

## **ANNUAL TOWN MEETING-MAY 7, 2010-PROCEEDINGS**

The meeting was called to order by the Moderator Jay Byer at 7:00pm. The Moderator noted that the warrant had been duly posted and properly served.

Non-Residents were allowed into the meeting:

Mike Zarella- Fire Dept.  
Scott Johnson- Non Voter  
Fred Laphm- Property Owner  
Wayne Beitler-Trustee of Reservations  
Jenn Welch-Town Employee  
Robert Mangiaratti- Town Counsel  
Marco Giannozzi- Student  
Craig Weinfuss-Non Voter  
Rick Singleton-Town Moderator-Bellingham  
Jean Berthold-Asst. Assessor  
Michelle Sanford-Town Crier  
Krista Perry-Milford Daily News  
Caterina Manser-MURSD Teacher  
Chris Kupstas-Treasurer

The Moderator went over the rules and procedures for the meeting.

Michael Ammendolia, Chairman of the Board of Selectmen read the Selectmen's Report and Senior Citizen of the Year.

**ARTICLE 2** Voted that any motion or amendment to increase any monetary articles or line items as proposed by the Finance Committee, presented at this Town Meeting shall be OUT OF ORDER unless such motion, or amendment, states the source of funding as being from available free cash, or the line item, or the article, or any other funding source that will be reduced by the same amount.

### **UNANIMOUS VOICE VOTE**

**ARTICLE 3** To fix the salaries and compensations of the elected officials of the Town for FY11 as follows:

Moderator	\$100
Board of Selectmen, Chairman	\$1,534
Board of Selectmen, Member	\$1,333
Board of Assessors	\$2,600 each member
Town Clerk	\$42,541.
Highway Surveyor	\$72,384.
Board of Health, Chairman	\$225
Board of Health, Member	\$175
Planning Board, Chairman	\$225
Planning Board, Member	\$175
Park Commissioners	-0-
Tree Warden	\$10.91 per hour
Water Commissioners	-0-
Taft Library Trustees	-0-
Mendon-Upton Regional Library Dist. Trustee	-0-
Mendon-Upton School Comm. Mem.	-0-
Blackstone Valley School Com. Mem.	-0-
Housing Authority Member	-0-

### **UNANIMOUS VOICE VOTE**

#### **ARTICLE 4**

Voted to raise and appropriate, and transfer from Conservation receipts reserved for appropriation \$10,000 and overlay surplus \$70,000 to defray charges and expenses of the Town including debt and interest and to provide for a reserve fund for the ensuing year, with the exception of the following line items; 145A1, 161A1, 210A2, 210A3 220A3, 220A4, 299A1, 422A1, 510E, 543C, 610A1, 610B and 913B.

**UNANIMOUS VOICE VOTE**

Line Item 145A1-Town Collector/Treasurer-Salaries- voted to raise and appropriate \$52,131 for line item 145A1.

**UNANIMOUS VOICE VOTE**

Line Item 161A1-Town Clerk-Salaries-defeated a motion to transfer \$11,760 from the Stabilization Account.

**MAJORITY VOICE VOTE**

Line Item 161A1-Town Clerk-Salaries- voted to raise and appropriate \$0 for line item 161A1.

**MAJORITY VOICE VOTE**

Line Item 210A2-Police Department-Salaries- voted to raise and appropriate \$695,000 for Line Item 210A2.

**UNANIMOUS VOICE VOTE**

Line Item 210A3-Police Department- Overtime Wages- voted to raise and appropriate \$ 60,000 for Line Item 210A3.

**UNANIMOUS VOICE VOTE**

Line Item 220A3-Police Department-Overtime Wages- voted to transfer from Stabilization the sum of \$35,537 for Line Item 220A3 for a total of \$335,166. 2/3 vote needed

**HAND COUNT**

**YES 169**

**NO 69**

Line Item 220A4- Fire Department-Overtime Wages -voted to raise and appropriate \$55,000 for line item 220A4.

