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IMPORTANT: Obtaining a design review approval does not mean you do not need other approvals including a sign permit. **Before you begin this process please call the building department and schedule an appointment. 781 631 2220**

# Marblehead Uptown Business District Design Guidelines Manual

April 2005

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## Part I – Overview

### The Uptown Design Review Board and Uptown Design Guidelines

"It would be worthwhile if in each town there were a committee appointed to see that the beauty of the town received no detriment."

*-Henry David Thoreau*

#### Overview:

Marblehead boasts many desirable aesthetic qualities and areas with unique character. These attributes have been closely guarded and nurtured by programs and initiatives intended to protect the community's aesthetic qualities and ensure design excellence. Despite this tradition, increasing development pressure for standardized and corporate driven design solutions threaten the very essence of what makes Marblehead a charming and unique place to reside. These guidelines are intended to promote good design that is responsive to its contextual setting.

The guidelines outline the Town's expectations with regard to design of commercial retail/mixed use establishments and are intended to assist residents,

applicants, decision-makers, and staff in the consistent development review, and consideration of commercial retail/mixed use proposals. The guidelines are not applicable to single family buildings. Commercial development includes, but is not limited too, large and medium size "box" stores, inline (strip) multiple tenant retail, multiple tenant shopping centers that incorporate inline shops and larger anchor tenant spaces, commercial pad sites associated with a larger center, freestanding commercial buildings and mixed use projects. The guidelines are to be applied throughout the district and are intended to respond to the varying conditions and constraints inherent to individual site and contextual settings.



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The Board's recommendations often refer to maintaining or enhancing the "character" of Marblehead. The following discussion is an attempt to generally define those elements and features that contribute to the "character" of the Town of Marblehead and how that translates to the UBD.

The character of the Downtown District is formed in part by the community's cultural and historic past.

Marblehead's existing commercial design is urban in nature as the result of years of evolution and development of the business areas along Atlantic and Pleasant Streets. There are a number of buildings of historical and architectural importance. These buildings are the backbone of the commercial center. The residential portion of the downtown acts as a transitional district between the commercial center and the residential areas of Marblehead that surround the center.



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## Purpose and Goals of the Uptown Design Review Board

The goal of the Marblehead Design Review Board (DRB) is to promote quality design throughout the uptown business district. Achieving this goal will become more challenging as the Town is more intensely developed.

There is little available land for commercial or residential left, there are potential sites for redevelopment, however, and care must be taken that all new structures or alterations, both private and public, should make positive contributions to the beauty and function of Marblehead's Uptown Business District (UBD).

The purpose of the DRB is to provide a detailed review of proposed structures and exterior alterations made to existing structures in the district to enhance and promote the natural and aesthetic qualities of the UBD. The DRB will endeavor to protect and preserve the historic and

cultural heritage of the UBD and its surrounding neighborhoods.

It is not the intent of the Design Review Board to prescribe certain styles of architecture or signage they would like to see in the district. Applicants are expected to be creative with architectural styles and materials however it is expected that new construction will compliment and enhance the existing scales and styles.

The Board will work to meet an applicant's needs to achieve results recognizing that these results must be beneficial to both the applicant and the Town. Although the Design Review Board is cognizant that cost is an integral part of the equation, it will not entertain such discussions during review process.



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## Design Review Board Selection

The Design Review Board shall be appointed by the Planning Board and the Board of Selectmen to consist of five (5) Town residents as follows:

1. A member of the Planning Board or designee for a three (3) year term,
2. A person appointed by the Planning Board qualified by training and experience design for a two (2) year term,
3. A person appointed by the Planning Board qualified by training and experience in design for a one (1) year term,
4. A person appointed by the Board of Selectmen who owns a property in the district or serves on a Downtown Business organization for a three (3) year term.

### Applicability

The Design Review Board shall review requests for sign permits, new construction, or any other exterior alterations or modifications to a non-residential building within the Business one district. It shall evaluate such requests based on the Design Criteria of this section. All requests must be submitted to the Design Review Board prior to application to a Special Permit Granting Authority or Building permit.

All decisions and reports of the Design Review Board shall be advisory only.



## Key Objectives

- Protect and enhance the character and charm of Marblehead while maintaining and strengthening a recognizable identity and character that is unique to Marblehead.
- Enhance the human scale of development and respect the scale and character of residential neighborhoods that adjoin commercial uses.
- Mitigate the negative visual impacts arising from the scale, bulk and mass inherent to large commercial buildings and centers.
- Strengthen the pedestrian environment.
- Allow for needed flexibility to respond to conditions and constraints inherent to specific sites and specific areas within the community.
- Provide flexibility to respond to the unique characteristics and constraints inherent to mixed use development and too evolving development configurations.
- Promote building designs and practices that are adaptable to multiple uses for extended building lifecycles.
- Minimize negative impacts from on-site activities to adjacent uses.
- Balance the economic requirements of the development with aesthetic concerns of the community.
- Promote energy and resource efficiency.
- Promote public awareness of good design town wide.





## Design Guidelines

These guidelines are intended to provide for a coherent and attractive business and civic environment within the core of the community. They are intended to apply to those portions of buildings that can be seen from public vantage points, and apply to the interior of buildings only to the degree that this influences the appearance from the streets or sidewalks.

### Specific goals include:

- ***Restore and protect the historic character*** – The Town retains buildings that have historic merit. These buildings are important as representatives of the architecture of past eras and of the historic culture of the town. These guidelines seek to preserve characteristics that are genuine and which remain, and to restore historic characteristics once associated with existing

buildings where they can be reasonably and practically restored.

- ***Enhance the town center as a commercial area***– The UBD contains numerous service and retail businesses. As such, the guidelines promote a consistently high quality that will be attractive to shoppers and residents.
- ***Reinforce the UBD as a civic place*** – The town center serves its citizens as a symbolic and functional downtown, and contains public uses in addition to the businesses and residences. As such, the UBD should have an attractive appearance that displays the unique qualities of its past and present.
- ***Use excellent existing examples of existing architecture to serve as models for renovation and new design*** – The Town should take advantage of precedents of well preserved and restored structures that can serve as a showcase.



