

**RECEIVED
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BELMONT, MA**

DATE: May 12, 2023
TIME: 8:37 AM

**Bylaw Review Committee by Zoom
Meeting Minutes
March 27, 2023 7 PM**

Members attending: Bob McGaw, Bob Schafer, Joe Hicks, Ellen Cushman, Liz Goss

Also attending: Gi Yoon-Huang and Tomi Olson, Roger Wrubel

7: 04 PM Chair McGaw called the meeting order

Review 3 proposed amendments to the General Bylaws included in the Annual Town Meeting Warrant:

Article 6 - Amendment to §60-800D(2): (Gi Yoon-Huang)

Article 8 - Article Amendment to §40-325E: Fees for Special event permits for use of the park sites”
(Tommasina Olson, sponsor)

Article 10 - Amendment to §60-310 : Replace General Bylaw §60-310 with Specialized Energy Code”
(Roger Wrubel)

Amend § 40-325.E Recreation Commission (shall establish fees)

Tomi Olson – Accepted and has resubmitted the Bylaw Review Version

Amend § 40-325.E by adding the following:

“Fees for Special Event permits for use of park sites shall be waived if the permittee is a 501(c)(3) non-profit organization based in Belmont, the event is open to the public, and attendees are not charged a fee to attend.”

Motion to approve as to form, placement and consistency with General Bylaws made by Bob McGaw

Roll Call Vote: Robert Schafer – Yes, Liz Goss – Yes, Joe Hicks – Yes, Ellen Cushman- Yes, Bob McGaw – Yes 5-0-0

Gi Yoon-Huang

**SIDEWALK SAFETY: AMEND GENERAL BYLAWS: §60-800.D(2) and D(3) PUBLIC WAYS, SIDEWALKS
AND RIGHTS-OF-WAY. OBSTRUCTIONS**

To see if the Town will vote to amend the General Bylaws with a goal of calling specific attention to the problem of obstruction of sidewalks especially by the parking of vehicles on sidewalks that interfere with the safe use of sidewalks by pedestrians, persons using wheelchairs, persons using carriages to transport children, elderly persons, and students walking to school, by amending § 60-800.D(2)

“Obstructions,” by inserting the words *“(including, without limitation, the parking of vehicles of any type)”* after the words “man-made materials” and by inserting the following words at the beginning of

§ 60-800.D(3) *“Fines for violations of subsections D(1) and D(2) shall be on the following schedule: first offense: written warning; second offense: \$50; third and successive offenses: \$100 each. The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability.”* so that it reads:

§ 60-800. Public ways, sidewalks and rights-of-way.

D. Obstructions.

- (1) No person shall permit a tree, branch thereof, hedge, bush or shrubbery growing on his/her land to extend over or overhang any street, sidewalk or highway so as to interfere with the free and full use of such street, sidewalk or highway.
- (2) No person, other than an authorized agent of the Town, may place or cause to be placed or maintained any permanent or temporary structure or any natural or man-made materials *(including, without limitation, the parking of vehicles of any type)* on any public street, sidewalk or highway in such a manner as to obstruct or otherwise interfere with the free and full use of such public street, sidewalk or highway for the passage of vehicles or pedestrians, except upon written permit or authorization from the Select Board or its designee, which the Board or its designee may in its discretion issue subject to such terms and conditions, including a bond, as may be deemed necessary and appropriate to protect the public safety.
- (3) *Fines for violations of subsections D(1) and D(2) shall be on the following schedule: first offense: written warning; second offense: \$50; third and successive offenses: \$100 each. The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability.* In addition to other penalties applicable to violation of these bylaws, in the event the Town undertakes to remove any obstructions described in Subsection D(1) and (2) , the Town may charge the landowner for the reasonable cost thereof.

(4)

and in any way act thereon.

Motion to approve as to form, placement and consistency with General Bylaws made by Bob McGaw
Roll Call Vote: Robert Schafer – Yes, Liz Goss – Yes, Joe Hicks – Yes, Ellen Cushman- Yes, Bob McGaw – Yes 5-0-0

Roger Wrubel

Replace General Bylaw - §60-310 with Specialized Energy Code

To see if the Town will vote to replace § 60-310 of the Town of Belmont General Bylaws, titled "Stretch Energy Code" with a new § 60-310 titled "Specialized Energy Code," for the purpose of regulating the design and construction of buildings for the effective use of energy and reduction of greenhouse gas emissions, pursuant to the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including future editions, amendments, or modifications thereto, with an effective date of January 1, 2024, so that it reads as follows:

§ 60-310 Specialized Energy Code

A. Purpose

The purpose of the Specialized Energy Code is to provide a more energy-efficient and low greenhouse gas emissions alternative to the Stretch Energy Code or the baseline Massachusetts Energy Code, applicable to the relevant sections of the State Building Code for new construction.

B. Applicability

This § 60-310 applies to residential and commercial buildings.

C. Specialized Energy Code

The Specialized Energy Code codified by the entirety of 225 CMR 22.00 and 23.00 including Appendices RC and CC, and including any future editions, amendments, or modifications, is herein incorporated by reference into this § 60-310.

D. Enforcement

The Specialized Energy Code is enforceable by the Inspector of Buildings. This section § 60-310 shall be effective January 1, 2024.
or in any way act thereon.

Motion to approve as to form, placement and consistency with General Bylaws made by Bob McGaw
Roll Call Vote: Robert Schafer – Yes, Liz Goss – Yes, Joe Hicks – Yes, Ellen Cushman- Yes, Bob McGaw –
Yes 5-0-0

Respectfully Submitted,
Ellen O'Brien Cushman
Town Clerk & Ex-officio Member