**UNANIMOUS VOICE VOTE**

Line Item 299A1-Dispatching-Salaries- voted to raise and appropriate \$294,245 for line item 299A1.

**UNANIMOUS VOICE VOTE**

Line Item 422A1- Highway Construction and Maintenance- Salaries-defeated a motion to transfer \$40,000 from Stabilization to Line Item 422A1.

**MAJORITY VOICE VOTE**

Line Item 422A1-Highway Construction and Maintenance-Salaries- voted to raise and appropriate \$166,015 for line item 422A1.

**UNANIMOUS VOICE VOTE**

Line Item 510E- Board of Health- Hazardous Waste Day-voted to raise and appropriate \$0 for line item 510E.

**UNANIMOUS VOICE VOTE**

Line Item 543C- Veteran's Benefits-Aid to Veteran's- voted to raise and appropriate \$6,000 for line item 543C.

**UNANIMOUS VOICE VOTE**

Line Item 610A1- Library-Salaries-voted to raise and appropriate \$69,040 for line item 610A1.

**MAJORITY VOICE VOTE**

Line Item 610B- Library- Expenses-voted to raise and appropriate \$62,276 for line item 610B.

**UNANIMOUS VOICE VOTE**

Line Item 913B-Unemployment Insurance-Expenses-voted to raise and appropriate \$43,186 for line item 913B.

**MAJORITY VOICE VOTE**

**ARTICLE 5** Motion that the Town vote on Articles 5 through 7 and 9 through 11 and Articles 13 and 16 in one motion, using a "Consent Calendar".

**UNANIMOUS VOICE VOTE**

**ARTICLE 5** Voted to appropriate funds provided to the Town by the State under Chapter 90 type money and such other funds as the Commonwealth of Massachusetts Highway Department may provide and to authorize the Board of Selectmen to enter into contracts with the Massachusetts Highway Department for Chapter 90 type money allocated the Town.

**ARTICLE 6** Voted to raise and appropriate \$9,200 to fund the FY11 portion of the Update Valuation Account.

**ARTICLE 7** Voted to raise and appropriate \$10,000 to fund the FY11 portion of the Cyclical Inspection Account.

**ARTICLE 9** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Taft Public Library in accordance with M.G.L. Chapter 44 Section 53E ½. The purpose of this fund shall be to replace items lost or damaged by those who borrow materials, to replace items used in activities for which a fee is paid, and to purchase new materials. Receipts to this fund shall be monies paid by borrowers for lost or damaged materials, for overdue fines, by patrons using the copier, printing facilities, and fax machine and by purchasers of used library materials. The fund at any time shall not exceed six thousand dollars (\$6000.00). The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund but at no time exceeding more than the available balance in the revolving fund nor to expend more than six thousand dollars per year.

**ARTICLE 10** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Planning Board in accordance with M.G.L. Chapter 44 Section 53E ½. The purpose of this fund shall be to hold deposits made by applicants before the Planning Board for engineering and other applicable fees incurred by the Planning Board for processing the requests of said applicants. The Planning Board Chair, with the approval of the Planning Board, shall be authorized to expend from this fund but at no time exceeding more than the available balance in the revolving fund nor to expend more than thirty thousand dollars per year.

**ARTICLE 11** Voted to approve the Mendon Land Use Committee's Five Year Land Use Plan, copies of which are available in the Town Clerk's office and the Taft Public Library.

**ARTICLE 13** Voted to raise and appropriate \$2,500 for Police Department State/Federal General Matching Grants.

**ARTICLE 16** Voted to transfer \$95,220 from the Community Preservation Funds Account to fund a portion of the FY11 Fino Land debt.

