

Shutesbury Conservation Commission

Minutes – 9/18/2023

Approved – 01/11/2024

Virtual Meeting

Meeting Start: 7:00 p.m.

Commissioners Present: Miriam DeFant (Chair), Mary David, Robin Harrington, Beth Willson

Commissioners Absent: Scott Kahan

Other Staff: Carey Marshall (Land Use Clerk)

Other present: Elisabeth Goodman (SCC Special Counsel), Patrick Garner (SCC Consultant), Janice Stone (SCC Consultant), Karen Tarlow, Jodi Rodar, Renee Richard, Shannon Gamble, Robert Seletsky, Leslie Luchonok, Fran Merrigan, Renee Moss, Michael Stotz, Jane Urban, Sanford Lewis, Joseph Salvador, Katie Eagan, Mike Vinskey, Eric Bachrach, Steve Schmidt, April Stein, Bob Blanchette, Sharon Weizenbaum, Joan Hanson, Jenny Kallick, Mike Lipinski, Ken Holt, Elizabeth Tonne, Gary Rehorka, Sandra Haughey, Peter Weiss, Amanda Alix, Don Wakoluk, Kathleen Paloma, Rob Kibler, Lynmarie Thompson, John Buonaccorsi, Suzanne Lyon, Penny Jaques, Mick Perry, Michael DeChiara, Michel Sedor, Susan Loring-Wells, Charlene Galenski, Tom Siefert, Erin Jacque, Eric Stocker (Select Board), Susie Mosher, Gail Fleischaker, Guy Devito, Glenn Stockton, Mark Rivers, Robert Price, “Town Hall Meeting”, Jen Reil, Cynthia Banfield-Weir, Edward Redonnet, Jennifer Wallace, Mark Robee, Ziporah Hildebrandt, Mary Lou Conca, George Arvanitis, Elaine Puleo, Leah Berlin, Penelope Kim, Clif Read, Jill Buchanan, Catherine Hilton, Tracy McNaughton, Dale Houle, Garrett Simonsen, Leslie Cerier, Mark Protti, Mike Lipinski, and all other unidentified individuals.

Meeting is being recorded.

Chair’s Call to Order at 7:00 p.m.

Public Hearing for Draft Wetlands Protection Bylaw Regulations:

Chair reviewed agenda, introduced the SCC consultants, and made introductory remarks. Reviewed the SCC policy for making public comments. SCC hopes to produce a FAQ on its website as a result of the comments received. The purpose of this hearing is to gather information to assist the Commission in developing Regulations for the Shutesbury General Wetlands Protection Bylaw and to allow the public an opportunity to make comments. SCC does not plan to make any final decisions at this meeting. Plan is to allow the public comment period to remain open for another 10 days, until the end of business on Goal primarily tonight we are here to listen we will not be making any final September 28th. Chair reminds public that hearing is not about adopting a new Bylaw which would be under the purview of a Town Meeting vote after approval by the Select Board. The Conservation Commission supports the development of an updated Bylaw and has in fact already drafted a new Bylaw which we have submitted to the Select Board and posted on our homepage our homepage at shutesbury.org/concom. The SCC has a statutory charge to protect vital water and wildlife habitat resources, both under the Shutesbury Wetlands Protection Bylaw and the state Wetlands Protection Act. The Bylaw was adopted by the Town in 1987 and approved by the Attorney General's Office. Towns are allowed to adopt local Wetlands Bylaws that are more protective of the environment than state law. Among other things, this Bylaw protects water quality, water quantity, wildlife habitat, and the prevention of water pollution and stormwater damage. We do this by reviewing and permitting activities in certain protected areas of Town called Wetland Resource Areas. We also review activities in the 100-foot area around wetlands, often referred to as the Buffer Zone or the Adjacent Upland Resource Area (AURA). The Commission has been working for over the past two years to update the Bylaw

