



TOWN CLERK

**TOWN OF ACTON**  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
TELEPHONE (978) 929-6620  
FAX (978) 929-6340  
clerk@acton-ma.gov

October 25, 2016

MIDDLESEX, SS:

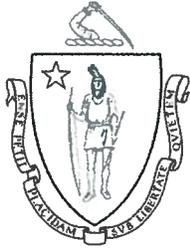
ON THE ABOVE DATE, I POSTED ATTESTED COPIES OF THE AMENDMENT TO THE TOWN GENERAL BYLAWS , ARTICLE 1 AND 2 AS WELL AS TOWN ZONING BYLAW, ARTICLE 9, 10 AND 11, WHICH PASSED AT THE SPECIAL TOWN MEETING THAT CONVENED ON OCTOBER 5, 2016. THE ARTICLES MENTIONED FOR THE TOWN GENERAL BYLAWS AND TOWN ZONING BYLAW, WERE APPROVED BY THE ATTORNEY GENERAL, MAURA HEALEY ON OCTOBER, 2016 AND IS POSTED AT THE FOLLOWING PLACES IN THE TOWN OF ACTON:

NAGOG WOODS POST OFFICE, TOWN HALL, WEST ACTON POST OFFICE, CENTER POST OFFICE, PUBLIC SAFETY FACILITY, CENTER LIBRARY AND TOWN WEB PAGE.

CONSTABLE

CLAIMS OF INVALIDITY BY REASON OF ANY DEFECT IN THE PROCEDURE OF ADOPTION OR AMENDMENTS OF THESE BYLAWS MAY ONLY BE MADE WITHIN NINETY DAYS (90) PER CHAPTER 40, SECTION 32, OF THE GENERAL LAWS OF THE COMMONWEALTH.

EVA K. SZKARADEK  
TOWN CLERK



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION  
10 MECHANIC STREET, SUITE 301  
WORCESTER, MA 01608

MAURA HEALEY  
ATTORNEY GENERAL

(508) 792-7600  
(508) 795-1991 fax  
[www.mass.gov/ago](http://www.mass.gov/ago)

October 24, 2016

Eva K. Szkaradek, Town Clerk  
Town of Acton  
472 Main Street  
Acton, MA 01720

**Re: Acton Special Town Meeting of October 5, 2016 ----- Case # 8129**  
**Warrant Articles # 9, 10, and 11 (Zoning)**  
**Warrant Articles # 1 and 2 (General)**

Dear Ms. Szkaradek:

Articles 1, 2, 9, 10 and 11 - We approve Articles 1, 2, 9, 10, and 11 from the Acton October 5, 2016, Special Town Meeting.

**Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date that these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were voted by Town Meeting, unless a later effective date is prescribed in the by-law.**

Very truly yours,  
MAURA HEALEY  
ATTORNEY GENERAL

*Kelli E. Gunagan*

By: Kelli E. Gunagan  
Assistant Attorney General  
Municipal Law Unit  
10 Mechanic Street, Suite 301  
Worcester, MA 01608  
(508) 792-7600

cc: Town Counsel Stephen D. Anderson



TOWN CLERK

A TRUE COPY, ATTEST:

*Jan K. Szkanadek*

TOWN CLERK, ACTON, MA

TOWN OF ACTON  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
TELEPHONE (978) 929-6620  
FAX (978) 929-6340  
[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)

---

EXCERPT OF THE SPECIAL TOWN MEETING HELD  
WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.  
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM

---

**Article 1 Amend Town Bylaws – Town Meeting Temporary Moderator**  
(Majority vote)

To see if the Town will vote to amend Chapter A of the General Bylaws by adding Section 8 as follows:

**A8. Temporary Moderator**

Town meeting shall elect a temporary moderator to act in the absence of the town moderator elected as stated in Section 2-1 of the Town Charter. For purposes of Section 3-2 of the Town Charter and M.G.L. c. 39, § 14, absence shall mean that the town moderator is unable to attend the town meeting, recuses himself or herself from conducting the proceedings and vote on any article or articles at a town meeting, or is otherwise unable to perform the duties of town moderator for all or part of a town meeting.. The temporary moderator shall serve in such position only for those portions of any town meeting for which the town moderator is absent. The term of the temporary moderator shall be one year from election or until a different temporary moderator is elected by town meeting, whichever occurs sooner.