**ARTICLE 8** Voted to Passover of this Article.  
**UNANIMOUS VOICE VOTE**

**ARTICLE 12** Voted to transfer \$29,566.10 from the Ambulance Reserve Account to fund the FY11 Ambulance lease payment.  
**UNANIMOUS VOICE VOTE**

**ARTICLE 14** Voted to establish a revolving fund as recommended by the Board of Selectmen for the Highway Department in accordance with M.G.L. Chapter 44 Section 53E ½. The purpose of this fund shall be to hold fees paid by patrons of the recycling center located at the Highway Barn to maintain and improve the facility. The Highway Surveyor, with the approval of the Board of Selectmen, shall be authorized to expend from this fund but at no time exceeding more than the available balance in the revolving fund nor to expend more than twenty five thousand dollars per year.  
**MAJORITY VOICE VOTE**

**ARTICLE 15** Voted to raise and appropriate \$594,272 for the purpose of funding the operational budgets of the Town of Mendon and the Mendon-Upton Regional School District for the Fiscal Year starting July 1, 2010; provided that such appropriation shall be contingent upon the passage of a Proposition 2 ½ override ballot vote in accordance with Mass General Laws Chapter 59, Section 21 C (m).  
**SECRET BALLOT**  
**YES 203**  
**NO 50**

**ARTICLE 17** Voted to transfer \$1,595 from the Community Preservation Historical Preservation Account to complete the town hall records restoration project.  
**UNANIMOUS VOICE VOTE**

**ARTICLE 18** Voted to transfer \$2,400 from the Stabilization Account to complete the Clean Energy Choice Grant project to install solar panels on the Highway Barn. 2/3 vote needed  
  
**MAJORITY VOICE VOTE DECLARED**

**ARTICLE 19** Voted to transfer, and authorize the Treasurer with the approval of the Selectmen under the authority of M.G.L. Chapter 44B, The Community Preservation Act, to spend the

sum of \$593,000 from the Community Preservation Budgeted Reserve Account, for the purpose of purchasing for conservation and passive recreation purposes, by negotiated purchase or otherwise, a certain property known as the Nolet property consisting of 27 +/- acres, as recorded at the Worcester County Registry of Deeds in Book 864, Plan 114, made by Guerriere & Hanlon, Inc.; that said land be conveyed to said Town of Mendon under the provisions of Massachusetts General Laws, Chapter 40, Section 8c, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of Mendon, and the Conservation Commission shall be authorized to file on behalf of Mendon any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) and/or any others in any way connected with the scope of this Article, and Town of Mendon and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of Mendon to affect said purchase, including the conveyance of a perpetual conservation restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B or Chapter 293 Section 10 of the Acts of 1998 as amended, as may be necessary on behalf of the Town of Mendon to affect said purchase. Said conservation restriction may be granted to The Trustees of Reservations or any other organization qualified and willing to hold such a restriction. Passage of this article is contingent on a \$296,500 reimbursement grant or funding to the Community Preservation Budgeted Reserve Account.

#### **UNANIMOUS VOICE VOTE**

### **ARTICLE 20**

Voted to amend the Mendon Zoning By-Laws by (1) deleting Section 1.01, Purpose, in its entirety and replacing it with the following Section 1.01, Purpose and Authority; (2) deleting sub-paragraph (r), Structure, in Section 1.02, Definitions, and replacing it with the following definition for Structure; (3) deleting Section 1.03, Definitions of Districts, and replacing it with the following Section 1.03, Delineation of Districts; and (4) deleting Section 1.04, Administration, in its entirety and replacing it with the following Section 1.04, Administration; (5) deleting sub-paragraph (g) in Section 2.01, Lot, Yard and Coverage Regulations in its entirety and replacing it with the following sub-paragraph (g). **2/3 vote needed**

#### **UNANIMOUS VOICE VOTE**

### **Section 1.01      Purpose and Authority**

This Zoning By-Law is enacted for the purpose of regulating the use of land, buildings, and structures and to protect and promote the health, safety, convenience, morals, and general welfare of present and future inhabitants. This includes, but is not limited to, encouraging the most appropriate use of land through a balance of residential, business, and commercial designations; securing safety from flooding and other dangers; lessening congestion in the streets; preventing the overcrowding of land; conserving the value of land and buildings; facilitating the adequate provision of transportation, water supply, drainage, sewage disposal, schools, parks, and other public requirements; preserving the environmental resources of the Town; maintaining open spaces by recognizing the concern for the irretrievable loss of farm, wetlands, and woodlands while respecting the rights of landowners; and all other appropriate purposes; all pursuant to the authority conferred by Massachusetts General Laws Chapter 40A, Sections 1-17 inclusive and all acts in Amendments thereof.

