

Minutes of Meeting of 1/19/23
Egremont Bylaw Review Committee via Zoom

In Attendance:

Mary McGurn (MM), Chairwoman
Steve Goodman (SG), Secretary/Treasurer
Richard Allen (RA)
Eileen Vining (EV)

Absent was Robert Sandor

Chairwoman MM convened the meeting at 4:05 pm.

The minutes of the meeting of the Committee from 1/4/23 were unanimously adopted by those present.

SG introduced his memorandum of 1/17/23 (the "January 17 Memo") which he had drafted and circulated to the Committee, renumbering Bylaw 17 as Bylaw 16, consistent with the consolidated draft bylaws incorporating other changes previously approved by the Committee. He reported on a meeting which MM and he had had with Jim Noe, the Egremont Highway Superintendent, who made two points about this bylaw: First, that the Town has a strong interest in managing water flows onto and next to the Town's roads and, second, that water flows are taking on greater significance because of increases resulting from changing weather patterns. He pointed out that 20 years ago, there would have been 2 feet of snowfall in Egremont in the month of January, but now there is barely 6 inches and a lot more rain. Therefore, he urged the Committee to provide the Highway Department with clear authority to regulate driveway design and construction, since the intersections of driveways and roads create the potential for problematic water flows. SG indicated that most of the suggestions in his January 17 Memo for substantive changes in the Bylaw were based on Mr. Noe's concerns.

Discussion of the Bylaw and the changes proposed in the January 17 Memo commenced. After discussion, on motion duly made and seconded, it was

RESOLVED, that former Bylaw 17 should be combined with former Bylaw 17.1 and renumbered as Bylaw 16, the title of Bylaw 16 shall be "Access to Public Ways" and that subsections of the Bylaw should be renumbered consistent with this change.

Discussion then turned to the definitions reflected in former Bylaw 17.1.1, renumbered 16.1 "Definitions (for the purpose of this Bylaw only)". Discussion commenced on former Bylaw 17.1.1.1, renumbered 16.1.1, defining "Abutting Property Owner". Upon motion duly made and seconded, it was

RESOLVED, that former Bylaw 17.1.1.1 shall be renumbered Bylaw 16.1.1 and shall read in its entirety as follows:

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

The Committee then discussed former Bylaw 17.1.1.2, renumbered Bylaw 16.1.2, defining "Driveway". Upon motion duly made and seconded, it was

RESOLVED, that former Bylaw 17.1.1.2 shall be renumbered Bylaw 16.1.2 and shall read in its entirety as follows:

16.1.2 Driveway: a privately owned road providing vehicular access to and egress from a public right of way but excluding a privately owned road providing temporary access when no excavation is performed in or fill added on the public right of way.

Discussion then proceeded to former Bylaw 17.1.1.3, renumbered Bylaw 16.1.3, defining "Public Way". It was determined that discussion of this definition would be continued at the next meeting.

It was agreed that the next meeting of the Committee would be held on February 1, 2023 at 4:00 pm.

Upon motion duly made and seconded, the meeting was then adjourned at 5:24 pm.

SG