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## **PART II- Administration**

### **Forms and Process**

- The Design Review Board shall review requests for sign permits, new construction, change in landscape or hardscape alterations or modifications to a building or business property within the B-I district., with the exception of single-and two-family dwellings.
- The Design Review Board shall evaluate such requests based on Part III – Design Criteria.
- All requests must be submitted to the Design Review Board prior to granting any building permit involving exterior work, including maintenance or alterations or specialty permit applications to the Marblehead Planning Board application to the Special Permit Granting Authority.



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## Part III – Design Criteria

### Site Design

The site design in Marblehead Uptown Business District is one of the most critical aspects of promoting a successful redevelopment of the area. Decisions made at the conceptual design stage have repercussions throughout the design development process. This section begins with a listing of some of the more common components of good site design.

The list of components is followed by key site characteristics and contextual influences that impact the arrangement and relationship of the components within the site. Lastly, this section sets forth specific guidelines that address the planning of sites with relationship to site characteristics and contextual influences.



## Site Design (continued)

### Site Components:

The main components of site design that should be considered throughout the design development process include:

- Building location
- Service, loading, refuse collection areas and storage areas
- Utility infrastructure and wireless communications infrastructure
- Required open spaces, special user amenities (i.e. pedestrian plazas, enhanced pedestrian zones) and other special features (i.e. focal architectural elements, landscape features and public art).
- Parking lots and vehicular circulation/access
- Pedestrian circulation systems and bicycle facilities
- Drive through facilities (banks only) including associated equipment, signage and circulation
- Ancillary uses (i.e. - ATM's, retail kiosks, vending equipment and news racks)
- Open air display and sales
- Shopping cart storage and collection areas
- Outdoor dining areas (when food service is a component of a single or multiple tenant center)
- Linkages and coordination of elements with surrounding uses

### Key Site Characteristics Include *(but are not limited to):*

- Environmental – (i.e. existing vegetation, topographic features, minimally undisturbed natural areas, and drainage)
- Visual – (i.e. view sheds, view corridors and prominent views from on-site and off-site)
- Climatic – (i.e. sun angles and solar exposure)



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## Site Design (continued)

### **Key Contextual Influences Include** *(but are not limited to):*

- Public infrastructure (i.e. streets, transit facilities, pedestrian and/or multi use paths and under and above ground utilities)
- The patterns, character and scale of existing and planned development in the immediate area
- The sensitivity and nature of adjoining land uses
- Potential connections and other relationships with adjoining development – (i.e. pedestrian access points, shared driveways, off street vehicular connections, open space systems, landscape buffers and service corridors)
- Archeological/cultural resources
- Other features of the site and/or surrounding area that may be impacted by or may impact the proposed development.



## Key Site Design Guidelines

- A. Proposals should follow local development patterns (i.e. open space and view corridors, common setbacks, streetscapes). The continuation of such patterns should contribute to a unified visual appearance within an area.
- B. Not all established development patterns present opportunities for a desirable interface. Applicants should be prepared to address such situations with respect to the current design proposal and how the departure from the existing pattern benefits the community
- C. Building entries should be easily identifiable and should acknowledge the importance of the need for visibility from the public realm.
- D. Unless constrained otherwise buildings should have a strong visual and pedestrian relationship to the street and should be clustered around and connected to public space.
- E. Developments are encouraged not to exceed parking requirements except where shared parking opportunities exist.
- F. Surface parking areas and other expansive areas of paved surfaces should be broken up with landscape planting.
- G. Wherever possible, buildings should be located directly adjacent and parallel to the sidewalk. Parking should be behind the buildings set back from the sidewalk.
- H. Clearly visible and direct pedestrian paths should be established between neighboring buildings, between buildings and outlying parking areas and between buildings and transit facilities.
- I. Where pedestrian circulation paths cross vehicular routes, a change in paving materials, textures or colors should be provided to emphasize the conflict point, improve visibility, enhance safety and provide added aesthetic appeal.
- J. The placement of patios, plazas and similar spaces (including outdoor dining areas) should take into consideration the impact of solar orientation. Spaces having a southern or western orientation



J.(cont.) should incorporate landscape and architectural shading. If a site exists such that natural landscaping cannot possibly be incorporated, only then may shading occur by means of architectural elements, such as ...(pergolas, trellises, porches, awnings or canopies).

K. When programming enhanced pedestrian areas consider the following features and elements:

- a. Protection and relief from the vehicular environment
- b. Structured and/or informal seating or waiting opportunities
- c. Flexibility for special events, vendors and/or promotions
- d. Active edges and adjoining dining areas
- e. Lighting and power

L. Service areas, storage areas and refuse enclosures should be oriented away from public view and screened from public areas.

M. Shopping carts should be stored within the

building or in a screened area with a wall that is integral to the architectural design of the adjoining building.

N. Utilities should either be located below ground, or access the building from the rear.

O. Utility cabinets and pedestals should not be located where they cannot be screened, are exposed to damage from vehicles and/or present a visual hazard to drivers or pedestrians. Utility cabinets, pedestals and other above ground utility infrastructure should be clustered and screened to the extent allowable by operation requirements and should be painted or integrally colored a tone that is neutral to its setting. Consideration should also be given to accessibility of such facilities for required service and maintenance.

P. Consider any potential need for wireless communication facility sites early in the design process. Current proposed facilities and future facilities should be fully screened and integrally designed with the site. In general, oversized satellite dishes and antennas should not be placed on the front façade of the roof or other areas directly visible from the street.



Q. Drive-through windows are only allowed for banking services. Associated stacking lanes

**Key Site Criteria** *(continued)*

screened from public view and the view of adjacent sites.

R. Circulation should allow for adequate length of stacking for drive through facilities that do not interfere with the movement of traffic (on or off-site) and/or pedestrian areas.

should be located to minimize impacts on adjacent residential areas and should be adequately

S. Outdoor display and sales areas should be well organized.

T. Walk-up ATM's, vending machines and similar uses should be sited in side of buildings.





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## Architecture

The intent of the architectural guidelines is to ensure a base level of quality architecture that is responsive to its context and builds upon the aesthetic identity of the community rather than a design solution(s) that is based on a standardized formula or market prototype superimposed on the selected site.

Over time, certain projects and landmark buildings begin to define the dominant character of an area. Not all buildings in the surrounding area contribute equally to the area character and each example should be weighed against the balance of all other projects.

The intent of the architectural guidelines is to encourage proposals that will fit within and contribute to the established or planned architectural character and context of Marblehead with little, no or poor immediate context should expand the area of influence to identify the architectural context or establish a new design vocabulary consistent with these guidelines for Marblehead.



