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**Bylaw Review Committee
November 22, 2022, 7 PM by Zoom
Minutes**

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

Members attending: Bob McGaw (Chair), Bob Schafer, Liz Goss, Ellen O'Brien
Cushman
Member absent: Joe Hicks
Others attending: Roy Epstein (Select Board Member), Rich Hartley, Susan Lewis

Meeting called to order by the Chair at 7 PM

**Agenda – Review of changes and proposed amendments to the text of the Leaf Blower Control Amendment as printed in the warrant for Special Town Meeting 1, November 29, 2022
Article 3, Leaf Blower Control**

Motion by Bob McGaw: in §60-1210 paragraph J to change the word “and” to the word “nor”.

MOVED: That with regard to the proposed Article 12 to the General Bylaws as set forth in Article 3 of the Special Town Meeting 1 Warrant, the Bylaw Review Committee approve the proposed Article 12 as to form and consistency with existing provisions of the General Bylaws and as to their placement in the General Bylaws, if the following change is made:

In § 60-1210(J), substitute the word “nor” for the word “and” so that it reads as follows:

J. Effective January 1, 2023, no Combustion Leaf Blower shall be operated on a Relevant Property between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and Saturday, **nor** between the hours of 8:00 p.m. and 9:00 a.m. on Sunday or a legal holiday.

No second to the motion was made.

Bob M stated that he interpreted the sentence to be a “neither/nor” example requiring the word nor to be added. Bob S disagreed stating that it’s not a “neither/nor” because there is no “neither” and it doesn’t appear to be implied; the sentence sets forth two time periods and the word “and” is correct. Liz agreed.

Vote by roll call: Liz No, Bob S No, Bob M Yes, Ellen No Motion is defeated

Review and vote on the inclusion of §60-1210 paragraph I, that was inserted into the version in the Special Town Meeting Warrant after the vote by the Bylaw Review Committee at our last meeting. Roy Epstein explained that the group of residents who had worked on the proposed bylaw believe enforcement of the existing Noise Bylaw to

be near impossible for leaf blowers and therefore intended them to be exempt from the Noise Bylaw.

Motion by Bob Schafer to approve §60-1210 paragraph I as to form and placement. Second by Liz.

Vote by roll call: Liz Yes, Bob S Yes, Bob M Yes, Ellen Yes Motion is approved

Amendments submitted by Town Meeting Members

Amendment #1 - Submitted by Rich Hartley, Town Meeting Member, Precinct 3

Rich Hartley affirmed that he has decided to withdraw his amendment and will not make it at Town Meeting.

No action required.

Amendment #2 – Submitted by John Robotham, Town Meeting Member Precinct 2

Substitute Motion offered by Bob McGaw

MOVED: That with regard to the amendment proposed by Mr. John Robotham to the definition **RELEVANT PROPERTY** in § 60-1205 of the proposed bylaw that is set forth in Article 3 of the Special Town Meeting Warrant 1, the Bylaw Review Committee approve his proposed amendment as to form and consistency with existing provisions of the General Bylaws and as to its placement in the General Bylaws, if the following change is made:

Insert the words “parcel of” after the word “Any,” so that it reads as follows:

RELEVANT PROPERTY — Any **parcel of** real property, as identified by map number, block number, and lot number, all as determined by the Assessors’ Records. In addition, a Relevant Property may include a parcel of land containing units with zero lot size that have the same map number, block number, and lot number.

No second to the motion was made.

Committee members discussed why it is necessary to add the words when we had originally spent quite a bit of time on the topic at our last meeting and decided that they did not achieve what the article sponsors intend. Bob M explained that he still feels the words are needed to accurately describe the land.

Vote by roll call: Liz No, Bob S No, Bob M Yes, Ellen No Motion is defeated

Original Amendment #2 – Submitted by John Robotham, Town Meeting Member Precinct 2

Moved : to strike the words "with a property type classification of 013 or 101 through 111" from the definition of "Relevant Property".

Roy Epstein explained that the original Leaf Blower article is aimed at residential properties. The proposed language of John Robotham's amendment would include all properties, Town, State, MBTA, commercial etc. which is not the working group's intent.

Motion by Bob Schafer to approve the amendment as to form and placement.
Seconded by Ellen.

Vote by roll call: Liz Yes, Bob S Yes, Bob M Yes, Ellen Yes Motion is approved.

On further reflection, Roy Epstein called attention to the problem created by the exact deletion of the words proposed by John Robotham, specifically resulting in two commas in succession.

Revised Motion by Ellen to approve as to form and placement the Robotham amendment to strike the words, (including the comma after the number 111) "with a property type classification of 013 or 101 through 111, "

Vote by roll call: Liz Yes, Bob S Yes, Bob M Yes, Ellen Yes Revised motion is approved.

Meeting adjourned at 7:45 PM

Respectfully submitted,
Ellen O'Brien Cushman

