



Plympton Bylaw Review Committee

Minutes for November 3rd, 2022

Deborah Sampson Meeting Room

The meeting, having been duly posted with an agenda, was opened by Chair, Alan Wheelock at 6:36 PM.

Present: Dave Alberti, Amy Cronin, Arthur Kinsman, Kevin Rafferty, Ann Sobolewski and Alan Wheelock

Regrets: Jean Cohen

1. **Minutes.** The October 20th, 2022 minutes, submitted by Amy Cronin were approved as written.
2. **Angels Auto.** The complaint about runoff from this business was submitted to the Conservation Commission and the Department of Environmental Protection. There are wetlands concerns. Additionally, the business doesn't conform to the Bylaws since they expanded after May 2019. The definition of junkyard is in the bylaw and they are grandfathered, but not with an expansion; the relevant section is in Plympton Bylaws in Section 300.11.1.
3. **BLRC Accomplishments (2016-2022).** This document was distributed to all Town Departments, Boards and Committees. Selectman John Traynor sent a note of appreciation, as well as the Town Clerk. The Committee acknowledged the great work of Alan to develop this document.
4. **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. First we need to figure out how much protection we have already and cover the missing areas with the goal to supplement without conflicts. District 1 is the most restrictive, and Rehoboth is a single district; it is thought that Plympton would likely be one district.

In Rehoboth bylaws (Section 5.c.7, mining of land is allowed throughout, and Plympton only allows it in Zone 3 (Section 300.8.3.E.20-21). Mining language in Rehoboth is similar to the earth removal bylaws in Plympton. Alan will go to the hydrology expert, Bill Napolitano to

see if there's a best practice model and which town has the best bylaw, as well as where Rehoboth's most recent bylaw is (the General was last updated 2019 and the Zoning was last updated in 2021). Although the mission statements of the 3 groups are below, Alan will take another look at the mission statements of each group in light of tonight's discussion.

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.

In viewing the history of the groundwater protection found in a Planning Board file, in 1993 there was a zone added around Silver Lake through a Town Meeting to protect against run-off.

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.

Alan's prior findings regarding Rehoboth 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.

5. 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 17th, December 1st and 15th.

Adjournment: The meeting was adjourned by the Chair, Alan Wheelock at 7:47 pm. These minutes are respectfully submitted by Amy Cronin.