## Architecture (continued)

### Character and Context

- A. Building design should take into consideration the unique qualities, history and the dominant character of the surrounding area.
- B. Buildings that are stylized in an attempt to use the building, or portion of the building to identify a particular user is generally discouraged, particularly where the proposed architectural design is the result of a corporate or franchise prototype design.
- C. Buildings that derive their image primarily from applied treatments that express corporate identity are discouraged.
- D. The design of a building that occupies a pad or portion of a building within a planned project or shopping center should share compatible design characteristics and design vocabulary. Precise replication is not desirable, instead utilizing similar colors, materials and textures as well as repeating patterns; rhythms and proportions found within the architecture of other buildings in the center can be utilized to achieve unity.
- E. Roof pitch, visible from the streets (face to full allowable light) must be between 6:12 and 12:12, except that roof pitches towards Route 28 shall be between 8:12 and 12:12. Roof pitch shall start no higher than the finished floor height of the third story. The gabled end of all buildings must be peaked and cannot be flat. Parapet walls shall not be higher than 28 feet tall.
- F. Ancillary Roofs (attached to walls of the principal building) may be sheds sloped no less than 3:12. Wherever possible, the shape and slope of ancillary roofs should be consistent with the shape and slope of the main roof in order to maintain the overall concept and harmony of the original design.
- G. Dormers shall be habitable, placed a minimum of 3 ft. from side building walls with gable, shed or eyebrow roofs.
- H. Roof Penetrations, including vent stacks, shall be placed toward the rear facade of the roof. Roof penetrations shall be finished to match the color



## **Character and Context** *(continued)*

H. (cont) of the roof.

I. Skylights shall be flat.

J. The design of a building should reduce its perceived height by dividing the building mass into smaller scale components. One way to achieve this breakdown is to provide a well-defined base, middle and top to the building.

- a. A solid building base may be achieved by elements such as low planters and walls, base planting, a base architectural veneer banding (wainscot) and treatments defined by a different material, texture or color.
- b. A solid building base (and a more articulated building mass) may be achieved by the addition of covered walkways, trellises or architectural awnings that provide deep shadow at ground level.
- c. Using features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and distinct parapet designs and cornice treatments may achieve a well-defined building top.

d. Other approaches and methods of establishing building definition exist and will be considered if the resulting design achieves a scale and character consistent with the surrounding context.

K. The design of a building should reduce its apparent bulk by dividing the building into smaller masses. Ideally, the internal function of the building may indicate a logical hierarchy for breaking down the mass of the building. The apparent mass of a building may be further reduced by the following techniques:

- a. Variations in roof form and parapet heights
- b. Incorporating clearly pronounced recesses and projections
- c. Introduction of wall plane off-sets
- d. Use of other reveals and projections and subtle changes in texture and color of wall surfaces



- e. Use of deep set windows with mullions
- f. Use of ground level arcades and second floor galleries/balconies
- g. Use of protected and recessed entries
- h. Use of vertical accents or focal points
- L. Buildings or portions of a building mass over 75 feet wide are encouraged to divide their elevations into smaller parts. A pronounced change in massing, pronounced changes in wall planes and introducing significant variations in the cornice/roofline are all possible methods to accomplish the desired divisions of elevations into smaller parts.
- M. Excessive use of decorative detail applied to the surface of a building is discouraged.
- N. Building frontages and sides of buildings oriented to the street or other public areas (i.e. parks, open space, trails or vista corridors) should incorporate a combination of arcades, pedestrian level display windows, storefronts, and store entrances.
- O. When a building has multiple entrances or

storefronts, these should be located at intervals not to exceed 75 feet. Consider all of the following approaches (and others as they may apply) to further enhance the pedestrians experience and the visual appearance of building frontages.

- a. In large stores consider expressing internal functions (i.e. bank, deli, and florist) as a minor storefront.
- b. Incorporate two (or more) entrances along the front of all major users (i.e. grocers, discount and other department stores, warehouse stores).
- c. If two entrances are not possible, consider partially wrapping the front of a major user with smaller stores.
- d. If none of the conditions above are met, long storefronts should incorporate design features, which address the impacts to the pedestrian resulting from extensive inactive pedestrian frontage. Remedies may include



pecially enhanced pedestrian areas, generous landscaped areas, site walls and raised planters, variations in planes, materials and colors and other features or elements intended to address the comfort of the pedestrian. Long continuous wall planes should be avoided.

- P. Buildings frontages should exhibit human scale detail, storefronts, windows and other openings along ground floor pedestrian areas.
- Q. When a new use/addition is proposed to an existing commercial development the newly constructed portion of the building should appear as an originally conceived part of the design. The new additions should match the scale and reflect the proportions of the original structure where they adjoin or are adjacent. New construction of a different height and bulk, than that of the original structure, should not occur abruptly.
- R. New additions should match the historic architecture of Marblehead as illustrated in the photographs included throughout this document. The extension of arcade elements, lighting,

pathways and fenestration patterns, structural rhythms and use of materials should exhibit a seamless transition between the existing and new construction architectural details, materials and colors.

- S. Primary entrances to buildings should be distinguished with façade variations, porticos, roof variations, recesses or projections, or other integral building forms.
  - a. All sides of a building should express consistent architectural detail and character; said character should be reflective of the history of Marblehead as illustrated in this document. All site walls and
  - b. Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of the building architecture. Screen walls should be architecturally integrated with the building or as approved as part of an overall master plan area.



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## Architecture (continued)

- T. Drive through elements should be architecturally integrated into the building, rather than appearing to be applied or “stuck on” to the building.
- U. Drive -through windows should incorporate an architectural covering consistent with the design theme of the building. Coverings over drive-thru can help to achieve more variation to building mass and added comfort for users breakdown of building mass and finished building appearance.

- V. The following architectural treatments are generally discouraged:
  - a. Gradation in paint color applied to one unbroken surface or the use of large graphics
  - b. Extended bands of vibrant and/or highly contrasting corporate colors unrelated to the architecture.



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## Façade Goals & Guidelines

- A. Facade design should take into account the locations and proportions of the facade elements and signage bands of adjacent buildings, without mimicking them.
- B. Facade colors should be complementary to the natural materials used on a building and to the buildings adjacent to it.
- C. The palette of colors used on a building should be in accord with the materials of the building façade.
- D. The use of historic colors in the renovation or replacement of historic elements is highly encouraged. Lists of historic color suppliers are available at the Marblehead Old and Historic Districts Commission.
- E. Blank walls without any visual content or interest should be avoided.
- F. Individual buildings and their storefronts should appear distinct, even when a single use spans multiple storefronts.
- G. Historic roof forms should be retained or restored.

