

Article VII

Signs and Historic Districts

Article VII: Signs and Districts

Section 1. Sign Bylaw

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1.1. PURPOSE AND INTENT

This Bylaw regulating signs is enacted in order to protect the public health, safety, and welfare; to reduce traffic hazards; to promote and preserve the aesthetic nature of the Town; to identify businesses, and to protect property values and promote economic development. This Bylaw will also assist those installing signs within the Town of Framingham by setting forth the process governing the application, installation, and maintenance of such signs.

1.2. AUTHORITY AND INTERPRETATION

This Bylaw is hereby declared to be remedial and protective, and is to be so construed so as to secure the beneficial interests and purposes thereof. This Bylaw is adopted pursuant to the general powers granted to the cities and towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by Massachusetts General Laws, Chapter 93.

1.3. APPLICABILITY

1.3.1 All exterior signs and interior window signs require a permit and are subject to the regulations of this Bylaw. *See Section 1.5 for EXCEPTIONS.*

1.3.2 The following signs, structures or conditions must comply with the provisions of this Bylaw the earlier of September 1, 2008 or upon notification from the Building Commissioner:

- a. Changes in a channel letter or panel wall sign or movement of an existing wall sign to a different location on the building;
- b. Changes to a single business freestanding sign or movement of an existing freestanding sign to a different location on the site;
- c. Signs in excess of the number allowed in the Bylaw;
- d. Signs without a Permit;
- e. Obsolete signs;
- f. Off-premise signs;
- g. Roof signs;
- h. Signs attached to a sloped surface with the exception of awning signs as allowed in this Bylaw;
- i. Billboard signs;
- j. Changeable copy signs that are not allowed under this Bylaw;
- k. Bracket/projecting signs on the second floor or above;
- l. Backlit or internally illuminated awning signs;
- m. The street number sign regulations.

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1.4. DEFINITIONS

TERMS DEFINED: For the purpose of this Bylaw, the following terms shall have the meanings given below and in Section 1.5 unless a contrary intention clearly appears.

TERMS NOT DEFINED: Terms not defined in this section or elsewhere in this By-Law but defined in the Massachusetts State Building Code or in the Massachusetts General Laws shall have the meanings given therein. All other words and phrases shall be given their common, ordinary meaning.

- 1.4.1 **Altered Sign:** A sign that is changed in any way, including changes in structure, size, location, design or lettering, but excluding routine maintenance by the owner of the sign.
- 1.4.2 **Applicant:** The owner of the sign and the owner of the property upon which it is located or a duly authorized agent, representative, assign or attorney.
- 1.4.3 **Application:** The form provided by the Building Commissioner used to apply for a sign permit.
- 1.4.4 **Awning Sign:** An awning sign is a wall sign in the form of an awning consisting of a structural skeleton with a skin made of a flexible or rigid material that is constructed to project horizontally or at an angle from the vertical face of the structure or building.
- 1.4.5 **Banner Sign:** A temporary sign made of fabric or of any flexible material having no enclosing framework.
- 1.4.6 **Base:** A solid support or decorative element located at ground level and attached to the poles or support structure of a freestanding sign.
- 1.4.7 **Billboard:** Any off-premise, freestanding, wall or roof sign owned by a person, corporation or other entity engaged in the business of selling advertising space on that sign.
- 1.4.8 **Bracket/Projecting Sign:** A sign that is permanently affixed to the exterior surface of a building with the display area of the sign positioned perpendicular to the wall on which the sign is mounted.
- 1.4.9 **Business Center:** One building with two (2) or more businesses.
- 1.4.10 **Business Complex:** Two or more buildings, attached or unattached, having four (4) or more businesses with a combined gross floor area of 30,000 square feet or greater, on one or more adjacent lots under the same ownership.
- 1.4.11 **Canopy/Marquee/Portico:** A permanent roof-like structure which may be attached or unattached to the façade of the building.
- 1.4.12 **Changeable Copy Sign:** A sign designed so that the characters or letters can be changed or rearranged manually, mechanically or electronically.
- 1.4.13 **Channel Letters:** Sign letters that are either individually attached to the building surface or are attached by means of a raceway.
- 1.4.14 **Compliant Sign:** A sign that meets all regulations of this Bylaw.
- 1.4.15 **Construction Sign:** A sign identifying a construction project, owner or developer, architect, engineer, contractor and sub-contractors, or funding sources, but not including the announcement of the sale or lease of real estate.

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- 1.4.16 Facade:** An exterior building wall. (parapets are considered part of a façade)
- 1.4.17 Flag:** A piece of material of any shape, color or design, used as a symbol, standard, signal or emblem.
- 1.4.18 Freestanding Sign:** A sign anchored in the ground independent from any building or other structure.
- 1.4.19 Freestanding Sign - Setback:** The distance between the outer most edge of the sign and the front curb line or edge of pavement of the street.
- 1.4.20 Frontage:** The length from corner to corner of the occupied outermost building wall that either faces the public way or is intended for placement of the wall sign. In buildings with multiple businesses, frontage is the length from corner to corner of the outermost building or tenant separating wall associated with that individual business.
- 1.4.21 Grade:** The average ground elevation as measured within (1) one foot of the base of the sign or where the sign poles enter the ground.
- 1.4.22 Historic Building:** A building located in a local Historic District.
- 1.4.23 Interior Wayfinding Signs:** Signs in an office/technology park that indicate the names of or directions to buildings or departments in an office/technology park.
- 1.4.24 Institutional/Civic Sign:** A sign whose primary purpose is identifying the premises of a non-profit, public, governmental, educational, religious, charitable or similar civic facility.
- 1.4.25 Lot:** A parcel of land, with definite boundaries ascertainable by recorded deed or recorded plan and used or set aside and available for use as the site of one or more buildings or for any other definite purpose, in one or joint ownership and not divided by a street or public way.
- 1.4.26 Modification:** The process by which owners with Permits for existing non-compliant signs, or existing non-compliant signs approved by variance, may remain, be altered, or be reconstructed.
- 1.4.27 Monument Sign:** A sign in which the entire structure is a single continuous surface from the top edge of the sign to the ground.
- 1.4.28 Multiple Business Sign (MBS):** A freestanding sign identifying two (2) or more individual businesses on separate sign panels within the same business center or business complex.
- 1.4.29 Multiple Corporate Signs:** Signs indicating the names of more than one business in an office/technology park.
- 1.4.30 Non-Compliant Sign:** A sign that does not meet the regulations of this By-Law.
- 1.4.31 Obsolete Sign:** A sign that identifies a business, product or service that is no longer available on the premises where the sign is displayed.
- 1.4.32 Off Premise Sign:** A sign placed other than on the lot on which the business is located.
- 1.4.33 Office/Technology Park:** A complex having two (2) or more internal streets each at least 1,000 feet in length and 5 or more buildings with a combined gross floor area of 1,000,000 S.F. or more and used primarily for office or research and development purposes.

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- 1.4.34 Office/Technology Park Entrance Signs:** Signs indicating only the name of an office /technology park.
- 1.4.35 Parking Lot/Directional Sign:** A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "No Parking", "Entrance", "Exit", "Loading Zone", "Handicapped" and/or other similar directives.
- 1.4.36 Pennant:** A lightweight plastic, fabric, or other material, of any shape, color or design, whether or not containing a message, and designed to move in the wind.
- 1.4.37 Pole:** A support structure of any material for a freestanding sign.
- 1.4.38 Political Sign:** A sign pertaining to a candidate for a political office, for a ballot question associated with an election or for any political issue.
- 1.4.39 Public Utility Sign:** An official sign of a non-commercial nature erected by a public utility.
- 1.4.40 Real Estate Sign:** A temporary sign that identifies a single residential unit or commercial property for sale or lease.
- 1.4.41 Real Estate Development Sign:** A temporary wall or freestanding sign that identifies the sale or lease of land or buildings for an entire residential subdivision or commercial project.
- 1.4.42 Residential Sign:** A sign customarily associated with residential use such as circa signs, signs identifying names of residents, signs on mailboxes or newspaper tubes, signs posted on private property relating to private parking or warning the public against trespassing or danger from animals, or allowed home office or home occupation signs.
- 1.4.43 Roof Sign:** A sign erected on or attached to a roof or extending above the top edge of the wall or the parapet to which it is attached.
- 1.4.44 Shopping Mall:** A business center or complex containing more than 20 individual retail businesses regardless of whether those businesses have main entrances directly to the exterior of the building or into an interior central pedestrian corridor.
- 1.4.45 Sign:** Any letter, number, word, address, symbol, drawing, picture, design, device, article or object, regardless of the material and manner of composition or construction, that has the primary purpose of identifying or indicating any premises, products, businesses, uses or activities.
- 1.4.46 Single Corporate Sign:** A sign in an office/technology park indicating a building with a single business.
- 1.4.47 Sign Face Area:** The single smallest continuous rectangle that encompasses all lettering, logos, representations, emblems, channel letters, symbols or other displays, including any material or color forming an integral part of the background of the sign or used to differentiate the sign from the background or structure against which it is placed.
- 1.4.48 Street Banner:** A banner that crosses and overhangs a public way.
- 1.4.49 Subdivision Sign:** A permanent sign located near the entrance to a residential development that identifies the name of the subdivision.
- 1.4.50 Temporary Sign:** An allowed sign displayed for 30-days or less.