, or take any other action relative thereto.

**Motion:** Mr. Chang moves that the Town adopt the general bylaw amendments as set forth in the Article.

**MOTION CARRIES**



TOWN CLERK

A TRUE COPY, ATTEST:

*Em K. Skaradek*

TOWN CLERK, ACTON, MA

**TOWN OF ACTON**  
**472 MAIN STREET**  
**ACTON, MASSACHUSETTS, 01720**  
**TELEPHONE (978) 929-6620**  
**FAX (978) 929-6340**  
**[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)**

---

**EXCERPT OF THE SPECIAL TOWN MEETING HELD**  
**WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.**  
**ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM**

---

**Article 2 Amend Town Bylaws – Town Meeting Electronic Voting**  
(Majority vote)

To see if the Town will vote to amend Chapter A of the General Bylaws by adding Section A7 as follows:

**A7. Method of Voting; Determination by Moderator**

- a. Unless otherwise required by law, bylaw, regional agreement, or similar binding obligation, the Moderator shall determine the method of voting on each article at town meeting, which method may vary from article to article, and which method may include a voice vote, a vote by show of hands or the equivalent, a standing vote, a ballot vote, a vote by electronic technology furnished by the Town for the use of Town Meeting Members (where available), or a vote by other means as authorized by the Moderator and approved by a two-thirds (2/3) vote of the town meeting members present and voting.
- b. If the vote is unanimous, or if the quantum of the vote required by law is discernible by the Moderator based on the voting method utilized under Section A7(a), the Moderator shall declare the result of the vote and the clerk shall record the result of the vote in the records of the town meeting.
- c. If the Moderator cannot discern the result of the vote based on the voting method utilized under Section A7(a), or if a count is required under Section A5 where a four-fifths or nine-tenths vote of a town meeting is required by statute, or if a vote declared under Section A7(b) of these bylaws is immediately questioned by seven or more voters, the Moderator shall cause the vote to be counted either by tellers or by such electronic technology, whereupon the Moderator shall declare the result of the vote and the clerk shall record the result of the vote in the records of the town meeting.
- d. Pursuant to Article 114 of the Massachusetts Constitution and to the Massachusetts Equal Rights Law, G.L. c. 93, §103, reasonable accommodation shall be made to ensure

that equal voting rights of otherwise qualified handicapped individuals present and voting at town meeting are ensured regardless of the method of voting used.

, or take any other action relative thereto.

*[Note: The current General Bylaw Section A5 (Vote counts by Moderator) provides as follows:*

**A5. Vote counts by Moderator**

*If a two-thirds, four-fifths or nine-tenths vote of a town meeting is required by statute, the count shall be taken, and the vote shall be recorded in the records by the clerk; provided, however, if a two-thirds vote of a town meeting is required by statute, the Town has authorized the Moderator not to require a count and the clerk shall record the vote as passed by a two thirds margin; and provided, further, that if the vote is unanimous, a count need not be taken, and the clerk shall record the vote as unanimous. ]*

**Motion:** Mr. Chang moves that the Town adopt the general bylaw amendments as set forth in the Article.

**MOTION CARRIES**



TOWN CLERK

A TRUE COPY, ATTEST:

*Eva K. Sykora*

TOWN CLERK, ACTON, MA

**TOWN OF ACTON**

**472 MAIN STREET**

**ACTON, MASSACHUSETTS, 01720**

**TELEPHONE (978) 929-6620**

**FAX (978) 929-6340**

**clerk@acton-ma.gov**

---

**EXCERPT OF THE SPECIAL TOWN MEETING HELD  
WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.  
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM**

---

**Article 9                      Amend Zoning Bylaw – Outdoor Lighting Regulations**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Section 10.6 – Outdoor Lighting Regulations for Site Plan Special Permit as set forth herein:

1. Amend Subsection 10.6.2.2 – Control of LIGHT TRESPASS and GLARE, by inserting new paragraphs g), h), and i):
  - g) Any installation of LED LUMINAIRES shall use LEDs with nominal color ratings of 4000K or lower. LEDs with color ratings higher than 4000K are not permitted. Whenever possible, LEDs with the lowest possible color rating are recommended. LUMINAIRES shall be shielded from LOTS that are in Residential and Conservation USE, and STREETS so that no direct observation of the LED source shall be visible on the adjacent LOT, area or STREET.
  - h) Any replacement of formerly used Incandescent, Halogen, Metal Halide, Mercury Vapor, or High- or Low-Pressure Sodium LAMPS with new LED lighting shall require the submission of a certified lighting plan to the Zoning Enforcement Officer prior to installation. All such replacements shall comply with paragraph g) above.
  - i) All sites that have already installed LUMINAIRES using LEDs that are greater than color temperature 4000K shall be required to conform with paragraph g) above within 5 years (by October 5, 2021), or for any source replacement that needs to occur prior to 5 years. A certified lighting plan with the appropriate color temperature LEDs shall be submitted to the Zoning Enforcement Officer prior to installation.
2. Amend Subsection, 10.6.6 Definitions, by inserting the following:
  - LIGHT EMITTING DIODE (LED) - Any LUMINAIRE composed on an array of LEDs, typically a bank of 30, 60 or 90, used as a light source.
1. Amend Table 1., by adding the following new lines:

Lamp Type	A – SHIELDED	B – FULLY SHIELDED
LED30 (<4000K)	-	70 W
LED60 (<4000K)	-	135 W
LED90 (<4000K)	-	205W

, or take any other action relative thereto.

**Motion:** Mr. Yacouby moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

**Ms Goodwin** moves to amend the motion to change the phrase “4000K”, to read “3000K”, wherever it appears, in the proposed Zoning Bylaw amendment set forth on the Article

**MOTION TO AMEND CARRIES**

**AMENDED MOTION CARRIES**

**Declared 2/3 by Moderator\***

Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.  
(The Town Meeting Moderator is not required to count a 2/3 required vote.)



TOWN CLERK

A TRUE COPY, ATTEST:

*Jan K. Spawick*

TOWN CLERK, ACTON, MA

**TOWN OF ACTON**  
**472 MAIN STREET**  
**ACTON, MASSACHUSETTS, 01720**  
**TELEPHONE (978) 929-6620**  
**FAX (978) 929-6340**  
**[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)**

---

**EXCERPT OF THE SPECIAL TOWN MEETING HELD**  
**WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.**  
**ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM**

---

**Article 10**                      **Amend Zoning Bylaw – Restaurant Seating**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw, Section 3 – TABLE OF PRINCIPAL USES by deleting footnote number (8) and replacing it with the following:

(8)     “No Special Permit shall be required for a Restaurant with 65 seats or less.”

*[Note – footnote (8) currently reads as follows: “No Special Permit shall be required for a Restaurant with 10 seats or less.”]*

**Motion:** Mr. Yacouby moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

**MOTION CARRIES**

**Declared 2/3 by Moderator\***

Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001, Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.  
(The Town Meeting Moderator is not required to count a 2/3 required vote.)



TOWN CLERK

A TRUE COPY, ATTEST:

*Eva K. Sykora*

TOWN CLERK, ACTON, MA

**TOWN OF ACTON**  
**472 MAIN STREET**  
**ACTON, MASSACHUSETTS, 01720**  
**TELEPHONE (978) 929-6620**  
**FAX (978) 929-6340**  
**clerk@acton-ma.gov**

---

**EXCERPT OF THE SPECIAL TOWN MEETING HELD**  
**WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.**  
**ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM**

---

**Article 11**                      **Amend Zoning Bylaw – Signs and Advertising Devices**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw as follows:

**A. Section 7.7: EXTERIOR SIGNS**

Delete the existing Section 7.7.4.2 and replace it with the following:

7.7.4.2 The height of a WALL SIGN shall not exceed 4.5 feet in the Business, Industrial, and Office Districts, 3 feet in the EAV and EAV-2 Districts, and 2 feet in all other Village Districts.

