



ORDINANCE REVIEW COMMITTEE

Members

Councilor Jeremy Dubs, Chair
Councilor Garrick Perry, Vice-Chair
Dane Kuttler, Citizen
Molly Moses, Citizen
Councilor Stanley Moulton, III

MEETING MINUTES

Date: October 8, 2025, Time: 6 p.m.

Virtual Meeting

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 5:58 p.m., Councilor Jeremy Dubs called the meeting to order. On a roll call, the following members were present: Councilor Dubs; Chair, Councilor Garrick Perry, Vice Chair; Councilor Stanley W. Moulton, III and Member Dane Kuttler. Member Molly Moses was absent. Also present were City Solicitor Alan Seewald, Office of Planning and Sustainability Director Carolyn Misch, Building Commissioner Kevin Ross, Inspector and Sealer of Weights and Measures John Frey and Administrative Assistant Laura Krutzler.

2. **ANNOUNCEMENT OF AUDIO/VIDEO RECORDING**
Councilor Dubs announced that the meeting was being audio/video recorded.

3. **PUBLIC COMMENT**
Councilor Dubs opened the floor to public comment.

Heather Craig, Northampton, spoke in favor of the ordinance related to bus stop changes. Bus stops have not had appropriate signage for the entire time she has lived in the city, she observed. What she has been doing for the past week is going to each stop and putting up a marker where PVTA says the stop is now, where they propose moving it to and where the most common place is for the driver to stop. She has been taking pictures and wanted to let people know what she is doing because this is a perfect opportunity to get the stops at the perfect spot for people to safely get on and off, especially with traffic and for people with mobility devices.

4. **APPROVAL OF MINUTES**
Councilor Moulton moved to approve the September 10, 2025 meeting minutes. Member Kuttler seconded. The motion passed unanimously 4:0 by roll call vote with Member Moses absent.

5. **COMMITTEE MEMBER UPDATES**
Councilor Perry said he attended the most recent License Commission meeting after commissioners received the letter from this body referring noise complaints heard against Tellus. They were open to the idea of taking up

the noise complaints themselves as requested/suggested and wanted to let members know that, at their next public meeting (October 15th), they will have a section for the public to speak out about alleged Tellus violations.

They also clarified that the rule prohibiting re-entry to bars after 1 a.m. is not an ordinance but rather a License Commission rule, Councilor Perry shared.

Councilor Perry added that folks from Northampton Lights expressed interest in coming to an Ordinance Review Committee meeting. He suggested discussing when they would possibly like them to come.

Councilor Dubs said he reached out to Mayor Sciarra about the snow removal ordinance and she organized a meeting in her office with Police Chief John Cartledge, DPW Director Donna LaScaleia, Parking Administrator Nanci Forrestall, City Solicitor Alan Seewald and Chief of Staff Alan Wolf. The group talked about how to team up to better enforce the snow removal ordinance. He wanted to get department heads' points of view before their public forum. He felt it was really productive and is hoping they will all be able to attend the public forum.

When pressed for more specific details, Councilor Dubs said they were just throwing ideas out. The ordinance itself is a strong ordinance; the problem is it doesn't always get enforced as well as it should.

Ms. Krutzler brought up a housekeeping change to the Mobile Food Vehicle ordinance brought to her attention by Land Use Planner Nathan Chung that needs to be made regardless of what other changes the committee might choose to make.

Councilor Perry said would be in contact with Nathan Chung.

6. UPDATED PROPOSAL FOR SIGN ORDINANCE (§350-7 SIGNS)

Director Misch summarized proposed changes to **§350-7 Signs** as reflected in the updated ordinance attached to the agenda. City officials started this process to make sure the city's sign ordinance is legally defensible based on recent Supreme Court decisions, she reminded. The version in front of them incorporates previous feedback from Ordinance Review Committee members but also represents reorganization of the ordinance to make it easier to read and understand. In the new format, the types of signs permitted are organized by district.

The attempt is to eliminate content-based regulation, she stressed.