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- 1.4.51 Time/Temperature Sign:** A sign on which the only copy that changes is an electronic or mechanical indication of time and/or temperature.
- 1.4.52 Vertical Pole Flags:** A flag hung vertically on any pole.
- 1.4.53 Variance:** Relief from the regulations of the Bylaw granted by the Zoning Board of Appeals.
- 1.4.54 Wall Sign:** A sign affixed to the facade of a building, including but not limited to awning signs, bracket/projecting signs, canopy/marquee/portico signs and channel letters.
- 1.4.55 Wall Sign - Setback:** The distance between the wall on which the sign is to be placed and the front curb line or edge of the pavement of the street.
- 1.4.56 Window Sign:** A sign placed on or within four (4) feet of any glass area.
- 1.4.57 Zoning Board of Appeals:** For the purposes of this Sign Bylaw, the appellate authority for hearing appeal and variance applications under Section 1.12 shall consist of the three associate members of the Zoning Board of Appeals appointed by the Board of Selectmen. All three associate members shall be required to constitute a quorum for hearing applications under Section 1.12. In the absence of a quorum, the Chairperson of the Zoning Board of Appeals shall designate another member(s) of the Zoning Board of Appeals to hear and act on sign applications in place of the associate member(s).

1.5. SIGNS NOT REQUIRING A PERMIT

- 1.5.1** The Flag of any governmental organization or non-profit charitable organization. One flag may be displayed per organization.
- 1.5.2** The Flag of a single corporation occupying 50,000 square feet or more of non-retail space when not displayed in connection with a commercial promotion or as an advertising device. Only one flag may be displayed per corporation.
- 1.5.3** The American Flag
- 1.5.4** Political Signs
- 1.5.5** Roadwork Signs
- 1.5.6** Real Estate Signs less than six (6) square feet.
- 1.5.7** Residential Signs

1.6. PROHIBITED SIGNS

- 1.6.1** All off-premise signs whether with or without the property owner's or tenant's consent or a contractual agreement.

EXCEPTION: Non-profit civic, educational, or religious use off-premise directional signs up to 2 s.f. in size that are located in the public way may be allowed after approval by the Board of Selectmen.

EXCEPTION: Management Signs.

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- 1.6.2** Backlit or internally-illuminated translucent awnings.
- 1.6.3** Balloons, inflatable devices, or flags used for advertising or commercial purposes.
- 1.6.4** Banners on freestanding signs.
- 1.6.5** Billboards.
- 1.6.6** Bracket signs for business located above the first floor.
- 1.6.7** Changeable Copy Signs: Prohibited with the following EXCEPTIONS:
- a. When used on an Institutional/Civic Sign;
 - b. When used on a gasoline price pod;
 - c. When used in conjunction with a movie theater;
 - d. When used for a drive-thru car wash or a fast food restaurant. *See Section 10.3.1.(g).(8);*
 - e. When used by restaurants. *See Section.1.10.3.1.(g).(9);*
- 1.6.8** Circulars, placards or flyers placed on vehicles or on the exterior of any building.
- 1.6.9** Flashing/rotating, animated, moving or changing signs, including parked mobile changing signs and billboards. See Regulations Section 1.9.12. for one EXCEPTION.
- 1.6.10** Pennants.
- 1.6.11** Portable signs: A sign not permanently attached to the ground or other permanent structure, including, but not limited to: signs designed to be transported by means of wheels; A or T frame signs; menu and sandwich board signs; signs attached to or painted on vehicles and/or trailers that are parked and visible from a public way (or a private way used as a public way) with the intent of drawing attention to the business unless said vehicle is registered and used in the normal day to day operation of the business.
- EXCEPTIONS:
- 1. The use of washable markers on windshields of vehicles for sale or lease in new and used car lots.
 - 2. Signs for institutional/civic uses, limited to 14-days, and constructed in accordance with standards provided by the Building Department.
- 1.6.12** Roof signs.
- 1.6.13** Signs and/or flags placed on property without permission of the property owner/agent.
- 1.6.14** Signs mounted perpendicular to a building wall.
See REGULATIONS Section 1.9.2. for one EXCEPTION.
- 1.6.15** Signs painted directly on a building surface.
- 1.6.16** Signs painted on or attached to utility poles, rocks, boulders, trees, fences, utility boxes, benches, dumpsters (other than identifying the dumpster service), trash barrels, water towers, storage tanks, chimneys, radio towers, roof towers and sidewalks.
- 1.6.17** Signs placed on or attached to any sloped surface with the exception of an awning sign.
- 1.6.18** Street banners for a commercial business.

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1.6.19 Wall or freestanding signs for individual businesses that do not have building frontage and a separate exterior public entrance into the business, and are not completely separated by interior walls with no access from any adjacent business.

1.6.20 Wind driven, whirling or spinning signs.

1.7. HISTORIC DISTRICTS AND HISTORIC SIGNS

1.7.1 Each application for a sign permit within a designated Historic District must be accompanied by a Certificate of Appropriateness from the Historic District Commission.

1.7.2 A variance from compliance with this bylaw may be granted to signs not located in historic districts but that are designated as historic in accordance with the following provisions:

a. Applicants seeking a variance for a sign believed to be historic shall apply to the Building Commissioner who shall forward the application to the Historical Commission. The Historical Commission shall consider the application at its next regularly scheduled meeting and shall render a decision within 60 days of receipt of the application unless the applicant grants an extension of time for making the decision. Approval by the Historical Commission shall be provided in writing to the Building Commissioner and shall accompany the Sign Permit application. In determining whether a sign is deemed to be historic, the Historical Commission shall make all of the following findings:

- (1) The sign is 50 years old or older.
- (2) The sign demonstrates character, interest of value as a part of the local, regional state or national history, heritage, economy or culture.
- (3) The total number of signs allowed shall be in accordance with Section 1.10.2.1 and may not be waived regardless of historical status.

1.8. GENERAL REGULATIONS

1.8.1 COLOR

There are no restrictions on color(s).

EXCEPTIONS: See Sections 1.9.4.c and 1.9.10.b

NOTE: Black and white are considered colors.

1.8.2 ILLUMINATION

- a. External and internal illumination is permitted in all districts. An internally illuminated sign may not also be externally illuminated. *See Section 1.9.10.b for one EXCEPTION.*
- b. The light from any sign shall be at a sufficiently low level of intensity that it shall not adversely affect neighboring premises, reflect or shine on or into residential lots, nor impair the safe vision of operators of vehicles moving on public roadways.
- c. Building surfaces that are decorated with illuminated gaseous tube (neon) or other lights with a message or trademark included are considered signs. Area calculations for wall signs shall apply.

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- d. Light bulbs shall be enclosed in a housing, can, sleeve or other container.
- e. Times of sign illumination shall be for a period not to exceed one hour before/after the business is opened/closed to the public in all zoning districts, except HC/RC and CBD where illumination is allowed for 24 hours. Programmable timers are required in all districts except HC/RC and CBD.
- f. Timers on Multiple Business Signs (MBS) and all wall signs shall be set to coincide with the business last to close and first to open, except as provided in *Section 1.8.2.e*.
- g. The only lighting permitted to be a part of a sign or sign structure is internal illumination of the sign face area or attached external illumination designed to primarily illuminate the sign face area. Neon or other additional lighting on the sign or sign structure is prohibited. Non-attached ground lighting is permitted for externally illuminated signs.

1.8.3 MAINTENANCE

- a. Signs and all components thereof shall be maintained in good surface and structural condition, free of rust, corrosion and peeling paint, in compliance with all building and electrical codes in effect at the time the sign is permitted and in compliance with this Bylaw.
- b. Electrical meters and utility equipment shall be screened from view.
- c. Structural damage, defective parts, missing letters, corrosion, rust or deterioration shall be remedied or the sign removed in accordance with the regulations and penalties as described in *Section 1.13* of this Bylaw.

1.8.4 OBSOLETE SIGNS

- a. Compliant Signs

An obsolete compliant sign shall be removed or the sign portion covered with a plain opaque cover by the owner of the sign or the owner of the premises within 30-days of the closing of the business.

- b. Non-Compliant Signs

An obsolete non-compliant sign, including its structure and support, shall be removed by the owner of the sign or the owner of the premises within 30-days of the closing of the business. Blank sign panels and signs boxes are included in this provision.

EXCEPTION: An obsolete non-compliant sign and its structure and support may remain, if the owner of the sign applies for a new sign permit within 30-days of the closing of the business, and provided that the sign will comply within 60-days of receiving the permit.

1.8.5 SAFETY

No sign, including a window sign, shall by reason of location, shape, size, lighting or color, interfere with traffic, or be confused with, or obstruct the view or the effectiveness of any official traffic sign, traffic signal, or traffic marking.

1.8.6 STRUCTURAL INTEGRITY

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- a. All signs shall be designed and constructed in conformance with the provisions for materials, loads, and stresses of both the Massachusetts State Building Code and the Electrical Code in effect at the time the sign is permitted.
- b. All sign poles, supports, caps and bases shall be constructed of or encased in a solid material that does not rust.