## **Section 1.02        Definitions**

- (a) **Structure:** Anything constructed or erected which requires location on the ground or attachment to something having location on the ground, but excluding asphalt pavement and fences six (6) feet in height or less.

## **Section 1.03        Delineation of Districts**

- (a) **The following districts are illustrated, defined and bounded on the map entitled Town of Mendon, MA Zoning Map on file with the Town Clerk. The Zoning Map, all amendments thereto, and all explanatory matter thereon is hereby made a part of this Zoning By-law.**
  - (i) Residential District
  - (ii) Business District
- (b) **The following provisions shall govern the interpretation of the Zoning Map:**
  - (i) Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
  - (ii) Where a boundary is indicated as following approximately parallel to a street, water course, or other body of water, it shall be construed as parallel thereto. Where dimensions are shown on the map indicating that the district boundary runs parallel to a street, the depth of the district boundary shall be measured from the edge of the right of way line of such street.
  - (iii) Where a district boundary is indicated as generally coinciding with a Town property line, it shall so coincide.

## **Section 1.04        Administration**

- (a) **Applicability:** Where the application of this Zoning By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants or agreements, the provisions of this Zoning By-Law shall control.
- (b) **Enforcement:** This Zoning By-Law shall be enforced by the Building Inspector as provided in Section 7 of Chapter 40A of the General Laws. Henceforth, no building, structure, or part thereof shall be constructed, altered, or moved until the Building Inspector shall have issued a building permit certifying that the plans and intended use of the land, buildings and structures are in conformity with this Zoning By-Law.
- (c) **When the Building Inspector receives a written request to enforce this Zoning By-Law against any alleged violator, the Inspector shall reply in writing within 14 days, stating his action, or non-action, and the reasons therefore.**
- (d) **Penalty:** Any person violating the provision of this Zoning By-Law shall be fined not more than one hundred dollars for each offense. Each day that such violation continues shall constitute a separate offense.
- (e) **Amendments:** This Zoning By-Law or any part thereof may be amended or repealed as provided by law at a Town Meeting duly called.
- (f) **Construction or operations under a building or special permit shall conform to any subsequent amendment of the Zoning By-Law, unless the use or construction is commenced within a period of not more than six (6) months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.**
- (g) **A special permit granted under this Zoning By-Law shall lapse within two (2) years from the grant thereof if substantial use thereof has not sooner commenced or, in the case of permit for construction, if construction has not begun, except for good cause.**
- (h) **Effective Date:** This Zoning By-Law shall take effect as provided by law.
- (i) **Severability:** The invalidity of any section of this Zoning By-Law shall not invalidate any other section or provision thereof.

## **Section 2.01      Lot, Yard and Coverage Regulations**

- (g) In all districts, no structure shall be erected or altered so as to contain more than two and one-half (2 1/2) stories or to exceed more than thirty five (35) feet in height. In the instance of a building, the height in each case shall be measured vertically from the highest point of the roof beams in the case of a flat roof, or from the top of the rafters at the ridge in the case of a sloping roof, measured from the mean grade of the natural ground contiguous to the building. For all other structures, the height shall be measured vertically from the mean grade of the natural ground around the structure to the highest point on the structure. **2/3 vote needed**

**UNANIMOUS VOICE VOTE**

**ARTICLE 21** Voted to amend Section 2.06 (d) (i) (1) by striking the words “of frontage” and adding the words “of the front face” and adding the sentence “There shall be one freestanding sign per parcel regardless of how many businesses or buildings reside on the parcel,” after the words “20 square feet”

**MAJORITY VOICE VOTE**

**ARTICLE 21** Defeated a motion to amend section 2.06 (d)(3)(d) and by striking the words “opaque” and substituting the word “diffused”, 2.06(d)(3)(c) and by striking the words “(but not upward)”.

