

ADVISORY & FINANCE COMMITTEE

The following meeting of the Advisory & Finance Committee has been posted and will be held

At: Plymouth Town Hall - Mayflower II Meeting Room
11 Lincoln Street, Plymouth, MA 02360

On: Wednesday, August 17, 2016 at 7:00PM

Items on the agenda will include but are not limited to the following.

Other discussion may include items that were not reasonably anticipated by the Chairman 48-hours in advance of the meeting posting.

Call to Order

Public Comment

Announcements

- Welcome New Advisory & Finance Committee Members
 - Peter Mador
 - Sheila Sheridan

Fall Town Meeting Articles

- Article ___: Floodplain District
Lee Hartmann, Director of Planning & Development
- Article ___: Solar Bylaw
Kerry Kearney, Energy Committee
Lee Hartmann, Director of Planning & Development
Patrick Farah, Energy Officer/Planning Technician
- Article ___: Zoning – Resnik Road
Henry Stout, Petitioner
Ed Santos, Petitioner
Mike Scott
Lee Hartmann, Director of Planning & Development
- Article ___: Bylaw - Plastic Bag Ban
Ken Stone, Petitioner
Lee Burns, Petitioner

Old/New/Other Business

- Correspondence
- Conflict of Interest Training Online: <http://www.muniprogram.state.ma.us/>
- Sub-Committee & Committee Liaison Updates
 - Preference Form & Assignment Update

Public Comment

Adjournment

Next Meeting: Wednesday, August 24, 2016 at 7PM in the Mayflower II Meeting Room – Town Hall

FALL ANNUAL TOWN MEETING WARRANT

October 15, 2016

ARTICLE ____:

To see if the Town will vote to amend its Zoning Bylaw, Section 205-58. Floodplain District by amending the text related to Flood Insurance Rate Maps and State Building Code references and by adopting revised Flood Insurance Rate Maps (FIRM) for the Town of Plymouth, Massachusetts, Plymouth County as well as to amend associated sections, provisions, definitions, tables, charts, and procedures pertaining as on file with the Town Clerk thereto, or take any other action relative thereto.

2016 Fall Annual Town Meeting

Article __

REPORT AND RECOMMENDATION
OF THE PLANNING BOARD
ON THE PROPOSED AMENDMENT
TO THE ZONING BYLAW AND MAP
TO REDEFINE THE TOWN'S FLOODPLAIN DISTRICT

DATE OF PUBLICATION OF PUBLIC HEARING: August 3, 2016
August 10, 2016

DATE OF PUBLIC HEARING: August 22, 2016

VOTE: On August 22, 2016 the Planning Board voted unanimously (4-0) to recommend Town Meeting approve the following article to the Fall Annual Town Meeting.

NEED & JUSTIFICATION:

The 100-year floodplain is an area that on average is expected to have a 1% chance of being flooded in any given year. For example, during the life of a 30-year mortgage there is a 30% chance that your property will be flooded. These flood areas are mapped by the Federal Emergency Management Agency (FEMA). The maps can be examined at the Office of Planning and Development at the Town Hall.

The current floodplain maps were prepared by the Federal Emergency Management Group (FEMA) in 2006. FEMA has revised the maps and is requiring the Town to adopt the revised maps. In addition, FEMA is also requesting that the Town make several revisions to the current Floodplain Zoning District.

FEMA is the only source of flood insurance in the United States. Numerous property owners receive flood insurance through the National Flood Insurance Program. If the Town does not adopt the revised maps and text, these property owners will no longer be eligible for flood insurance.

EFFECT:

The effect of this amendment is to adopt revised and more accurate floodplain maps and to adopt text that is consistent with the National Flood Insurance Program requirements.

INTENT:

It is the intent of this amendment is to ensure that Plymouth's floodplain bylaw complies with federal requirement.

By adopting this bylaw, property owners located within flood prone areas will be able to maintain flood insurance for their homes and businesses.