Additions should have roof forms that are compatible with the forms of the building to which they are attached. New structures should employ simple roof forms compatible with the adjacent buildings.

- H. Downspouts and gutters should be of a color that is compatible with the building walls. If the building is historic, the style and color of downspouts and gutters should be appropriate to the original character of the facade.
- I. Flashing materials should not be conspicuous. In the case of historic structures, traditional flashing materials such as copper may be appropriate and are encouraged.
- J. Where possible, materials used to patch or repair existing facades should match original, desirable materials as closely as possible.
- K. Generally muted tones and colors are appropriate for most facade materials except for trim and special storefront elements.



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## Façade Goals and Guidelines (continued)

### Guidelines for Exterior Materials

- A. The consistent use of a dominant building material for the facade is encouraged, rather than multiple materials, such as brick and clapboard combinations.
- B. The use of real materials, rather than imitations such as a brick veneer, is strongly encouraged. The goal of this guideline is to encourage the use of traditional quality materials for both appearance and durability, and avoid materials that are typical of low cost and low quality construction, or appear to be masking or patching an underlying facade material.
- C. Where possible, materials used to patch or repair existing facades should match original, desirable materials as closely as possible.
- D. Generally muted tones and colors are appropriate for most facade materials except for trim and special storefront elements.
- E. If metal is used, it should be appropriate to the building, and convey a sense of quality to assure an attractive appearance over time.
- F. Materials used near sidewalks and adjacent to the entrance shall be durable and compatible with other building materials.
- G. Plywood or other wood panel sheathing materials should be avoided unless they are incorporated as a panel within a frame and are durable for exterior use.
- H. Minor decorative elements, such as facade ornaments, decorative fasteners, or small accents can be of any rigid, durable material that will be in harmony with the facade.
- I. The use of traditionally recognized structural building materials, such as concrete block, particle-board, and untreated concrete as finished building materials is strongly discouraged.





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## **Landscape Design**

Landscaping should be integral to the overall design concept and should be carefully planned to serve more than one purpose. The intent of these guidelines is to ensure that landscape design contributes to the overall appearance and function of the site as well as the streetscape.



## Landscape Design Guidelines

- A. Landscaping should blend with the dominant existing or planned streetscape and character of the area.
- B. Landscaping should be provided along and against all buildings to anchor it to the surrounding environment and to soften the structure. In-ground landscaping should comprise the majority of the landscaping requirement. Raised planters are acceptable when designed to accentuate the architecture and or enhance pedestrian areas.
- C. Commercial areas should incorporate significant landscaping (including canopy trees). Frontage design and signage locations should be coordinated with the placement of plant material.
- D. Trees should be used throughout paved areas and along pedestrian pathways to provide shade and to reduce heat build-up and glare. Deciduous trees are encouraged along the south side of buildings.
- E. A landscape buffer should be provided to screen commercial uses from residential areas.
- F. Dense landscaping and/or architectural treatments should be provided to screen unattractive views and features such as storage areas, trash enclosures, utility cabinets and other similar elements.
- G. Screening could be accomplished by employing fences made of good quality materials such as steel, cast iron, with brick or stone masonry elements. The use of chain link fence visible from public areas is strongly discouraged.
- H. The site design for projects located at street corners should provide special landscape treatment at street intersections to anchor the corner. The street corner should be either the focal point for the building or treated as a public and civic space.
- I. The use of mature trees is encouraged to provide an immediate impact especially when used in buffering adjacent uses.
- J. Proper maintenance and timely replacement of dead or deteriorating plant material is required.



- K. Relief should be provided from direct and reflected sun by incorporating canopy trees and intermittent planting strips within parking areas. Plant material should be resilient to difficult

## **Landscape**

- M. Plantings, while encouraging drought resistance, should be capable of withstanding seasonally wet conditions.
- N. Maximize the use of pervious surfaces including the use of pervious paving materials.
- O. Maximize the use of native planting material.
- P. Trees should be used throughout paved areas and along pedestrian pathways to provide shade and to reduce heat build-up and glare. Deciduous trees are encouraged along the south side of buildings.
- Q. A landscape buffer should be provided to screen commercial uses from residential areas.
- R. Dense landscaping and/or architectural treatments should be provided to screen unattractive views and features such as storage areas, trash enclosures, utility cabinets and other

growing conditions inherent to parking areas.

- L. Primary pathways linking site features should be a minimum of six (6) feet wide and should incorporate landscape and/or architectural shading.

## **Design**

similar elements.

- S. The site design for projects located at street corners should provide special landscape treatment at street intersections to anchor the corner.
- T. The use of mature trees is encouraged to provide an immediate impact especially when used in buffering adjacent uses.
- U. Proper maintenance and timely replacement of dead or deteriorating plant material is required.
- V. Landscaping should be integral to the overall design concept and should be carefully planned to serve more than one purpose. The intent of these guidelines is to ensure that landscape design contributes to the overall appearance and function of the site as well as the streetscape.

## **Guidelines**





## Lighting Design

Site lighting, security lighting and architectural/landscape lighting should provide the user with illumination levels appropriate for the designed activity (i.e. parking, walking, outdoor dining) without exceeding minimum requirements.

Illumination levels should also be reasonably uniform throughout the site and strive to minimize glare.

### General Lighting Standards

- A. Avoid competing light levels and maintain balanced light levels on-site and between adjacent properties. The exterior lighting design must take into account the background lighting levels, lighting from other sources, and characteristics of the surrounding area.
- B. Recommended light level guidelines and uniformity ratios established by the Illumination Engineering Society of North America (IESNA) in the IESNA *Lighting Handbook* (current edition) should be considered along with the predominant lighting characteristics of the surrounding area when determining appropriate solutions to lighting design.
- C. Light glare or excess brightness should be minimized. Cut-off fixtures, mounting heights, and the elevation of potential viewers must all be considered for effectively controlling glare by directing light below the horizontal.
- D. Light trespass beyond property lines should be controlled by shielding or aiming fixtures away from residential properties. Light trespass should not exceed ambient levels.
- E. Security lighting and lighting of service areas should meet the standards listed above.
- F. Architectural lighting should be used to highlight special features only. Lighting of expansive wall planes or the use of architectural lighting that results in hot spots on walls or roof planes should be avoided. Up lighting shall be discouraged.
- G. Landscape feature lighting and lighting at the pedestrian level is encouraged (light fixtures placed at a maximum height of 12-14 feet).



