

Rowe Bylaw Review Committee
October 9, 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 6:36 P.M., with a quorum of the committee present.

Minutes: The minutes of the October 2nd meeting were presented. A motion was made by Chair Sokol and seconded by Mr. McLatchy to approve the minutes as amended. The vote was 4-0-0 in favor.

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

Section 15 (Zoning Board of Appeals): Mr. McLatchy made a motion to move Article V, Section 15 under Article III, as it pertains to a government committee. The motion was seconded by Mr. Hyytinen, and the vote was 4-0-0 in favor. This vote had been taken at the previous meeting, but Mr. McLatchy inadvertently omitted it from the minutes, and wanted to ensure the matter had been addressed.

Section 20 (Mailing Public Hearing Notices): A motion was made by Chair Sokol and seconded by Mr. Hyytinen to move Article V, Section 20 under Article III, as it pertains to the work of two town boards/committees. The vote was 4-0-0 in favor.

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

Section 3 (Zoning Enforcement Officer): A question was raised about whether the building inspector through the FCCIP is contracted to act as the zoning enforcement officer. This will be researched. A motion was made by Mr. McLatchy and seconded by Chair Sokol to move the first two lines of Section 3 to a new section in Article III, and change the words “he shall enforce...” to “The town building inspector and zoning enforcement officer shall enforce...”. The vote was 4-0-0 in favor.

Section 4 (Permitting Timeline): As the permitting guidelines are set by 780 CMR Section 105.3.1, a motion was made by Mr. McLatchy and seconded by Mr. Lively to delete Section 4 altogether. As the town is part of a regional coop, a town’s bylaws can’t force the regional service to change their timeline. The vote was 4-0-0 in favor.

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

Section 1 (Animal Grazing): A motion was made by Mr. Hyytinen and seconded by Chair Sokol to delete Section 1, as it is outdated and doesn't really apply anymore. The vote was 4-0-0 in favor.

Sections 2 & 3 (Dog Control): As MGL C.140 covers how dogs must be controlled in public, these sections were deemed unnecessary by the committee. A motion was made by Chair Sokol and seconded by Mr. Lively to delete them. The vote was 4-0-0 in favor.

Section 4 (Sledding on Roads): A motion was made by Mr. Lively and seconded by Chair Sokol to delete Section 4. The vote was 4-0-0 in favor.

Section 5 (Noise Control): A motion was made by Mr. Lively and seconded by Chair Sokol to delete Section 5. The vote was 4-0-0 in favor.

Section 6 (Minors and Guns): After raising concern about gun control, state laws, and the Second Amendment, a motion was made by Chair Sokol and seconded by Mr. Hyytinen to delete Section 6. The vote was 4-0-0 in favor.

Section 7 (Littering): A motion was made by Mr. Hyytinen and seconded by Chair Sokol to replace the wording in Section 7 with "The town of Rowe adheres to Chapter 270, Section 16 of the Massachusetts General Laws, pertaining to the prohibition of littering." The vote was 4-0-0 in favor.

Section 8 (Refrigerator Doors): This section is covered under MGL C.271, S.46. A motion was made by Mr. Hyytinen and seconded by Mr. McLatchy to delete this section. The vote was 4-0-0 in favor.

Section 9 (Car Removal): After discussion, a motion was made by Mr. McLatchy and seconded by Chair Sokol to change the wording in Section 9 to "The Police Department may remove or cause to be removed to some convenient place any vehicle which: interferes with the operations of the Department of Public Works or the Fire Department, impedes traffic, is parked in a designated no-parking zone, or any vehicle abandoned on town property for more than 96 hours, and any expense incurred in the removal of such vehicle shall be borne by the owner of such vehicle." The vote was 4-0-0 in favor.

New Bylaw: Mr. Hyytinen proposed that it might be useful to have a new bylaw addressing the repair/work on a personal vehicle on public property, such as a parking lot. Language may be considered, but Chair Sokol suggested that it might be better handled as a policy or regulation of the town boards.

New Bylaw: Mr. Hyytinen suggested that the committee may want to look into whether the town should have a bylaw regulating the use of other vehicles on town roads, such as unregistered tractors, 4-wheelers, excavators, etc... After lengthy discussion, it was

agreed that this should be left to the police department's discretion to enforce existing state law.

New Bylaw: After discussing the impact that some vehicles may have on the roads, the committee began to craft language for damaging town property and recouping losses. Wording will be proposed at the next meeting for voting.

Resume: The committee will resume reviewing the bylaws at Article VII, Section 10.

Next Meeting: The next meeting will be held on Tuesday, October 23rd at 6:30.

Adjourn: A motion was made by Mr. McLatchy and seconded by Chair Sokol to adjourn the meeting at 8:40 P.M. The vote was 4-0-0 in favor.

*Respectfully Submitted,
Paul McLatchy III, Secretary*

Approved: October 23, 2018

Chuck Sokol, Chairman

Paul McLatchy III, Secretary

Christopher "Selmi" Hyytinen, Member

James Lively, Member