1.8.7 TEMPORARY SIGNS

A temporary sign identifying a business may be installed after a complete application for a permanent sign has been approved. Where there is an existing structure for a freestanding or wall sign, the temporary sign shall be designed to closely fit the existing sign or frame. The temporary sign shall be replaced with the permanent sign within 60-days of receiving the final permit. Businesses utilizing a temporary sign may not concurrently display a separate banner sign.

1.9. SPECIFIC SIGN REGULATIONS

1.9.1 BANNER SIGNS

- a. A banner shall not exceed 30 square feet and may be attached only to building surfaces.
- b. A business or institutional/civic organization may display only one banner at any time. Banners may be used twice for up to 30-days in a twelve month period, each use separated by at least 30-days. The banner shall display a permit sticker issued by the Building Department. **BANNERS ARE PROHIBITED ON FREESTANDING SIGNS.**

1.9.2 BRACKET/PROJECTING SIGNS

A business may elect to use a bracket/projecting sign instead of a wall sign. Only one such sign may be erected for each business, subject to the following conditions:

- a. The area of the sign shall not exceed 8 square feet in the Central Business District and 12 square feet in all other districts.
- b. A sign having two faces having the identical sign copy on both sides may have the maximum allowed area on each side.
- c. The depth of the sign shall not exceed six (6) inches.
- d. The sign shall not project more than six (6) feet from the building.
- e. There shall be at least 50 feet between adjacent bracket/projecting signs.
- f. The sign shall be hung at a 90 degree angle from the face of the building to which it is attached.
- g. The sign shall be pinned at least six (6) inches from the face of the building to which it is attached.
- h. The bottom of the sign shall have a minimum clearance of 10 feet above a pedestrian walkway or sidewalk or 15 feet above a vehicular driveway.

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1.9.3 CANOPY/MARQUEE/PORTICO SIGNS

No sign shall be placed on top of or shall extend beyond the vertical or horizontal face of a canopy/marquee/portico. A canopy/marquee/portico sign shall be in place of a wall sign and must meet the dimensional requirements contained herein for wall signs.

1.9.4 CENTRAL BUSINESS DISTRICT SIGNS

- a. Placement of signs located on buildings where sign space has been designed as part of the facade (sign band area) shall take into consideration the historic and/or significant architectural features of the building such as arches, columns, lintels, sills, moldings carvings and cornices and all signs shall be placed only within the sign band area.
- b. All wall signs including awning signs for ground level tenants located in the same building shall be located entirely in the sign band area and shall be uniform across the building relative to structure, shape, materials, placement, vertical dimension, and background color of the sign face area or color of the awning.
- c. Businesses occupying upper floors may identify the business name with only one (1) sign placed directly on the glass area using black and/or gold lettering and not exceeding 40% of a single-pane window area.

1.9.5 CONSTRUCTION SIGNS

- a. A construction sign shall not be erected prior to the initiation of site work and shall be removed within 10 days after the issuance of any occupancy permit.
- b. A construction sign shall not exceed 32 square feet in all districts.
- c. Only one (1) construction sign shall be allowed.

1.9.6 INSTITUTIONAL/CIVIC SIGNS

- a. In Residential Districts one (1) freestanding sign not exceeding 32 s.f. is allowed.
- b. Religious symbols shall not be deemed to constitute a sign.
- c. The area of a changeable copy sign shall be included in the allowed dimensions of the sign.

1.9.7 MANAGEMENT SIGNS

In addition to wall signs allowed in Section 1.10.2, one sign indicating the ownership or management of a building is allowed. Such sign is restricted to 2 square feet, must be placed on the surface of the building and may not be internally illuminated. Management signs may not be a part of any free-standing sign.

1.9.8 PARKING LOT/DIRECTIONAL SIGNS

- a. Driveway entrances and exits from a street or public way:
 - (1.) Driveway entrances and exits may have only one directional (1) sign per driveway, indicating the entrance/exit.
 - (2.) The letters or graphics on the sign shall not exceed a vertical dimension of six (6) inches.

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(3.) The sign face area shall not exceed three (3) square feet.

(4.) The height of the sign from the ground shall not exceed five (5) feet.

b. Additional informational/directional interior parking lot signs:

(1.) Additional parking lot signs are allowed with letters having a vertical dimension of 6 inches or less.

(2.) The sign face area shall not exceed 4 square feet.

(3.) The height of the sign from the ground shall not exceed 6 feet.

(4.) Additional directional interior signs may include a business name or logo but may not include any advertising.

1.9.9 REAL ESTATE SIGNS

a. In all districts real estate signs indicating the sale or lease of property shall not exceed 6 square feet in area for residential properties and 16 square feet for commercial properties.

b. In all districts real estate development signs indicating the sale or lease of land or buildings for an entire residential sub-division or commercial project shall not exceed 32 square feet.

c. Real estate and real estate development signs may not be placed on or be a part of any permanent freestanding sign.

d. Real estate and real estate development signs may not be internally illuminated.

e. All real estate signs shall be removed within seven (7) days after the final sale or lease of the real estate.

f. Only one (1) Subdivision Sign shall be allowed per development in all districts and shall not exceed 20 square feet in area. Internal illumination is prohibited.

EXCEPTION: When a residential subdivision has more than one roadway entrance, a second residential subdivision sign may be allowed provided the second entrance is located at least 1,000 feet from the first roadway entrance. Internal illumination is prohibited.

1.9.10 RESIDENTIAL SIGNS

a. A Residential sign up to 2 square feet is allowed.

b. Signs indicating a home office or home occupation shall be restricted to one (1) color plus the background color and may only be externally illuminated.

1.9.11 SHOPPER'S WORLD SIGNS

a. Standards for Shoppers World wall and freestanding signs shall be in accordance with the provisions of the Special Permit Decision dated January 10, 1994 and the Sign Review Approval in Conjunction with a Special Permit Site Plan Approval dated August 9, 1994.

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1.9.12 STREET BANNERS

A street banner is allowed for civic and institutional organization events only and may be displayed for no more than 30-days at any one time.

1.9.13 TIME/TEMPERATURE SIGNS

A Time/Temperature sign is allowed and shall be included as part of the total square footage of the allowed sign area.

1.9.14 WINDOW SIGNS

- a. Window signs with a commercial message are prohibited in “R” and “G” Districts.
- b. All combined window signage shall be limited to 10% of the total glass area on any one façade/side of a building. EXCEPTION: Central Business District. *See Section 1.9.4.c.*
- c. Any sign placed within four (4) feet of a glassed area and visible from the outside (excluding merchandise displays) shall be considered a window sign.

1.9.15 VERTICAL POLE FLAGS

- a. Vertical pole flags are allowed for only Town of Framingham events and districts;
- b. Vertical pole flags may be a maximum of 30” in width and 96” in length;
- c. If a flag displays a business name/logo, the portion containing the business name/logo may not exceed 25% of the flag.

1.10 DIMENSIONAL REGULATIONS

1.10.1 DISTRICTS, ADJACENT AND RELATED BUSINESSES, AND OTHER LICENSES AND PERMITS

1.10.1.1 DISTRICTS

(Reference: Zoning By-Laws of the Town of Framingham, *Section II.A.*)

HC/RC*	Highway Corridor/ Regional Center
B, B1/B4	Business Districts
CB.....	Central Business/Mixed Use
P.....	Office and Professional
M-M1 ..	General and Light Manufacturing
TP	Technology Park
R1-4 and G	Residential, General Residence
GE and PUD	Geriatric and Planned Unit Development
OSR	Open Space/Recreation
PR.....	Planned Reuse

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*Note that HC/RC Overlay regulations shall take precedence over underlying zoning relative to this Bylaw.

1.10.1.2 ADJACENT AND RELATED BUSINESSES

For the purposes of the Bylaw, the determination of the dimensions and number of signs allowed for a business shall be made according to both of the following:

- (a.) Adjacent businesses of similar or related uses that are located on the same lot or on adjacent lots, whether or not separated by a street or driveway, shall be considered a single business; and
- (b.) Businesses that are either under the control of the same person(s), corporation, trust or other entity, or related or jointly owned entities, or under the control of entities in which the beneficial ownership is in the same or related persons or entities, shall be considered a single business.

1.10.1.3 OTHER LICENSES AND PERMITS

Multiple regulatory licenses or permits held by a single business as defined in herein shall not entitle said business to multiple signs or sign dimensions not otherwise allowed herein.

1.10.2 WALL SIGNS

1.10.2.1 NUMBER OF WALL SIGNS

- (a.) A business located on one street may have only one (1) wall sign.
- (b.) A business in the corner position of a building shall be allowed two (2) wall signs provided the lot on which it is located is at the intersection of and extends to the right-of-way of two public streets. The size of each sign shall be as provided in *Chart 1*.
- (c.) In a business center, only the business located in the corner position of the building shall be allowed two (2) wall signs provided the lot on which it is located is at the intersection of and extends to the right-of-way of two public streets. The size of each sign shall be as provided in *Chart 1*.
- (d.) A business in a shopping mall situated such that only the rear of the building faces a street or public way may have two wall signs. One (1) sign shall designate the main front entrance to the business. An additional sign may be affixed to the rear of the building for identification purposes only and shall not exceed 30% of the area of the front entrance sign, and may not be a bracket/projecting sign.
- (e.) Wall signs for individual businesses that do not have building frontage and a separate exterior public entrance into the business, and are not completely separated by interior walls with no access from any adjacent business are prohibited.
- (f.) Buildings Facing Interstate 90: Buildings in “M,” “M-1” and “TP” districts used for office, research and development or manufacturing purposes may have one additional

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wall sign with letters not to exceed six feet in height, identifying the building if the sign is primarily viewed from Interstate 90 (the Massachusetts Turnpike). Only one (1) wall sign may be viewed from Interstate 90.