## Signage /Corporate Identification

The architecture of the building should be viable and appropriate for its location and use regardless of the business identity. Commercial signage plans should reflect a balance between allowing adequate signage for business identification while protecting the visual aesthetic of Marblehead's streetscape. Other forms of branding or business identity not falling under the Marblehead Sign By-law will be viewed as architectural elements and features and evaluated as such.

- A. Business identity, either by awnings, accent bands, paint or other applied color schemes, signage, parapet details, decorative roof details or materials should not be the dominant architectural feature. Accent colors should be used judiciously.
- B. All signage should be architecturally integrated with their surroundings in terms of size, shape, color, texture, and lighting so that they do not visually compete with the architecture of the building and design of the site. Signs should be

integrated as such that they become a natural part of the building façade.

- C. When multiple tenants share one site, signs should be integrated as one unit to create shared identity for the property to the extent permitted by the ordinance or be located and/or designed as a package where signs do not visually compete with each other.
- D. New construction design should anticipate signage. Designs should provide logical sign areas, allowing flexibility for new users, as the building is re-used over time.
- E. Repetitious signage information on the same building frontage should be avoided.
- F. Signs composed of individual letters are encouraged. Back lit or indirectly lit individual letters are generally desirable.
- G. Visible raceways and transformers for individual letters are discouraged.



## PART IV- By-laws & Definitions

### Glossary of Terms

**Ashlar** - Stone cut and laid in a rectangular shape and pattern.

**Awning** - An element projecting from and supported by the exterior wall of the building, constructed of fabric on a supporting framework, for the purpose of providing shelter or shading windows.

**Balustrades** - Railing of vertical and horizontal elements. Railing can be part of a stair or platform, or a decorative motif at the roof edge.

**Canopy** - A permanent roof-like shelter extending from and supported by the exterior wall of the building, constructed of some durable material such as metal or glass.

**Canopy Sign** - A sign painted on, printed on or attached flat against a canopy or marquee.

**Clerestory Windows** - Windows located well above street level that allow light to enter near the ceiling of the

interior.

**Composition** - See the appendix on architectural styles.

**Cornice** - An element at the top edge of a wall where it meets the roof, which usually is profiled to overhang the wall.

**Dormer** - A roof-covered projection from a sloped roof.

**Facade** - Any side of a building which faces a street or open space.

**Fascia** - A facing board used as trim, this term is also sometimes used to refer to the signboard (see below).

**Fenestration** - The door and window openings in a building facade.

**Gable** - The vertical surface that connects two or more sloped roofs.



***Landscaped Area*** - The part or parts of a lot developed and permanently maintained in grass and other plant materials, in which the space is open to the sky and is free of all vehicular traffic, parking, loading and outdoor storage.

***Lintel*** - A spanning element above a window, typically seen in masonry construction.

***Mansard*** - A roof with steeply sloping sides, rising to a relatively flat roof at the top.

***Marquee*** - Similar to a canopy, but also serves as a location for signage.

***Massing*** - The overall form of a building.

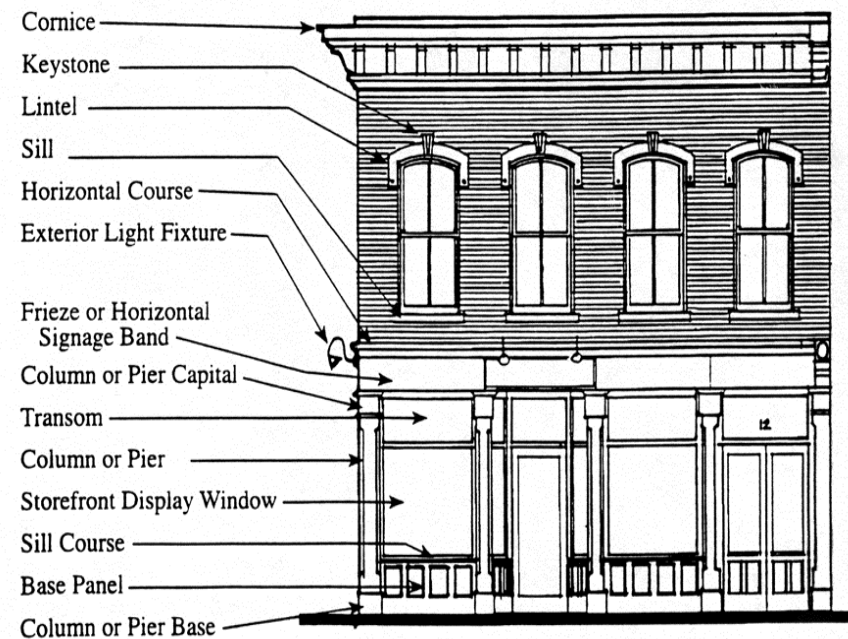
***Pedestrian-oriented*** - Describes an attitude or accommodation in which the pedestrian is the primary consideration.





## Anatomy of Building Façade

The following graphic illustrates key terms and elements that make up a traditional building façade. While each façade has special or even unique elements, good building design in a commercial setting will often include some or all of these elements. They are shown here to further the understanding of the design guidelines for Marblehead.





# Marblehead Sign By-law

## Chapter 148, SIGNS

[HISTORY: Adopted by the Annual Town Meeting of the Town of Marblehead 3-14-1972 by Art. 29; amended in its entirety 5-5-1975 ATM by Art. 16. Subsequent amendments noted where applicable.]

### GENERAL REFERENCES

Building construction -- See Ch. 30.  
Old and historic districts -- See Chs. 110 and 233.  
Posting notices -- See Ch. 119, Art. III.  
Zoning -- See Ch. 200.

### ARTICLE I, General Provisions

#### § 148-1. Purpose.

Pursuant to the authority conferred upon the Town by General Laws, Chapter 93, Section 29, and Chapter 143, Section 3, and all acts in amendment thereof and in addition thereto, and by every other law or power it hereto in any manner enabling the Town of Marblehead adopts this By-Law, which shall be known as the Sign By-Law, for the regulation and restriction of all billboards, signs and other advertising devices within the Town, including illuminated signs and illuminated advertising devices whether or not under the cover of a roof, and whether or not inside or outside an exterior wall.

