

**LEGAL NOTICE
PUBLIC HEARING NOTICE
ZONING BYLAW AMENDMENT
PRIVATE PETITIONER'S ARTICLE**

The Marshfield Planning Board will hold a public hearing on March 12, 2018 at 7:05 PM in the Marshfield Town Hall in Hearing Room 2 to accept public comments on a private petitioner's article to amend the Zoning Bylaw as follows:

PROPOSED MARSHFIELD DIGITAL SIGN BY-LAW

To see if the Town will vote to amend the Marshfield Zoning Bylaws as follows (A) Amend Table of use regulations by adding a new number 27 under accessory use

27. Off Premise Sign- Provided there shall not be more than 2 permitted and shall only be located in close proximity to the layout of State Highway RT 3. Use is also subject to section 7.05 "signs permitted in the I-1 district (as amended here in).

B: Amend Article 2 "Definitions" Section 305.201 by inserting the following new definitions:

Sign - Billboard: A freestanding single sided or double sided sign which does not advertise a business or profession conducted, a service offered or a commodity sold upon the premises where such sign is located.

Sign: Digital Billboard: a freestanding, off-premise, electronic message board utilizing light-emitting diodes (LEDs), plasma or other technology to display static or multiple static advertisements on a rotating basis.

Sign- Off premise: A sign that pertains to a use which is not located or maintained on the premises (other than non-commercial message signs) including a sign that which identifies goods or services that are not sold on the same premises as the said sign.

C: Amend Article 7.02 "General Sign Regulations" by adding a number 16 (16) general advertising, off premise, Billboards and digital billboards signs as defined in section 2 shall only be allowed in the I-1 zoning district, subject to a special permit granted by the Zoning board in conformance with section 5.02 (Table of Use Chart (As amended here in) and section 7.05 "signs permitted in the I-1 district (as amended here in)

D: Amend Article 7.05 "Signs Permitted in the "I" District" by adding a number 4 (4) As defined in Section II (amended here in) – general advertising, off premise, Billboard and digital billboard signs, shall be allowed in the I-1 zoning district by special permit to be granted by the Zoning Board of appeals, as outlined in section 7.05.04(A) as well as section 5.02 "Table of Use Chart" (As amended here in)

(A) Process and Criteria for issuance of Special permit

Special Permit applications under this section shall be submitted in accordance with the administrative procedures of this By-law and as outlined in Massachusetts General Law Chapter 40A. Each applicant shall submit an application Fee of \$3000.00 as well as ten copies of the application, plans and any supporting materials that may be requested by the Board . A letter of authorization shall be required if the applicant is not the property owner. The Board of Appeals shall not render a decision on an application for a special permit under this section without making findings, including but not limited to the following Criteria

1. Sign shall be in compliance with the regulations of MGL: 700 CMR 3.00: CONTROL AND RESTRICTION OF BILLBOARDS, SIGNS AND OTHER ADVERTISING DEVICES
2. The applicant has demonstrated the sign shall not be visible from residentially zoned property or pre-existing non-conforming residential property located within the Town of Marshfield, excluding hotels or motels.
3. Billboard shall not be more than two hundred (200) feet from the highway layout of RT 3 and shall not be more than fifteen hundred (1500) feet from another billboard Located in the Town of Marshfield.
4. Billboard shall be permanently affixed to a pedestal or other main support structure. No portable billboards are permitted,
5. No billboards shall be placed on the roof or walls of any building
6. The exposed back of sign, poles or other support structures shall be designed and maintained in a manner that appropriately blends with the surrounding buildings and landscape.
7. No billboard sign face shall exceed (15) feet in height and fifty (50) feet in width.
8. No Billboard sign shall be higher than 35 feet above the existing grade of sign location
9. The billboard support structure shall have front yard setback of twenty (50) feet, a side yard setback of ten (10) feed and a rear yard setback of ten (10) feet. These setbacks may be reduced if determined by the Zoning Board of appeals to be appropriate
10. The applicant has demonstrated that the proposed location does not adversely interfere with the use of adjacent properties; including but not limited to , increasing noise or vibration, casting a shadow or causing a flicker on adjacent properties.
11. Billboard is in harmony with or suitable for the surrounding area and would not do significant damage to the visual environment. In making the determination, the Board of Appeals may consider among other factors, the health, safety, general welfare of the public, the scenic beauty of the area, the physical, environmental, cultural, historical or architectural characteristics of the surrounding area,
12. No flashing lights shall be allowed. Flashing shall be defined as changing natural or artificial light or color effects by any means except as may occur when panels or messages change on digital/electronic billboards.\
13. There shall be no animation displayed
14. No sexually orientated, sexually provocative or adult oriented businesses as defined in Massachusetts General Law Chapter 272 Section 31.
15. The Board of Appeals shall determine the times and amount of hours that billboard shall devote to public service announcements during a calendar year.
16. The applicant shall provide financial or other compensation to the Town as a Hosting Fee determined to be appropriate by the Board of Selectmen.
17. There shall be no more than 2 Billboards permitted

18. Sign shall be located on, or in close proximity to the layout of State Highway RT 3

Submitted by Bill Last, Jr., Petitioner

Respectfully,

Mike Baird, Chair
Marshfield Planning Board

AD#13656728

Marshfield Mariner 2/7, 2/14/18