1.10.2.2 WALL SIGNS FOR SINGLE BUSINESSES WITH ADDITIONAL ENTRANCES

Wall signs having only the business or department name may be used to identify additional public entrances. The sign shall not exceed 8 inches in height and 3 feet in width, and may be illuminated. Bracket signs are *PROHIBITED*.

1.10.2.3 WALL SIGNS FOR BUSINESSES ON THE SECOND FLOOR AND ABOVE

(a.) Signs for second floor businesses are allowed and shall be uniform across the building as to style, materials, placement and vertical dimensions of the sign face area.

(b.) Wall signs above the second floor are prohibited for individual businesses not also located on the first or second floor.

1.10.2.4 PROJECTION OF WALL SIGNS

(a.) Except for awnings and bracket/projecting signs, a wall sign shall not project more than 14 inches from the surface of the building.

(b.) A wall sign shall not extend above or beyond any top or side edge of the façade, cornice, moldings, or trim of building.

1.10.2.5 INDIVIDUAL LETTER SIZE

(a.) When the wall on which the sign is to be placed is not parallel to the street, the setback shall be measured from the front curb line or edge of pavement to the center point of the location at which the sign is to be placed.

(b.) The maximum vertical dimension of any individual letter in a wall sign shall be determined by the building setback as provided in *Chart 1*.

(c.) Channel letters, as allowed in *Chart 1*, may be illuminated or non-illuminated.

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CHART 1: WALL SIGN MAXIMUM LETTER SIZE

BUILDING SETBACK IN FEET	VERTICAL DIMENSION NON CHANNEL LETTERS IN INCHES	VERTICAL DIMENSION CHANNEL LETTERS IN INCHES
40	12	18
40 – 75	18	24
76 – 150	24	30
151 – 225	30	36
226 – 300	36	42
301 +	42	48

EXCEPTION: For allowed wall signs placed above fourth floor the maximum letter height allowed is 42 inches.

1.10.2.6 AREA OF WALL SIGNS

- (a.) The total wall sign face area for each business shall not exceed one square foot for each linear foot of building frontage of the business (whether or not the business faces a street) or 30 square feet, whichever is greater, up to a maximum area of 200 square feet and a maximum horizontal dimension of 50 feet.
- (b.) For the purpose of determining the maximum amount of wall sign face area allowed, building frontage may be measured along the wall of the business that is parallel to the street or the wall that has the main entrance to the business to which the sign relates. However, the sign must be placed on the wall that is used to determine the area of the sign.
- (c.) The wall sign may also be placed on the surface of any corner entrance or canopy/marquee/portico structure that is attached to and extended from the building or business frontage that was used to determine the allowed wall sign face area.
- (d.) The frame shall not be included in the measurement of the sign face area provided the frame does not exceed 3 inches in width.

1.10.2.7 AWNING SIGNS

- (a.) An awning sign is to be considered a wall sign.
- (b.) Awning signs are allowed only for first floor businesses.
- (c.) If an awning sign is used as the wall sign for a business, only one individual and separate awning sign may include signage.
- (d.) An awning containing signage shall not extend above or beyond any top or side edge of the façade, cornice, moldings or trim of the building to which the awning is attached.
- (e.) The section of the awning that incorporates writing or other types of graphics used for the identification of the business shall be considered sign area.
- (f.) Awning signs may not be backlit or internally illuminated.

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1.10.3 FREESTANDING SIGNS

1.10.3.1 GENERAL REGULATIONS FOR FREESTANDING SIGNS

- (a.) The frame shall not be included in the measurement of the sign face area provided the frame does not exceed 3 inches in width.
- (b.) All freestanding signs shall include the street number on the sign and may include the street name.
 - (1.) The sign face area or panel with the street name or number may be excluded from the calculated allowable sign dimensions if:
 - (a.) The vertical dimension of the sign face area or panel containing the street number does not exceed:
 - 1. 15 inches (vertical dimension) in the HC/RC District.
 - 2. 12 inches (vertical dimension) in all other district.
 - (b.) The vertical dimension of the numbers and letters do not exceed:
 - 1. Nine (9) inches in the HC/RC district;
 - 2. Six (6) inches in all other districts.
 - (2.) In all districts, the area or panel containing the street name or number may exceed the width and depth of the existing or proposed sign by six (6) inches, only if such area or panel is located at the top of the sign.
 - (3.) No lettering or graphics other than the street name and number may be included in that area or panel.
 - (4.) For the purposes of visibility the color of the street number must clearly contrast with the background on which it is placed.
 - (5.) The area or panel containing the street name or number may vary in shape.
 - (6.) If a name of a business, business center or business complex is included on the freestanding sign, it shall be calculated as part of the total allowed sign face area.
- (c.) Pole Width and Location:
 - (1.) Poles shall not be included in the calculation of sign width.
 - (2.) The widest face of the pole must be in the same direction as the sign face.
 - (3.) Poles must be one (1) color and shall not contain graphics.
 - (4.) Exposed vertical or horizontal structural steel members (I, H or U beams) are not allowed as poles.
 - (5.) Freestanding signs with one (1) pole:
 - (a.) Regardless of district, the single pole must either be centered or be located to the extreme right or extreme left of all the sign panels on the pole.
 - (b.) All sign panels on single poles must be the same width and shape regardless of the number of businesses on each panel.
 - (c.) In the HC/RC district, if the single pole is centered, it may not exceed 28 inches in width and 14 inches in depth or diameter.

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(d.) In the HC/RC district, if the single pole is to the extreme right or left of the sign, it may not exceed 16 inches in width and 14 inches in depth or diameter.

(e.) In all other districts, if the single pole is centered, the width of the pole may not exceed 16 inches in width and 8 inches in depth or diameter.

(f.) In all other districts, if the single pole is to the extreme right or left of the sign, the width of the pole may not exceed 8 inches in depth or diameter.

(6.) Freestanding signs with two (2) poles:

(a.) In the HC/RC district, the width of each pole may not exceed 14 inches in width and 14 inches in depth or diameter.

(b.) All internally illuminated sign panels between two supporting poles must be the same width and shape regardless of the number of businesses on each panel.

(c.) In all other districts, the width of each pole may not exceed 8 inches in depth or diameter.

(d.) Base: All freestanding signs may have a solid surface base integral to or attached to the sign poles or supports with dimensions as follows:

(1.) The height of the base shall be included in the total calculation of the allowed vertical dimension of the sign and may be:

(a.) 3 feet in the HC/RC District;

(b.) 2 feet in all other districts.

(2.) For a sign with two poles the base may not extend past the sign supports or poles further than:

(a.) 9 inches in the HC/RC District;

(b.) 6 inches in all other Districts.

(3.) For a sign with one (1) pole the base may not extend beyond the sign support pole or the sign panels further than:

(a.) 9 inches in the HC/RC District;

(b.) 6 inches in all other Districts.

(4.) Bases are restricted to materials the same color as the sign frame, pole, support, cap and trim or restricted to natural masonry finishes.

(e.) Banners: PROHIBITED on freestanding signs

(f.) Placement:

(1.) If a building is less than 10 feet from the front curb line or edge of pavement, no freestanding sign shall be allowed.

(2.) All signs must be located entirely on the site/premises on which the business is located.

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(3.) No part of any sign shall extend beyond the lot line or overhang the public right-of-way.

(4.) All signs shall be placed in locations that will not obstruct the vision of drivers entering or exiting the site.

(g.) Number:

(1.) A building with one business may have one (1) freestanding sign.

EXCEPTION: See Section 1.10.3.1(g.)(11.)

(2.) A business center may have one (1) freestanding sign

(3.) Freestanding signs for individual businesses that do not have building frontage and a separate exterior public entrance into the business, and are not completely separated by interior walls with no access from any adjacent businesses are PROHIBITED.

(4.) A business complex may have two (2) freestanding signs, provided the combined gross floor area of the buildings is 30,000 square feet or greater and there are four (4) or more businesses per building. If the combined gross floor area is less than 30,000 square feet, there may be one only (1) freestanding sign. An individual business may be identified on only one sign. Signs must be at least 200 feet apart.

(5.) A shopping mall may have two freestanding signs on one street provided the shopping mall has at least 1,200 feet of frontage on the street on which the signage is placed and the signs are placed at least 600 feet apart. Such signs shall identify only the name of the mall and not the names of the individual businesses located within the mall.

(6.) A freestanding building with only one business, a business center, a business complex, or a shopping mall with frontage on two parallel streets at least 1,000 feet apart may have a freestanding sign on each street.

(7.) All buildings with the same recorded access easement to the property that do not have frontage on a public way may share (1) one freestanding sign located in the access easement. Under no circumstances shall a building have more than one freestanding sign.