VOTE:

Effective as of November 4, 2016:

To delineate the Floodplain District as all special areas designated A, AE, AO, and VE on the National Flood Insurance Program Flood Insurance Rate Maps, Town of Plymouth, Massachusetts, Plymouth County, map numbers

25023C0244K, 25023C0263K, 25023C0342J, 25023C0352K, 25023C0353J, 25023C0354J, 25023C0356K, 25023C0357K, 25023C0358K, 25023C0359K, 25023C0361J, 25023C0362J, 25023C0363J, 25023C0364J, 25023C0366J, 25023C0367J, 25023C0370J, 25023C0376K, 25023C0378K, 25023C0379K, 25023C0386K, 25023C0387K, 25023C0388J, 25023C0389J, 25023C0391K, 25023C0393K, 25023C0394K, 25023C0477J, 25023C0479J, 25023C0485J, 25023C0487J, 25023C0491J, 25023C0492J, 25023C0494J, 25023C0505J, 25023C0506K, 25023C0507K, 25023C0508K, 25023C0509K, 25023C0511J, 25023C0512J, 25023C0513J, 25023C0514J, and 25023C0516K,

Plans ending with the suffix J dated July 17, 2012 and plans ending with the suffix K dated November 4, 2016 as shown on National Flood Insurance Program Flood Insurance Rate Maps, Town of Plymouth, Massachusetts, Plymouth County on file with the Town Clerk.

And further to amend Section 205-58 Floodplain District as follows:

Underlined text added

~~Strikethrough text deleted~~

§ 205-58.Floodplain District (FP). [Added 4-5-1986 ATM by Art. 56; Amended 10-23-06 ATM by Art. 19; Amended 4-7-12 ATM by Art. 31]

- A. **Intent.** The purpose of this section is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed:
- (1) To protect human life and health;
 - (2) To minimize expenditures of public money for costly flood-control projects;
 - (3) To minimize the need for rescue and relief efforts associated with flooding;
 - (4) To ensure that those who occupy areas of special flood hazard assume responsibility for their actions.
- B. **Scope and authority.** The Floodplain District is herein established as an overlay district. Any uses permitted in the portions of the districts so overlaid shall be permitted subject to the provisions of this district, as well as those of the Massachusetts State Building Code dealing with construction in floodplains.

- C. **Delineation of district.** The Floodplain District includes all special flood hazard areas within the Town of Plymouth, designated as Zone A, AE, AO, and VE on the Plymouth County Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency, for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Plymouth are panel numbers 25023C0244KJ, 25023C0263KJ, 25023C0342J, 25023C0352K, 25023C0353J, 25023C0354J, 25023C0356KJ, 25023C0357KJ, 25023C0358KJ, 25023C0359KJ, 25023C0361J, 25023C0362J, 25023C0363J, 25023C0364J, 25023C0366J, 25023C0367J, 25023C0370J, 25023C0376KJ, 25023C0378KJ, 25023C0379KJ, 25023C0386KJ, 25023C0387KJ, 25023C0388J, 25023C0389J, 25023C0391KJ, 25023C0393KJ, 25023C0394KJ, 25023C0477J, 25023C0479J, 25023C0485J, 25023C0487J, 25023C0491J, 25023C0492J, 25023C0494J, 25023C0505J, 25023C0506KJ, 25023C0507KJ, 25023C0508KJ, 25023C0509KJ, 25023C0511J, 25023C0512J, 25023C0513J, 25023C0514J, and 25023C0516KJ, Plans ending with the suffix J dated July 17, 2012 and plans ending with the suffix K dated July 17, 2012 ~~November 4, 2016~~. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated November 4, 2016 ~~July 17, 2012~~. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

Base Flood Elevation and Floodway Data

1. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence if the base flood discharge.
2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

Notification of Watercourse Alteration

In a riverine situation the Flood Coordinator shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

- D. **Development regulations.** The following requirements apply in the Floodplain District:

- (1) Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or flood proofing requirements, as appropriate, of the State Building Code.

- (2) In the floodway, designated on the Flood Insurance Rate Map, the following provisions shall apply:
 - (a) All encroachments, including fill, new construction, substantial improvements to existing structures, and other developments, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
 - (b) Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.
- (3) In Zones VE all new construction shall be located landward of the reach of mean high tide.
- (4) The placement of mobile homes in the Floodplain District is prohibited.