**MAJORITY VOICE VOTE**

**ARTICLE 21** Voted to amend the Mendon General By-Laws by deleting Chapter XIII, The Sign Ordinance, in its entirety and to amend the Mendon Zoning By-Laws by adding the following Section 2.06, Sign By-Law.

## **Section 2.06 Sign By-law**

- (a) Purpose. The purpose of this section is to regulate and control signs within the Town of Mendon for the safety, convenience, and welfare of the residents; to provide businesses in the Town with precise and reasonable guidelines for identifying themselves; to protect and enhance the visual environment of the Town; and to avoid signs which, individually or collectively, are confusing, distracting, or impair visibility along public ways, or other traffic areas. Municipal Signs and signs not intended to be visible from a public way are exempted from this bylaw. This section is not intended to infringe upon protected noncommercial speech or a property owner's right to freedom of speech.
- (b) Definitions.
- (i) Banner: A sign of a material that is affixed at one or more edges or corners to any surface including, but not limited to, a building, pole, tree, or fence.
  - (ii) Billboard: Any permanent or temporary sign owned by a person, corporation or other entity that engages in the business of advertising space on that sign.
  - (iii) Free Standing Sign: A sign not affixed to any building but constructed on a fixed location with its own support structure.
  - (iv) Municipal Sign: Any sign used by the municipality as part of statutory requirements for the purpose of traffic direction, public safety, and/or emergency notifications, and approved by the Department of Public Safety or Highway Department, or for purposes of identifying municipal offices or functions. Municipal Signs do not require permits.
  - (v) Sign: Any object, design, or device that is intended for public view from outside a building, and is used to identify, advertise, or direct attention to any business, organization, product, activity, service, or event and is not a Municipal Sign.
  - (vi) Sign Area: The sign area shall be computed by multiplying the overall width by the overall height, including the letter area, frames, and background.
  - (vii) Building Sign: A sign that is affixed to the façade or roof of a building or structure,

including window areas, so that all sign surfaces are parallel to the building on which the sign is mounted.

(c) Administration.

- (i) Applicability: Except as specifically stated in this Sign By-Law, no sign shall be erected, constructed, enlarged, redesigned, or replaced without a permit from the Building Inspector. Regular maintenance and repair shall not require a permit.

(ii) Procedure:

- 1) The applicant must be the owner of the property or have the written permission of the owner.
- 2) The completed application shall be accompanied by such scale drawings, photographs, and other information as the Building Inspector may require.
- 3) Fees for sign permits shall be paid in accordance with a schedule of fees established by the Building Inspector and approved by the Board of Selectmen.

(iii) Enforcement:

- 1) Owners of signs found to be in violation of this Sign By-Law shall be subject to a fine of \$25 per day until such sign is in conformity with this Sign By-law. Such fines shall be imposed in accordance with the non-criminal disposition procedures set forth in M.G.L. c. 40, s. 21D. The Town may also enforce this Sign By-Law by seeking equitable relief from a court of competent jurisdiction.
- 2) It is the duty of the Building Inspector to administer and enforce the provisions of this Sign By-Law.