*[Note Section 7.7.4.2 currently reads:  
The height of a WALL SIGN shall not exceed 3 feet in the Business, Industrial and Office Districts, and 2 feet in the Village Districts.]*

**B. Section 7.8: FREESTANDING SIGNS**

1. Delete existing Section 7.8.1 and replace it with the following:

7.8.1 One FREESTANDING SIGN shall be permitted on a LOT identifying a business located on the same LOT.

*[Note Section 7.8.1 currently reads:  
One FREESTANDING SIGN shall be permitted on a LOT identifying a business located on the same LOT; and one FREESTANDING SIGN shall be permitted for a BUSINESS CENTER displaying an identification of the BUSINESS CENTER provided no other FREESTANDING SIGN shall be permitted within such BUSINESS CENTER, and provided further that in a Village District no other FREESTANDING or EXTERIOR SIGN shall be ERECTED to identify the BUSINESS CENTER.]*

2. Delete existing Section 7.8.5 (standards for freestanding signs in the Business, Industrial and Office Districts) and replace it with the following:

7.8.5 The following standards shall apply to FREESTANDING SIGNS in the Business, Industrial and Office Districts:

7.8.5.1 Where a FREESTANDING SIGN identifies a business, such FREESTANDING SIGN shall be permitted in addition to any EXTERIOR SIGN permitted on the same LOT. The DISPLAY AREA of the FREESTANDING SIGN shall not exceed 12 square feet and the height shall not exceed 7 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 16 square feet, provided however that the height of a MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station the maximum permitted DISPLAY AREA may be increased to 24 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.5.2 One FREESTANDING SIGN shall be permitted for a BUSINESS CENTER, provided that no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.

7.8.5.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS of the BUSINESS CENTER have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.

7.8.5.4 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed a maximum DISPLAY AREA of 50 square feet, and its height shall not exceed 12.5 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to a maximum DISPLAY AREA of 62.5 square feet. The height of such a MONUMENT SIGN shall not exceed 10 feet.

*[Note Section 7.8.5 currently reads:*

*7.8.5 The following standards shall apply to FREESTANDING SIGNS in the Business, Industrial and Office Districts:*

*7.8.5.1 Where a FREESTANDING SIGN identifies a business, such FREESTANDING SIGN shall be permitted in addition to any EXTERIOR SIGN permitted on the same LOT. The DISPLAY AREA of the FREESTANDING SIGN shall not exceed 12 square feet and the height shall not exceed 7 feet. If such a*

*FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 16 square feet, provided however that the height of a MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station the maximum permitted DISPLAY AREA may be increased to 24 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.*

*7.8.5.2 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 20 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 24 square feet, and its height shall not exceed 10 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to 24 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 30 square feet. The height of such MONUMENT SIGN shall not exceed 6 feet, or 8 feet if its width does not exceed 4 feet.]*

3. Delete Section 7.8.6 (standards for freestanding signs in the Village Districts) and replace it with the following new sections:

7.8.6 The following standards shall apply to FREESTANDING SIGNS in all Village Districts:

7.8.6.1 The DISPLAY AREA of a FREESTANDING SIGN identifying an individual business shall not exceed 8 square feet and the height shall not exceed 5 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet, provided however that the height shall not exceed 4 feet, or 5 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station, the maximum permitted DISPLAY AREA may be increased to 16 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.6.2 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards.

7.8.7 The following standards shall apply to FREESTANDING SIGNS in the NAV, SAV, and WAV Districts:

7.8.7.1 One FREESTANDING SIGN may be ERECTED on a LOT provided that no BUILDING on the LOT is located within 30 feet of the sideline of the STREET nearest which the FREESTANDING SIGN is ERECTED.

