

TOWN OF STOW
ECONOMIC DEVELOPMENT & INDUSTRIAL COMMISSION

Minutes of the March 24, 2022 Economic Development & Industrial Commission Meeting

Members present: Thomas Farnsworth, Bob Collings, Jen Gero, Mary Bradt-Mintz, Kevin Whalen,
Serena Howlett

Tom Farnsworth called the meeting to order at 5:30

Minutes

*Tom Farnsworth motioned to approve the minutes of the January 27, 2022 meeting as amended
Kevin Whalen seconded*

Roll Call Vote: Thomas Farnsworth -**Yea**; Bob Collings -**Yea**; Jen Gero, -**Yea**; Serena Howlett -**Yea**;
Mary Bradt-Mintz -**Yea**; Kevin Whalen -**Yea**

*Tom Farnsworth motioned to approve the minutes of the February 10, 2022 meeting as written
Mary Bradt-Mintz seconded*

Roll Call Vote: Thomas Farnsworth -**Yea**; Bob Collings -**Yea**; Jen Gero, -**Yea**; Serena Howlett -**Yea**;
Mary Bradt-Mintz -**Yea**; Kevin Whalen -**Yea**

Public Input

Resident Katie Fisher provided an article from the Beacon Villager detailing proposed zoning changes for home occupations in Maynard. Katie Fisher said there are Stow businesses that could benefit from additional flexibility with special permit requirements. Katie Fisher said that many businesses have moved out of Maynard's downtown and into home occupations.

Member updates

Mary Bradt-Mintz said that she has established contact with Linear Realty VP Greg Droc through another contact at the company. Mary Bradt-Mintz said that ongoing issues at the Stow Shopping Plaza, which Linear Realty owns and manages, are worsening, as demonstrated by the closing of Emma's Café. Mary Bradt-Mintz said that Greg Droc agreed to attend a meeting with the EDIC and other town committees that have an interest.

Bob Collings said he spoke with Andrew Bluestein, owner of Emma's Café and a former EDIC member, about the reasoning for the closure. Bob Collings said Andrew Bluestein's major issues included the unreliability of the Public Water Supply for the shopping plaza, as well as five years of unbilled property taxes that the Town Administrator acknowledged were never sent, and had collected \$1100.00 in interest. The Public Water Supply issues resulted in the café losing more than 30 days of business over the last several years. Members discussed the closure of the café.

Mary Bradt-Mintz said the EDIC should seek complete information from Linear Realty on the issues with the water supply, and also inquire what has led to recent rent increases. Mary Bradt-Mintz said the EDIC should formulate a clear agenda for a later meeting with Linear Realty.

Sign Bylaw Discussion

The EDIC discussed the recent letter from the Planning Board, which stated that they do not support seeking an outside consultant to draft a new sign bylaw for the Town of Stow. Tom Farnsworth said that the EDIC should talk about how to work with the Planning Board on a sign bylaw rewrite.

Bob Collings commented on the sign bylaw draft, and indicated that Malcolm Ragan is not qualified to make claims about legality of bylaw provisions. Bob Collings said that staff are not equipped to draft a bylaw, and noted that the draft from Planning staff is longer than the existing bylaw, which appears to contradict the goals stated by the EDIC previously. Bob Collings asked what the role of the EDIC should be, whether it should be just handing off the project to the Planning Board and not given the chance to advocate on behalf of businesses. Mary Bradt-Mintz said that she is also unsure of what the charge of the EDIC should be, given that the Planning Board does not wish to engage on the sign bylaw.

Bob Collings said that he would hope the town would have bylaws that are easy to understand and are enforceable, and are not just enforced when there is a squeaky wheel. Tom Farnsworth said the new Zoning Enforcement Officer cannot account for the past and has to enforce the bylaws that has been given. Bob Collings said that the Planning Board previously rejected proposals for sign bylaw amendments and made it clear that they do not believe the EDIC has a role to play in bylaw revisions.

Bob Collings said that he believes the EDIC should move forward with the warrant article, as it is clear that the Town does not have access to counsel that can provide clear legal guidance on any sign bylaw draft. Jesse Steadman said that counsel will look for clear violations of MGL Ch 40A. Jesse Steadman added that initial review was provided by consultant Bob Mitchell, an expert in zoning and its legal implications.

Bob Collings asked where funding for that review came from. Jesse Steadman said that the Planning Board spent funding from their consulting account and funds from the Community Compact Cabinet grant from the Baker Administration. Bob Collings said that the EDIC has not been provided a budget for any similar review. Bob Collings said that the EDIC made a specific request for a budget and was apparently rejected by the Planning Board.

Karen Kelleher specified that the Planning Board does not have authority to reject a warrant article, and the Planning Board prefers that an initial drafting happen within the town first before bringing something to a consultant. Lori Clark said that the Select Board is aware that the Planning Board is working on a new sign bylaw draft. Lori Clark said that the Planning Board is not opposed to hiring a consultant, but would prefer that a draft be created based upon specific concerns, which can then be addressed by a consultant. Bob Collings asked if the Planning Board would prefer to get thorough legal review before spending a great deal of time on sign bylaw revisions. Lori Clark said that staff have put together a draft based on their research, and the Planning Board has not had time to review it themselves. Lori Clark said she would prefer to review the draft with input from multiple boards and then develop a very specific scope of services for a consultant peer review.