(8.) Drive-thru food establishment or car wash may have one freestanding menu board sign for each drive-thru lane. The menu board may be a maximum of 40 square feet, and have a maximum vertical dimension of 7 feet, regardless of the district in which it is located. No additional temporary or permanent signs, panels, banners, flags, etc. of any type may be attached to the menu board.

(9.) A restaurant, but not a drive-thru restaurant, may incorporate a changeable copy panel provided that such changeable copy message board shall not exceed two reader lines and the total vertical dimension shall not exceed twelve inches. The changeable copy panel shall be included in the calculation of the total sign area and may only announce special events and entertainment, not prices or products.

(10.) Automobile dealers selling new cars representing more than one new car national franchise may have one freestanding sign for each such franchise, up to a maximum of three (3) signs, provided:

(a.) In all districts, the sum of the combined heights of all freestanding signs shall not exceed 20 feet and no individual sign shall exceed 10 feet in height.

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(b.) If a dealer with more than one (1) franchise chooses a Multiple Business Sign, each franchise may have only one (1) panel, as per MBS regulations. Regardless of the number of franchise panels, the height of the MBS may not exceed 20 feet.

(c.) Dealers offering additional services ancillary to the primary business (such as used car sales, service, repairs, body work etc.) on the same lot or on contiguous lots may not have additional freestanding signs advertising such services.

(d.) State inspection signs are not allowed on free standing signs.

(11.) A residential apartment building, condominium/apartment complex, assisted living or congregate housing facility having ten (10) or more units or a nursing home having ten (10) or more beds may have one externally illuminated freestanding sign per driveway provided that the driveways are at least 200 feet apart as measured from the center point of each driveway. Freestanding signs shall be located at or in close proximity to the driveway entrance.

(a.) Maximum Vertical Height: 10 feet

(b.) Maximum Area: 25 square feet for primary sign 15 square feet for each additional sign EXCEPTION: HC/RC District Maximum Area: 70 square feet for primary sign; 25 square feet for each additional sign.

(c.) Stone wall dimensions shall be excluded from sign area calculations for residential uses only.

(d.) No wall signs other than Management Signs are allowed.

(e.) No additional freestanding signs are allowed under Section 1.10.3.2.

(h.) A sign having two faces having the identical copy on both sides may have the maximum allowed area on each side. V or L shaped signs are considered two signs.

(i.) No sign or new sign box shall be issued a Sign Permit until there is an identified tenant for an existing or new commercial space.

1.10.3.2 FREESTANDING SIGNS FOR A SINGLE BUSINESS

(a.) The maximum dimensions of the height, width and sign face area of a freestanding sign shall be determined by the district in which it is located, as indicated in *Chart 2*.

(b.) The sign face area for a single business shall not exceed 0.5 square feet for each linear foot of building frontage having the main entrance to the business (whether or not the main entrance faces a street), or a minimum of 18 square feet whichever is greater, subject to the standards in the chart below. *See Definition of Frontage 1.4.20.*

(c.) Sign panels on signs with two supporting poles must be between the inner edges of the sign supports or poles. All sign panels between two supporting poles must be the same width and shape regardless of the number of businesses on each panel.

(d.) Sign supports, poles or framework on internally illuminated signs may not extend above the top sign panel with the exception of the sign face area or panel with the street name or number.

(e.) Poles for non-internally illuminated signs may extend up to 12 inches above the top of the sign.

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(f.) The maximum depth between the two outermost external faces of the sign panels shall not exceed 14 inches.

CHART 2: DIMENSIONS FOR A FREESTANDING SIGN FOR A SINGLE BUSINESS

DISTRICT	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT DISTANCE BETWEEN GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH DISTANCE BETWEEN SUPPORT POLES IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES
HC/RC	40	20	12	14
B1-B4	30	10	6	14
CB	30	10	6	14
P	18	6	5	14
M/M1	30	10	6	14
R1-R4, G	2	4	2	4
OSR	30	6	6	14
TP	ONLY MONUMENT SIGNS ALLOWED. SEE CHART 3			
GE,PUD				

EXCEPTION: For office/technology park as defined. *See Section 1.4.33 and Chart 8*

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CHART 3: DIMENSIONS FOR A FREESTANDING MONUMENT SIGN FOR A SINGLE BUSINESS

DISTRICT	MAXIMUM SIGN FACE AREA	MAXIMUM HEIGHT GROUND TO TOP EDGE OF SIGN	MAXIMUM WIDTH (A) DISTANCE BETWEEN THE OUTER EDGES OF THE SIGN STRUCTURE	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES
	IN SQUARE FEET	IN LINEAR FEET	IN LINEAR FEET	IN INCHES
HC/RC	40	8	8	14
R1-R4, G	NOT ALLOWED	---	---	---
ALL OTHERS	30	6	6	14

(a) The maximum width must remain consistent for the entire height of the sign.

NOTE: Monument signs may also have a solid surface base as allowed in *Section 1.10.3.1(d)*, and are subject the regulations for street names and numbers in *Section 1.10.3.1(b)*.

EXCEPTION: For office/technology parks as defined *See Section 1.4.33 and Chart 8*.

1.10.3.3 MULTIPLE BUSINESS SIGNS (MBS)

MBS shall be subject to the following standards:

- (a.) Vertical and horizontal dimensions of a MBS shall be as shown in *Chart 4*.
- (b.) Single sign panels on signs with two supporting poles must be between the inner edges of the sign supports or poles.
- (c.) All internally illuminated single sign panels between two supporting poles must be the same width and shape regardless of the number of businesses on each panel.
- (d.) Sign supports, poles or framework on internally illuminated signs may not extend above the top sign panel with the exception of the sign face area or panel with the street name or number.
- (e.) Poles for non-internally illuminated signs may extend up to 12 inches above the top of the sign.
- (f.) The maximum depth between the two outermost external faces of the sign panels shall not exceed 14 inches.
- (g.) In the HC/RC Districts the following regulations apply except for automobile dealership buildings and signs:
 - (1.) The maximum square footage of the sign face area on a MBS shall not exceed 200 square feet.
 - (2.) Buildings with both a gross floor area of 20,000 square feet or more and four (4) or more businesses are allowed the following:

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- (a.) A maximum height of 25 feet;
- (b.) The maximum individual sign face area is 60 square feet;
- (c.) To qualify the four businesses must be tenants in the building and the name of the building, business center or business complex does not qualify as one of the four (4) or more businesses;

CHART 4: DIMENSIONS FOR A FREESTANDING SIGN FOR MULTIPLE BUSINESSES

DISTRICT	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT DISTANCE BETWEEN GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH (A) DISTANCE BETWEEN SUPPORT POLES IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES
HC/RC	40	20	12	14
B1-B4	30	10	6	14
CB	30	10	6	14
P	18	6	5	14
M/M1	30	10	6	14
R1 - R4, G	2	4	2	4
OSR	30	6	6	14
TP GE, PUD,	ONLY MONUMENT SIGNS ALLOWED. SEE CHART 5			

(a) The maximum width must remain consistent for the entire height of the sign.

EXCEPTIONS: For office/technology parks as defined. *See Section 1.4.33 and Chart 8*
For HC/RC districts *See Section 1.10.3.3.(g)*.

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CHART 5: DIMENSIONS FOR A MONUMENT SIGN FOR MULTIPLE BUSINESSES

DISTRICT	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT DISTANCE BETWEEN GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH (A) DISTANCE BETWEEN THE OUTER EDGES OF SIGN STRUCTURE IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES
HC/RC	40	8	8	14
R1-R4, G	NOT ALLOWED	---	---	---
ALL OTHERS	30	6	6	14

(a) Maximum width must remain consistent for entire width of sign.

NOTE: Monument signs may also have a solid surface base as allowed in *Section 1.10.3.1(d)*, and are subject to the regulations for street numbers in *Section 1.10.3.1(b)*. See *1.10.3.3(g)* for EXCEPTIONS.

EXCEPTIONS: For office/technology parks as defined. See *Section 1.4 33 and Chart 8*
For HC/RC districts See *Section 1.10.3.3(g)*

1.10.3.4 GASOLINE STATIONS

(a.) In all districts, all gasoline station signs may have one (1) freestanding sign for the purpose of identifying the brand name and price of gasoline.

(b.) In addition to one freestanding sign, gasoline stations may have either a wall sign or a canopy/marquee/portico sign, but not both.

(c.) Additional on-site businesses (including but not limited to mini-marts, donut shops, automotive services, car washes, etc.) may share one additional panel located on the freestanding sign. The additional panel may not exceed 12 inches in height, must be the same width as the other panels on the freestanding sign and shall be in addition to the 50 square feet allowed for the freestanding sign.

(d.) Gasoline stations may have a canopy/marquee/portico sign that includes the brand and/or logo. The letters may not exceed 18 inches in height and the length of sign area on the canopy/marquee/portico that includes the brand and /or logo may not exceed 8 feet. The lighted portion of the canopy/marquee/portico must be limited to the area of the lettered sign and logo only, similar to regulations for awnings. See *Section 1.10.2.7*. Two (2) canopy/marquee/portico signs are allowed per gasoline station.

