet of sign area, may be placed in conjunction with each drive-up bank teller window or machine provided that such sign shall not constitute a traffic hazard.
- e. Marquee signs are prohibited except when used in conjunction with an indoor movie theater and attached to the outside wall of the building, provided that the size of the marquee sign shall not exceed twenty-four (24) square feet, and the bottom of the marquee sign shall not be of a height of less than 8 feet above the grade directly below.
- f. Outdoor menu boards are prohibited except:

- As a portable sign with a sign permit issued by the Board of Selectmen.
 - When used in conjunction with a restaurant having a drive up window. No more than three menu boards are allowed. The maximum aggregate sign area is 100 square feet. No one menu board may exceed 50 square feet. Any lettering shall not be legible from any other property or any street right-of-way.
- g. Informational and directional signs are allowed in all business and industrial zoning districts with a maximum sign area of four square feet per sign in accordance with Table 6.2.3.
- h. Temporary signs intended for business openings and re-openings, open houses, and special sales and promotional events for an individual business, are allowed, provided that:
- The individual business shall place no more than four (4) such signs per calendar year for an annual total of 56 days (except in conjunction with an organized Town-wide common special event as specified below);
 - All temporary signs shall have received a sign permit from the Building Inspector;
 - No such sign shall exceed sixteen (16) square feet in sign area or thirty (30) square feet in sign area for businesses that have a setback more than fifty (50) feet from the primary street upon which the business is located;
 - Any such sign shall be printed or legibly lettered on a rigid signboard or fabric banner;
 - In cases where renovation or construction includes removal of permanent signs, a temporary sign is allowed as follows:
 - Dimensions shall be the same as temporary signs
 - May be used as a permanent sign
 - May remain during construction provided the construction or renovation is expeditiously pursued
 - Must be removed upon the installation of the permanent sign
 - No such sign shall be placed so as to constitute a hazard to motorists or pedestrians;
 - If placed upon a window, any such sign shall be included in the aggregate window area specified in Paragraph 6.2.6.2.c above.

In the case only of common special events organized by a recognized association of businesses for which events a license has been granted by the Board of Selectmen, an individual participating business may display a temporary sign in conjunction with such an event, provided that such signs related to said events shall not exceed four per year.

Grand opening events for a new business may display for fourteen (14) days, upon issuance of a sign permit. Non-illuminated temporary banners, flags, balloons and streamers provided they are mounted in a way that does not pose a hazard to pedestrian or vehicular traffic and sight lines as determined by the Zoning Enforcement Officer. Only one grand opening sign permit per business may be issued until the property undergoes a change of use or change of ownership.

- i. Farm Stands and Garden Stands which do not have permanent windows shall be allowed, without permit or limitation as to number or material, to display temporary signs identifying goods offered for sale on the premises, provided that such signs are kept in good order and that the aggregate total sign area of all such signs on a lot shall not exceed one square-foot per lineal feet of frontage of such lot. Decorative noncommercial flags may be displayed for sale.
- j. Clocks, not to exceed eight square feet in surface area per side or twelve feet in height, are allowed, provided that they display no advertising or commercial material.
- k. Time and temperature displays may be included in any free-standing or wall sign, and no more than twelve additional square feet of sign area may be added to the otherwise allowable sign area of such sign.
- l. For commercial buildings containing more than one business requiring wall signage, any wall sign provided for any such business must be in conformity with the requirements of this Section 6.2 and in accordance with the following stipulations concerning an overall master signage plan for such building. The master signage plan shall show not more than one wall sign per business within the building. However, at the owner's election not every business within the building need be provided with a wall sign within the proposed assemblage. No wall sign shall be issued a sign permit for any building for which a signage plan has been submitted or approved that is not included in or is not in conformity with the applicable signage plan. The master signage plan need not show the specific message content for any individual sign contained therein, so as to provide for change in business occupancy which may from time to time occur within the building:

(1) In all Business and Industrial Zoning Districts, the building owner may submit for approval to the Community Planning and Development Commission (CPDC), a master signage plan in accordance with the provisions of Section 6.2.6.4.1. The CPDC may issue a Certificate of Appropriateness for the building showing the allocation within the maximum sign area as allowed according to Table 6.2.3. hereof among wall signs for businesses within the building. This master signage plan shall show the size, placement, materials, framing, graphic and design standards for each such sign and the assemblage thereof proposed within said allowable maximum sign area, together with proposed lighting and methods of attachment of all such signs.

