

Rowe Bylaw Review Committee
October 2, 2018
6:30 P.M. at Rowe Town Hall – First Floor Meeting Room

Present: Chair Chuck Sokol, Secretary Paul McLatchy III, Christopher Hyytinen, James Lively

Other Attendees: None

Call to Order: Chair Sokol called the meeting to order at 6:31 P.M., with a quorum of the committee present.

Minutes: The minutes of the September 12th meeting were presented. A motion was made by Chair Sokol and seconded by Mr. Hyytinen to approved the minutes as written. The vote was 4-0-0 in favor.

Regulation Bylaw: At the last meeting, it had been suggested that perhaps a bylaw was necessary stating that individual boards can develop regulations and are enforceable. Mr. Hyytinen came to the meeting after considering it and was adamantly opposed on the grounds that boards could essentially write their own bylaws. He suggested developing a framework for regulations if an enforcement bylaw is needed.

Article III: The following items were addressed under Article III:

Section 8 (Disposal of Town Property): A question was raised about whether there were any state laws regulating the disposal or selling of town property. Town Counsel will need to be consulted. In the meantime, a motion was made to raise the limit on the value of an item that can be sold from \$500 to \$1,000. The motion was made by Mr. McLatchy, seconded by Chair Sokol, and carried unanimously.

Section 20 (Right to Farm): Concerns were raised about whether the right-to-farm bylaw permitted the growing of marijuana. As the crop would require greenhouses (which are regulated by Article V), it was agreed that the bylaw did not grant the right to farm marijuana and would require action by the planning board. Future regulations on marijuana will need to be presented by the planning board.

Section 5 (Transfer Station): A motion was made by Chair Sokol and seconded by Mr. Hyytinen to delete the words “the refuse garden and” from the bylaw, leaving it just as “the transfer station”. No member of the committee, including transfer station attendant Jim Lively, knew the difference between the “refuse garden” and the “transfer station”.

Section 18 (Planning Board): A motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to change the wording from the current suggestion to read: “The Planning Board shall consist of five members **and one alternate**, one **member** to be elected at

each annual election for a term of five years, **and the alternate to be elected for a five-year term.**”

Article IV: The following items were addressed under Article IV:

Section 1 (Door-to-Door Sales Permits): A motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to add a sentence to the end of Section 1 saying “A list of all permits issued shall be submitted to the police department.” The vote was 4-0-0 in favor.

Section 2 (Street Obstruction): A motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to add the words “or their designee” to the last line, now saying “the selectmen or their designee may...” The vote was 4-0-0 in favor.

Section 2 (Street Obstruction): A motion was made by Chair Sokol and seconded by Mr. Hyytinen to remove the comma and the word “or” from the line “...streets of the Town, **or** for such excavations...”. The vote was 4-0-0 in favor.

Section 3 (Public Drains): A motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to remove both instances of “or sewer” from the section. There are no public sewers in town. The vote was 4-0-0 in favor.

Section 4 (Burning Brush): A motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to change the wording from “from the Town Forest Fire Warden or one of his deputies” to “from the appropriate authority”, as well as delete the last line of the section. The vote was 4-0-0 in favor.

Article V: The following items were addressed in Article V:

General: Citing other towns’ practices, a motion was made by Mr. McLatchy and seconded by Mr. Hyytinen to separate Article V out from the rest of the bylaws and leave a reference noting the change. This would separate out the zoning bylaws from the general bylaws. The vote was 4-0-0 in favor.

Section 15 (Zoning Board of Appeals): A motion was made by Chair Sokol and seconded by Mr. Hyytinen to add the word “Zoning” to the first line, as well as “and two alternates”, and specify that both members and alternates would have terms of three years. The line would now read “There shall be a **Zoning** Board of Appeals consisting of five members **and two alternates** appointed by the Selectmen. Each member **and alternate** shall serve a three year term...” The vote was 4-0-0 in favor of these changes.

Section 15 (Zoning Board of Appeals): A motion was made by Chair Sokol and seconded by Mr. Hyytinen to change the wording to read “Each member and alternate shall serve a three year term and the date of expiration of each term shall be staggered so that no more than three shall expire in any given year”. The vote was 4-0-0 in favor.

CJIS: Mr. Hyytinen reported that the new CJIS program used by law enforcement officials can incorporate local bylaws into its system, so that when an officer is in town, they can look up the town's bylaws on various subjects.

Next Meeting: The next meeting will be held on Tuesday, October 9th at 6:30.

Adjourn: A motion was made by Chair Sokol and seconded by Mr. Lively to adjourn the meeting at 8:53 P.M. The vote was 4-0-0 in favor.

*Respectfully Submitted,
Paul McLatchy III, Secretary*

Approved: October 9, 2018

Chuck Sokol, Chairman

Paul McLatchy III, Secretary

Christopher "Selmi" Hyytinen, Member

James Lively, Member