Regulations. The current Regulations are very brief, badly outdated, and were adopted 23 years ago. Regulations are a separate document that supports the Bylaw with procedures, rules, definitions, permitting details, fees, and scientific standards. Regulations are the rules adopted by the Commission to ensure that decisions are made in a reasonable, systematic, and scientific manner. Fees collected for permitting activities go into a dedicated Town account and are used for administration of the Bylaw. The Bylaw allows the Commission to adopt Regulations from time to time and to update them. They really should be updated every five years or so to keep up with evolving scientific standards. The Bylaw requires Commissions to draft Regulations by holding a public hearing and then adopting them. The draft Regulations have undergone many stages of revision, including in response to public comments. Many hundreds of hours of work have gone into these draft Regulations. The Regulations under consideration tonight were developed in conjunction with our Technical Advisers, wetland scientists Patrick Garner, Janice Stone, and Commissioner Beth Wilson, and with input from our Special Counsel Elizabeth Goodman. Chair summarizes the history of the Regulation development process. In January of 2021, the Commission began discussing the need for new Regulations. In 2022, our Town Counsel Donna MacNicol, advised us during an ANRAD public hearing for the proposed solar projects that we needed to update the Regulations as quickly as possible due to their being too incomplete and lacking in necessary definitions and standards. Also in 2022, we learned of the court case of Boston versus Quincy that resulted in a legal precedent that now requires Commissions to adopt detailed Regulations in order to administer their Bylaws. The Commission completed a first draft and posted it for public review in May. In July, we held a public hearing on the Regulations and also received two legal reviews from a Special Counsel hired by the Select Board and from a municipal and land use attorney hired by a group of private residents. In August, the Commission obtained a legal review itself on behalf of the Commission by Special Counsel Elisabeth Goodman, a highly experienced land use and municipal attorney. When she began her review, Attorney Goodman was given all the drafts and previous legal reviews and commentaries that the Commission received. She advised some changes to the Regulations both after her first round of review and then again more recently as she after she reviewed a second legal review that was provided to the Commission from the Select Board. The draft on our website reflects all of these changes and updates. Attorney Goodman is here tonight to speak about her review and recommendations. Chair turns discussion over to Attorney Goodman.

Goodman: thanks the SCC for involving her. This project has been the subject of some controversy and is of great interest, given the almost 100 people participating tonight. Goodman: feel strongly that it is helpful to the Commission to adopt these Regulations; it's helpful because of the City of Boston v. Quincy (2022) Supreme Judicial Court decision; a local Commission in Quincy had tried to stop a project that MassDEP had approved; the Court held that the local Commission did not have a clear articulation of its Bylaw standards that were different from MassDEP; so nothing the Commission did under the Bylaw counted essentially so without clear defining Regulations. A town could become involved in litigation over its authority to issue any order under the local Bylaw and be challenged without Regulations; these proposed Regulations that I reviewed have similar language found in many towns; it is not inventing new language that is expansive or different; it's just explaining your Authority under the existing Bylaw; I believe these Regulations are more helpful; it would be desirable to have an updated Bylaw that identifies all of the comprehensive areas in which you want to express your protection but these Regulations are not adding fuel to a fire; they are helping to put any possible fires out; they're not instituting bans; they're not prohibiting activity but they provide a clear structure for the current and future Commissions to review under the local Bylaw; they are detailed and comprehensive

but I believe that they support the work of the Commission and that you would be in risk of becoming involved in litigation if you don't have clear Regulations; that's why they need to have a clear and precise method of review; those are the overarching comments. Turns discussion back to Chair.

DeFant: one question posed by the public is, "Why don't we just wait, stop working on these Regulations until such time as a new Bylaw is adopted?" What would be wrong with doing this? If the Bylaw is outdated, why don't we just stop using it? Can you explain the consequences of that action?

Goodman: you have a duty as a Commission; you've been charged with the protection of wetlands in your Town and surely no one is saying to you ignore the Bylaw which was passed by the Town residents of Shutesbury; I've read the comments of other attorneys, Attorneys McGregor and Donna Brewer and many other written comments; no one in the legal profession would be saying to you just give up and stop reviewing wetland Notices of Intent under your local Bylaw; you have that duty and that charge; it's best to define the Bylaw appropriately so that you're not shown to be arbitrary or capricious; to show that you have a factual structure, analysis, and process for decisions; then then you can be judged on whether you've complied with your Regulations or whether your Regulations are suitable; you have in these Regulations the ability to look at each circumstance and to make decisions based on the circumstances before you; nothing in these Regulations is a ban; there are waiver provisions; provisions for you to advise people in advance of filing a Notice of Intent; it would be wrong of the Commission to just have no Regulations; if you choose to not adopt Regulations at this juncture and wait several months until such time as a new Bylaw was adopted by the voters of Shutesbury, your decisions under the Bylaw might be open to greater legal scrutiny because you chose not to adopt new Regulations; if you have no Regulations and you issue decisions under your local Bylaw, those decisions can be subject to challenge; you are not protected by choosing not to adopt Regulations because your decision are judged in legal challenges on whether you're arbitrary and capricious; if you have don't have any definitions or process or method of reviewing your duties, then you are subject to challenge just as well; this is a risk that I wouldn't advise you to take.