Once the Certificate of Appropriateness has been approved by the CPDC, the Building Inspector shall issue a sign permit for any individual business sign if it conforms to the master signage plan.

6.2.6.3. Signs in Business-A Zoning Districts:

Allowed Signs (also specified in Table 6.2.3):

- Free-Standing
- Wall
- Projecting

- Internally illuminated

Prohibited Signs:

- Banners as permanent signs
- A free-standing and wall sign for buildings that are not multi-tenant

All internally illuminated signs shall have a background or signboard that completely blocks illumination or glow such that light is only visible through the letters and graphics. All illuminated signs shall be turned off at the close of business.

A lot which contains not more than one establishment shall be allowed one free-standing sign or one wall sign or one projecting sign only. The street address number of the property shall be prominently displayed on such sign, and the sign shall in all respects conform to the above requirements.

A lot which contains more than one establishment shall be allowed a maximum of the following signs, all of which shall in every respect conform to the requirements of this Section:

- a. One free-standing sign identifying the property, and
- b. One wall or projecting sign per business occupying the ground floor and front wall of the building, except in cases where the provisions of Paragraph 6.2.6.2.L. are utilized, and
- c. One joint identification sign listing the names and logos of the establishments on the premises but containing no other advertising matter, mounted either on an appropriate building wall or on two posts, provided that such joint identification sign shall not exceed four (4) square feet in sign area, shall not exceed eight (8) feet in height, and shall not be located within a front, side, or rear yard as required in Subsection 5.1.2. hereof,
- d. Either the allowed free-standing sign or, if no free-standing sign is used, then at least one wall or projecting sign, shall prominently display the street address number of the property.

6.2.6.3.1 Off-Premises Signs:

The Board of Appeals may grant a Special Permit for an Off Premises Sign including an outdoor advertising sign (“billboard”) in a Business A zoning district under the following conditions:

- a. The proposed sign shall be in a Business A district immediately abutting an Interstate Highway, and within 25 feet of the main right of way of such highway excluding on and off ramps;
- b. The placement of the proposed sign shall be conditioned upon the elimination of no less than three non-conforming Off Premises signs elsewhere in the Town of Reading;

- c. There shall be no more than one Off Premises sign on any one lot that existed as a separate lot at the time of adoption of this section;
- d. The sign may be double sided with no greater than a 30 degree angle of separation between the two faces;
- e. Illumination of the sign shall be by external illumination only and illumination shall be limited to the hours of 6:00 p.m. to 10:00 p.m.;
- f. The sign shall not exceed 675 square feet on each of the two permitted faces;
- g. The maximum height of any Off Premises sign shall be 95 feet from the ground level upon which the sign is installed to the highest point of the structure;
- h. The nearest part of any Off Premises sign shall be no closer than 20 feet from an abutting property, and no less than 10 feet from the highway right of way; and
- i. The proposed use shall not be detrimental to the public good.

6.2.6.4. Signs in Business-B Zoning Districts:

Allowed Signs:

- Wall
- Projecting
- Awning Sign
- Externally illuminated signs

Prohibited:

- Free-Standing (except as permitted at service stations)
- Internally illuminated signs
- Banners as permanent signs

No sign permit shall be issued for any permanent sign in the Business-B Zoning District without the sign having been granted a Certificate of Appropriateness (Subsection 6.2.6.4.1.). Free-standing, wall and projecting signs permitted in any Business-B Zoning District are specified in Table 6.2.3. No free-standing, internally illuminated, or Reader Board signs shall be permitted anywhere in a Business-B Zoning District. Free-standing signs will be allowed only for service stations.

All internally illuminated signs shall have a background or signboard that completely blocks illumination or glow such that light is only visible through the letters and graphics. All illuminated signs shall be turned off at the close of business.

Signs for properties containing more than one establishment:

For a lot which contains more than one business, a Certificate of Appropriateness may be granted for more than one sign, and a maximum of

the following signs are allowed, all of which shall in every respect conform to the requirements of this Section:

- a. A business occupying the ground floor is allowed two (2) signs if one sign is a wall sign and the second one is a projecting / blade sign, an awning sign, or a wall sign that is located on a different building façade than the first wall sign.

The allowable sign area for the primary sign is equal to 2 square feet per linear footage of length of the front wall of the building occupied by the establishment to which the sign relates in accordance with Table 6.2.3. The secondary sign area shall not exceed half of the sign area allowed for the primary sign located on the principal frontage.

