Town of Boscawen

116 North Main Street, Boscawen, NH 03303 | Telephone: 603.753.9188 | Fax: 603.753.9183

Board of Selectmen

Members

Mark E. Varney
Chair
Roger W. Sanborn
Member
Bernard O. Davis, Jr.
Member

Application for a Sign Permit

Date: _____

Name: _____

Street Address: _____

Town, State & Zip: _____

Daytime Telephone Number: _____

Address of sign location:_____

Zone: _____ Map Number: _____ Lot Number: _____

Please provide a sketch or graphic of the proposed sign, its size, and position on the lot as well as the setbacks where the sign is to be placed.

Article VII, Sign Regulations in the Zoning Ordinance of the Town of Boscawen, regulates the placement of signs within the Town of Boscawen. The Code Enforcement Officer is charged with the responsibility of verifying that your proposed sign meets the criteria established in the Sign Regulations. To aid you in your application process, I have provided you with the requirements of the Sign Ordinance, and the Outdoor Lighting Ordinance if your proposed sign is to be lighted.

By signing this application, you, the owner, or your authorized agent, authorize the Town of Boscawen, its Boards or their agents to enter upon your property as they deem reasonable and necessary during the application process and for confirmation compliance with any conditions of approval.

This permit expires if the business is closed and the signs approved herein must be removed under the provisions of 7.09 of the Sign Regulations. This permit is not transferrable to another person or entity.

Property Owner Signature: _____

Applicant Signature(s): _____

Code Enforcement Officer Section

Date Received:_____

Application Number: _____

The Applicant indicated above, ☐ has, ☐ has not, met the terms of the Zoning Ordinance of the Town of Boscawen. If a check mark appears below, approval will be subject to the following conditions or board action.

☐ Site Plan Review
☐ Special Exception or Variance
☐ Other: _____

_____ _____

Alan H. Hardy, Code Enforcement Officer Date

The Town of Boscawen prohibits discrimination on the basis of race, color, national origin, sex, sexual orientation, religion, age, disability, marital or family status. Boscawen is an equal opportunity employer.

ARTICLE VII
Sign Regulations

Purpose:

The purposes of these sign regulations are to enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth, and to minimize the possible adverse effect of signs on nearby private and public property.

A sign is any structure, device or inscription that is arranged, intended, designed or used as an advertisement, announcement, directions or to communicate information of any kind to the public, excluding flags or banners but not including those structures, devices, or inscriptions erected and maintained by a public agency in exercising its duties. All signs, except seasonal and temporary signs, shall be constructed of permanent materials and permanently attached to the wall of a building or to the ground.

All sign applications, including temporary and seasonal, must be completed and submitted to the Code Enforcement Officer of the Town of Boscawen. The application shall include the location of the sign(s), the size of each sign, the method of illumination if applicable, and any other information requested on the application.

The Code Enforcement Officer shall review the sign application and act to approve or deny it within thirty (30) days after the filing of the application. The Code Enforcement Officer's action, or lack of action, may be appealed to the Zoning Board of Adjustment.

7.01 Signs advertising or identifying the occupant or activity of a lot on which they are located shall be permitted in any district subject to the regulations contained in this Article. Signs not advertising or identifying the occupant or activity of the lot on which they are located shall be allowed only as provided in Article IV, Table 1 of this Ordinance, but if existing on the effective date of this Ordinance may continue as legal non-conforming signs subject to Section 7:07 of this Article.

7.02

a.) A sign not exceeding twenty (20) square feet in area, advertising the sale of, or construction on the premises on which it is located, shall be permitted in any District. The sign shall not be illuminated. It may be displayed in any zone for the duration of the work being performed or until the sale or lease of the property.

b.) Temporary signs shall not exceed twenty (20) square feet and shall be allowed for not more than 60 days.

c.) A seasonal sign shall not exceed thirty-two (32) square feet and is allowed in any zone subject to all other sections of Article VII. Sign face must be covered when the business is not operational. Businesses which have successive seasonal operations may have a continuing series of seasonal signs, one sign at a time.

d.) In addition to any allowed signage, one flag, banner or balloon not to exceed twelve (12) square feet shall be allowed in any zone during business hours.