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(e.) Brand name or logo signs on the pumps are allowed, provided that the maximum individual sign face area does not exceed 1 square foot per sign and the letters are no larger than 6 inches. One (1) brand name or logo is allowed per pump.

(f.) State inspection signs shall not exceed 24 by 36 inches and are limited to one (1). Inspection hours signs are limited to 1 square foot.

(g.) With the exception of the sign face area or panel with the street name or number, sign supports, poles or framework may not extend above the top sign panel.

CHART 6: DIMENSIONS FOR A FREESTANDING GASOLINE STATION SIGN INCLUDING PRICE POD

DISTRICT	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH DISTANCE BETWEEN SUPPORTS/ POLES IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES	MAXIMUM NUMBER
HC/RC	50	15	10	14	1
ALL OTHER	40	10	8	14	1

CHART 7: DIMENSIONS FOR A GASOLINE STATION MONUMENT SIGN INCLUDING PRICE POD

DISTRICT	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT DISTANCE BETWEEN GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH (a) DISTANCE BETWEEN OUTER EDGES OF SIGN IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES	MAXIMUM NUMBER
HC/RC	50	10	10	14	1
ALL OTHERS	40	8	8	14	1

(a) Maximum width must remain consistent for entire width of sign.

NOTE: Monument signs may also have a solid surface base as allowed in *Section 1.10.3.1.(d)* and are subject to the regulations for street numbers in *Section 1.10.3.1.(b)*.

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CHART 8: DIMENSIONS FOR OFFICE/TECHNOLOGY PARK FREESTANDING SIGNS

TYPE OF SIGN	MAXIMUM SIGN FACE AREA IN SQUARE FEET	MAXIMUM HEIGHT DISTANCE BETWEEN GROUND TO TOP EDGE OF SIGN IN LINEAR FEET	MAXIMUM WIDTH BETWEEN OUTERMOST EDGES OF SIGN IN LINEAR FEET	MAXIMUM DEPTH DISTANCE BETWEEN SIGN FACES IN INCHES	MAXIMUM NUMBER
ENTRANCE	150	10	15	24	1 PER ENTRANCE
WAYFINDING	64	8	8	14	6
SINGLE CORPORATE	64	8	8	14	1 PER BUILDING
MULTIPLE CORPORATE	64	8	8	14	1 PER BUILDING

1.11. APPLICATION/PERMIT PROCEDURE

1.11.1 GENERAL PROVISIONS

- a. All persons intending to erect or alter a sign that requires a permit in accordance with this Bylaw shall apply to the Building Commissioner.
- b. Only complete applications shall be accepted.
- c. A sign permit shall not be issued until the Building Commissioner performs a field survey. The survey shall bear the date of inspection, comments and the signature of the inspecting officer and shall become a permanent part of the applicant's file.
- d. All proposed signage related to a subdivision review, site plan review, special permit review or any other applicable review by the Planning Board shall be subject to approval of the Planning Board to determine compliance with this Bylaw.
- e. The Building Commissioner shall render a decision within thirty (30) calendar days of receipt of an application completed in conformance with ALL provisions of this By-Law. In those instances that require signage approval by the Planning Board under *Section 1.11.1.d* above, the Building Commissioner shall render a decision within 30 calendar days following any final appeal period of the Planning Board action.
- f. After installation of the sign a final inspection shall be completed by the Building Commissioner and shall include a final field survey and photographs to verify that the provisions of this Bylaw and the permit have been met.

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1.11.2 APPLICATION SUBMITTAL REQUIREMENTS

All applications for permits shall include:

- a. A plot plan of the lot indicating the setback of the building from the front curb line or edge of pavement and any other dimensions necessary to determine the size of any proposed sign on the building;
- b. A scaled drawing showing all dimensions of facades proposed to contain signage and indicating the location and dimensions of the proposed sign and any existing signs;
- c. Sidewalks, curb cuts and any landscaped or other areas in which a freestanding sign is to be placed clearly showing the location of the sign;
- d. A scaled drawing of each proposed sign showing all dimensions, colors, lettering, graphics, materials and type of illumination;
- e. Photographs of existing buildings and signs, where applicable;
- f. Specifications for construction, lighting and wiring in accordance with the Massachusetts State Building Code and Electrical Code in effect at the time the sign is permitted;
- g. With the exception of the requirement in *Section 1.11.2.a*, and based upon the type of sign permit application, the Building Commissioner or the Planning Board may, where applicable, waive some of the submission requirements of this section.

1.11.3 FEES

Fees for permits shall be paid in accordance with the schedule of fees as established and amended by the Board of Selectmen.

1.11.4 EXPIRED PERMITS

If the sign for which the permit was issued has not been erected within six (6) months from the date of issue, the Building Commissioner may issue one six (6) month extension if in his opinion there is a valid reason for such an extension. If the sign has not been erected within twelve (12) months from the date the permit was issued, the permit shall expire and become null and void. The applicant must submit a new sign application and must comply with any changes to this Bylaw.

1.12. APPEAL AND VARIANCE PROCESSES

1.12.1 APPEALS

An applicant for a sign permit who is aggrieved by the decision of the Building Commissioner, or a person aggrieved by any refusal, order or decision of the Building Commissioner may within 30 days of such refusal, order or decision file an appeal with the Zoning Board of Appeals as provided in Section 1.12.3.

1.12.2 VARIANCES

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a. Sign variances granted under this section shall meet the provisions and requirements stated herein in Section 1.12.2.b. Such variances are NOT subject to the provisions for variance contained in Chapter 40A §10 of the Massachusetts General Law.

b. The Zoning Board of Appeals may grant a variance from these regulations, only if all of the conditions as set forth below are met:

1. A variance may be granted from the limitations imposed by this Sign Bylaw if it is determined that the nature of the use of the premises, the architecture of the building or its location with reference to the street, or the topography of the land are such that said variance may be permitted without being contrary to the public good. The applicant must demonstrate that compliance with the regulations of this Bylaw presents a hardship to the applicant. The hardship must relate exclusively to the specific and unique circumstance of the situation faced by the applicant, and not apply generally to other land, buildings or structures in the same zoning district.

2. No variance may be granted under this Section for a sign that is prohibited in Section 1.6 Prohibited Signs of this Sign Bylaw.

3. The desired relief may be granted without substantial detriment to the public good or surrounding properties or degradation of the visual environment, and will not create a traffic or pedestrian hazard.

4. To the extent possible, the Zoning Board of Appeals shall grant only the minimum relief necessary to adequately reduce or remove the impediment to compliance with the Bylaw.

c. When granting relief the Zoning Board of Appeals may attach reasonable conditions including but not limited to:

1. Modification or limitation of the sign's features, including appearance, size and number.

2. Limitation of the variance to the current applicant and owner.

1.12.3 PROCEDURE

An application shall be filed with the Zoning Board of Appeal. Once the application is considered complete it shall be stamped with the date and time of filing by said Board or its designee and a copy transmitted to the Town Clerk. If the application is deemed incomplete a written notice shall be mailed to the applicant and a copy transmitted to the Town Clerk and said application shall be returned to the applicant, if not made complete within a reasonable time period. A public hearing shall be held and a decision shall be rendered by the Zoning Board of Appeals within sixty (60) days for an appeal or for a variance from the date of filing as stamped by said Board or its designee. The period of time within which to act on the appeal or the variance application may be extended by mutual agreement of the applicant and the Zoning Board of Appeals. The applicant may withdraw its appeal or application for a variance by mutual agreement.

1.12.4 NOTIFICATION

a. Notice of said public hearing shall be given by publication in a newspaper of general circulation in the town once in each of two successive weeks, the first publication to be not less than 14 days before the day of the hearing and by posting such notice in a conspicuous place in the town hall for a period of not less than 14 days before the day of such hearing.

b. Notice shall also be sent by mail, at the expense of the applicant, to "parties in interest" that shall include the applicant, all owners of land within 300 feet of the property line of the petitioner

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as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town, the Building Department, Board of Selectmen, the Planning Department and all Town Meeting members in the precinct in which the property is located.

c. Publications and notices required by this section shall contain the name of the applicant, a description of the area or premises, street address, if any, or other adequate identification of the location, of the area or premises that is the subject of the petition, the date, time and place of the public hearing, the subject matter of the hearing, and the nature of action or relief requested, if any. No such hearing shall be held on any day on which a state or municipal election, caucus or primary is held.

1.12.5 HEARINGS

a. The Zoning Board of Appeals shall hold a public hearing within thirty (30) days of the date of filing.

b. The Board shall keep a detailed written and recorded record of its proceedings.

c. Prior to the public hearing, an applicant shall provide evidence including a plot plan, sign information and any additional information requested by the Zoning Board of Appeals that demonstrates the reasons why relief should be granted. Failure to provide such information may cause the petition to be denied without prejudice until such information is provided.

d. Town boards and departments may make any recommendations they deem appropriate to the Zoning Board of Appeals and shall send copies thereof to the Zoning Board of Appeals and to the applicant; provided, however, that failure of such board or department to make recommendations within twenty-one (21) days of receipt of the petition by such board or department shall be deemed lack of opposition thereto.