Reference to Existing Regulations

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in full compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code {780 CMR} which address floodplain and coastal high hazard areas~~which addresses floodplain and coastal high hazard areas (currently 780 CMR 3107, "Flood Resistant Construction")~~;
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

Other Regulations

1. Within zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
2. Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
3. All subdivision proposals must be designed to assure that:
 - a. Such proposals minimize flood damage;
 - b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

E. **Special permits.** Upon issuance of a special permit and subject to such conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes of this section, the requirements of this overlay district may be varied. In passing upon such special permit applications the Board shall consider:

- (1) The susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property.
- (2) The availability of alternative locations for the proposed use which are not subject to flooding or erosion.
- (3) The necessity to the facility of a waterfront location, where applicable.
- (4) A determination that the relief requested is the minimum necessary.

TOWN OF PLYMOUTH BY:

Timothy Grandy, Chairman

Ken Buechs

Paul McAlduff

Malcolm MacGregor

Robert Bielen

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD: _____

DATE FILED WITH TOWN CLERK: _____

cc: Town Clerk
Board of Selectmen
Advisory and Finance Committee

FALL ANNUAL TOWN MEETING WARRANT

October 15, 2016

ARTICLE ____:

To see if the Town will vote to amend the Zoning Bylaw to create a Solar Bylaw that allows the installation of ground-mounted solar systems while establishing definitions, procedures, and provisions for said installations, or take any other action relative thereto.

BOARD OF SELECTMEN

2016 Annual Town Meeting

Article __

FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD TO AMEND THE ZONING BYLAW TO CREATE GROUND-MOUNTED SOLAR PHOTOVOLTAIC SYSTEM REQUIREMENTS

DATE OF PUBLICATION OF PUBLIC HEARING: July 20, 2016
July 27, 2016

DATE OF PUBLIC HEARINGS: August 8, 2016

VOTE: On August 8, 2016, the Planning Board voted (3-1) to support the following amendment to Town Meeting:

NEED AND JUSTIFICATION:

Massachusetts General Laws (Chapter 40A §3) states that “No zoning by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, **except where necessary to protect the public health, safety or welfare.**” Therefore, the Town cannot prohibit the construction of solar energy systems but can establish **reasonable** regulations.

A solar energy system is defined in G.L. c. 40A, Section 1A: “Solar Energy System”, a device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generating, or water heating.

Plymouth’s Zoning Bylaw provides no guidance relative to regulating solar energy systems. The term solar energy systems or even the word solar do not appear in the zoning bylaw. It is not listed as an allowed, special permit or prohibited use in any district (commercial, industrial or residential).

Recently, the Town has permitted a growing number of commercial-scale, ground-mounted solar facilities but currently we have no standards covering the proper installations of such facilities. In the total absence of any guidance, the Planning Board is forced to deal with each case on an ad hoc basis.

This amendment establishes reasonable standards and protections for neighboring residential areas and the Town as a whole which may reduce exposure to costly litigation.

The amendment includes provisions that

- Only apply to ground mounted facilities;

- Require site plan review by the Planning Board on projects within residential zones.
- Prohibit large scale commercial solar facilities (over thirty acres);
- Establishes natural vegetated buffers and screening measures;
- Establishes removal and decommissioning provisions; and
- Includes stormwater standards.

The following solar facilities are exempt from this amendment:

- Rooftop systems;
- Ground mounted system under 1,500 square feet in size
- Systems located on agricultural land and used for energy generation for the agricultural use; and
- Systems located on commercial and industrial districts.

INTENT:

The intent of this bylaw is to promote the generation of solar energy while preserving the natural environment and supporting reduction of Plymouth’s carbon footprint.

PROPOSED AMENDMENT:

To be inserted:

205-3 Definitions

ACTIVELY OCCUPIED – As applied to the site of a GMSPS, that portion of a Development Site that contains the solar array, accessory structures, interconnection infrastructure and internal vehicle access roads.

DISTURBED AREA – Land which, due to human activity or as a result of natural forces, including but not limited to fire or flooding, is devoid of significant naturally occurring vegetation, the topography of which has been significantly altered or destabilized by any means.

GRID – Power transmission system used to transfer electricity from generation facilities to commercial and residential electric loads.

GROUND-MOUNTED – A solar energy system installed directly on the ground through various ground-mounting technologies which may include fixed, passive tracking or active tracking metal racking.

GROUND-MOUNTED SOLAR PHOTOVOLTAIC SYSTEM (GMSPS) – A ground-mounted, solar energy system that is either:

1. Located on land in agricultural use as defined in G. L. c.128, § 1A and used primarily for the accessory generation of energy for the operation of the agricultural use, or:
2. Installed for the principal purpose of selling generated electricity to the grid.