Director Misch reviewed the specific types of signs permitted in each of the five groups of districts – Residential (URA, B, C; WSP, SR, RR, SC), Commercial HB District/Medical District, Character Based & Commercial (CBC, S, G; FVG, C; GB, NB), Industrial (GI, OI) and Planned Village (PV).

In residential districts, small wall signs (max. 2 s.f.) are allowed on a unit by unit basis, consistent with existing regulations, she presented.

The designation of signs as 'temporary' vs. 'permanent' was eliminated, she reminded. Instead, for ground signs, a distinction between Type I and Type II ground signs was created. The number of Type II ground signs allowed (smaller, max. 10 s.f. in surface area with a 4' height) would be unlimited. Type II signs can be made of any material, whether it be something more sturdy or more like a campaign sign.

For commercial districts – Highway Business (HB) and Medical - many more types of signs are allowed, she confirmed. The ordinance identifies the different types of wall signs (front, side, rear, etc.) and adds the new category of 'projecting virtual' signs, with regulations to govern the projection of images (all new).

Both types of ground signs are allowed in commercial districts, she continued. Type I ground sign standards for HB and Medical are exactly the same as they are now. (A provision for dynamic display, or LED video, signs which is presently found in another section of code is incorporated into this section, she noted.) As in residential zones, property owners in commercial districts are allowed to have unlimited Type II ground signs. (Type II sign standards are the same regardless of the district.)

Similarly, for the next series of commercial districts (Character-based, GB and NB), the different types of wall signs are listed with the same standards as currently permitted in terms of size, location, etc. Ground signs allowed in these locations are necessarily smaller as the signs are geared more towards pedestrians.

For all commercial districts, the revised ordinance introduces a standard time lighted signs must be turned off (11 p.m.), Director Misch advised. The existing code contains some inconsistencies, making enforcement more difficult. A provision exists for applicants to seek a special permit from the Zoning Board of Appeals if lighting is needed past 11 o'clock.

For downtown districts, sandwich board signs, which are presently allowed, are added to the category of ground signs.

For Industrial districts, sign standards remain the same. In recognition that some buildings are multi-storied, the provision that the two-sign limit applies to each floor of a building is more clearly identified (a minor change).

In §350-7.3 **General sign regulations**, the types of signs no longer legally allowed (namely, content-based; i.e. – “temporary freestanding ground signs advocating any candidacy. . .”) have been deleted, she advised.

Other subsections are carry-overs from the existing code.

An associated change proposed to Chapter 264.2 is a clean-up to address a current inconsistency.

Attorney Seewald commended and offered kudos to Director Misch for putting this together. It is so much more organized and so much better than it was.

In residential districts, if Ground Sign I's are not allowed at all; they should say that, he recommended. (If they are going to prohibit something, they should explicitly say it's prohibited.)

He suggested maybe thinking about creating a 'IA' category for smaller wall signs in residential districts than those allowed in other districts.

With regard to saying Type I Ground Signs are not allowed in residential districts, Director Misch noted that the zoning code is not based on identifying all the things not allowed. She wondered if introducing such a prohibition might be inconsistent with current practice or if it could be justified based on its applicability to signs.

It could be justified because the right to otherwise put up any kind of sign someone wants is constitutional, Attorney Seewald responded. “Everybody has a right to put up anything. . .” In this section, they are restricting, not granting permission. The restriction they have in residential districts is against large signs. . .

DISCUSSION WITH BUILDING COMMISSIONER KEVIN ROSS AND INSPECTOR AND SEALER OF WEIGHTS AND MEASURES JOHN FREY

Members solicited input from the Building Commissioner and Inspector Frey, the one responsible for enforcement. Among other things, the group discussed enforcement issues related to sandwich board signs in downtown Northampton and possible expansion of the number of businesses allowed to display these signs.

Inspector Frey said the current problem with sandwich boards is that they are only allowed for businesses on the 2nd floor or on side streets. Businesses have to pay \$300 for a permit, and about 30 do so. Signs are out 24 hours a day and look terrible; they do not wear well. Language in the ordinance requires businesses to maintain their signs but he doesn't know how practical it is. They look very shabby as a whole.