(d) Business District: Permanent Signs

(i) Category, Number, Area, and Location

- 1) Free Standing Signs: One freestanding sign, not to exceed twenty (20) feet in height from the ground, may be erected. Such sign shall not be within any right of way and shall set back at least ten (10) feet from the edge of the pavement. The total sign area may not exceed one (1) square foot for each linear foot of ~~frontage~~ the front face of the building displaying such sign and, in no case, shall the total sign area exceed seventy-four (74) square feet. Where freestanding signs are located within one hundred (100) feet of a Residential District line, the total sign area shall not exceed twenty (20) square feet. There shall only be one freestanding sign per parcel regardless of how many businesses or buildings reside on the parcel.
- 2) Building Signs: Each occupant within a building may have building signs attached to the sides of the building facing a public street. The total sign area of all signs on a building may not exceed one (1) square foot for each linear foot of building frontage facing a public street. The areas of connecting businesses, walls, or fences may not be included in this calculation. A wall sign must be secured to the wall of the building and may not extend beyond the eaves of the building. A roof sign must be secured to the roof of the building and may not extend higher than the ridgeline of the roof. No wall sign may be erected closer than five (5) feet to the ground.
- 3) Illuminated Signs:
  - a) Sign illumination is permitted only in the Business District.
  - b) Businesses in the Business District without frontage along Routes 16, 140, or the Business Zoned District on Hartford Avenue East may be permitted to use sign illumination by Special Permit from the Zoning Board of Appeals ("ZBA").
  - c) Exterior illumination shall be by a stationary, shielded, white light directed downward or horizontally (but not upward) and solely at the sign.
  - d) Internally illuminated signs shall use white light and shall have opaque surfaces so that the light source is not directly visible.
  - e) Signs may be illuminated until 10:00 P.M. or end of daily operating hours, whichever occurs later.
  - f) 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 lots used for



residential purposes, nor impair the safe vision of operators of vehicles moving on public roadways.

g) All illuminated signs shall bear a label of approval from the National Board of Fire Underwriters.

(ii) Permits: A permit is required for all signs listed in Section (d).

(iii) Construction and Maintenance:

1) All signs shall be properly secured, supported and braced, shall be kept in good structural condition, and clean and well maintained at all times.

2) Every sign, its framework, braces, anchors and other supports, shall be constructed of such material and in such workmanlike manner as shall make them safe.

3) If a sign is found to be in violation of this section, the Building Inspector may order corrective maintenance and repair to be completed within (30) days of notice to the owner of the sign.

(iv) Abandoned Signs: A sign no longer being used for the purpose for which it was constructed, or identifies a business, product, or service that is no longer available on the premises where the sign is being displayed, shall be removed within thirty (30) days. The Building Inspector may permit the owner of the abandoned sign to maintain such sign beyond the above 30 day period if the sign is in compliance with the Sign By-Law and the owner demonstrates good cause.

(e) Residential District: Permanent Signs

(i) Home Occupation Signs: Permitted home occupations may have one (1) unlighted sign not to exceed one hundred forty four (144) square inches in total area. No permit required.

(f) Church and Institutional Signs/Bulletin Board. Any bona fide church, congregation, community center, or similar organization or institution may erect and maintain one sign for their own use. A second sign or bulletin board may be allowed for the promotion of changeable activities. Neither sign shall exceed twenty (20) square feet in total area. No permit required.

(g) All Districts: Temporary Signs to be Allowed

(i) Banner Signs may be no larger than sixteen (16) square feet in total area.

(ii) Home Improvement and Construction Signs may be erected on the same site during said home improvement or construction. Signs shall be removed within thirty (30) days of cessation of services on the premises.

(iii) Political Signs having reference to a candidate for elective office, or a public question and/or issue to be submitted to the voters at a general, special, or primary election, may not be placed on a public way or on public property. Signs may be placed on private property only with the consent of the property owner. Political signs may not exceed one (1) sign per candidate, public question, and/or issue per zoning lot. No political sign shall exceed three (3) s.f. in area. No political sign shall be more than four (4) feet in height above the ground.

(iv) Real Estate Signs: One (1) on premise sign advertising the sale, rental or lease of real estate shall be allowed. Signs shall be removed within one (1) week after the final sale, rental, or lease of the property. Up to three (3) additional signs for an open house shall be permitted off premises on public roadsides for 48 hours prior to the event and shall be removed immediately following the event. No real estate sign shall exceed three (3) s.f. in area. No real estate sign shall be more than four (4) feet in height above the ground.

