

TOWN OF STOW
ECONOMIC DEVELOPMENT & INDUSTRIAL COMMISSION

Minutes of the September 9, 2021 Economic Development & Industrial Commission Meeting

Members Present: Thomas Farnsworth, Bob Collings, Serena Howlett, Andrew Bluestein, Jen Gero

Tom Farnsworth called the meeting to order at 5:30

Minutes

Bob Collings moved to approve the minutes of the August 12, 2021 meeting as written

Tom Farnsworth seconded

Roll Call Vote: Thomas Farnsworth -**Yea**; Bob Collings -**Yea**; Serena Howlett -**Yea**;
Andrew Bluestein -**Yea**; Jen Gero -**Yea**

Proposed Signage Bylaw Amendments for Fall Special Town Meeting

Bob Collings asked if there had been any further contact with the resident whose complaint to the former Building Commissioner had led to a round of sign bylaw enforcement letters being sent to Stow businesses. Assistant Planner Malcolm Ragan said that he had previously been in touch with the resident about communicating their wish to withdraw the complaint, but that the resident apparently changed their mind upon learning that enforcement had been extended to all Stow businesses using internally illuminated signs. Bob Collings asked if there could be any further follow up with the resident. Jesse Steadman advised that the enforcement of the sign bylaw is no longer specifically in response to a resident complaint, and that withdrawal of the complaint would likely not change enforcement outcomes. Bob Collings asked about the status of sign bylaw enforcement, staff informed the Commission that enforcement letters requiring removal of internally illuminated signage had been sent to affected businesses but were unaware of the compliance timeline. Town Planner Jesse Steadman said that a representative of the Stow Shopping Plaza may follow up soon with more information for businesses there.

Andrew Bluestein said that business owners in the Lower Village area have asked him about a best course of action in the face of enforcement action against internally illuminated signage. Andrew Bluestein said many business owners he spoke with are planning to leave their signs on until fines are imposed. Serena Howlett asked how zoning violation fines are accrued. Jesse Steadman said that zoning violation fines are accrued daily, although that accrual does not begin until such date as determined by the Zoning Enforcement Officer/Building Commissioner. Andrew asked if the pylon sign at the entrance would be subject to the same requirements. Jesse Steadman said that the sign is not internally illuminated, and therefore not prohibited in current zoning.

Commission members asked when they could submit a warrant article for amending the sign bylaw at an upcoming Town Meeting. Staff informed the EDIC that there will be a Special Town Meeting on Saturday, Oct 30th, with the submission for warrant articles closing Oct 4th. Jesse Steadman said that the EDIC does not explicitly require the Planning Board's approval to bring a zoning warrant article to Town

Meeting. Bob Collings said that getting Planning Board approval would be helpful for getting the amendment to the sign bylaw passed by voters.

Andrew Bluestein expressed opposition to the enforcement of the prohibition on internally illuminated signage, arguing that such signage is essential to attract foot traffic.

Bob Collings said that any zoning amendment put forward by the EDIC should provide some protection to businesses using signage that may be technically in violation of zoning but has been common practice. Bob Collings offered temporary direction signage used by area orchards as an example and expressed concern that a single aggrieved resident could complain on a zoning technicality and undermine the business of an important part of Stow's economic base. Tom Farnsworth said that the EDIC should focus on the internally illuminated sign issue at hand. Bob Collings expressed concern that the EDIC would be facing the same problems of enforcement on other aspects of signage in the future and said that the zoning amendments brought to Town Meeting should provide shield commonplace and long-standing signage practices from zoning enforcement.

Serena Howlett said that the EDIC should also submit a budget item to hire a consultant to assist with more wide-ranging rewrites to the Town Sign Bylaw. Andrew Bluestein said that he agrees with the need for a comprehensive rewrite, but that the EDIC should focus on internally illuminated open signs, given that they have been the specific target of recent enforcement. Bob Collings agreed that the EDIC should submit a budget item for a consultant, but reiterated that the EDIC should pursue some kind of "safety valve" that prevents an aggrieved resident from undermining the signage used by Stow orchards, as referenced in section 6.3.4 and 6.3.5 of the Zoning Bylaw.

EDIC members raised concerns about other types of signage that could face scrutiny under existing zoning. Tom Farnsworth said that the EDIC should focus on the internally illuminated signage issue for this Special Town Meeting. Bob Collings disagreed and said that the EDIC should have a broad focus on permitting signs that have been commonplace in the past.

Serena Howlett said the EDIC should submit a simple zoning amendment that strikes the words "internally illuminated" from a list of prohibited types of signage.

Serena Howlett moved to recommend a zoning amendment which would remove the prohibition on internally illuminated signage

Jen Gero seconded

Roll Call Vote: Thomas Farnsworth -**Yea**; Bob Collings -**Nay**; Serena Howlett -**Yea**;
Andrew Bluestein -**Yea**; Jen Gero -**Yea**

The EDIC requested that the Building Commissioner provide some greater clarity about the zoning enforcement process.

Nan's Market Outdoor Seating

Jesse Steadman updated the Commission that Nan's Market had submitted updated plans and the Planning Board will be reviewing those modifications at a meeting on Sept 14. Jesse Steadman extended an invitation to Commission members to attend that meeting. Jesse Steadman told the Commission that

the Building Commissioner had ordered Nan's market to remove tables that had been placed outdoors until the Planning Board could review required plan modifications.

Nomination to Green Advisory Committee

Jen Gero said that her daughter is studying environmental policy and would be qualified to serve on the new Green Advisory Committee.

Bob Collings said that the EDIC should consider that business should be represented on matters affecting energy use, as they will be greatly affected by implementation. EDIC members discussed reaching out to Lower Village Revitalization Committee member Jonathan Bransfield as a possible appointee.

Bob Collings volunteered to serve on the committee, citing research he has done on solar electricity and other renewable generation and owning businesses as relevant experience.

Tom Farnsworth moved to appoint Bob Collings to the Green Advisory Committee
Jen Gero seconded

Roll Call Vote: Thomas Farnsworth -**Yea**; Bob Collings -**Yea**; Serena Howlett -**Yea**;
Andrew Bluestein -**Yea**; Jen Gero -**Yea**

Staff said they would provide more information about the Merrimack Valley Convention Center and Visitors Bureau for the next meeting.

Tom Farnsworth asked about the status of Infinite Automotive. Malcolm Ragan said they have vacated the business and the transfer of their used car dealer license is under consideration by the Select Board.

Respectfully submitted,
Malcolm Ragan