Chair asked Commissioners if they have questions or comments. There are none.

DeFant: minutes for the July public hearing on the Regulations are not available yet, but the Zoom recording is available on the Town's YouTube channel if anyone wishes to review it. That hearing included an educational presentation which we are not going to duplicate tonight. Patrick Garner, our Technical Advisor, gave a presentation. Plan tonight is to focus on the new legal review comments from Attorney Gregor McGregor that were received this last week; both Patrick Garner and Attorney Goodman have now reviewed them; we plan to hear from both of them about their responses and how we can best address those issues if the SCC is agreeable. The review document with the comments has been circulated to the Town wide email system with a list of concerns from Attorney McGregor on behalf of the Select Board; we're not going recap those comments, which are available on the Town website or upon request to the Select Board, but we're going to address how our Regulations either deal or don't deal with those concerns. The first set of comments had to do with vernal pools; Attorney Goodman, do you want me to respond to this piece of it or would you like to make the initial comments? We also want to hear from Patrick Garner. Goodman: Mr. Garner should address this as it is a scientific question, but I'm happy to comment. DeFant: before we hear from our advisor, want to summarize how the Regulations address vernal pools; vernal pools are a type of isolated wetland which are a Protected Resource Area under the Bylaw; vernal pools have special importance for the values of the Bylaw,

which we can hear more about from our Technical Advisor; in Article 4 of the Regulations, the vernal pool section, vernal pools are distinguished from other vegetated freshwater wetlands, for the purposes of clarity, but not because we're considering vernal pools to be something different than an isolated wetland; they are a special kind of isolated wetland with their own delineation methods and performance standards; we put it in a separate section because it seemed to read better and made the most sense doing it this way; in other sections of Article 4. DeFant asks Garner to comment on the vernal pool regulations. Is it appropriate to define them as a type of Isolated Wetlands? What are they critical and why are these protections important? DeFant introduces Garner as a hydrologist and wetland scientist who was a past President of the Massachusetts Association of conservation Commissioners and has worked statewide with MassDEP and other regulatory agencies, developing statewide standards. He is a highly experienced wetland scientist.

Garner: notes he knows Greg McGregor, both of them have served together on the MACC Board and on MassDEP Technical Advisory Committees; he has worked with him and in opposition as experts in the field; he has great respect for Attorney McGregor and knows him well. Vernal pools are probably somewhat confusing to the general public; a vernal pool is a body of water, often isolated, but is sometimes found within wetlands itself, but vernal pools are the epicenter for the breeding activity of frogs and salamanders, many of these species are endangered but some are not; vernal pools have to have a what we call an "hydro period," they have to have water in them for a minimum of four months which is necessary for the egg-laying to occur w; a period of time goes by before the eggs turn into tadpoles; then the tadpoles turn into young salamanders or young frogs who continue to live in this pool until they're old to migrate out; so this process excludes "puddles," which have been mentioned in some of McGregor's reviews; a "puddle" typically is not going to be deep enough or large enough to sustain water over that four-month "hydro" period in order for a vernal pool to be certified by a state agency called the NHESPC, National Heritage and Endangered Species Program. NHESP requires the criteria that I'm referring to; vernal pools also need to have a selected protected area around them because the species that use these areas for the breeding don't live exclusively in these pools throughout the year; they only come down to the vernal pools for a short period of time and then they retreat back to the uplands; there's a correspondence between uplands and wetlands; typically the correspondence is that either the salamanders or frogs that depend on these vernal pools live 95% of the time in the adjoining uplands and come down to the pools during breeding season and then they leave after they've laid their eggs; they go back to where they came from so protecting that upland area is critical for the maintenance of the vernal pool functions; if the upland is destroyed, the vernal pool itself ceases to function and becomes essentially a dead zone; protection of the upland areas is important and very typical; under the Wetland Protection Act, vernal pools are protected; there's typically a 100-foot Buffer Zone outside of any vernal pool and any activity within that 100 feet is reviewed by MassDEP, to look at potential impacts; Towns with Bylaws almost invariably and without exception protect vernal pools; it is very common for Towns to exceed that 100-foot Buffer Zone. I was working last week on a project in a Town in central Massachusetts that has 150-foot No Disturb Zone around vernal pools so I think what the Town is proposing in these draft Regulations is not unusual; my push as a wetland scientist would be for an even larger and wider Buffer Zone to protect these species as we talked about in the last hearing in July. It is not unusual for these species to migrate anywhere between 400 and 800 feet outside of the pool during their annual cycle, so the 100-foot and 150-foot Buffer Zones used by different Towns and MassDEP is really not protective enough but the state tried to strike a sort of practical balance between what is necessary to protect these species and what is practical in terms of real estate values and that sort of thing and private rights.