7.03 No flashing or animated signs shall be allowed in any District.

7.04

a.) In any zone, one sign shall be allowed not exceeding two (2) square feet in area for each residence.

b.) A sign of not more than eight (8) square feet shall be allowed for each home-based office, home-based occupation; home-based industry or home-based shop. A limit of one sign per residence shall apply. A second sign for the same residence will require a special exception and, if allowed, must be used to advertise a different use and must be affixed to the same base as the existing sign.

c.) For public or institutional permitted uses, signs shall not exceed forty (40) square feet.

7.05 In Commercial or Industrial Districts, signs shall be permitted totaling not more than forty (40) square feet in area, including air space between sign slats, per business, (of greater area only by Special Exception). Such signs may have continuous, non-flashing illumination provided that no such light is visible on the boundary of any residence located in any District after 11:00 PM.

7.06 Any sign advertising and located on the same premises with a legal non-conforming use may be maintained and replaced.

7.07 Any sign not in compliance with these sign regulations and legally erected prior to the adoption of these regulations, shall be considered Non-Conforming and may be continued and maintained. No Non-Conforming Sign shall be altered in area or shape. Any Non-Conforming Sign which has been removed or destroyed by any means to an extent of more than fifty (50) percent of the replacement value at the time of destruction, shall not be replaced, repaired or rebuilt except in conformity with these sign regulations.

7.08 In addition to the above regulations, the following restrictions shall apply to businesses in Commercial and Industrial Districts:

a.) Not more than one sign advertising one or more businesses up to forty (40) square feet shall be permitted on each lot or parcel with each separate business premise allowed to have one additional sign of not more than twenty (20) square feet, which must be attached to the building.

b.) Signs which are not attached to a building (free-standing signs) shall be set back not less than ten feet from any property line.

Signs which are attached to a building and extend more than one (1) foot from a building wall, shall meet the building setback requirements for the zone in which the sign is located. A sign may be attached flat against a building wall, not exceeding more than one (1) foot from the building wall even in circumstances where the building does not meet setback requirements.

c.) Signs shall not be located in or extend over a public right of way or right of way easement.

7.09 Obsolete signs (signs advertising a business which has not operated within the previous thirty (30) days), shall be removed within thirty (30) days. This section does not apply to a seasonal business sign as per 7.02c.

7.10 The height of any sign shall not project above the roofline of the tallest building on the lot where the sign is located. The height of any sign shall be measured from the surface of the natural ground at the base of the sign to the highest point of the sign, whether free standing, attached to a structure or painted on a structure. In Commercial and Industrial zones, signs up to 50 feet in height may be permitted by special exception.

7.11 An agricultural enterprise in any zone shall be allowed one permanent sign not to exceed 32 square feet, one seasonal sign and one temporary sign.

7.12 Applications for sign uses and sizes not otherwise covered shall be considered only by special exception and shall be subject to any conditions imposed by the Board.

7.13 All signs must comply with Article 6.02.

7.14 All signs mandated by state law are allowed in any zone.

7.15 Illumination fixtures shall be arranged to direct the light away from streets and away from adjoining structures.

7.16 All signs, including their supporting structures, shall be maintained in proper repair at all times and in compliance with all applicable building and electric codes.

7.17 No sign shall be placed where it might obstruct a clear view of traffic on a State or Town road, an official road name sign, or a traffic signal or traffic sign (see Article 6.02). No illuminated sign shall shine onto residential properties, nor be illuminated between the hours of 11 P.M. to 6 A.M. unless the business is open during that time. No sign shall be placed nor project into the setback area.

In addition to all other restrictions and requirements of signs contained in this Article, each of the following types of signs shall be subject to the following restrictions:

7.18 Types of signs:

Area of - the area of any sign, except for a Canopy Sign shall be the entire area having a single, continuous perimeter enclosing the outermost borders of the actual sign surface, including air space between sign slats. For a Canopy Sign, the area shall be the entire area having a single, continuous perimeter enclosing the outermost borders of the actual lettering. The supporting framework or bracing that is incidental to a sign shall not be included. A two (2) sided sign shall be treated as a one (1) sided sign for the purpose of calculating sign area.

a.) Canopy Sign - a sign that is a part of, or attached to a canopy, awning or other fabric, plastic or structural protective cover over a door, window or outdoor service area. One (1) Canopy Sign may be permitted on a lot in the zone where a permitted business is conducted. The maximum area of the sign shall not exceed twelve (12) square feet.

b.) Free Standing Sign - a self supporting sign whose supports are placed on or anchored in the ground and are independent from any building. One (1) Free Standing Signs shall be permitted on a lot in the zone where a permitted business is located. The sign may have one (1) or two (2) sides with a maximum area not to exceed forty (40) square feet.