- 7.8.7.2 Where a FREESTANDING SIGN identifies a business no EXTERIOR SIGN shall be ERECTED on the same LOT.
- 7.8.7.3 The DISPLAY AREA of a FREESTANDING SIGN for a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 12 square feet, and its height shall not exceed 6 feet. If such a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 20 square feet. The height of such MONUMENT SIGN shall not exceed 4 feet.
- 7.8.8 The following standards shall apply to FREESTANDING SIGNS in the EAV and EAV-2 Districts:
- 7.8.8.1 Where a FREESTANDING SIGN identifies a business, one EXTERIOR SIGN shall be permitted.
- 7.8.8.2 One BUSINESS CENTER sign shall be permitted for a BUSINESS CENTER, provided no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.
- 7.8.8.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.
- 7.8.8.4 The DISPLAY AREA of a FREESTANDING SIGN identifying a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 27 square feet, and its height shall not exceed 9 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 40 square feet. The height of such MONUMENT SIGN shall not exceed 8 feet.

And, renumber current Section 7.8.7 to become Section 7.8.9.

*[Note Section 7.8.6 currently reads:*

*7.8.6 The following standards shall apply to FREESTANDING SIGNS in the Village Districts:*

*7.8.6.1 One FREESTANDING SIGN may be ERECTED on a LOT provided that no BUILDING on the LOT is located within 30 feet of the sideline of the STREET nearest which the FREESTANDING SIGN is ERECTED.*

*7.8.6.2 Where a FREESTANDING SIGN identifies a business in the NAV, SAV, or WAV Districts, no EXTERIOR SIGN shall be ERECTED on the same LOT. Where a FREESTANDING SIGN identifies a business in the EAV District, one EXTERIOR SIGN shall be permitted. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 8 square feet and the height shall not exceed 5 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet, provided*

however that the height shall not exceed 4 feet, or 5 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station, the maximum permitted DISPLAY AREA may be increased to 16 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.6.3 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 8 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 12 square feet, and its height shall not exceed 6 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 20 square feet. The height of such MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet.]

C. Section 7.13: SIGNS Requiring a Special Permit from the Planning Board

In Section 7.13.1, which defines the scope and limits of the Planning Board's special permit authority for signs, delete Section 7.13.1.2 and replace it with the following:

7.13.1.2 EXTERIOR SIGNS with dimensions in excess of those permitted under Section 7.7 subject to the following limitations:

- a) no SIGN wider than one and one half times the maximum width otherwise permitted, and
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and
- c) any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.

[Note Section 7.13.1.2 currently reads:

7.13.1.2 SIGNS with dimensions in excess of those permitted under Sections 7.7 and 7.8, subject to the following limitations:

- a) no SIGN higher or wider than one and one half times the maximum height or width otherwise permitted, and
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and
- c) no FREESTANDING SIGN larger than 40 square feet in DISPLAY AREA or higher than 10 feet, and
- d) any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.]

, or take any other action relative thereto.

**Motion:** Mr. Yacouby moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

**MOTION CARRIES**

**Declared 2/3 by Moderator\***

Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001,  
Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.  
(The Town Meeting Moderator is not required to count a 2/3 required vote.)



TOWN CLERK

A TRUE COPY, ATTEST:

*Jan K. Spivack*

TOWN CLERK, ACTON, MA

**TOWN OF ACTON**  
**472 MAIN STREET**  
**ACTON, MASSACHUSETTS, 01720**  
**TELEPHONE (978) 929-6620**  
**FAX (978) 929-6340**  
**[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)**

---

**EXCERPT OF THE SPECIAL TOWN MEETING HELD**  
**WEDNESDAY, OCTOBER 5, 2016, 7:00 P.M.**  
**ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYM**

---

**Article 11**                      **Amend Zoning Bylaw – Signs and Advertising Devices**  
(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw as follows:

**A. Section 7.7: EXTERIOR SIGNS**

Delete the existing Section 7.7.4.2 and replace it with the following:

7.7.4.2 The height of a WALL SIGN shall not exceed 4.5 feet in the Business, Industrial, and Office Districts, 3 feet in the EAV and EAV-2 Districts, and 2 feet in all other Village Districts.