Goodman: the reason I said that McGregor's comment about the ability to regulate vernal pools is a scientific question, which Patrick has answered; the answering being that vernal pools are a type of isolated wetland, that can be found within wetlands themselves, sometimes they're found outside of the wetlands, so it's important to be able to classify them in that respect well; we have to look at the language of the Bylaw; Mr. McGregor said the Bylaw doesn't mention vernal pools so they can't be protected by the Bylaw; what the bylaw mentions is any freshwater wetland, isolated wetland, marsh, wet meadow, bog, or swamp or within one 100 feet of any freshwater wetland, isolated wetland, marsh, wet meadow, bog, or swamp. There are more protected areas, but those are the ones that would apply to this issue; my question would be--is it possible for a vernal pool to occur outside of either a freshwater wetland, isolated wetland or marsh or wet meadow or bog or swamp?

Garner: Yes. Goodman: how could that be possible? DeFant: I think I think I see where we're getting confused here; at least in the way we've discussed it; and Patrick, please correct me, but what we have discussed is that there's different types of isolated wetlands. Vernal pools are one type and that there are other types that are vegetated. Vernal pools don't have to be vegetated but they have these very specific definitions based on their capacity to be breeding habitat. I think what you're saying Patrick is that they can be located also within other Resource Areas or other kinds of wetlands, like a flood plain, or even in a BVW. Is that the point you were trying to make? Garner: yes that's correct; as Beth asked correctly says, vernal pools can be completely isolated in an upland area that has a depression that may be a catchment for rainwater/groundwater. They may also be within an existing wetland.

Willson: mentions that vernal pools are also sometimes identified within the Isolated Land to Subject of Flooding Resource Area. That is also a Resource Area under our Bylaw. Garner agrees.

DeFant: In Section 3.2.2., the Regulations have some exemptions from protections for vernal pools, particularly areas that are within previously landscaped or developed areas or where the Buffer Zone (AURA) of the vernal pool is penetrating into a previously developed area. One of the legal comments was that we are allegedly attempting to regulate every puddle everywhere in Town. When you look at these Regulations and given your familiarity with Regulations elsewhere in the state, do you think we're unreasonably regulating vernal pools? Garner: thinks Regulations are clearly exempting areas that are already developed and that is proper; does not think the Regulations are by any means capturing every "puddle" in Town as he stated earlier comments; so-called "puddles" have to be large enough and substantial enough dimensionally to be able to hold water to a depth of 18-36 inches at a minimum for a period of at least four months; that requires a fairly large body of water that is going to be more than a "puddle."

DeFant introduces next topic. There were two comments in the legal review from Attorney McGregor. One criticized the Regulations mention of the burden of proof and the evidentiary standards in the Regulations because, in certain places in the draft, the SCC had the term, "clear showing of evidence." Attorney McGregor interpreted this to mean the same thing as a "clear and convincing" standard of evidence which is a very high bar and it is not in the plain language of the Bylaw. In reviewing this with Attorney Goodman, we recognized that it was never our intention to raise the evidentiary bar; we were not interpreting that language to mean this higher bar and so we've edited out all of those references so there no longer are any wording about a "clear showing of evidence." Attorney Goodman has agreed this is sufficient. Goodman: yes, agrees with that change.