c.) Marquee Sign - an Advertising or Free Standing Sign including but not limited to movie or theater type marquee, with manually or electronically changeable lettering. One (1) Marquee Sign may be permitted on a lot in a zone where a permitted business is conducted. The maximum area of the sign shall not exceed 32 square feet.

d.) On-Site Directory Sign - a type of Free Standing Sign whose purpose is to indicate the name and direction of multiple businesses located on the same lot. An On-Site Directory Sign shall be permitted on a lot in the zone where multiple businesses are located on the lot. The maximum area of the sign shall not exceed a total of forty (40) square feet. An On-Site Directory sign for a business park comprised of separate, individually owned lots may be allowed by Special Exception.

e.) Portable Sign - a sign not permanently attached to a building, the ground or a vehicle. Portable signs are signs designed to be transportable and include, but are not limited to, the following: signs designed to be transported by means of wheels, balloons used as signs, signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business. One (1) Portable Sign shall be permitted in any zone twice a year for periods not to exceed thirty (30) days. The maximum area of the sign shall not exceed thirty-two (32) square feet.

f.) Seasonal Sign - see 7.02 c) a sign which advertises a business or operation that is open to the public less than 6 months per year.

g.) Temporary Sign - a sign that is used only temporarily and is not permanently mounted. One (1) Temporary Sign shall be permitted for advertising the opening of a business; a product; change of ownership of a business; and includes, but is not limited to, signs used for one-time events. The maximum area of the sign shall not exceed twenty (20) square feet. The sign shall not be illuminated.

h.) Other Signs - shall include, but not be limited to, Building Markers and Historic Marker Signs. The maximum area of these signs shall not exceed eight (8) square feet.

i.) Pennant or Streamer - any lightweight plastic, fabric or similar material, regardless if used as a sign or not, suspended from a rope, wire or other material, usually in a series, designed to move in the wind, are considered temporary signs.

j.) Flag or banner - a piece of fabric or other material designed to announce business hours of any establishment, displayed only during business hours and must be attached to a building or permitted sign.

The following signs and any other type of sign not expressly permitted by this Article shall not be permitted in any district.

Prohibited Signs shall include, but not be limited to, the following:

1) Billboard - sign on any vacant lot, exceeding 32 square feet.

2) Roof Sign - sign erected over or attached to, wholly or in part, the roof of a building.

Quick Reference Sign Chart

Sign	Maximum Size	Reference	Permitted Use
Agriculture	32 sq. ft.	7.11	Allowed in all districts
Business, Public	40sq.ft	7.08	Allowed in C & I districts
Institutional	20 sq. ft.	7.08	Allowed for permitted uses
Canopy	12 sq. ft.	7.18	Allowed for permitted use
Flag, Banner, Balloon	12 sq. ft	7.02 d)	Allowed in any district during business hours only
Free Standing	40 sq. ft.	7.18 b)	Allowed for permitted uses
Home Business	8 sq. ft.	7.04 b)	Allowed for permitted home-based business
Marquee	32 sq. ft.	7.18 c)	Allowed for permitted uses
On-Site Directory	40 sq. ft.	7.18 d)	Allowed for permitted multiple businesses
Portable	32 sq. ft.	7.18	Allowed in any district 30 days; twice a year
Residential	2 sq. ft.	7.04 a)	Allowed in any district
Sale/Construction	20 sq. ft.	7.02 a)	Allowed in any district
Seasonal	32 sq. ft.	7.02 c)	Allowed for permitted uses
Temporary	20 sq. ft.	7.02 b)	Allowed for permitted uses for not more than 60 days
Billboard		7.18	Not allowed in any district
Flashing/Animated		7.03	Not allowed in any district
Roof Sign		7.18	Not allowed in any district
Other Signs	8 sq. ft.	7.18 h)	Allowed in any district

ARTICLE XXIV
OUTDOOR LIGHTING ORDINANCE

LIGHTING REQUIREMENTS

All public and private outdoor lighting installed in the Town of Boscawen shall comply with the requirements specified below.

I. PURPOSE

The intent of this ordinance is to maintain the rural character of Boscawen, in part by preserving the visibility of night-time skies, and to minimize the impact of artificial lighting on nocturnal wildlife. This ordinance recognizes the importance of lighting for safety and security while encouraging energy efficiency, and promotes good neighborly relations by preventing glare from outdoor lights from intruding on nearby properties or posing a hazard to pedestrians or drivers.