#### § 148-2. Permit requirements.

- A. General. No sign shall be erected, altered or relocated without a permit issued by the Building Commissioner. [Amended 5-2-1989 STM by Art. 6]
- B. Signs in historic districts. Each application with respect to a sign within an historic district must be accompanied by a certificate of appropriateness from the Historic Districts Commission, unless such sign is exempt from the



requirement of such a certificate under Section 6 of Massachusetts General Laws 1960:345.EN

C. Applications. The applicant must provide the name and address of the sign owner, the proposed location, a scale drawing of the sign, and a sketch including an indication of the colors used, which shows the design, dimensions and position of the sign, and such other pertinent information as the Building Commissioner may require to insure compliance with this By-Law and any other applicable law. A permit shall be issued only if a sign conforms to the provisions of this By-Law, and all other applicable laws, and may be issued as hereinafter provided. [Amended 5-2-1989 STM by Art. 6]

D. Inspection. Any sign may be inspected periodically by the Building Commissioner for compliance with this By-Law and other requirements of law. [Amended 5-2-1989 STM by Art. 6]

E. Existing signs. Existing signs are defined as those erected before the passage of this By-Law, and are classified into one of two categories, which are: [Amended 5-5-1997 ATM by Art. 25]

(1) Conforming signs, which comply with all provisions of this By-Law.

(2) Nonconforming signs, not meeting the requirements of this By-Law, but not expressly prohibited by this By-Law. Such signs shall be considered legal, and permit [permitted] until they are expressly prohibited by subsequent amendment to this By-Law.

§ 148-3. Penalty for violation.

Whoever violates any provision of this By-Law shall be punished by a fine not exceeding \$100 for each offense. Each day that such a violation is permitted to exist shall constitute a separate offense. The imposition of a penalty shall not excuse the violation and shall not be held to prevent the enforced removal of prohibited conditions where they continue to exist as a violation of this By-Law.

§ 148-4. Severability.

The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision hereof.



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## ARTICLE II, Definitions

§ 148-5. Definitions. [Amended 5-3-1978 ATM by Art. 31; 5-2-1989 STM by Art. 6; 5-5-1997 ATM by Art. 25]

For the purpose of this By-Law, the following words and terms used herein are hereby defined or the meaning thereof is explained or limited:

**BOARD OF APPEALS** -- The Board of Appeals established or operating in the Town of Marblehead under the Zoning Enabling Act, or any amendment thereof, or addition thereto.EN

**BUILDING COMMISSIONER** -- The Building Commissioner appointed under the provisions of the Building By-Law of the Town of Marblehead as now or hereafter in force and effect.EN

**BUSINESS AREA** -- Any area included within a district zoned primarily for business or commercial purposes, including the Unrestricted District, under the Zoning By-Law. It does not include any area within a district zoned for residential purposes under said Zoning By-Law, as hereinafter defined, regardless of whether the area is being lawfully used or is available for such use through a special permit or a variance granted by the Board of Appeals or through a nonconforming use or by any other means.

**CONFORMING SIGNS** -- Any billboard, sign or other advertising device which conforms to all provisions of this By-Law.

**ERECTED** -- The word "erected" shall include the words attached, built, constructed, reconstructed, altered, enlarged, and moved.

**NONCONFORMING BUSINESS USE** -- A use of a building or lot that does not conform to the various regulations of the Marblehead Zoning By-Law; in



most cases, a business established in a residential district before that area was zoned for residential use.

**NONCONFORMING SIGNS** -- See § 148-2E(2). A sign which does not meet the requirements of this By-Law.

**PARKING AREA** -- A public parking area or a private parking area that is open to parking of motor vehicles by customers of the store.

**PERSON** -- The word "person" shall include one or more individuals, a partnership, an association and a corporation.

**RESIDENTIAL AREA** -- A residential area is any area situated within a district zoned primarily for residential purposes under the Zoning By-Law. It includes: Expanded Residence, Limited Single Residence, Single Residence, General Residence, Central Residence.

**SIGN** -- The word "sign" shall include any letter, word, symbol, drawing, picture, design or device within public view that advertises, calls attention to, or indicates any premises, person or activity, whatever the nature of the material or manner of composition or construction, and whether exterior to a building or interior to a building but designed to be visible through a door or window.

#### **SIGN TYPES**

A. **AWNING SIGN** -- Any sign that is part of or attached to an awning, canopy or other fabric, or structural protecting cover over a door, entrance, window, storefront, or outdoor service area. A marquee shall not be considered an awning.

B. **BANNERS** -- A sign of lightweight fabric or similar material that is mounted to a pole or a building by a permanent frame at one or more edges.



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Decorative residential flags, national, state and municipal flags, official flag of any institution or business shall not be considered banners.

C.     **FREESTANDING SIGNS** -- The term "freestanding sign" shall include any and every sign erected on or affixed to the land and any and every exterior sign that is not attached to a building. All permanent freestanding signs are required to obtain a special permit from the Board of Appeals [see § 148-7, Business Areas, Subsection A(1)(f)].

D.     **INCIDENTAL SIGN** -- A sign, generally informational, that has a purpose secondary to the use of the lot, building or business which it is located, including but not limited to "no parking," "entrance," "loading only," "telephone," "store hours," "accepted credit cards" and other similar directives. No sign with a commercial message legible from a position off the property on which the sign is located shall be considered incidental.

E.     **OFF-PREMISES SIGNAGE** -- Limited to billboards, signs or other advertising devices not located on the premises of the business advertised.

F.     **PROJECTING SIGNS** -- Any sign affixed to a building or wall that extends more than 12 inches beyond the surface of the building or wall. A projecting sign may be either perpendicular or parallel to a wall and may have a message on not more than one face.

G.     **TEMPORARY SIGNS** -- Any sign, except for a window sign, that is used for a period of not more than 30 days and is not permanently mounted.

H.     **TRANSOM SIGN** -- Any sign, affixed or painted, located on the storefront above the door and/or display window. Transom signs are directly associated with the storefront and are an integral part of the storefront design.

I.     **WALL-MOUNTED SIGNS** -- Any sign parallel and attached to a wall, or erected and confined within the limits of an outside wall of any building or



structure, which is supported by such wall or building, and which displays only one sign surface.

