

Approved w/ edits on 1/24

Town of Lenox

Planning Board

Meeting Minutes

July 26<sup>th</sup>, 2022

Hybrid

Zoom & Town Hall

**Documents available for meeting:**

- Proposed sign bylaw document

**Planning Board Members Present:** Tom Delasco, Pam Kueber, Kate McNulty Vaughan, Susan Lyman

**Absent w/o Notification:** Jim Harwood

**Sign Committee:** Ariel Smith, Jim Biancolo

**Via Zoom:**

**Staff:** Gwen Miller

Meeting commenced shortly after 6 p.m.

**Revision of Minutes:**

The Planning Board tabled May 24<sup>th</sup>.

Approved June 14<sup>th</sup>, June 28<sup>th</sup> meeting minutes.

Tabled July 12<sup>th</sup> subject to revisions from Pam Kueber.

**Sign Bylaw Discussion**

Commenced with discussion of Home Occupation Signs. KMV asked to change premises to property.

Should we prohibit permanent window signs in residential districts, or all zoning districts. The sign committee thought that if the PB prohibited window signs in residences, they would develop language for that, but since some commercial/professional uses are allowed in Residential districts, they shouldn't prohibit them.

There was discussion on how large to allow window signs—what if businesses tried to fill entire windows with a sign/multiple signs? The language proposed by the sign group caps the sign area of a permanent window sign to be 50%, as it is an easy visual determination to make.

The group also discussed temporary signs, as this section would be updated with the suggested language from the sign group. The sign group wanted to clarify the locations where temporary signs are allowed, and clarify dimensions based on zoning districts.

There was discussion about definition of a temporary sign—and how long could a temporary sign for a seasonal event be installed?

There was a discussion about political signs and freedom of speech—that the Town can regulate size and location but not content of signs.

The group discussed how to handle event signs.

Flags—Ariel pointed out that flags are defined and are not counted as signs. There was discussion about how to treat “Open” or “Closed” flags.

Sue Lyman asked how looped in the businesses in Town have been in this conversation. Ariel suggested they would participate in the Public Hearing. Jim Biancolo suggested the public has not been plugged in at this point to the sign zoning effort. Jim also suggested they address “commercial message” to help address flags. He reiterated the point of this section was to make an enforceable section of zoning bylaw, since the Inspections Department had relayed to the signs group that they currently lack enforceable language for flags.

Ariel outlined the process going forward—the signs group will reach out to other boards; then they will have a public hearing. Sue Lyman said she had spoken with small business owners in the past who did not find the sign bylaw to be supportive of their needs.

Ariel also said that Mark Smith (also on the sign group) had wanted to send fliers to every business and invite them to read and weigh in on the proposed zoning bylaw.

Pam suggested reaching out to the Chamber of Commerce as well. PK asked if the sign group had done any research on the optimal density of signage and at what point there is too much signage for effective wayfinding. Ariel Smith said they have not found a hard answer on that, but said a goal of the sign bylaw is to reduce visual clutter.

Pam shared something she heard on NPR about a town that had done away with signs to reduce visual clutter; Sue Lyman said she would rather see an over abundance of benches and signs if it means businesses are occupied and successful.

There was additional back and forth on how to regulate flags and banners.

Ariel said that Town signs are a different category and said the zoning bylaw was written to make it easy for the Town to follow.

Realtor signs, Contractors, architects or designer signs—is 6 sq ft an ok size

There was discussion about where these could be located. PB questioned why it could be allowed “adjacent” to—Ariel said this means it could be allowed in the right-of-way or on a neighbor’s property.

There was a broader discussion about what a private property owner owns—PK said she had been told that she owns up to the street, and the Town has a right-of-way. Tom, Ariel and Gwen opined that private owners own to their property boundary, and then it is the Town right-of-way.

The group discussed how many contractor signs are necessary—do the contractors and sub-contractors really need them to find their work sites? Kate McNulty-Vaughn suggested they were rewarding one class of contractors versus another class of contractors. Ariel asked if the group wanted to distinguish

between the different trades groups that may have signs—or if just saying each trade could have one sign. The group also talked about how the signs advertise the work of the contractors.

Group agreed to revisit contractors' signs.

Special event signs in residential district—the question to the Board was how big the Planning Board wanted to allow these signs be. Pam asked if they could regulate political signs more stringently than other signs? GM had discussed this in the past w/ Town Counsel, and they were allowed to be regulated “reasonably”. Pam asked how “help wanted” signs would be treated; Ariel said these were in the catch-all category of special event signs.

There was additional discussion about temporary or special event signs in the right-of-way—is any kind of sign allowed for a special event if the Selectboard approves it? Pam suggested they say it’s allowed on all properties versus adjacent to the property, which places the signs in the public right-of-way. Ariel pointed out that people do this often without getting permission now; this would be an enforcement issue.

Tom said the next meeting would be August 9. There was brief discussion about wireless, and then PK mentioned that retail marijuana delivery was going to be entertained at the existing location of Kapha on Pittsfield Road. The group agreed to look at signs and solar at the next meeting.

The group adjourned around 8:30 p.m.

Submitted by Gwen Miller

January 2023