*[Note Section 7.7.4.2 currently reads:*

*The height of a WALL SIGN shall not exceed 3 feet in the Business, Industrial and Office Districts, and 2 feet in the Village Districts.]*

**B. Section 7.8: FREESTANDING SIGNS**

1. Delete existing Section 7.8.1 and replace it with the following:

7.8.1 One FREESTANDING SIGN shall be permitted on a LOT identifying a business located on the same LOT.

*[Note Section 7.8.1 currently reads:*

*One FREESTANDING SIGN shall be permitted on a LOT identifying a business located on the same LOT; and one FREESTANDING SIGN shall be permitted for a BUSINESS CENTER displaying an identification of the BUSINESS CENTER provided no other FREESTANDING SIGN shall be permitted within such BUSINESS CENTER, and provided further that in a Village District no other FREESTANDING or EXTERIOR SIGN shall be ERECTED to identify the BUSINESS CENTER.]*

2. Delete existing Section 7.8.5 (standards for freestanding signs in the Business, Industrial and Office Districts) and replace it with the following:

7.8.5 The following standards shall apply to FREESTANDING SIGNS in the Business, Industrial and Office Districts:

- 7.8.5.1 Where a FREESTANDING SIGN identifies a business, such FREESTANDING SIGN shall be permitted in addition to any EXTERIOR SIGN permitted on the same LOT. The DISPLAY AREA of the FREESTANDING SIGN shall not exceed 12 square feet and the height shall not exceed 7 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 16 square feet, provided however that the height of a MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station the maximum permitted DISPLAY AREA may be increased to 24 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.
- 7.8.5.2 One FREESTANDING SIGN shall be permitted for a BUSINESS CENTER, provided that no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.
- 7.8.5.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS of the BUSINESS CENTER have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.
- 7.8.5.4 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed a maximum DISPLAY AREA of 50 square feet, and its height shall not exceed 12.5 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to a maximum DISPLAY AREA of 62.5 square feet. The height of such a MONUMENT SIGN shall not exceed 10 feet.

*[Note Section 7.8.5 currently reads:*

*7.8.5 The following standards shall apply to FREESTANDING SIGNS in the Business, Industrial and Office Districts:*

*7.8.5.1 Where a FREESTANDING SIGN identifies a business, such FREESTANDING SIGN shall be permitted in addition to any EXTERIOR SIGN permitted on the same LOT. The DISPLAY AREA of the FREESTANDING SIGN shall not exceed 12 square feet and the height shall not exceed 7 feet. If such a*

*FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 16 square feet, provided however that the height of a MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station the maximum permitted DISPLAY AREA may be increased to 24 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.*

*7.8.5.2 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 20 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 24 square feet, and its height shall not exceed 10 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to 24 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 30 square feet. The height of such MONUMENT SIGN shall not exceed 6 feet, or 8 feet if its width does not exceed 4 feet.]*

3. Delete Section 7.8.6 (standards for freestanding signs in the Village Districts) and replace it with the following new sections:

7.8.6 The following standards shall apply to FREESTANDING SIGNS in all Village Districts:

7.8.6.1 The DISPLAY AREA of a FREESTANDING SIGN identifying an individual business shall not exceed 8 square feet and the height shall not exceed 5 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet, provided however that the height shall not exceed 4 feet, or 5 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station, the maximum permitted DISPLAY AREA may be increased to 16 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.

7.8.6.2 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards.

7.8.7 The following standards shall apply to FREESTANDING SIGNS in the NAV, SAV, and WAV Districts:

7.8.7.1 One FREESTANDING SIGN may be ERECTED on a LOT provided that no BUILDING on the LOT is located within 30 feet of the sideline of the STREET nearest which the FREESTANDING SIGN is ERECTED.

- 7.8.7.2 Where a FREESTANDING SIGN identifies a business no EXTERIOR SIGN shall be ERECTED on the same LOT.
- 7.8.7.3 The DISPLAY AREA of a FREESTANDING SIGN for a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 12 square feet, and its height shall not exceed 6 feet. If such a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 20 square feet. The height of such MONUMENT SIGN shall not exceed 4 feet.
- 7.8.8 The following standards shall apply to FREESTANDING SIGNS in the EAV and EAV-2 Districts:
- 7.8.8.1 Where a FREESTANDING SIGN identifies a business, one EXTERIOR SIGN shall be permitted.
- 7.8.8.2 One BUSINESS CENTER sign shall be permitted for a BUSINESS CENTER, provided no other FREESTANDING SIGN identifying an individual business shall be permitted in the BUSINESS CENTER.
- 7.8.8.3 A BUSINESS CENTER is eligible for two FREESTANDING SIGNS when the LOT or LOTS have more than 300 feet of combined FRONTAGE on one or more STREETS, provided that not more than one FREESTANDING SIGN for the BUSINESS CENTER shall be allowed along a continuous FRONTAGE on one STREET that measures less than 300 feet.
- 7.8.8.4 The DISPLAY AREA of a FREESTANDING SIGN identifying a BUSINESS CENTER shall not exceed a maximum DISPLAY AREA of 27 square feet, and its height shall not exceed 9 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be a maximum DISPLAY AREA of 40 square feet. The height of such MONUMENT SIGN shall not exceed 8 feet.

