

Town of Egremont Massachusetts
Meeting of the Outdoor Recreation Bylaw Ad Hoc Committee Minutes:

Date: February 14, 2017
Start Time: 7:00 pm
Place: Town Hall Egremont

Members present: Charles Flynn (Chairman), Karen Berger, Tom Gilbert, Helen Krancer, Tom Berkel, Karen Berger
Guest speaker ó Nat Karns - BPRC
Member(s) absent: none
Also present were: Marj Wexler, John Lipman

Nat Karns provided comments on the most recent bylaw provided to him, explaining that the current draft essentially addresses everything that needs to be considered, but suggested additional revisions. He also suggested that we include and change language in order to reduce legal liability. Based on his input, the following motions were made relating to section 5.7.3.

Regarding the first paragraph of section 5.7.3., there was a motion and to reinstate the words "subject to site plan review" after the words "as of right) (the reinstated clause appeared in ~~strikeout~~). The Ad Hoc Committee voted in favor 4 to 1.

Regarding the second paragraph of section 5.7.3. (which identified the 17 allowed uses), there was a motion to leave that section as is. The motion was approved unanimously.

Regarding the third paragraph of section 5.7.3. (beginning with "Permitted uses shall not include ..."), there was a motion to remove the paragraph but consider inserting it where needed in another portion of the bylaw. The motion was approved unanimously. Mr. Karns also suggested that the second sentence of that paragraph was probably not necessary, as he had originally taken that paragraph from another bylaw, and that this bylaw probably did not need it, as it identifies the allowable uses in the previous paragraph.

Regarding the fourth paragraph of section 5.7.3., there was a motion to revise the language to clarify that it applies to existing permitted commercial operations. The modified language will now reads as follows (bold/italic indicates new language):

"Development and maintenance of new and existing ski lifts, trails and related equipment, and golf facilities that are part of a permitted commercial operation ***on a property where such operations are in existence on [insert date of adoption of the bylaw]*** are not subject to Site Plan Review." (Note: Actually date will be inserted when bylaw is prepared for town meeting vote.)

The motion was approved unanimously.

There was a motion to revise and accept section 5.7.3 with all the changes identified above. The Ad Hoc Committee voted 4 to 1 in favor.

Regarding the first paragraph of section 5.7.4., there was a motion to add the word "new" before "accessory buildings" so as to clearly identify this section does not relate to buildings, structures and uses already existing. The motion also included adding the words "subject to site plan review and other requirements of this bylaw" at the end of the sentence. The motion was approved unanimously.

Regarding the second paragraph in 5.7.4, there was active discussion deleting it, and replacing it with the following language proposed by Charlie; "Conferences, events, restaurants and retail that are clearly accessory to primary use are allowed by right". While there appeared to be general approval with this language, Chairman Flynn suggested that we not vote on this sentence, and that he will draft the language for approval at our next meeting.

The meeting was adjourned at 8:43.

Submitted by Tom Gilbert, Recording Secretary