205-77. Ground-Mounted Solar Photovoltaic Systems

A. **Intent.** The intent of this bylaw is to promote, by-right, subject to Site Plan Review, in all Districts, the generation of solar energy and to minimize the impacts of solar facilities on the character of neighborhoods, on property values, on the scenic, historic and environmental resources of the Town; and to protect health and safety, while allowing solar energy technologies to be utilized.

B. Location and Area Requirements.

Except as otherwise provided herein, GMSPS are allowed by right in all zoning districts subject to Site Plan Review under Section 205-32.

1. Site Plan Review is not required for a GMSPS that:
 - a. Actively occupies 1,500 square feet or less of land and has a total GMSPS height of less than 8 feet from final grade, subject to Section C.2.e.; or
 - b. is located on agricultural land, and used primarily for the accessory generation of energy for the operation of the agricultural use; or
 - c. is located on a Development Site consisting primarily of Disturbed Area and, if located within any of the following Districts, provided a minimum 200-foot Buffer is in place along each Lot line that abuts a Residential District:
 - I. Airport (AP)
 - II. Arterial Commercial (AC)
 - III. General Commercial (GC)
 - IV. Highway Commercial (HC)
 - V. Light Industrial (LI)
 - VI. Light Industrial/Waterfront (LI/WF)
 - VII. Mixed Commerce (MC)
2. Prohibited.
 - a. A GMSPS that actively occupies more than thirty acres in area.
 - b. GMSPS are not allowed on parcels in R20, R25, R40 and RR zones that have been previously disturbed (i.e. cleared or substantially cleared of natural vegetation by other than natural forces such as fire or flood) for a period of five years from the date of disturbance.

C. **Standards.** The following standards apply to all GMSPS:

1. **Setback** – A GMSPS site and construction thereon shall conform to the dimensional and intensity requirements set forth in Table 5 of the Zoning Bylaw.

2. **Design –**

- a. **Lighting** – High efficiency lighting, such as LED, or equivalent, shall be limited to that required for safety and operational purposes, and shall comply with the requirements of §205-65 Prevention of Light Pollution.
- b. **Utility Connections** – Cabling and utility connections within the GMSPS shall be placed underground.
- c. **Security** – The GMSPS must be physically secured by measures including, but not limited to, appropriate fence material, construction, locking devices and surveillance equipment.
- d. **Signage** –
 - i. Required: A sign complying with Sign bylaw §205-19 shall identify the owner and operator, if not the same, and provide the following information: business name for any company or other entity owning and/or operating the installation, with the business address and name of a contact person for each; electric utility or other safety warnings and a 24-hour emergency contact phone number.
 - ii. Prohibited: Any advertising display.
- e. All emergency vehicle access ways shall conform to dimensional requirements of the Plymouth Fire Department.
- f. Screening, as defined in §205-3, shall be installed to shield residences from a GMSPS.
- g. Buffers as defined in §205-3 are required as follows:
 - i. A minimum of 75 feet for 1 to 2 MW DC systems;
 - ii. A minimum of 150 feet for systems greater than 2 MW DC.

3. **Land Clearing, Soil Erosion and Habitat Impacts.**

- a. Clearing of native vegetation on any undeveloped or land in its natural state shall be limited to that necessary for the construction, operation and maintenance of the GMSPS. Effective internal storm water management and erosion control features shall be maintained at all times during and post-construction. Installed fencing shall maintain a minimum distance of 8 inches from final grade for small wildlife passage.
- b. Stormwater management controls shall comply with Plymouth's Stormwater Design Guidelines. Percolation tests will be required if no stormwater system controls are provided.
- c. Management of all vegetated areas within the GMSPS shall be maintained throughout the life of the project through mechanical means and without the use of chemical herbicides.

