



Plympton Bylaw Review Committee

Minutes for October 20th, 2022

Deborah Sampson Meeting Room

The meeting, having been duly posted with an agenda, was opened by Acting Chair, Amy Cronin at 6:43 PM.

Present: Dave Alberti, Amy Cronin, Kevin Rafferty, and Ann Sobolewski

Regrets: Alan Wheelock, Jean Cohen and Arthur Kinsman,

1. **Minutes.** The October 10th, 2022 minutes, submitted by Amy Cronin were approved as written.
2. **BLRC Accomplishments (2016-2022).** At the 10/06/22 meeting, Alan handed out a summary of our work to date and incorporated changes from the Committee. A vote was taken to formally approve the content of, and the distribution of the edited final version of the document to all Town Departments, Boards and Committees. The Committee acknowledged the great work of Alan to pull together this document based on past warrant article postings and other sources.
3. **Aquifer Protection – Groundwater Protection Overlay District Bylaw.** Three workgroups were formed to review materials with a goal to update and strengthen the existing groundwater bylaws. The overall goal is to help ensure that the purity of our aquifers and groundwater will be protected.

It was originally thought that we could adopt the Rehoboth Groundwater protection language, but quickly realized it is necessary to reconcile the existing Plympton regulations against the Rehoboth by-law. The amount of overlap - or even potential conflicts – has to be reviewed carefully before bringing this issue to the voters. The workgroups discussed their goals, methods and best approaches.

Group One – Research and Report on existing Plympton By-law 300 8.1 through 300 8.3, with accompanying map. Dave Alberti, Ann Sobolewski and Alan Wheelock.

- Research the existing overlay map and accompanying overlay district language.
- Summarize, in a report:
 - The history of the by-law.
 - The goals and rationale for the by-law.
 - Analyze and explain the three existing Groundwater Protection Districts.
 - Report on efforts – if any – to enforce this by-law and describe how it has or has not protected Plympton's groundwater during the last 28 years.

Ann noted that she believed the original bylaw was based on a model provided by the state when they requested all towns create a bylaw in 1991. Most towns (if not all) have 3 zones. She provided the link where the model bylaw is, and it appears it was updated in 2011.

https://www.google.com/search?q=massachusetts+groundwater+protection+overlay+districts&rlz=1C1CHBF_enUS947US947&oq=massachusetts+groundwater+protection+overlay+districts&aqs=chrome..69i57j33i160.11104j0j15&sourceid=chrome&ie=UTF-8

A folder of the history of the groundwater protection was found in the Planning Board file cabinet and will be reviewed.

Dave Alberti showed the groundwater overlay map that was created in 1991 and amended for the 1994 Annual Town Meeting that was created by Woodard & Curran, Inc out of Wellesley. He said he'd also check out the map in the Building Department. He's also been viewing online a site called MassMapper that provides detailed maps with several different themes. Dave made a list of the "themes" that would be of interest with this project, including depth of groundwater, etc.

Group Two – Research and report on the Rehoboth Groundwater Overlay District, as well as the existing Plympton Earth Removal By-law. Amy Cronin, Kevin Rafferty and Alan Wheelock.

- Summarize, in a report:
 - The history of the by-law.
 - The goals and rationale for the by-law.
 - The impact of the Rehoboth By-law on Rehoboth's efforts to protect the town's aquifers and groundwater.
 - Report on how Rehoboth enforces this by-law and describe how they have overcome challenges along the way.
- Research and report on Plympton's Chapter 141, Earth Removal By-law.
- Summarize, in a report:
 - The history of the by-law.
 - The goals and rationale for the by-law.
 - Any overlaps or conflicts between Chapter 141 and Plympton's Chapter 300 8.1.
 - Report on how Plympton enforces this by-law.

Kevin noted that Daniel Roach is the Town Planner and Conservation Agent in Rehoboth. Amy noted that Alan had done a lot of work initially, including meeting with contacts in Rehoboth. Alan's prior findings were the following:

- Purpose of the By-law is clear and concise
- The list of Definitions is extensive, and detailed.
- Groundwater Protection District is an overlay, but the overlay covers the entire town.
- Land uses allowed in their Schedule of Uses are all allowed in the Overlay District.
- However, the by-law calls for special permits to be required in cases of:
 - Solid waste disposal

- Manufacture, use, storage or disposal of hazardous wastes.
- Discharge of industrial liquids on-site.
- Storage or disposal of things like radioactive waste, chemicals, or waste oil.
- Mining
- Applying agricultural chemicals
- Thirteen in all.
- The Planning Board becomes the Special Permit Granting Authority under this Groundwater Protection By-law.
- The By-law is enforced by the ZEO.

Group Three – Research and Report on Plympton’s other existing groundwater protection by-laws and regulations. Jean Cohen, Art Kinsman, Alan Wheelock.

- Chapter 290 – Wetlands Protection
- Chapter 370 – Wetlands Regulations
- Chapter 300 – 3.3 - Floodplain and Watershed Protection District.
- Chapter 300 – 3.5 – Groundwater Protection
- Summarize, in a report:
 - The history of these by-laws.
 - The goals and rationale for the by-laws.

The role of the Conservation Commission and Board of Health in implementing and enforcing these by-laws.

4. Parking Lot Items:

- Sprinklering houses greater than 3000 ft²; and parking regulations.
- Do setbacks apply to tennis courts, swimming pools – do they count as a structure?
- There are some zoning terminology changes (like light manufacturing versus light industrial which is supposed to be the same thing).
- Animal Control Officer. We have an agreement with the Town of Carver that we share their Animal Control Officer. There is no entity that will inspect a property when a kennel is being proposed. It was questioned if the barn inspector (Brian Kling) could also inspect for kennels; he inspects 100+ pigs, cows, chicken coops, all animals, etc. It was discussed that Brian Kling noted that he didn’t have the proper tools to perform the job (canine catching tools, tranquilizer gun and gun for injured deer, etc.). A job position with tools provided is needed. It’s possible a student in the ag program or 4H could be a future candidate. This could be a project to pass on to the Town Administrator, Liz.
- Solid Waste and Illegal Dumping Bylaw
- 300-6.3 Trailers/mobile homes
- Groundwater Protection Overlay District Bylaw (Alan and Dominique). After studying the current Floodplain and Watershed Protection District, Section 300-8.1 – highlighted by Ann Sobolewski at the February 17th BLRC meeting – Alan concluded that, before the Town can adopt the Rehoboth Groundwater protection language, it will be necessary to reconcile the existing Plympton regulations against the Rehoboth by-law. The amount of

overlap - or even potential conflicts – has to be reviewed carefully before bringing this issue to the voters.

- Setback definitions in §300-5.1 through 300-5-7 (Amy)
- Bylaw to Promote Clear Marking of Driveways.
- Kennels
- Key Lock Boxes
- 300-7.1 General provisions, Section (A)(1) change “maximum” to “minimum”?
- Clarify the varying terms “access area” and “roadway” in Articles 34 and 35.
- 300-8.3(E)3 – it was questioned if the numbers should be I, II and III (not just II). This is likely an error as it was believed to be in the prior bylaws correctly.

Next Meetings: The Committee’s regular meeting schedule is the first and third Thursday of each month, starting at 6:30 PM. The next one will be on November 3rd and 17th.

Adjournment: The meeting was adjourned by the Acting Chair, Amy Cronin at 7:31 pm. These minutes are respectfully submitted by Amy Cronin.