DeFant notes the SCC has also addressed the concern about Article 3 Section 3, where the Regulations originally were discussing Practicable Alternatives and Alternatives Analysis. This was a section where the Regulations described a process whereby applicants would review with the SCC in their applications the efforts that they were making to avoid, minimize, or mitigate. The Regulations stated that they should consider other options or Alternatives and be able to give an explanation of how the option or alternative that they were choosing for their project was the best option or maybe the only option possible. In some cases, there may be no other option available because it would just be too expensive or too impractical. Attorney Goodman advised that the language used was confusing because the Wetlands Protection Act Regulations also refer to Alternatives Analysis and Practicable Alternatives (under Riverfront Redevelopment Standards). DeFant notes that the SCC did not want AURA reviews to be confused with Riverfront Area standards, so the language has been amended to “Consideration of Reasonable Options.” The section was also shortened considerably to make it as clear and straightforward as possible. Goodman: The Riverfront Area protections in the Wetlands Protection Act Regulations were adopted later than the rest of the Regulations. They imposed a different standard in in the Riverfront Area, including the Alternative of not developing the Resource Area; don’t believe that is appropriate for typical Bylaw reviews; she believes the SCC wants the ability to require mitigation of Resource Area impacts and environmental harm; that is within the Bylaw jurisdiction; the intent is to require a review of options; don’t want to be always referencing state Regulations; Boston v. Quincy decision emphasized the need to spell out standards independent of state law.

DeFant: next set of comments had to do with “cumulative effect” and the legal/scientific test established by the Boston v. Quincy decision. In Garner’s view, are the Regulations scientifically defensible, objective, and substantive? Garner: yes, they are scientifically and practically defensible. I’ve been involved with MassDEP appeals. MassDEP has established rules that allow Commissions to look at cumulative effect on foreseeable development activities. What the SCC is proposing is very typical and practical. Goodman: if you were going to update your Bylaw, you could include more language about cumulative impacts. DeFant: doesn’t the Bylaw already establish a standard for no significant or cumulative effect in Section 1? Goodman: yes, you are correct. The Bylaw allows you to deny a permit based on cumulative effects. The issue with Boston v. Quincy was that the Quincy Commission had no Regulations to define what that meant and how it would be any different from the WPA/MassDEP review, so your Commission should have these Regulations to define that analysis. Goodman disagrees with McGregor’s comments. He argued that you need to amend the Bylaw to use those terms, but I see it right here in your Bylaw.

DeFant: next topic has to do with stormwater management. DeFant informs the public that the SCC will not be taking comments until they get through this review with its consultants. There was a concern raised by Attorney McGregor about our discussion of Best Management Practices which are a type of stormwater structure mentioned in Article 3 Section 8. Mr. McGregor stated that we were trying to in some way bootstrap a stormwater Bylaw into our Regulations illegally, going beyond the scope and jurisdiction of this Bylaw. DeFant’s understanding is that SCC is not creating any new BMP types because we’re adopting the Mass DEP Stormwater Standards which subsume the Massachusetts Stormwater Manual, which includes BMP designs and types. We’re not regulating stormwater everywhere in the Town, we are regulating stormwater to the extent that it impacts Resource Areas. Is that Goodman’s understanding?

Goodman: that is my understanding; the Regulations are implementing wetlands protection and to the extent that you need to have methods of managing stormwater so that an alteration does not result in harm to a wetland Resource Value, then you can adopt appropriate, reasonable, commonly-used standards and apply them in your Town and you probably are doing that anyway; currently, you just don't have it in any Regulations; DeFant: so you did not agree with this series of comments about stormwater in Attorney McGregor's review? Goodman: one of his comments are that the Town should probably have stormwater BMPs throughout the Town, not just for wetland Resource Areas; I would say, "Sure, that sounds great, do that." He says a better approach would be to enact a stormwater bylaw. What I'm going to say is that it doesn't make these Regulations illegal.

Garner: the SCC already has, under the Wetland Protection Act, the ability to regulate stormwater in areas that could potentially impact wetland Resource Areas; so if you have a catch basin and storm water system that drains into a wetland, you have already the jurisdiction over that area; that's not something new that the Regulations are inventing or overreaching; Regulations are simply clarifying and defining precisely what those boundaries are; that's appropriate, but the Commission has outreaching jurisdiction into those areas that are creating stormwater impacts now ever if they are outside of the 100-foot Buffer Zone; the SCC's jurisdiction can reach out hundreds of feet depending on the stormwater system itself under the WPA; agrees with Goodman that a system that discharges and has the potential to impact a Resource Area is something SCC already has the ability to look at and analyze; it is it's nothing new.