4. **Information Required with Zoning Permit for all GMSPS.**

- a. **Landscape Plan** – A landscape plan prepared by a Registered Landscape Architect is required and shall include location of existing significant trees, shrubs and grasses to remain and all proposed additions, identified by specimen size and species at installation. Low growth vegetation shall be planted and maintained in areas under GMSPS rack equipment.
- b. **Materials** – Manufacturer’s specifications for a proposed GMSPS shall be provided for all equipment and attendant facilities and include documentation of the major system components to be used, including panels, mounting system, rated name plate capacity, colors, inverter and interconnection details.
- c. **Safety** – The GMSPS Owner or Operator shall submit a copy of the project summary, electrical schematic, and Development Site plan to the Building Commissioner, with a copy for review by the Fire Chief. Instructions to de-energize the system shall be made available to public safety personnel. The owner or operator shall identify a responsible person for public inquiries throughout the life of the GMSPS.
- d. **Financial Surety** – Except for a municipally owned GMSPS, a project designed to generate in excess of 2MW shall require a performance guarantee in the form of a cash bond in an amount approved by the Building Commissioner to cover the cost of GMSPS removal in the event the town must remove the installation and stabilize the Development Site with loam and seed.

5. **Other Requirements.**

- a. **Modification** – A substantial modification to a GMSPS shown on an approved Site Plan shall require Site Plan modification in compliance with the standards and procedures applicable to the original application.
- b. **Segmentation** – Adjacent parcels in the same ownership or control shall be deemed to be one parcel for purpose of calculating the area limitation of §B.2 above.
- c. **Abandonment** – A GMSPS shall be deemed abandoned when its operations are discontinued for more than one year without the written consent of the Building Commissioner; or if the Building Commissioner has determined that the installation is a hazard to public safety and the conditions have not been corrected within three months. A GMSPS must be removed by its owner and the site restored when it has been abandoned as provided herein.
- d. **Site Restoration** – A GMSPS must be removed by its owner within 150 days from the date of discontinuation of operations. The owner or operator shall notify the Building Commissioner by certified mail of the proposed date of discontinuation and provide detailed plans and schedule for GMSPS removal and restoration of the site to a function approved by the Building Commissioner or to a natural vegetative state.

- e. **Exemption** – This Section 205-77 shall not apply to a GMSPS for which a zoning permit was issued and was still in effect as of July 20, 2016 [the first publication date of notice of the August 8, 2016 Planning Board public hearing], but the record owner of the land shall have the right to waive this exemption, in which case this Section 205-77 shall apply.

TOWN OF PLYMOUTH

Timothy Grandy, Chairman

Kenneth Buechs

Robert Bielen

Malcolm MacGregor

Paul McAlduff

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD: _____

DATE FILED WITH TOWN CLERK: _____

cc: Town Clerk
Board of Selectmen
Advisory and Finance Committee

FALL ANNUAL TOWN MEETING WARRANT

October 15, 2016

ARTICLE ____:

To see if the Town will vote to amend the Official Zoning Map of the Town of Plymouth by changing the zoning designation of Land on Resnik Road shown as Lot 14K-123 on Assessors' Map 103 from Light Industrial (LI) to Mixed commerce (MC) or take any action relative thereto:

BY PETITION: Henry Stout et al.

2016 Fall Annual Town Meeting

Article __

FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD ON THE PETITION OF EDWARD W. SANTOS, ET. AL. TO SEE IF THE TOWN WILL VOTE TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION OF LAND ON RESNIK ROAD SHOWN AS LOT 14K-123 ON ASSESSORS' MAP 103 FROM LIGHT INDUSTRIAL TO MIXED COMMERCE

DATE OF PUBLICATION OF PUBLIC HEARING:

July 20, 2016

July 27, 2016

DATE OF PUBLIC HEARING:

August 8, 2016

VOTE: On August 8, 2016, the Planning Board voted (4-0) to recommend approval of the following amendment to Annual Town Meeting.

PROPOSED AMENDMENT:

To see if the Town will vote to amend the Official Zoning Map of the Town of Plymouth by changing the zoning designation of Land on Resnik Road shown as Lot 14K-123 on Assessors' Map 103, from Industrial (LI) to Mixed Commerce (MC), or to take any other action relative thereto.

NEED & JUTIFICATION:

This proposed rezoning will build on the continued success of commercial development occurring along the Commerce Way corridor. This amendment is consistent with a series of amendments approved at previous Town Meetings. These articles are intended to capitalize on the development potential created by Commerce Way and the new Route 44. The Mixed Commerce District includes uses that are more commercial in nature than those provided for in the Light Industrial category.

EFFECT:

The effect of this amendment will be to allow for a minimal expansion (3 acres) of the Mixed Commerce District located off Commerce Way. The property is currently vacant and undeveloped.