All the businesses that don't qualify for sandwich board signs really want one. What he hears from them is that they need help advertising their business any way possible. Going forward, he feels like they should try to solve both of these issues and maybe allow signs out on the sidewalk within certain parameters as long as they do not block pedestrian traffic. He would like to see the signs come in at night to help keep the display fresh. He'd rather see a menu-board style sign that changes rather than a static advertisement that stays the same.

He feels like the signs would be better maintained if they were brought in at night they and that expanding eligibility for them would help businesses that need help.

When Main Street is redesigned it will include a 'furnishing' zone out of the travel way of pedestrians, strollers, etc. so that would be the appropriate place to allow sandwich signs, Director Misch said. The problem with a free-for-all is that there is not a lot of space. If everybody is allowed to have a sandwich sign, they are going to end up with the problem of people not being able to maneuver in the public space. She would caution against expanding who can get it. The whole idea was for people who don't have a space in the pedestrian view to put a sign there.

They have also expanded the blade sign provision to make it clear businesses can have upper story blade signs. That may be a better solution for businesses who want additional ability to attract pedestrians because it is clear and free of the public way and doesn't carry the risk of potentially creating a pedestrian hazard.

She likes the idea of thinking about hours during which signs may be displayed since it requires sign owners to check the sign's condition and make any adjustments needed.

Member Kuttler voiced concern that policing the rule to bring signs in at night might represent an enforcement nightmare.

Inspector Frey suggested one way to enforce it would be to do a sweep of signs left out overnight once a week or once a month. Signs collected could be brought back to the building department and owners charged a \$50 fine to pick them up.

Councilor Perry suggested bringing the business community into the discussion and somehow collaborating with them on enforcement, such as by having business owners sign up to be 'sign stewards.'

Member Kuttler asked Director Misch if she imagined people would be upset about anything proposed.

For the most part, the update expands provisions for signs and clarifies where they can be, Director Misch said.

Attorney Seewald said he sees the greatest potential for conflict as being around changes to the types of 'campaign' signs allowed. Candidates have had 10-foot banners for campaigns in front of their homes and that's no longer going to be allowed. "That's going to upset some people." Some people don't like clutter or seeing six

or eight signs on lawns; others want to be able to express themselves in an unlimited fashion. "That's where the rub is going to be."

He started working on this eight years ago. Every time they picked it up they dropped it because these decisions are hard and there's no way to make everybody happy, he observed.

Councilor Moulton asked Councilor Perry if he thinks there are businesses open later than 11 p.m. who are going to object to being asked to go to the ZBA to keep their lighted signs on.

Councilor Perry said that is a very good question.

Director Misch acknowledged that the 11 p.m. cutoff is arbitrary. "The hour is whatever you guys pick."

Councilor Perry suggested he or someone else could bring this to the next Downtown Business Association (DNA) meeting. He volunteered himself.

LAWN SIGN ENFORCEMENT

With regard to other signs, Inspector Frey said his biggest enforcement issue is the requirement that lawn signs be 10 feet from the curb.

"90% of lawn signs are in violation of that," he asserted. He asked what problem the fixed distance is intended to solve. If it's safety, he suggested instead following the setback standard for shrubs; i.e. – that they be no more than three feet in height and five feet from the curb.

He is trying to be practical in terms of enforcement, he explained. Hundreds of signs are within five feet of the curb. To avoid selective enforcement, he feels like he should only enforce compliance if it is a safety issue. He doesn't necessarily think a fixed distance from the curb assures safety on every street.

Director Misch said the rationale is safety and sight distance. A wall of signs can detract from visibility for cars driving by on the street as well as cars pulling out of their driveways. She expressed her understanding that his biggest enforcement issue is having to pull signs out of the tree belt, and this is intended to address that.

She said she liked his idea about using the same setback standard as for fences or vegetation.

Attorney Seewald said it was his idea to use pavement as the benchmark from which to measure rather than use 'street lot line' as in the current ordinance. No one really knows where the street layout is, so something on the ground is needed. In support, he pointed out that the city only just recorded the street layout for Main Street.

