

13.56.6 Billboards may be allowed by Special Permit on properties that abut Interstate 395 solely to advertise to motorists traveling on Interstate 395 in accordance with the following standards:

1. Billboards may only be allowed within the C-1, C-2, and Industrial-1 Zoning Districts. Billboards are prohibited within the Highway Commercial District.
2. The minimum property size shall be 8 acres. The entire property must be Zoned as C-1, C-2, or Industrial-1 and the property must have at least 300 linear feet bordering the southbound side of the Interstate 395 right-of-way, excluding entrance and exit ramps and the rest stations.
3. The property must be located within 2,000 linear feet of the intersection of a highway exit ramp and a State or Town road as measured along the Interstate 395 travel way. No more than 2 Billboards are to be located between exits, or between an exit and the Town line. No more than 2 Billboards shall be permitted along Interstate 395 within the Town.
4. No billboard shall be located closer than 300 feet to a residential dwelling at the time the Special Permit application is submitted.
5. Billboards regulated by Section 13.56.6 shall not be located closer than two (2) miles (10,560 feet) from another, as measured along the Interstate 395 travel way.
6. The faces of the billboard must not exceed 14' x 48'.
7. No more than 2 faces are to be displayed and must be directed exclusively to Interstate 395. The faces may be flush (back-to-back) or in a "V" formation, located on a single structure.
8. The overall height of the structure shall not exceed 50' above grade and shall not be closer than 20' to an adjacent property (excluding the Interstate 395 right-of-way).
9. Digital/electronic billboards are permitted provided that they meet the following requirements:

***Removal of Existing Billboard Face(s)*** To prevent the proliferation of additional billboard faces within the Town, one (1) existing billboard face within the Town must be removed for each new billboard face permitted under a Special Permit.

***Brightness*** During daylight hours between sunrise and sunset, luminance shall be no greater than seven thousand five hundred (7,500) nits. At all other times, luminance shall be no greater than three hundred (300) nits. One (1) nit is equal to one (1) candela/square meter.

All electronic advertising signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's brightness as provided above and must be maintained in proper working order.

The text, image, or display on an electronic advertising sign may not change more than once every eight (8) seconds and must remain stationary for the duration of the advertisement.

***Town Advertising*** The Operator of the Digital/Electronic Billboard (the "Billboard Operator") shall provide the Town with a minimum of six (6) hours of advertising time each month, non-accumulative, spread evenly throughout the day, on each face

of the Billboard (the “Town’s Display Time”), commencing upon the completion/activation of the Digital/ Electronic Billboard (the “Billboard”) and continuing on an ongoing monthly basis for the operation of the Billboard; provided that: (i) all proposed designs, content and creative material for the Town (the “Town’s Copy”) are submitted to the Billboard Operator not less than thirty (30) days prior to the date on which the Town’s Copy is proposed to be displayed on the Billboard (the “Copy Submission Deadline”); (ii) all Town’s Copy is subject to the Billboard Operator’s review and approval; and (iii) all Town’s Copy is finalized not less than twenty (20) days prior to the date on which the Town Copy is proposed to be displayed on the Billboard. The Town agrees that the Town’s Copy shall be limited to public service announcements and/or civic, nonprofit, or other municipal programming or purposes, and shall not be used for any commercial purpose. The Town shall not be permitted to give, sell, trade, barter or exchange its advertising time on the Digital Display to or with any third party. The Billboard Operator shall make its design services reasonably available to the Town to assist in the development of the Town Advertising. The Billboard Operator shall be permitted to temporarily remove the Town’s Copy upon request or demand of any state or federal governing body and any such time the Town’s Copy is so removed shall not be deducted from the Town’s Display Time. The Town’s Copy shall not (a) violate any laws, rules or regulations governing the use and operation of the Billboard, (b) contain any defamatory material, (c) violate any third party privacy rights, or (d) infringe upon or misappropriate any copyright, trademark or other intellectual property right of any third party.