

Minutes of Meeting of 6/7/23
Egremont Bylaw Review Committee via Zoom

In Attendance:

Mary McGurn (MM), Chairwoman

Richard Allen (RA)

Steve Goodman (SG), Secretary/Treasurer

Robert Sandor arrived shortly after commencement of the meeting.

Absent was Eileen Vining (EV).

Chairwoman MM convened the meeting at 4:42 pm.

The Committee then considered the draft minutes of the meeting of 5/18/23. Upon motion duly made and seconded, by a vote of 2 in favor and one abstention, the minutes of the meeting of the Committee from 5/18/23 were approved.

RS then joined the meeting. He indicated that he had no comments to the minutes of 5/18/23.

The Committee then returned to the discussion of draft Bylaw 16.9 (replacing former Bylaw 17.1.9). MM reported on her discussions with Jim Noe (Highway Superintendent) and Ned Baldwin (Building Inspector) regarding enforcement of former Bylaw 17. She indicated that both had told her that there was no formal process for involving the Building Department in Highway Department decisions regarding driveway construction or maintenance. Jim Noe indicated that contractors sometimes notified him that driveway construction was complete, but that many do not. However, he drives the Egremont grid on a fairly frequent basis and if he sees a problem, will take action. At one point he would notify the property owner directly but he has determined that it is more appropriate if he advises the Select Board of any problem and the Select Board sends the notice directly and take any action necessary to enforce violations of the Bylaw.

Jim also indicated that driveways intersecting with private roads are within the jurisdiction of the relevant homeowners association and not the Highway Department, although the property owner must still file for a parcel number for 911 purposes.

Ned also told Mary that he was uncomfortable with the proposed enforcement language tying the issuance of a certificate of occupancy to the completion of the driveway in accordance with the permit. He did not feel that this was fair to the property owner.

After discussion, the language of proposed Bylaw 16.9 was modified and, upon motion duly made and seconded, it was unanimously

RESOLVED, that former Bylaw 17.1.9 be replaced with a new Bylaw 16.8, to read in its entirety as follows:

16.9 The penalty for violation of this Bylaw 16 shall be a fine of \$300 for the first violation. The Select Board shall give written notification of a violation to the abutting property owner. Upon notification the owner shall have 60 days to correct the violation; if not corrected within that

time period a \$100 per day fine will be imposed and the Select Board may suspend or revoke the permit.

Discussion then turned to Bylaw 18 (Marijuana Sales Tax). After discussion, upon motion duly made and seconded, by a vote of 3 in favor and one opposed, it was

RESOLVED, that the language of Bylaw 18.1 be retained without change, to read in its entirety as follows:

18.1 In accordance with Massachusetts Acts of 2017, Chapter 55, Section 13, and pursuant to G.L.Chapter 64N, Section 3, the Town of Egremont hereby adopts a 3% gross sales tax applicable to marijuana retailers. The marijuana retailer shall pay the local sales tax imposed under this bylaw to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth. (Approved, but not amended, 12/16/20).

The Committee then turned its attention to the final two existing bylaws, Bylaw 19 (Marijuana Prohibition) and Bylaw 20 (Short Term Rentals). The Committee debated whether these bylaws should be reviewed and amended in the manner of the other bylaws the Committee has reviewed. After discussion, no vote was taken.

The Committee discussed next steps, including arriving at a decision on Bylaws 19 and 20, completion of the compilation and consolidation of all changes adopted by the Committee by SG, as secretary, and further review of the consolidated document for consistency, style, etc.

The Committee then agreed to meet again on June 27, 2023 at 4 pm.

Upon motion duly made and seconded, the meeting was adjourned at 6:20 pm.

SG