(v) Yard and Garage Sale Signs: One (1) on premise sign, and up to (2) additional signs off premises on public roadsides, may be displayed no more than three (3) days prior to the event, and must be removed no later than the day following the event.

(vi) Special Event Signs for charitable, or school events may be permitted. Sponsors are allowed advertising space up to twenty percent (20%) of the sign area to be located at the bottom of the sign.

(vii) A sign permit is not required for the signs listed in Section (g).

(viii) Temporary Sign Regulations: Except as otherwise provided in Section (g) above, the following regulations apply:

1) No temporary sign may exceed six (6) square feet in area.

2) Temporary signs may be displayed for thirty (30) days prior to an event and must be

removed within five (5) days after the event.

3) Any sign displayed for more than thirty five (35) days in a calendar year must meet the applicable permanent sign requirements.

4) Temporary signs shall be properly secured and placed so as not to become a safety hazard.

5) Repetitive temporary signs shall be spaced at least one hundred (100) feet apart.

6) Signs on Town owned property for any reason require the prior approval of the Board of Selectmen, except temporary signs permitted along side the public right of way under Section (g).

(h) Prohibitions.

(i) No sign may be affixed upon a utility pole, tree, rock, fence, structure, or other object within the limits of a highway. Any such sign within the limits of a highway may be removed or obliterated by any person.

(ii) No sign will be a billboard. An exception will be allowed in the case of sponsor signs located on the existing inside area of municipal properties that are used for the benefit of local non-profit youth organizations.

(iii) No signage of any type will be allowed on monuments or monument greens.

(iv) No sign or any part thereof, except clocks, temperature indicators or gas pump prices may move or flash. No sign may have traveling lights, animation, beacons, or flashing devices, whether or not these devices are part of a sign or are attached to a sign.

(v) Except as specifically permitted in this Sign By-Law, no off premises commercial signs promoting any business or activity will be permitted.

(vi) No sign will be constructed or erected which will, in any way, interfere with the protection of property by the Department of Public Safety.

(vii) No sign will be constructed or erected in such a manner as to prohibit the emergency egress of a building.

(viii) Any sign not specifically permitted is prohibited. The ZBA may issue special permits authorizing signs not specifically permitted under this Sign By-Law provided that such signs are not specifically prohibited, and provided further that the applicant demonstrates and the board specifically finds that such signs are essential to the use, are not detrimental to the surrounding property nor injurious to the public welfare, and comply with the number and size limitations, and required set backs contained in this Sign By-Law.

(i) Severability. If any section or portion of this Sign By-Law is ruled invalid, such ruling will not affect the validity of the remainder of the Sign By-Law, which provisions shall remain in full force and effect. 2/3 vote needed

**MAJORITY VOICE VOTE DECLARED**

**ARTICLE 22** Voted to transfer \$2,000 from the Mendon Historical Commission – Mendon National Register Account for the purpose of partial restoration of the Cobbler Shop at 54 Hartford Ave East.  
**MAJORITY VOICE VOTE**

**ARTICLE 23** Voted to Passover this article.  
**UNANIMOUS VOICE VOTE**

**ARTICLE 24** Voted to adjourn this Annual Town Meeting until 7:00 am on May 18, 2010 in the Miscoe Hill gymnasium, for the sole purpose of conducting the Annual Town Election and further that this Annual Town Meeting warrant will be dissolved immediately upon the closing of the polls on that date.  
**UNANIMOUS VOICE VOTE**

The meeting was adjourned at 12:12am. There were 288 voters in attendance. The officer on duty was Brian Massey. The tellers for the meeting were: Carol Cook, Kathryn Rich, Nancy Fleury, Diane Willoughby and Patricia Ghelli.

A true copy. Attest:

Margaret Bonderenko  
Town Clerk