J. WINDOW SIGNS -- Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the interior face of window panes or glass, and is visible from the exterior of the window.

SIZE -- In applying the maximum height and width limitations prescribed in this By-Law for signs, any intermediary removable surface to which a sign is affixed shall be deemed to be a part of the sign.

SPECIAL PERMIT -- Permission granted by the Board of Appeals which in any way varies specific requirements of this By-Law.

STORE -- A "store" shall include any establishment, office or place of business.

STOREFRONT -- Generally the glazed area of the store designed for the display of the contents, services of the store. Where a building is located on a corner, the store may have more than one storefront. The total amount of the store frontage is the accumulated length of all the storefronts.

STREET -- Any public way or a private way that is legally open to public use.

ZONING BY-LAW -- The Zoning By-Law of the Town of Marblehead as from time to time in force and effect.EN

### ARTICLE III, Regulations and Restrictions

§ 148-6. Residential areas.

A. Signs.EN



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- (1) No sign shall be erected or maintained on any premises in connection with a use permitted in a residential area by the Zoning By-Law, except:
- (a) Such sign as may be permitted by the Zoning By-Law or by operation of law.
  - (b) Signs advertising government and public service uses (as defined by the Zoning By-Law) and signs advertising institutional and recreational uses (as defined by the Zoning By-Law) which announce one or more of the following: the name of the occupant of the premises, the nature of the occupancy or information as to the use of the premises, or admission to the premises.
  - (c) Street signs and other municipal signs erected by the Town for the maintenance of traffic and parking control or for the posting of rules governing the use of Town property.
  - (d) Street signs and parking signs erected by private owners with the permission of the Board of Selectmen.
  - (e) Existing signs on the property of a nonconforming business. Any change in such signs is subject to a special permit.
  - (f) A freestanding sign indicating the occupants of a residence may be maintained provided that it is no greater than two square feet in area and no more than seven feet in height above ground level. [Added 5-3-1978 ATM by Art. 31]
- (2) All such exceptions as specified above shall be subject to other applicable by-laws and shall be subject to reasonable needs as interpreted by the Building Commissioner. Decisions of the Building Commissioner on this provision may be appealed to the Board of Appeals, as provided for in § 148-10. [Amended 5-2-1989 STM by Art. 6]
- B. Off-premises signs. EN
- No off-premises sign shall be erected or maintained in a residential area.





§ 148-7. Business areas.

A. Signs.

(1) In business areas, signs that comply with the provisions hereinafter set forth are permitted. All other signs are expressly prohibited.

(a) Location. The sign shall be affixed to a building, except as hereinafter provided. A sign attached to a building shall be securely affixed to one of the walls or a roof of the building. If affixed to the roof, it shall be parallel with the front walls of the store. No sign, whether affixed to a wall or roof of a building, shall project above the highest line of the main roof of the building, provided, however, that if the sign is attached to a wall having a parapet extending above the highest line of such roof, then the sign may reach, but may not project above the top of the parapet wall. In addition, projecting signs require the permission of the Board of Selectmen if they project over Town property. [Amended 5-3-1978 ATM by Art. 31; 5-7-1984 ATM by Art. 19]

(b) Size. [Amended 5-7-1984 ATM by Art. 19; 5-5-1997 ATM by Art. 25]

	<u>Height</u>	<u>Length</u>	<u>Total s.f.</u>
Awning sign			
Valence	3/4 valence	1/2 valence	n/a
Face	n/a	n/a	10 s.f.
Banners	n/a	n/a	15 s.f.
Freestanding	n/a	n/a	10 s.f.
Incidental	n/a	n/a	3 s.f.
Off-premises	Per ZBA	Per ZBA	Per ZBA
Projecting	n/a	n/a	6 s.f.
Transom	2' 0"	Full length storefront	n/a
Temporary	May not exceed storefront dimensions		
Wall-mounted	2' 0"	3/4 storefront	n/a



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Window signs n/a n/a 10 s.f.  
In all cases no letter size shall exceed 18"

(c) Number. There shall not be more than three exterior sign(s) for each store, whether affixed to the building or projecting out from the face of the building, except that if the store has a direct entrance into the store in a wall other than the storefront, there may be an additional sign affixed to such wall, and if the store has a wall, other than the storefront, that faces upon a street or parking area, there may be an additional sign affixed to such wall, whether or not such wall contains an entrance to the store; provided, however, that no store shall have more than two additional signs in any event. Additional signs shall prescribe to the size regulations in Subsection A(1)(b), Size. In addition to the foregoing sign or signs, there may be one directory of the occupants or tenants of the building affixed to the exterior wall of the building at each entrance to the building. Such directory shall not exceed an area determined on the basis of one square foot for each occupant or tenant of the building. [Amended 5-3-1978 ATM by Art 31; 5-5-1997 ATM by Art. 25]

(d) Special signs. In particular instances the Board of Appeals may permit a sign or more than the number of signs hereinabove permitted, or signs of a size or in a location other than hereinabove specified, if it determines that the architecture of the building, the location of the building with reference to the street or the nature of the use is such that additional signs or signs of a greater size should be permitted in the public interest. In particular, signs indicating the time and temperature may be permitted by the Board of Appeals by special permit upon a finding that they are of special service to the community. In granting such permission, the Board of Appeals shall specify the size and location of the sign or signs and impose such other terms and restrictions as it may deem to be in the public interest. [Amended 5-3-1978 ATM by Art. 31]

(e) Construction. No sign shall be painted or posted directly on the exterior surface of any wall except glass. All signs must be painted, posted or otherwise securely affixed to a substantial intermediary removable surface and such surface shall be securely affixed to the wall of the building. The foregoing, however, shall not prevent installation of a sign by individual letters or devices



cut into or securely affixed to the exterior wall of a building, provided that such letters or devices have a minimum depth or projection of 1/4 of an inch and a maximum depth of four inches and a projection of six inches. The material of the sign and intermediary surface and the manner of affixation of the sign to the intermediary surface and of the intermediary surface to the wall of the building shall be subject to the approval of the Building Commissioner for the purpose of protecting the safety of the public. [Amended 5-2-1989 STM by Art. 6; 5-5-1997 ATM by Art. 25]

(f) Standing signs. Standing signs are prohibited except as follows:

[1] In particular instances the Board of Appeals may permit standing signs if it determines that the nature of the use of the premises, the architecture of the building, or the location of the building with reference to the street is such that a standing sign or signs should be permitted in the public interest. In granting such permission the Board of Appeals shall specify the size, type and location of the sign and impose such other terms and restrictions as it may deem to be in the public interest.