II. DEFINITIONS

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Lamp: The component of a luminaire that produces the actual light.

Luminaire: A complete lighting assembly that includes the fixture and its lamp or lamps.

Flood or Spotlight: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see and, in extreme cases, causing momentary blindness.

Height of Luminaire: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

IESNA: Illuminating Engineering Society of North America.

Indirect Light: Direct light that has been reflected or has scattered off of other surfaces.

Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen: A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this ordinance, the lumen-output values shall be the initial lumen output rating of a lamp.

Outdoor Lighting: The night-time illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

Temporary Outdoor Lighting: The specific illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of less than seven days with at least 180 days passing before being used again.

III. OUTDOOR LIGHTING DESIGN

A. Any luminaire emitting *more than* 1800 lumens (with 1,700 lumens being the typical output of a 100-watt incandescent bulb) shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct light-emitting part of the luminaire. (Such fixtures usually are labeled Dark Sky Certified or Compliant.)

B. Any luminaire with a lamp or lamps rated at a total of *more than* 1800 lumens, and all flood or spot lights with a lamp or lamps rated at a total of *more than* 900 lumens, shall be mounted at a height equal to or less than the value 3 + (D/3) where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire shall not exceed 20 feet.

C. Any luminaire with a lamp or lamps rated at 1800 lumens *or less*, and all flood or spot lights with a lamp or lamps rated at 900 lumens *or less*, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass, if any flood or spot light is aimed, directed or focused so as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to pedestrians or persons operating motor vehicles on public ways, the luminaire shall be redirected, or its light output reduced or shielded, as necessary to eliminate such conditions.

D. Any luminaire used to illuminate a public area such as a street or walkway shall utilize an energy efficient lamp such as a low pressure sodium lamp, high pressure sodium lamp or metal halide lamp. Mercury vapor lamps shall not be used due to their inefficiency and high operating costs and toxic mercury New or replacement installation of mercury vapor lighting shall not be permitted after the effective date of this ordinance, and the public shall be encouraged to remove and safely dispose of existing mercury vapor bulbs as soon as practicable.

E. Luminaires used in public areas such as roadway lighting, parking lots and for exterior building illumination shall be designed to provide the minimum illumination recommended by the IESNA in the most current edition of the IESNA Lighting Handbook.

F. To protect light-sensitive wildlife habitats such as Pine Barrens, artificial lighting in or on the periphery of areas identified as such by the NH Fish and Game Department shall be minimized and fully shielded to prevent any emission above a horizontal plane through the lowest light-emitting part of a luminaire.

G. Whenever practicable, outdoor lighting installations shall include timers, dimmers, and/or motion-sensors to reduce overall energy consumption and eliminate unneeded lighting, particularly after 11 p.m.

H. Moving, fluttering, blinking, or flashing, neon or tubular lights or signs shall not be permitted, except as temporary seasonal holiday decorations. Signs may be illuminated only by continuous direct white light with illumination confined to the area of the sign and directed downward.

I. Luminaires mounted on a gas station canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides or fascia of the canopy shall not be illuminated.

IV. EXEMPTIONS

A. Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property.

B. All temporary emergency lighting needed by the police, fire or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this ordinance.

C. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all such luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.

D. Luminaires used primarily for signal illumination may be mounted at any height required to ensure roadway safety, regardless of lumen rating.

E. Seasonal holiday lighting and illumination of the American and state flags shall be exempt from the requirements of this ordinance, providing that such lighting does not produce glare on roadways and create light trespass on neighboring residential properties.

F. Installations existing prior to the enactment of this ordinance are exempt from its requirements. However, any changes to an existing lighting system, fixture replacements, or any grandfathered lighting system that is moved, must meet these standards.

V. TEMPORARY LIGHTING

A. Any temporary outdoor lighting for construction or other purposes that conforms to the requirements of this article shall be allowed. Non-conforming temporary outdoor lighting may be permitted by the planning board after considering:

1. The public and/or private benefits that will result from the temporary lighting.

2. Any annoyance or safety problems that may result from the use of the temporary lighting.

3. The duration of the temporary non-conforming lighting.

VI. PUBLIC AREA AND ROADWAY LIGHTING

Installation of any new public area or roadway lighting fixtures other than for traffic control shall be permitted only by decision of the planning board, following a duly noticed public hearing.