1.12.6 DECISIONS

a. The Zoning Board of Appeals shall render a decision within the prescribed time frame and shall file its decision with the Town Clerk. A unanimous vote is needed to approve an appeal or a variance.

b. The Zoning Board of Appeals shall specify in writing the reasons for making its decision.

c. The Zoning Board of Appeals shall file a copy of its decision with the Town Clerk and the Building Commissioner within fourteen (14) days of the date of the vote of the Zoning Board of Appeals. The decision shall contain the name and address of the owner, identify the land and sign affected, set forth compliance with the requirements for the issuance of such variance and include conditions of approval, if any.

d. If the Zoning Board of Appeals fails to act or to file said decision with the Town Clerk within these prescribed times, any appeal or petition for a variance shall be deemed approved.

e. If the rights authorized by a variance are not exercised within one (1) year of the date of grant of such variance such rights shall lapse.

f. Any party aggrieved by a decision of the Zoning Board of Appeals may within sixty (60) days of the filing of such decision appeal the decision to a court of appropriate jurisdiction.

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1.13 ENFORCEMENT

a. The Building Commissioner is the enforcement authority of this Bylaw.

b. Temporary Signs:

Upon observation of a violation of an illegal sign that can be easily and immediately removed, such as banners, balloons, window signs and portable signs, the Building Commissioner will inform on-site management of the violation. The illegal sign must be removed within 24-hours. If not removed, the violator may be subject to a non-criminal penalty of three hundred dollars (\$300) per day.

c. Permanent Signs:

1. For the purposes of enforcement, freestanding signs are to be considered as a single sign, whether a single business sign or MBS.

2. Business owners and/or property owners with signs in violation of this Bylaw shall first receive notification in writing of such violation from the Building Commissioner via U.S. Mail or hand-delivered. The violation notice shall specifically enumerate the inconsistencies with the Bylaw, stipulate the schedule of fines and penalties, and provide for a 30-day period in which to abate the violation.

3. If no significant remedial plan of action has been taken by the business or property owner within this thirty (30) day period, the Building Commissioner may issue a non-criminal penalty of three hundred dollars (\$300) per day and a second notice.

4. The second notice shall be delivered via U.S. Mail or hand-delivered indicating that the violation has not been corrected, the fine has been issued and the correction must be completed within 30-days. After a total of 75 days has passed from the date of issuance of the first notice of violation, inclusive of issuance of the second notice, with no efforts made to correct the violation, the Building Commissioner may take court action.

5. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

1.14 MODIFICATION

The purpose of this Modification *Section 1.14* is to provide a process by which owners with permits for existing non-compliant signs or existing non-compliant signs approved by variance may remain or be altered or be reconstructed within the prescribed limits provided in this Modification Section of the Bylaw. All signs with a Sign Modification Permit that have met the conditions of the permit are considered compliant with the Bylaw. Owners of signs eligible for Modification who have not applied for a Modification Permit on or before 03-01-12 forfeit the right to do so and must comply with Sections 1.1-1.11 of this Bylaw by 12/01/12.

1.14.1 THE MODIFICATION PROCESS

a. Owners of signs eligible for Modification may file a Sign Modification Permit application with the Building Commissioner on or before 03/01/12. The Building Commissioner shall make a determination on the Sign Modification Permit application within 90 days. All approved sign modifications must be completed by 12/01/12.

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- b. Owners of existing Permitted non-compliant signs and Permitted non-compliant signs approved by variance that are within the dimensional allowances of this Modification Section of the Bylaw and do not require any alterations in order to comply also must file a Sign Modification Permit application with the Building Commissioner on or before 03/01/12
- c. The dimensional regulations of these Modification provisions are not subject to waiver.
- d. Permitted non-compliant signs and permitted non-compliant signs approved by variance are allowed sign face panel changes until 12/01/12. By 12/01/12, the entire sign must either be modified in accordance with a Modification Permit or be in compliance with Sections 1.1-1.11.
- e. Signs with Modification Permits are allowed sign face panel changes for the life of the Permitted structure.

1.14.2 SIGNS NOT ELIGIBLE FOR A MODIFICATION PERMIT

The following signs are not eligible for a Modification Permit and must comply with *Sections 1.1-1.11* of this Bylaw:

- a. Existing channel letter signs or panel wall signs that are changed or moved to a different location on the building;
- b. Single business freestanding signs that are moved to a different location on the site;
- c. Signs in excess of the number allowed in the Bylaw;
- d. Signs without a Permit;
- e. Temporary signs;
- f. Obsolete signs;
- g. Off-premise signs;
- h. Roof signs;
- i. Signs attached to a sloped surface with the exception of awning signs as allowed by this Bylaw;
- j. Billboard signs;
- k. Changeable copy signs that are not allowed under this Bylaw;
- l. Bracket/projecting signs on the second floor or above;
- m. Backlit or internally illuminated awning signs.

1.14.3 MODIFICATION FOR EXISTING WALL SIGNS

Existing wall signs may remain if all of the following conditions apply:

- a. The sign face area does not exceed the allowed area by more than 20% or 20 square feet, whichever is less;
- b. The depth does not exceed 16 inches;
- c. The vertical dimensions of letters do not exceed 20% of the allowed height.

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1.14.4 MODIFICATION FOR EXISTING FREESTANDING SIGNS

Freestanding signs for existing businesses or uses may remain or be altered or reconstructed if they meet all of the following conditions. Altered or reconstructed signs may not exceed these parameters and only these dimensional parameters may deviate from *Sections 1.1-1.11* of this Bylaw.

1. Signs may be altered or reconstructed to the maximum allowed dimensions in this section provided that those individual dimensions that are altered or reconstructed currently exceed those allowed under Modification.

2. At least one (1) existing support or pole or part thereof must be an integral part of the modified sign;

3. The total sign face area may not exceed the allowed area by more than 20%;

a. The maximum altered or reconstructed height of a MBS sign for up to two (2) businesses may not exceed the allowed height by more than 10%;

b. The maximum altered or reconstructed height for a MBS sign for three (3) or more businesses may not exceed the allowed height by more than 20%;

c. The maximum altered or reconstructed width of the sign face may not exceed the allowed dimensions by more than 20%;

d. The depth of the sign between the two external faces of any sign panel may not exceed 18 inches;

e. The maximum dimension of a pole may not exceed the allowed dimension by more than 25%;

f. Internal poles may remain, provided they meet all other Modification provisions.

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Section 2. Town Signs

No person except an employee or contract agent of the Town board or department having jurisdiction over such sign shall paint, scrape, bend, break, or otherwise deface, mutilate, or remove any Town-owned sign. Whoever violates this Bylaw shall forfeit and pay for each offense a fine not exceeding fifty dollars (50.00).

Section 3. Sign and Zoning Bylaw Violations

- 3.1** The Building Commissioner, upon taking cognizance of a violation of the Zoning or Sign Bylaws, may issue to the offender a written notice to appear before the Clerk of the District Court having jurisdiction thereof, not later than twenty-one (21) days after the date of such notice. Such notice shall contain the name and address, if known, of the offender, the specific offense charged and the time and place for his required appearance.
- 3.2** Any person so notified may appear and confess the offense charged, either personally or through an authorized agent or by mailing to the clerk of said district court such notice with such specific sum of money as the Town shall fix as penalty for violation of the Bylaw. The payment to the Clerk shall operate as a final disposition of the case and said proceedings shall be deemed to be non-criminal. If any person so notified to appear and also to avail himself of the procedure established pursuant to this Bylaw, he may, within twenty-one (21) days after the date of the notice, request a hearing in writing. Such hearing shall be held before a district court judge, clerk or assistant clerk. If the judge, clerk or assistant clerk shall, after hearing, find that the violation occurred and that it was committed by the person so notified to appear, the person so notified shall be permitted to dispose of the case by paying the sum of money fixed as penalty by the Bylaw, or such lesser amount as the judge, clerk or assistant clerk shall order.
- 3.3** If such judge, clerk or assistant clerk shall, after hearing, find that the violation alleged did not occur or was not committed by the person so notified to appear, that finding shall operate as a final disposition of the case. Proceedings held pursuant to this subsection shall be deemed to be non-criminal.
- 3.4** If any person so notified to appear before the clerk of the district court fails to pay the fine provided by the Bylaw within the time specified, or, having appeared, does not confess the offense before the clerk or pay the sum of money fixed as penalty after a hearing and finding as provided in the preceding subsection, the clerk shall notify the Building Commissioner, who shall determine whether to apply for the issuance of a criminal complaint for the violation of the appropriate Bylaw.

Section 4. (Deleted: 2002 Annual Town Meeting, Article 24)

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Section 5. Historic Districts

5.1 Historic District Commission

There is hereby established under the Historic Districts Act, Massachusetts General Laws, Chapter 40C to be governed by and operated in accordance with the provisions relative thereto of the General Laws or any special act or amendment thereto, a Framingham Historic District Commission, consisting of seven (7) members to be appointed by the Board of Selectmen including one (1) member from the Framingham History Center, one (1) architect registered to practice in Massachusetts, one (1) licensed real estate agent, one (1) lawyer, one (1) land owner resident in the Historic District and two (2) members at large. There shall be five (5) alternates selected, with backgrounds in any of the five (5) categories specified above or an urban planner, an architectural historian, a landscape architect, a licensed general contractor or building tradesperson or any other citizen who, through education or experience, have demonstrated a commitment to historic preservation. In the event any member shall be absent or unable to act for any reason, the Chairman shall designate an alternate member to act.