This started out as a tree belt issue, he confirmed. The problem with any restriction is that it has to be enforced consistently and neutrally. The question is; is this committee going to recommend giving up the tree belt restriction?

He feels like a broken record because all they've talked about are difficult enforcement issues, he volunteered. Besides being difficult issues, ice on sidewalks and signs in tree belts are difficult enforcement issues.

Councilor Perry referred to the importance of making sure signs do not interfere with passage on sidewalks by people with strollers or mobility devices.

As far as sidewalks, Inspector Frey said he would take out any reference to sidewalks other than that people cannot plant a sign in the sidewalk.

Councilor Moulton agreed. To address Councilor Perry's point, he suggested adding the phrase, 'parallel to the sidewalk so it is not protruding into the sidewalk' to the current phrase "behind the back of the sidewalk" in §350-7.2 A).

He reminded others that Director Misch said that making the sign setback consistent with the shrubbery setback made sense to her, so he proposed letting the two be the same (5 feet as opposed to 10).

Director Misch proposed also applying the rule of requiring a 25-foot setback from corners/intersections for signs, since this was mentioned earlier by Commissioner Ross.

Attorney Seewald expressed the opinion that simply adopting a single standard of requiring signs to be setback a certain distance from the road without including a reference to their distance from sidewalks is a viable option.

Members briefly discussed other enforcement issues, including possible mechanisms for fining contractors who repeatedly violate the prohibition against placing signs on public property.

NEXT STEPS

In terms of next steps, Councilor Moulton said he is comfortable with Attorney Seewald's suggestion of removing the reference to sidewalks for Type II Ground Signs [§350-7.2 A)] and making the required setback from the road for signs the same as the setback for shrubbery. He suggested asking Director Misch to make that change.

However, two areas they would want to hear more about from the business community particularly are sandwich boards and lighting, he proposed. Rather than making a recommendation on those tonight, he suggested holding off so they can hear more on those two areas.

Councilor Dubs agreed. Other members said they were comfortable removing the sidewalk reference from §350-7.2 A).

Member Kuttler said her gut is against hearing from more voices on this matter but she is open to being over-ruled.

Councilor Moulton said Inspector Frey has raised concerns about existing conditions so he thinks they need to address those. He thinks that means hearing from the people directly affected; i.e. the business community. He said he thought they could wrap that discussion into other discussions they hope to involve the business community in, namely lighting and food trucks.

Director Misch confirmed she's in agreement with removal of the sidewalk reference.

7. RESCHEDULE OCTOBER 22ND MEETING ON SNOW REMOVAL/LIGHTING

Members agreed to reschedule the Snow Removal/Lighting public forum previously scheduled for October 22nd to October 29th. Mrs. Krutzler confirmed her understanding that prospective guests to invite for the Snow Removal/Lighting discussion were Director LaScaleia, Nanci Forrestall, Police Chief Cartledge and Kevin Ross.

Member Kuttler volunteered to make an invite/flyer for the 10/29/2025 public forum for posting to the website.

Councilor Perry identified members of Northampton City Lights (James Lowenthal, Jenny Ives and Catherine Moriarty) as additional guests to invite for the lighting discussion.

Commissioner Ross requested that Inspector Frey be included. Members agreed to hold the forum via Zoom.

8. NEW BUSINESS

None.

9. ADJOURN

Member Kuttler moved to adjourn. Councilor Moulton seconded. The motion passed unanimously 4:0 by roll call with Member Moses absent.

The meeting was adjourned at 7:30 p.m.

10. NEXT MEETING DATE

Members scheduled their next regular meeting for Wednesday, October 8th at 6 p.m.

11. NEW BUSINESS

Member Moses wondered if they could set aside time to make sure environmental concern-related ordinance suggestions from the public are aired. "Climate is always timely," she observed.

Ms. Krutzler asked about recycling, which was previously identified as a priority topic. Councilor Perry said he would suggest referring that topic to Community Resources and for further study by a future council.

12. ADJOURN

Councilor Kuttler moved to adjourn. Councilor Moulton seconded. The motion passed 5:0 by roll call vote. The meeting was adjourned at 6:40 p.m.

Respectfully submitted, Laura Krutzler.