Goodman: this is complex but, even without a local Bylaw, the Commission is empowered to be the local authority under the state WPA; all you are doing here is saying that you also have a more protective local Bylaw and want to be clear about the standard imposed under it; it doesn't take away from your state authority; it's been determined by law that bylaws can be more protective. DeFant: we are not trying to undo the state standards; that's why we are adopting the MA Stormwater Standards and incorporating the Stormwater Manual from MassDEP, so that there's consistency in the way that we review these kind of stormwater issues. Goodman: that's why I said SCC is probably already doing it already.

DeFant: the sixth comment from Attorney McGregor had to do with the delineation method for hydric soils and this is really a question for Patrick Garner, because Mr. McGregor was observing that it's a very complex methodology to delineate or identify the boundaries of a BVW using hydric soils and that perhaps this was too complex or confusing for the public or for the Regulations; so, we would like your opinion about it. I will just say add that our Commission learned very recently in an ANRAD proceeding with the Town on a disturbed site that hydric soils were extremely important because it was the only methodology for delineating a wetland on a property where the site had been disturbed and vegetation had been mowed and it was a drought; the usual other methods were not available; couldn't go by surface hydrology and we couldn't go by the presence hydrophytic vegetation; the delineation had to be done by hydric soils; in your review of our Regulations, do you think that the definitions and standards that are being used are scientifically valid and capable of being understood by a wetland scientist?

Stocker: the Zoom meeting has apparently reached a limit of 100 people and people cannot get into this meeting. Marshall: reached out to the Town Clerk once she realized that we were getting close to 100 people; she confirmed that we should be able to admit up to 300 people with this Zoom account. If people are unable to get admitted to the Zoom meeting, public hearing must be rescheduled. Fleischaker:

people are being told the meeting is full and are not being allowed in. Marshall: will call the Town Clerk.

DeFant invites Garner to finish answering the question while waiting for more information.

Garner: my quick answer would be that Attorney McGregor Greg is not a soil scientist or wetland scientist; hydric soils are a complex topic; hydric soils are typically refer to as soils that have changed in color because of their contact with groundwater; wetland scientists and soil scientists can take samples of these soils below the surface and tell whether or not they're in a probable wetland zone; it is complex it's nothing that the public should expect to be able to do or understand quickly and readily; it requires educational exposure to workshops, seminars, and lots of experience; under the MassDEP Wetland Regulations there are three methods that must be brought into every wetland delineation, including looking at surface hydrology (typically standing water,) hydric soils, and wetland vegetation identification. Between those three indicators, you have at have least two out of three; hydric soils were adopted originally by the US Army Corps of Engineers, then EPA, and then MassDEP. They are something that every wetland scientist uses; the definitions in the Regulations would be quickly and commonly understood by any wetland expert in the field and they're not overly complex in my opinion at all; they're very typical.

DeFant: in response to Attorney McGregor's comments #7 and #8 about wildlife habitat and endangered species, the Commission has deleted the paragraph that was article 3 section 10, paragraph 10.23.

David states she is still admitting people to the meeting. Marshall confirmed that the assigned Zoom account only allows 100 participants, so they cannot admit everyone that wants to join. The Town Clerk has informed the Land Use Clerk that the hearing must be rescheduled. The Town will upgrade the Zoom account to make sure that it has a capacity of 300. Goodman advised the SCC to continue the public hearing. DeFant expressed concern that authorization to hire Goodman included attendance at this hearing but not sure SCC has authorization to have her attend another hearing. Goodman believes she is authorized because the public hearing is to be continued, it is the same hearing, advises the SCC to pick a date. DeFant proposed September 28. Garner is not available on the preceding week. Consultants are available on the 27th at 6 p.m. David notes that the recording of this public hearing session will be available for members of the public who missed it. DeFant will send out a town wide email announcement and let the public know that the Zoom recording is available on the Town YouTube channel.

David moved to continue the Public Hearing for the draft Wetlands Protection Bylaw Regulations to September 27, 2023 at 6:00 p.m. Willson seconds. Roll Call: David, aye; DeFant, aye; Harrington, aye; Kahan, aye, Willson, aye. Motion carries.

DeFant moved to adjourn. Willson seconds. Roll Call: David, aye; DeFant, aye; Harrington, aye; Willson, aye. Motion carries.

Meeting adjourned at 7:55 p.m.

Next meeting: September 27, 2023 at 6:00 p.m.

Documents Used

- Agenda
- Draft Bylaw Regulations
- Bylaw Regulations Review by Attorney Gregor McGregor

Respectfully submitted by Miriam DeFant, Commission Chair, 1/7/23