[2] During the construction of a building a standing sign may be erected on the premises identifying the building, the owner, the contractors, the architects or the engineers, but such sign shall not exceed 20 square feet in surface area nor 10 feet in any dimension. Such sign shall be removed promptly after the completion of the building.

(g) Gasoline filling stations and garages. Gasoline filling stations and garages may, if they elect to do so, divide that one exterior sign affixed to the front wall of the building, to which they are entitled as hereinabove provided, into separate signs affixed to and parallel to such wall and indicating the separate operations or departments of the business; provided, however, that the total of the widths of the separate signs shall not exceed the maximum width permitted under this By-Law for a single exterior sign on such wall. In addition, one sign, standing or otherwise, indicating the company whose gasoline is being sold, may be erected of such type, in such location, and in such manner as the Board of Appeals may permit. The standard type of gasoline pump bearing thereon, in usual size and form, the name or type of gasoline and the price



thereof, shall not be deemed to be in violation of this By-Law. [Amended 5-5-1997 ATM by Art. 25]

(h) Maintenance. All signs, whether erected before or after the effective date of this By-Law, shall be maintained in a safe condition to protect the safety of the public.

(i) Flags or banners. One flag or banner may be used as a sign in addition to any other sign or signs otherwise permitted in this By-Law provided that:

[Added 5-7-1984 ATM by Art. 19]

[1] Such a flag or banner shall be mounted in a temporary manner in order to be displayed only during business hours.

[2] Such a flag or banner may not exceed three feet by five feet.

[3] When displayed, the height of the bottom of such a flag or banner shall not be less than seven feet from the path of travel.

[4] If such flags or banners project over Town property, permission from the Board of Selectmen is required.

[5] The flag or banner shall be made of woven material, using man-made or natural fibers.

B. Off-premises signs.

(1) No off-premises sign shall be erected or maintained in any business district:

(a) Within 50 feet of any public highway;

(b) Within 300 feet of any public park, playground, or other public grounds, if within view of any portion of the same;

(c) Within a radius of 150 feet from the point where the center lines of two or more public ways intersect;

(d) Upon the roof of any building;

(e) Exceeding an area of 300 square feet or a height of 12 feet;

(f) Containing visible moving or movable parts or be lighted with flashing, animated or intermittent illumination;

(g) Without the approval of the Board of Appeals.

(2) This section shall not apply to signs exempted by Section 32 of Chapter 93 of the General Laws.

§ 148-8. Illuminated signs.



The light from any sign or advertising lights shall be so shaded, shielded or directed or shall be maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect neighboring premises nor the safe vision of operators of vehicles moving on public roads and highways. All lighted signs and advertising lights shall be so shaded, shielded or directed that they shall not reflect or shine on or into residential structures to an extent that would adversely affect them.

A. No sign or off-premises sign containing visible moving or movable parts or lighted with flashing, animated or intermittent illumination shall be erected or maintained in any district. [Added 5-3-1978 ATM by Art. 31]

B. No sign or off-premises sign which is comprised of exposed, illuminated tubes containing neon or other gases shall be erected or maintained in any district. [Added 5-3-1978 ATM by Art. 31]

C. Self-illuminating back-lit signs whether permanent or temporary, attached to the building or freestanding, including vending machines are expressly prohibited. [Added 5-5-1997 ATM by Art. 25]

#### ARTICLE IV, Administration

§ 148-9. Permits. [Amended 5-1-1989 ATM by Art. 53; 5-2-1989 STM by Art. 6]

No sign shall be erected on the exterior of any building or on any land unless and until an application for the erection of such sign has been filed with the Building Commissioner, with such information and drawings as he may reasonably require, and a permit for the erection of the sign has been issued by him. The fee for such permits shall be \$30. The provisions of this section shall not apply to:

A. In residential areas, signs such as by the terms of the Zoning By-Law are permitted.

B. In all areas, one real estate sign of not over six square feet in total area advertising the sale or rental of the premises on which it is located.

C. In all areas, political campaign signs.

§ 148-10. Appeal. [Amended 5-2-1989 STM by Art. 6]

A person aggrieved by the refusal of the Building Commissioner to issue a permit for the erection of a sign or by any order of the Building Commissioner



under this By-Law may appeal to the Board of Appeals. The provisions of the Zoning By-Law as to the time for taking such appeal and as to the notice of and hearing thereon to be held by the Board of Appeals shall apply to appeals under this By-Law.

§ 148-11. Special permits.

The Board of Appeals, in granting a special permit which in any way varies specific requirements of this By-Law, or in granting a special permit as otherwise required by this By-Law, shall consider the following criteria before granting such special permit:

- A. The specific site is an appropriate location for the proposed sign or signs.
- B. The proposed sign or signs will not be a nuisance or a hazard to vehicles or pedestrians.
- C. The proposed sign or signs will not adversely affect residential properties or business properties in the neighborhood.
- D. The special permit requirements are in accord with the general spirit and intent of this By-Law.

§ 148-12. Enforcement. [Amended 5-2-1989 STM by Art. 6]

The Building Commissioner is hereby designated and authorized as the officer charged with the enforcement of this By-Law, and the provisions of the Zoning By-Law in reference to the enforcement of the Zoning By-Law shall apply also to the enforcement of this By-Law.

§ 148-13. Obsolete signs and nonconforming signs. [Added 5-2-1977 ATM by Art. 20; amended 5-2-1989 STM by Art. 6; 5-5-1997 ATM by Art. 25]

- A. Obsolete signs. The Building Commissioner may order the removal of any sign which remains on the premises after the occupant using said sign no longer occupies the premises after the expiration of 30 days notice sent by registered or certified mail, return receipt requested, to the occupant and the assessed owner of the premises. In the event that a sign on leased premises is owned by the landlord of the premises, the sign may remain on the premises for six months from the date that the tenant ceases to occupy the premises provided that the landlord removes all lettering from said sign.



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B. Nonconforming signs. The Building Commissioner may order the removal of any sign which is not in compliance with this By-Law. All such signage must be removed within 30 days of notification by the Building Commissioner to the occupant and the assessed owner of the premises.