Tom Farnsworth said that the most helpful thing would be for the EDIC to provide comment on the draft bylaw. Serena Howlett said that there is already an existing draft, being the existing bylaw, and that the goal should be to simplify the bylaw rather than provide a more complicated comprehensive rewrite. Bob Collings said the provided draft is going in a different direction than the EDIC has previously discussed.

Jesse Steadman clarified that the cost would not come from the EDIC budget, but instead a special warrant article that would require approval from the Select Board.

Resident Mark Forgues said that various Boards and Committees are not proposing to address concerns from residents, and are too focused on businesses. Mark Forgues said the EDIC and the Planning Board should be more focused on arriving at joint compromises for regulations that cover the whole town and not just businesses.

Bob Collings said that a lot of the EDIC's concerns is with preserving individual rights, and that the existing bylaw regulates a great deal of signage that cannot legally be enforced. Bob Collings said that the sign bylaw draft does not comply with protection of individual rights, in his opinion.

Lori Clark said that the Planning Board does not feel like the EDIC or the Planning Board should be asking for funds to write a sign bylaw, but that the two boards should have the opportunity to provide comments on drafts that staff are working on, and then follow up with expert help to address the goals and/or outstanding issues that the two boards have with an outside consultant.

Karen Kelleher implored the EDIC to review the draft and provide input to the Planning Staff.

Mary Bradt-Mintz said that the research was based on some larger towns, and wondered if staff should look at more towns that are closer in character to Stow. Malcolm Ragan said that he would do that, but that the initial draft was meant to be comprehensive, with options to pare it down.

Bob Collings recalled that the EDIC asked for the Planning Board to assist with reviewing a sign bylaw in the past, and that the two boards will need to designate members to take part in working meetings. Karen Kelleher said that the two boards should review the draft individually, identify their specific concerns, and move from their concerns to specific working groups.

Bob Collings said that the town faces significant legal and case law challenges, and it will be difficult to address agricultural signage without being able to distinguish signs based on content.

Lori Clark said that the working group should not necessarily draft bylaw language, but could identify very specific concerns and issues and make specific requests for additional legal input. Tom Farnsworth said that the town needs to make it abundantly clear to any outside consultant help what exactly they want from a revision.

Bob Collings said that the EDIC and the Planning Board does not have access to funding for any required legal review. Karen Kelleher said that the town has a legal review budget, which would require approval from the Select Board. Bob Collings said that the Select Board should be notified well ahead of time that they are working on a new bylaw and expect to hear a request for a request from the legal review fund.

Bob Collings asked if the EDIC would prefer to seek its own legal review budget given the uncertainty that the Select Board will allow the expenditure of the legal funds. Mary Bradt-Mintz said she would not want to bring a warrant article to Town Meeting if they are not sure it is needed.

Lori Clark said that the Town has access to the whole resources of the KP Law firm, who will have someone with the expertise to review a given bylaw draft.

Mark Forgues said that recently many bylaws are being revised, and asked who is calling for all the bylaw revisions. Bob Collings said that the EDIC's first action when it was formed went to businesses with a survey asking for main concerns, and that issues with the sign bylaw was a leading item. Bob Collings said as a result of that survey, in 2016, the EDIC wrote a letter to the Planning Board requesting some changes to the sign bylaw, which did not bear fruit. Bob Collings affirmed that signage bylaws are a principal concern of Stow businesses.

Mark Forgues asked for a copy of the survey.

Mark Forgues insisted that no one is complaining about Lower Village, and does not understand why the Town is insisting on changing the bylaws. Jen Gero said that the EDIC has heard many complaints about the sign bylaw and about general goings-on in Lower Village.

Tom Farnsworth said the EDIC should come prepared to the next meeting prepared to provide input on the sign bylaw draft provided by staff. Karen Kelleher said the Planning Board will also dig through the draft sign bylaw. The EDIC summarized that they will synthesize similar issues and concerns with the draft that has been provided by staff. Karen Kelleher said she would be happy to provide an update to the Town Administrator.

Other Business

Jen Gero said that in the past the EDIC put on a job fair in the spring. Jen Gero said she does not have the bandwidth to put that event on this year. The EDIC agreed that they will not be able to put on the job fair for the spring.

Bob Collings said the Green Advisory Committee has discussed hosting a car show event for residents with electric vehicles. EDIC members wondered if a seasonal job fair could be rolled in. Bob Collings said that major manufacturers will also be reached out to sponsor the event and provide sales.

Bob Collings said that the water feasibility study was funded. The EDIC also mentioned the funding earmarked for Track Road.

Tom Farnsworth motioned to adjourn

Kevin Whalen seconded.

VOTE: Unanimously in favor.

Respectfully submitted,

Malcolm Ragan