And, renumber current Section 7.8.7 to become Section 7.8.9.

*[Note Section 7.8.6 currently reads:*

*7.8.6 The following standards shall apply to FREESTANDING SIGNS in the Village Districts:*

*7.8.6.1 One FREESTANDING SIGN may be ERECTED on a LOT provided that no BUILDING on the LOT is located within 30 feet of the sideline of the STREET nearest which the FREESTANDING SIGN is ERECTED.*

*7.8.6.2 Where a FREESTANDING SIGN identifies a business in the NAV, SAV, or WAV Districts, no EXTERIOR SIGN shall be ERECTED on the same LOT. Where a FREESTANDING SIGN identifies a business in the EAV District, one EXTERIOR SIGN shall be permitted. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 8 square feet and the height shall not exceed 5 feet. If such a FREESTANDING SIGN is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet, provided*

*however that the height shall not exceed 4 feet, or 5 feet if its width does not exceed 3 feet. Where the FREESTANDING SIGN identifies a motor vehicle service station, the maximum permitted DISPLAY AREA may be increased to 16 square feet if the additionally permitted DISPLAY AREA is used solely for the posting of current prices of fuel and gasoline.*

*7.8.6.3 Where a FREESTANDING SIGN identifies a BUSINESS CENTER, each business located within such BUSINESS CENTER may display its identification on the FREESTANDING SIGN together with the identification of the BUSINESS CENTER, provided that such FREESTANDING SIGN remains of integrated and coherent design and complies with all applicable standards. The DISPLAY AREA of such a FREESTANDING SIGN shall not exceed 8 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 12 square feet, and its height shall not exceed 6 feet. If a FREESTANDING SIGN under this provision is a MONUMENT SIGN, its DISPLAY AREA may be increased to 12 square feet plus an additional 2 square feet per business name displayed, up to a maximum DISPLAY AREA of 20 square feet. The height of such MONUMENT SIGN shall not exceed 4 feet, or 6 feet if its width does not exceed 3 feet.]*

C. Section 7.13: SIGNS Requiring a Special Permit from the Planning Board

In Section 7.13.1, which defines the scope and limits of the Planning Board's special permit authority for signs, delete Section 7.13.1.2 and replace it with the following:

7.13.1.2 EXTERIOR SIGNS with dimensions in excess of those permitted under Section 7.7 subject to the following limitations:

- a) no SIGN wider than one and one half times the maximum width otherwise permitted, and
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and
- c) any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.

*[Note Section 7.13.1.2 currently reads:*

*7.13.1.2 SIGNS with dimensions in excess of those permitted under Sections 7.7 and 7.8, subject to the following limitations:*

- a) no SIGN higher or wider than one and one half times the maximum height or width otherwise permitted, and*
- b) no SIGN larger than twice the otherwise permitted maximum DISPLAY AREA, and*
- c) no FREESTANDING SIGN larger than 40 square feet in DISPLAY AREA or higher than 10 feet, and*
- d) any such other limitation as the Planning Board may find appropriate to further the purpose of this Section as stated in Section 7.1.]*

, or take any other action relative thereto.

**Motion:** Mr. Yacouby moves that the Town adopt the Zoning Bylaw amendments as set forth in the Article.

**MOTION CARRIES**

**Declared 2/3 by Moderator\***

Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001,  
Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.  
(The Town Meeting Moderator is not required to count a 2/3 required vote.)