

**Minutes of Meeting of 2/27/23**  
**Egremont Bylaw Review Committee via Zoom**

In Attendance:

Mary McGurn (MM), Chairwoman  
Steve Goodman (SG), Secretary/Treasurer  
Eileen Vining (EV)  
Robert Sandor (RS)

Absent was Richard Allen (RA)

Chairwoman MM convened the meeting at 4:08 pm.

With certain corrections, the minutes of the meeting of the Committee from 2/6/23 were unanimously adopted.

EV pointed out that the definition of “public right of way” had inadvertently been omitted from the definitions adopted at the meeting of 2/6 and proposed that the agreed definition now be adopted. Upon motion duly made and seconded, it was

RESOLVED, that the definition of “public right of way” be adopted and inserted into Section 16.1, to read in its entirety as follows:

Public right of way: An area of land dedicated or used for public access within which a road is located.

It was then proposed that the entire Section 16.1 be readopted in its entirety with the additional definition included. Upon motion duly made and seconded, it was

RESOLVED, that Section 16.1 as revised with the addition of the definition of “public right of way” be adopted, to read in its entirety as follows:

16.1 Definitions (for purposes of this Bylaw 16 only):

Abutting property owner: a person or entity owning property bordering on a public right of way.

Culvert: a drainage pipe to enable water to pass underneath a driveway.

Driveway: a privately owned travelway providing vehicular access to and egress from a public way, but not including a privately owned travelway providing temporary access when no excavation is performed in or fill added to the public right of way and not including a privately owned travelway providing access to a state highway as governed by MGL Ch.81, Section 21.

Public right of way: An area of land dedicated or used for public access within which a road is located.

Road: That area within the public right of way that is constructed for passage of vehicular traffic.

Shoulder: That area within the public right of way which is not occupied by the road.

Discussion then proceeded to Section 16.3 (Permits) and specifically draft Section 16.3.1. The Committee agreed that it made sense to combine the Section requiring a permit for driveway construction and alteration with the provisions providing for exemptions to the permit requirement contained in draft Section 16.3.3. After further discussion regarding clarifying language, upon motion duly made and seconded, it was

RESOLVED, that Section 16.3.1 be adopted, to read in its entirety as follows:

16.3.1 Any abutting property owner desiring to create a driveway or alter an existing driveway shall do so only in accordance with the provisions of a permit issued by the Select Board. No permit shall be required for changes to driveways already in existence except for any change that will affect the drainage of the driveway into the public right of way, such as paving a gravel driveway, or that will otherwise affect traffic at the intersection of the driveway and the road.

The Committee then turned its attention to draft Section 16.3.2. After extensive debate and multiple revisions, it was decided to split move everything in draft Section 16.3.2 after the initial sentence into a new Section 16.3.3 (since the prior draft 16.3.3 had now been combined with Section 16.3.1). However, there continued to be discussion of the precise language of Section 16.3.2 and it was finally determined to table further discussion until the next meeting.

The Committee tentatively agreed to hold its next meeting on March 14 at 4pm.

Upon motion duly made and seconded, the meeting was adjourned at 5:54 pm.