- b. One joint identification is allowed listing the names and logos of establishments on the premises provided the following conditions are met:
 - No additional advertising
 - Shall be mounted on the building wall closest to the entrance
 - Shall not exceed four (4) square feet in sign area
 - Shall not exceed eight (8) feet in height
 - Shall not project beyond the property line
- c. Allowance for an Additional Wall Sign: In addition to signs allowed above, a street address sign shall be permitted as follows:
 - Not to exceed four (4) square feet in sign area
 - Not to exceed six (6) feet in sign height
 - Shall only display the street address and number of the property

6.2.6.4.1. Certificate of Appropriateness/Community Planning and Development Commission (CPDC):

The CPDC shall establish procedures for receiving and reviewing applications for signs in the Business B Zoning District, and for providing written decisions to the Building Inspector. The CPDC shall, in reviewing such applications, consider the design, arrangement, location, texture, materials, colors, lighting, and other visual characteristics of each proposed sign and its compatibility with its general surroundings with regard to the purposes outlined in Paragraph 6.2.1.

If the CPDC shall refuse to issue a Certificate of Appropriateness for any proposed sign, it shall state in writing the reasons therefore, with suggestions as to how the proposal may be modified so as to be approved.

If the CPDC shall fail to issue or refuse to issue a Certificate of Appropriateness within forty-five (45) days of the date of a completed application being submitted, the Certificate shall be deemed to have been issued. An appeal from any decision of the CPDC may be made within twenty days of such decision being filed with the Town Clerk, to the Board of Selectmen, who may uphold, modify or overrule the action of the CPDC and grant a Certificate of Appropriateness. In those cases where proposed signs are included as part of plans for approval under Site Plan Review (Section 4.3.3) or PRD Special Permit review (Section 4.10), a Certificate of

Appropriateness separate from such approval shall not be required and shall be combined with the review of said permit.

6.2.6.5. Signs in Business-C Zoning Districts:

Allowed Signs:

- Free-Standing
- Wall
- Projecting
- Internally illuminated signs

Prohibited Signs:

- Banners as permanent signs
- A free-standing and wall sign for buildings that are not multi-tenant

The allowed signs in the Business-C Zoning District are subject to the corresponding provisions of Paragraph 6.2.6.3. (Business-A). In addition, a wall sign consisting only of the name and corporate logo of the principal occupant of a building located within eighteen hundred feet of the centerline of an Interstate Highway may be displayed between the top course of windows and the parapet of such building provided that sign area not exceed fifty percent of the surface area described by the tops of such windows, the parapet, and the wall corners, that letters and logo contained in or constituting such sign shall not exceed eight feet in height, that the lowest point of such sign shall not be closer than 48 feet above the ground immediately below, that such sign shall not be illuminated between the hours of 11:00 p.m. and sunrise, and that such sign shall be located on the building wall most directly facing said highway.

6.2.6.6. Signs in Industrial Zoning Districts:

Allowed Signs:

- Free-Standing
- Wall
- Projecting
- Internally illuminated

Prohibited Signs:

- Banners as permanent signs
- A free-standing and wall sign for buildings that are not multi-tenant

The allowed signs in the Industrial zoning district should conform to the provisions of Section 6.2.6.5. (Business-C). In conjunction with a Special Permit to Construct a Planned Unit Development (PUD) granted in accordance with Section 4.9. hereof, the Community Planning and Development Commission (CPDC) may, consistent with Subsection 6.2.1., allow modifications to any provision of this Section. The CPDC may allow one additional free-standing sign, not to exceed thirty-five feet in height or 144 square feet in sign area, in that portion of the PUD parcel's landscaped perimeter buffer area most closely adjacent to Route 128 but not closer than 500 feet from any other public street existing at the time of submission of a relevant Preliminary PUD Plan.

6.2.6.7. Signs in a PUD:

Notwithstanding anything in this Section 6.2 to the contrary, signs are allowed or permitted in a PUD only in accordance with Section 4.9.5.6. of these bylaws.

6.2.6.8 Signs in Residential Districts:

Allowed Signs:

- Wall
- Projecting
- Externally illuminated signs

Prohibited:

- Internally illuminated signs
- Free-standing signs
- Banners as permanent signs

Except for identification signs (6.2.4.i.) or signs allowed in Subsection 6.2.6.1., no sign in any Residential Zoning District shall be illuminated in any manner. Decorative non-commercial banners or flags displayed on residential lots shall not be construed as signs for purposes of this bylaw. In connection with any Special Permit to Construct a Planned Residential Development (PRD) granted in accordance with Section 4.10. hereof, the Community Planning and Development Commission may allow modifications to any provision of this Section which is not inconsistent with the Purposes of this Section as specified in Subsection 6.2.1.