Each member or alternate member of said Commission shall be a resident of the Town of Framingham, and any such member removing his residence from the Town shall be considered thereby to have resigned as a member of the Commission.

5.2 Boundaries of Historic District

There is hereby established under provisions of and in accordance with the Historic District Act, one historic district to be known as the Framingham Center Common Historic District, bounded and described as shown on the map entitled "Framingham Center Common Historic District" available at the Planning Department of the Town; and to establish a new historic district to be known as the Jonathan Maynard Historic District, bounded and described as shown on the map entitled "Jonathan Maynard Historic District" available at the Planning Board Office. Additionally, to establish new historic districts to be known as the Sarah Clayes Historic District, the Pike-Haven-Foster House Historic District, and the H.H. Richardson Depot Historic District.

5.3 Power and Duties

The Commission shall have, in addition, to the powers and duties of an Historic District Commission as described in Chapter 40C, the following further powers and duties, subject to appropriation or receipt of money gifts, and may in exercise of any of its powers or duties accept and expend such gifts and employ clerical and technical assistants or consultants.

5.3.1 To propose from time to time, as it deems appropriate, the establishment, in accordance with the provisions of the Historic District Act, of additional historic districts and changes in historic districts;

5.3.2 To cooperate with, consult, and advise the Planning Department, the Redevelopment Authority, and other Town agencies and departments in matters involving historic sites, building, and districts; and

5.3.3 To offer assistance and advice to owners of buildings in any historic district on problems of construction, reconstruction, restoration, and preservation.

5.4 Rules and Regulations

The Commission shall adopt the rules and regulations for the conduct of its business, not inconsistent with the provisions of the Historic Districts Act. A copy of the rules and regulations and any amendment shall be filed with the Town Clerk.

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5.5 Certificate of Appropriateness: Time of Decision

The Commission shall render a decision under the provisions of the Historic Districts Act within 45 days after the filing of an application for a certificate of appropriateness, a certificate of non-applicability, or a certificate of hardship, or within such further time as the applicant may, in writing, allow.

5.6 Exclusions

The Commission shall have no jurisdiction to review the following categories of exterior architectural features:

- (a) Temporary structures erected for a period of ninety days or less;
- (b) Two dimensional signs of four (4) square feet or less;
- (c) Terraces, walks, driveways, and sidewalks so long as such structure is substantially at grade level;
- (d) Storm doors, storm windows, screens, gutters, antennae, and window air conditioners;
- (e) Color of paint;
- (f) Color of roof materials.

5.7 Properties Included in the Framingham Center Common Historic District

- 5.7.1**
- 1. Framingham Center Common c.1735
 - 2. Village Hall, 2 Oak Street, built 1834
 - 3. Edgell Memorial Library, (Framingham History Center) 3 Oak Street, built 1872
 - 3a. Civil War Monument at 3 Oak Street, erected 1872
 - 4. The Capt. Eliphalet Wheeler House, 18 Vernon Street, built 1818
 - 5. The Jonathan Maynard Building (Danforth Art), 12 Vernon Street, built 1916
 - 6. Framingham Academy (Framingham History Center Museum), 14 Vernon Street, built 1837
 - 7. First Parish Church, 24 Vernon Street, built 1926
 - 8. First Parish House, 24 Vernon Street, built 1959
 - 9. Plymouth Church, 87 Edgell Road, built 1968
 - 10. The Otis Boynton House, 85 Edgell Road, built 1825
 - 11. The Jason Hall House, 65 Edgell Road, built 1850
 - 12. The O'Brien House, 63 Edgell Road, built 1961
 - 13. The Grossman House, 61 Edgell Road, built 1960
 - 14. The Framingham Bank, 39 Edgell Road, built 1833
 - 15. Office/Bank Building, 35 Edgell Road, built 1969
 - 16. The Charles Train House (Plymouth Parsonage), 125 Edgell Road, c. 1836
 - 17. The E. Cloyes House, 121 Edgell Road, c. 1836
 - 18. The Daniel Hemenway House, 151 Edgell Road, c. 1800
 - 19. The Brandolini House, 2 Auburn Street, built 1955
 - 20. The Stone Gardner's Cottage, 4 Auburn Street, c. 1850
 - 21. Office Building, 5 Auburn Street, built 1970
 - 22. The Whitney-Wiggins House, 10 Auburn Street, built 1826
 - 23. The Edgar Wheeler House, 6 Vernon Street, c. 1850
 - 24. The Clark Builders Trust House, 8 Vernon Street, built 1969
 - 25. The Train-Vernon House, 20 Vernon Street, c. 1848
 - 26. The Rinaldo House, 31 Grove Street, built 1970
 - 27. The Mrs. Gordon House, 33 Grove Street, c. 1810

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28. The Tarbox House, 4 Warren Place, built 1836
29. The J.J. Marshall House, 3 Warren Place, c. 1800
30. The Stalker House, 8 Warren Place, c. 1768
31. The John Mann House, 11 Warren Place, c. 1867
32. The George A. Weeks House, 122 Edgell Road, built 1865
33. The General George Henry Gordon House, 936 Central Street, built 1820
34. Harriet Carter House, 3 Vernon Street, built 1853
35. Julia Wight House, 5/7 Vernon Street, built ca. 1860
36. Caroline B. Clark House, 9 Vernon, built 1852-1853
37. Lothrop Wight House, 8 Library, built ca. 1860
38. John and Sarah Clark House, 12 Library, built ca. 1860
39. Wight-Esty Block, 931-937 Worcester Road, built between 1832-1850
40. Van Duzer Hardware Company Block, 939 Worcester Road, built ca. 1935
41. Tilton-Wheeler Store, 945 Worcester Road/1 Vernon Street, built by 1830

5.8 Properties included in the Jonathan Maynard Historic District

- 5.8.1 1. First Baptist Church, 48 Pleasant Street, built 1826
2. The William Buckminster House, 48 Pleasant Street, c. 1799
3. The Dr. John Osgood House, 64 Pleasant Street, c. 1832
4. The Goldberg House, 155 Maynard Road, 1894
5. The Cyrus Blake House, 79 Pleasant Street, c. 1832
6. The Mason House, 153 Maynard Road, built 1984
7. The Ira Mitchell House, 89 Pleasant Street, c. 1832
8. The Marion Adams House, 100 Pleasant Street, c. 1890
9. The Blanche Partridge House, 111 Pleasant Street, built 1917
10. The "Little Maynard" House, 198 Maynard Road, c. 1901
11. The Dexter Esty House, 109 Pleasant Street, c. 1832
12. The Capt. Charles Williams House (Jonathan Maynard House), 113 Pleasant Street, c. 1760
13. The Henry Orne Stone House, 120 Pleasant Street, c. 1840
14. The Judge Blodgett House, 129 Pleasant Street, built 1915
15. The Kelly House, 130 Pleasant Street, built 1867
16. The Boudrot House, 139 Pleasant Street, built 1974
17. The Jesse Belknap House, 138 Pleasant Street, c. 1832
18. The Spielberger House, 149 Pleasant Street, built 1995
19. The Rev. L. R. Eastman House, 154 Pleasant Street, c. 1850
20. The Roessler House, 159 Pleasant Street, built 1994
21. The Rock House, 2 Aspen Circle, built 1986
22. The Thorup House, 165 Pleasant Street, built 1994
23. The Obed Winter House, 176 Pleasant Street, c. 1850
24. The H. Twombly House, 169 Pleasant Street, c. 1799
25. The Lockhart House, 198 Pleasant Street, built 1955
26. The Wagner House, 179 Pleasant Street, built 1994
27. The Jacob B. Winchester House, 200 Pleasant Street, c. 1823
28. The Davis House, 187 Pleasant Street, c. 1872
29. The J.J. Valentine House, 28 Pleasant Street, c. 1840
30. The George Newell House, 201 Pleasant Street, c. 1832
31. The G. R. Brown House, 216 Pleasant Street, c. 1851
32. The George Phipps House, 41 Pleasant Street, built 1817 (To include the entire presently existing dwelling on a parcel consisting of not less than 25,000 square feet of land and having not less than 65 feet of frontage on Pleasant Street)
33. The Mancall House, 45 Pleasant Street, built 1994
34. The Pearl House, 47 Pleasant Street, built 1994

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35. The Devlin House, 49 Pleasant Street, built 1994
36. The Glickman House, 51 Pleasant Street, built 1994
37. The Brostrom House, 55 Pleasant Street, built 1994
38. Vacant Lot, 56 Pleasant Street
39. Vacant Lot, 204 Pleasant Street
40. Vacant Lot, 205 Pleasant Street

5.9 Properties Included in the Sarah Clayes Historic District

- 5.9.1** 1. The Sarah Clayes House, 657 Salem End Road, c. 1693

5.10 Properties Included in the H. H. Richardson Depot Historic District

- 5.10.1** 1. The H. H. Richardson Depot and Luggage House, 417 Waverly Street

5.11 Properties Included in the Pike-Haven-Foster House Historic District

- 5.11.1** 1. The Pike-Haven-Foster House, 161 Belknap Road