

## **BYLAW REVIEW COMMITTEE**

Town of Becket  
557 Main Street  
Becket, MA 01223

### **Minutes January 10, 2024**

PRESENT: Chuck Garman (CG), Bob Gross (BG), Vickie DeLorenzo (VD), Robin Mathiesen  
Town Clerk (Ex-Officio Member)

ABSENT: Ethan Klepetar Moderator (Ex-Officio Member)

PUBLIC: Al Blake (Planning Board member) William H. Elovirta (Select Board member) Lei-  
Anne Ellis, Ryan Elley, Andre Sale

Chuck Garman (CG) called to order at 10:03 am.

#### Meeting agenda

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Approval of meeting minutes from November 8, 2023

Plan for meetings to review the proposed Dark Skies Bylaw

What is our role?

Can we review and suggest changes?

Can we negotiate with them?

Can we recommend at the ATM or not?

What about Outdoor Lighting Bylaw written by last committee?

Process to update the General Bylaws with Bylaws/Additions passed at ATMs

Running list of new amendments that we may propose for GB changes at the next ATM

#### Approval of meeting minutes

Bob Gross (BG) made a motion to pass the minutes from Nov. 8<sup>th</sup>. Motion seconded by Chuck Garman (CG). Minutes approved.

#### Plan for meetings to review the proposed Dark Skies Bylaw

While the Dark Skies General Bylaw proposal is on the agenda for the January 17<sup>th</sup> meeting, there was discussion regarding whether the Dark Skies proposal should be within the purview of the Bylaw Review Committee.

It was noted that a similar proposal had been created and proposed as a Bylaw addition in 2017 (Article 17, Section 23) but was never advanced.

It was mentioned that other towns have similar dark-sky bylaws many under the auspices of their planning boards. Lei-Anne offered to conduct research and report back to the committee. Lei-Anne also expressed her groups' interest in having the Bylaw Review Committee help them craft the language for the proposed document before being considered by the Select Board and noted that they incorporated ideas and language from other towns'

bylaws as well as those from the 2017 Outdoor Lighting proposed bylaw. CG offered to follow up with Berkshire Regional Planning experts.

BG suggested we discuss the dark skies proposal with the planning board. It was noted that a new General Bylaw may be added with a simple majority vote vs. Planning or Zoning needing a 2/3 majority vote.

It was decided that the Select Board should resolve which board/committee should be responsible for the review of the Dark Skies Bylaw proposal. The Select Board will take up this issue at their next meeting on Jan 17th.

#### Process to update the General Bylaws with Bylaws/Additions passed at ATMs

Overall, the discussion revolved around the Bylaw Committees' desire to navigate and clarify the roles, responsibilities, and decision-making processes associated with reviewing current and newly proposed bylaws. Our aim is to ensure efficient and effective management of proposed bylaws while fostering collaboration between the public, Town committees, and Boards.

The Town Administrator has suggested that the Bylaw Review Committee might be best positioned to be the arbiter of where a proposed bylaw should be directed, i.e. Bylaw Committee, Zoning or Planning Board. An addition to the present "Purpose and Authority" section of the Bylaw Review Committee will be proposed to include this suggestion at the next ATM.

It was mentioned that there are some committees and committee make-ups listed in the Bylaws that are no longer current. For example, there are no mentions of alternates on the Planning Board, nor their role or responsibilities. CG and BG asked Al Blake (Planning Board) and (Bill Elovirta) Select Board for help in identifying these inconsistencies.

BG suggested that we plan to reach out to the town committees and commissions and request they review the bylaws which affect them and to then make recommendations to the Bylaw Review Committee with changes and/or additions.

In summary, the initial process to update the General Bylaws will involve:

- 1) Reviewing the changes and additions that were passed at previous ATMs that have yet to be recorded in the current Bylaws document (identified by BG).
- 2) Incorporating approved changes and additions into the latest version including copy-editing type updates e.g. replacing Selectmen with Select Board.
- 3) Making additional copy-editing related changes to reflect common sense edits such as providing consistency of grammar/spelling/case, e.g. by-laws vs bylaws.
- 4) Reviewing current Bylaws for issues such as outdated fines.
- 5) Sharing the document with the Select Board members for their review and feedback.

From a clerical perspective, we're continuing to track down an original word document or reformat the document we have, into a format that can be edited and shared efficiently. The current pdf converted to a writeable pdf and downloaded to Google docs is sufficient but presents significant updating challenges. Robin noted that the Zoning and Planning documents have similar formatting challenges.

#### Running list of new amendments that we may propose for GB changes at the next ATM

We will develop a list of amendments for presentation at the next ATM that need to be passed to update the General Bylaws.

#### Related Topics

There was discussion regarding the enforcement of current zoning, planning, and general bylaws and whether it is a good use of time to propose amendments and new bylaws without determining procedures and identifying/hiring staff for enforcement.

#### Future Meetings

The committee agreed that we intend to host meetings on the 3<sup>rd</sup> Wednesday of every month at 10:00 and in the Berkshire room. It is possible that we might host additional meetings to meet the ATM deadlines and will notify the public accordingly.

#### Approval of meeting minutes

Bob Gross (BG) made a motion to adjourn the meeting. Motion seconded by Chuck Garman (CG) and approved. Meeting adjourned at 11:46 am.

Respectfully submitted by Vickie DeLorenzo

Approved by Chuck Garman, Chair

Chuck Garman