

BYLAW REVIEW COMMITTEE

Town of Becket
557 Main Street
Becket, MA 01223

Minutes January 17, 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) Lei-Anne Ellis, Bob Alaire, Kathy Dickinson, Ellen
Manley

ZOOM: Amy Perlmutter, Destin Heilman, Laurie Friedman

Chuck Garman (CG) called to order at 10:05 am.

Meeting agenda

Approval of meeting minutes from January 10, 2023

Introductions

Plan for meetings to review the proposed Dark Skies Bylaw (1 hr.)

Progress on the updates of the General Bylaws

Any other business to come before the Committee

Adjournment

Approval of meeting minutes

BG made a motion to approve the minutes from January 10th. Motion seconded by CG.

Minutes approved.

Introductions

Plan for meetings to review the proposed Dark Skies Ordinance

The meeting opened with the focus on the proposed Dark Skies Ordinance. Bob Aliare a member of the Dark Skies group, was prepared to give a presentation, but it was decided that we would begin by reviewing the Dark Skies Ordinance proposal to see if there were any questions. The Dark Skies group communicated that the proposal is a draft comprised of language and information from numerous other towns with similar ordinances and bylaws. They also communicated that they are looking for help in crafting a final document that could be included in a Warrant for an Annual Town Meeting.

CG cautioned the group that it has yet to be determined whether the Dark Skies Ordinance proposal belongs with the General Bylaw Review Committee, Planning or Zoning. Further, he noted that the issue was being raised at the next Select Board meeting (Jan 17th) and they

would provide further guidance. There is a bias on the part of the Dark Skies group to include the Dark Skies Ordinance in the General Town Bylaws. There's also an expectation that the Committee will have access to and provide for legal advice.

It was generally agreed that it would be helpful for the group to discuss the proposal with the Bylaw Review Committee regardless of which Town entity will be responsible for reviewing/advancing the proposal going forward.

Overall, some concerns were raised about the comprehensiveness of the proposed ordinance and potential pushback from residents. The importance of education and awareness regarding light pollution and its impact on the environment were an important part of the group's discussion. Destin Heilman emphasized the impact on human health including but not limited to the use of blue light and its effect on sleep cycles, mood disorders, diabetes, and even certain types of cancers.

The Bylaw Committee members asked for clarification and raised questions on multiple aspects of the proposal ranging from residential vs commercial applications, new building and building modifications, compliance, and costs to residents. It also touched on topics like ADA requirements, public safety, and the role and funding of a proposed Lighting Enforcement Officer. The discussion highlighted the confusion and challenges associated with enacting and enforcing dark sky best practices.

Questions were also raised about the language regarding the subordination of other town bylaws and ordinances to the Dark Skies Ordinance. We reviewed specific paragraphs and sections, including violations, fines, appeals, and the responsibilities of different boards or committees. There are also suggestions for changes in terminology and formatting within the proposed ordinance.

The Dark Skies group plans to research and follow up on multiple questions raised by the Committee (e.g. lumen comparisons to watts, Town control of all streetlights, availability of spotlights with time-controlled dimmers) and provide feedback at a future meeting.

Progress on the updates of the General Bylaws

Following the discussion on the Dark Skies Ordinance, the committee moved on to discuss the grammatical edits we would like to make to bring more consistency to the document. Following is a list of the edits addressed to date:

1. Replace "Board of Selectmen" and "Selectmen" to "Select Board"
2. Replace "he" with "he/she"
3. Replace "his" with "his/her"
4. Replace "himself" with "themselves"
5. Make all "sections" all upper case
6. Make descriptions/titles of each section initial caps, no period
7. Replace "By-laws" with "Bylaws"
8. Change initial cap permit to lower case unless it is a specific permit
9. Change initial cap variance to lower case
10. Change "act" to upper case but revisit to determine if act is appropriate or if it refers to an Article

11. Change all lower-case Town Meeting(s) to initial caps
12. Change words in all caps that were meant for emphasis to lower case
13. Remove bold text and different font colors
14. Put in page numbers as footers
15. Do not globally change "secretary" to "clerk" except for the Bylaw Review Committee
16. Change Chairman and Vice-Chairman to Chair and Vice-Chair
17. Collector of Taxes should be changed to Tax Collector
18. Revisit the entire document for consistency of enumerations, e.g. a, b, c; 1, 2, 3; bullet points, etc.
19. Fix typos e.g. Article 17, Section "22" appears twice; second appearance should be Section "23"
20. Regarding Article 2B, Section 2; leave the strike lines through Treasurer and Tax Collector, leave the parentheses with amended date but drop chapter reference

In closing, Al Blake mentioned that the Bylaw Review Committee needs to research how the committee gets changes/edits/amendments on the warrant for the Annual Town Meeting. It was also noted that regardless of which committee brings forth the Dark Skies proposal, it's unlikely to be included in the warrant this spring owing to the process for inclusion.

Adjournment

BG made a motion to adjourn the meeting. Motion seconded by Chuck Garman CG and approved. Meeting adjourned at 12:15 pm.

Respectfully submitted by Vickie DeLorenzo

Approved by Chuck Garman, Chair

Chuck Garman 2/9/24