6.2.7. Removal of Defunct Signs:

In the event a business, other than a seasonal business, ceases operations for a period of time in excess of thirty days, the sign owner or lessee, or the property owner, shall immediately remove any identification or advertising of said business or any product or service sold thereby. If the sign conforms to the provisions of this Section, and if a permit has been requested within said thirty-day period for altering the same sign in conformity with this Section to identify a new business in the same location, such alteration shall be allowed. Changes in legend on any directory sign shall be exempt from the provisions of this paragraph.

6.2.8. Nonconforming Signs:

A nonconforming sign may not be enlarged or altered in any way which would increase its nonconformity. Should any nonconforming sign be damaged by any means to an extent of more than fifty percent of its replacement cost at the time of damage, it shall not be reconstructed except in conformity with the provisions of this Section 6.2.,

or take any other action with respect thereto.

Community Planning and Development Commission

ARTICLE 28 To see if the Town will vote to amend Section 4.4, Floodplain Districts, of the Town of Reading Zoning By-Laws by deleting in its entirety Section 4.4, and inserting in its place the following new section:

4.4. FLOODPLAIN OVERLAY DISTRICT

4.4.1. Statement of Purpose:

The purposes of the Floodplain Overlay District are to:

- 1) Ensure public safety through reducing the threats to life and personal injury;
- 2) Eliminate new hazards to emergency response officials;
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination and pollution due to flooding;
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- 5) Eliminate costs associated with the response and cleanup of flooding conditions;
- 6) Reduce damage to public and private property resulting from flooding waters.

4.4.2. Boundaries of Floodplain District:

The Floodplain District is established as an overlay district. The Floodplain District includes all special flood hazard areas within the Town of Reading designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Reading are panel numbers 25017C0292E, 25017C0294E, 25017C0303E, 25017C0311E, 25017C0312E, 25017C0313E and 25017C0314E that go into effect on June 4, 2010. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Engineer

4.4.3 Definitions:

AREA OF SPECIAL FLOOD HAZARD is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year.

DEVELOPMENT means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DISTRICT means floodplain district.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

FLOOD BOUNDARY AND FLOODWAY MAP means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500 year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

FLOOD HAZARD BOUNDARY MAP (FHBM) means an official map of a community issued by FEMA where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

FLOOD INSURANCE RATE MAP (FIRM) means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation.

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations 60.3.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community. For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" (as evidenced by issuance of a building permit) commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

ONE-HUNDRED-YEAR FLOOD - see BASE FLOOD.

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA means an area having special flood and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, V, V1-30, VE.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. **STRUCTURE**, for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

ZONE A means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available Federal, State, local or other data.

ZONE A1-30 and **ZONE AE** (for new and revised maps) mean the 100-year floodplain where the base flood elevation has been determined.

ZONE AH and **ZONE AO** means the 100-year floodplain with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

ZONES B, C, AND X are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

4.4.4. Reference to Existing Regulations:

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- Town of Reading Zoning By-Law; and
- Town of Reading Wetlands Protection By-Law.

Any variances from the provisions and requirements of the above referenced State and local regulations may only be granted in accordance with the required variance procedures of such regulations.

4.4.5. Uses Permitted as of Right in the Floodplain Overlay District:

In the Floodplain Overlay District, no new building shall be erected and no premises shall be used except for one or more of the following uses:

4.4.5.1. Municipal recreation, public water supply, drainage or flood control use, orchard, truck garden, nursery, or similar open use of the land for the raising of agricultural or horticultural crops, for rifle, pistol and shotgun shooting on land of any established range.

4.4.6. Uses Permitted in the Floodplain Overlay District By Special Permit:

4.4.6.1. If authorized by the Board of Appeals, commercial golf course, or non-profit social, civic or recreational use (but not including any use the chief activity of which is one customarily conducted as a business); and buildings and sheds accessory to any use permitted in the district.

4.4.6.2. If any land defined in the bylaws as being in a Floodplain Overlay District is proven to be in fact neither subject to flooding nor unsuitable for human occupancy because of drainage and topographic conditions, and if the use of such land will not be detrimental to the public health, safety and welfare, the Board of Appeals may permit buildings for human occupancy on such land in accordance with the requirements of the underlying district after the necessary proof has been presented to and reported on by the Community Planning and Development Commission and the Board of Health.

4.4.7. Uses Prohibited in the Floodplain Overlay District:

Dumping, filling or earth transfer or relocation operations are prohibited except for utility trenches, driveways, landscaping and accessory building foundations, or municipal or public facilities.

4.4.8. Conditions for Approval for uses Permitted in the Floodplain Overlay District:

4.4.8.1 Within the floodplain overlay district, no new construction, substantial improvement or other land development shall be permitted unless it is

demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood.

For the purposes of this section, substantial improvement shall be taken to mean: any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either

- (a) before the improvement is started, or
- (b) if the structure has been damaged and is being restored after the damage occurred.

4.4.8.2 For new construction, substantial improvements of existing structures or other land development, the following conditions shall apply:

- 1) All new construction or improvement of non-residential structures shall either have the lowest floor, including basement, at or above the base flood elevation, or along with attendant utility and sanitary facilities, shall be flood proofed; i.e., designed so that below the established base flood elevation, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- 2) Within Zones A and AE where base flood elevations are provided on the FIRM: elevations shall be determined by using the flood profile contained in the Flood Insurance Study.
- 3) Within Zones A and AE, where the base flood elevation is not shown on the FIRM, the applicant shall obtain any existing base flood elevation data as a basis for the elevation and flood-proofing requirements of this section and shall submit such base flood elevation data to the Board of Appeals at the time of making application for a special permit under this section. When base flood data is not available, the base flood elevation shall be determined through hydrologic and hydraulic analyses performed by a registered professional engineer in accordance with standard engineering practices.
- 4) The structure will withstand the effects of flooding. The ground level around and extending 25 ft. outward from any building or structure in a Floodplain District shall be raised as necessary so that no part of the ground level area so defined, shall be below the elevation shown on the FIRM. Embankments subject to possible scouring by flood waters shall be properly stabilized and protected to prevent erosion by flood waters.
- 5) The containment of sewerage, safety of gas, electric, fuel, and other utilities from breaking, leaking, short circuiting, grounding, igniting, electrocuting or any other dangers due to flooding, will be adequately protected.
- 6) Safe vehicular and pedestrian movement to or over, and from the premises shall be provided on ways having a minimum profile elevation of no less than the base flood elevation.
- 7) Methods of drainage shall be adequate.

- 8) Other land in the Floodplain Overlay District shall be protected from impacts resulting from all work of development both approved and not approved on the premises.
- 9) Where watertight flood proofing of a structure is permitted, a registered professional engineer shall verify that the methods used will be adequate to withstand the flood depths, pressures and velocities, impact and uplift, and other factors associated with the base flood.
- 10) A registered professional engineer shall certify that the above minimum conditions listed in Sections 4.4.4 and 4.4.8 are satisfied in the design proposal.

4.4.9. Base Flood Elevation and Floodway Date:

4.4.9.1. Floodway Data. In Zones A, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

4.4.9.2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

4.4.10 Notification of Watercourse Alteration:

In a riverine situation, the Conservation Commission shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

and further, that the Zoning Map of the Town of Reading be amended to adopt the boundaries of the new overlay district as defined on the Middlesex County Flood Insurance Rate Map (FIRM) that goes into effect on June 4, 2010 and as further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010,

or take any other action with respect thereto.

Community Planning and Development Commission

ARTICLE 29 To see if the Town will vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend

one half or more of the Town Meeting sessions during the previous year, or take any other action with respect thereto:

Precinct 1

Crawford	Lynne	A		2011
D'Entremont	Keith	J		2011

Precinct 2

Connearney	Joseph	T	Sr.	2011
Lam	Wei	E		2011
Snow	George	A		2011
Sullivan	John	B		2011

Precinct 3

Jones	Randall	W		2011
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Precinct 5

Kelley	Timothy	J		2011
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Precinct 8

Griset	William	J	Jr.	2011
Herrick	Karen Gately			2012

Board of Selectmen

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to April 6, 2010, the date set for the Election in said Warrant, and to publish this Warrant in a newspaper published in the Town, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.

Given under our hands this 2nd day of March, 2010.

Ben Tafoya, Chairman

James E. Bonazoli, Vice Chairman

Camille W. Anthony, Secretary

Richard W. Schubert

Stephen A. Goldy

SELECTMEN OF READING

Alan W. Ulrich, Constable