INTENT:

The intent of the Mixed Commerce District is to provide for a mix of retail and industrial uses in an area geographically suited to commerce activities. The district encourages a mix of low intensity industrial uses as well as larger retail uses. Commercial uses exceeding 10,000 square feet would require a Special Permit through the Zoning Board of Appeals.

It is also the intent of this amendment to encourage these types of uses at locations within the community that can support increased development of this nature with minimal impact to

residential neighborhoods. The location of commercial development at this location would complement the many industrial businesses already located in the park.

TOWN OF PLYMOUTH BY:

Timothy Grandy, Chairman

Ken Buechs

Paul McAluff

Malcolm MacGregor

Robert Bielen

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD: _____

DATE FILED WITH TOWN CLERK: _____

cc: Town Clerk
Board of Selectmen
Advisory and Finance Committee



Michael E. Scott
Direct Line: (617) 439-2811
Fax: (617) 310-9811
E-mail: mscott@nutter.com

July 12, 2016

RECEIVED

JUL 18 2016

PLANNING BOARD
PLYMOUTH, MA

RECEIVED OFFICE
TOWN CLERK'S OFFICE
PLYMOUTH, MA
2016 JUL 14 AM 11:50

Kenneth A. Tavares, Chairman
Town of Plymouth Board of Selectmen
11 Lincoln Street
Plymouth, MA 02360

Re: Petition for Zoning Map Amendment
1 Resnik Road, Plymouth, MA
Assessor's Parcel ID No. 103-000-014K-123

Dear Chairman Tavares:

On behalf of Edward W. Santos and H.A.S Enterprises, Inc., d/b/a Atlantic Properties (the "Petitioner"), please find enclosed a petition to amend the Town of Plymouth Zoning Map requesting that the property, located at 1 Resnik Road in Plymouth (the "Property"), be moved from the Light Industrial ("LI") zoning district to the Mixed Commerce ("MC") zoning district (the petition is attached as Exhibit A). The Property is owned by Plymouth Rising Tide Foundation Corporation, for which H.A.S. Enterprises, Inc. ("H.A.S.") has the Property and 6 Resnik Road under agreement to purchase. H.A.S. seeks the amendment as the prospective owner of the Property. The proposed amendment is appropriate as the location of the Property along Commerce Way, abutting other commercial uses, allows for the development of this vacant parcel in context with the surrounding commercial neighborhood.

The Zoning Map amendment will allow H.A.S. to development the Property, including potential restaurant and pharmacy uses (See Conceptual Site Plan, attached as Exhibit B) that would otherwise be prohibited by the current zoning designation. These proposed uses are compatible with the abutting uses detailed above, and will serve the surrounding neighborhood.

The Property is located off of Commerce Way at the intersection of Resnik Road and Industrial Park Road and is presently undeveloped. It is abutted to the north by Industrial Park Road, across which is a Dunkin Donuts, to the south by commercial properties containing office uses, to the east by Industrial Park Road and Resnik Road, across which are the Boys and Girls Club of Plymouth and the Rising Tide Middle School, and to the west by Commerce Way, across which are restaurant and hotel uses. (A GIS Site Plan and Assessor's Map 103 showing the Property's location are attached as Exhibit C). While presently located in the LI district, the Property abuts the MC District to the west and to the north across Industrial Park Road. The properties to the south and east are in the LI district. Further to the south, properties are in the R-20MD district, however, no portion of the Property abuts a residential neighborhood

Kenneth A. Tavares, Chairman
July 12, 2016
Page 2

Additionally, the proposed amendment is similar to an amendment approved by Town Meeting in April 2015. Article 32 of the 2015 Spring Annual Town Meeting approved the change in zoning designation for the properties identified as Assessor's Parcels Nos. 103-000-044, 103-000-14K-39C and 103-000-014K-40B, located to the north of the Property on Christa McAuliffe Road (See Assessor's Map 103, attached as Exhibit B) from the LI district to the MC district. These properties are situated similarly to the Property on the east side of Commerce Way.

Finally, the Petitioner has reviewed this petition informally with the Planning Board and staff at a June 20, 2016, meeting. At that meeting, the Planning Board voted to express its support for the petition. We look forward to presenting the proposed zoning amendment at your next hearing, and having the matter forwarded to the Planning Board for further review.

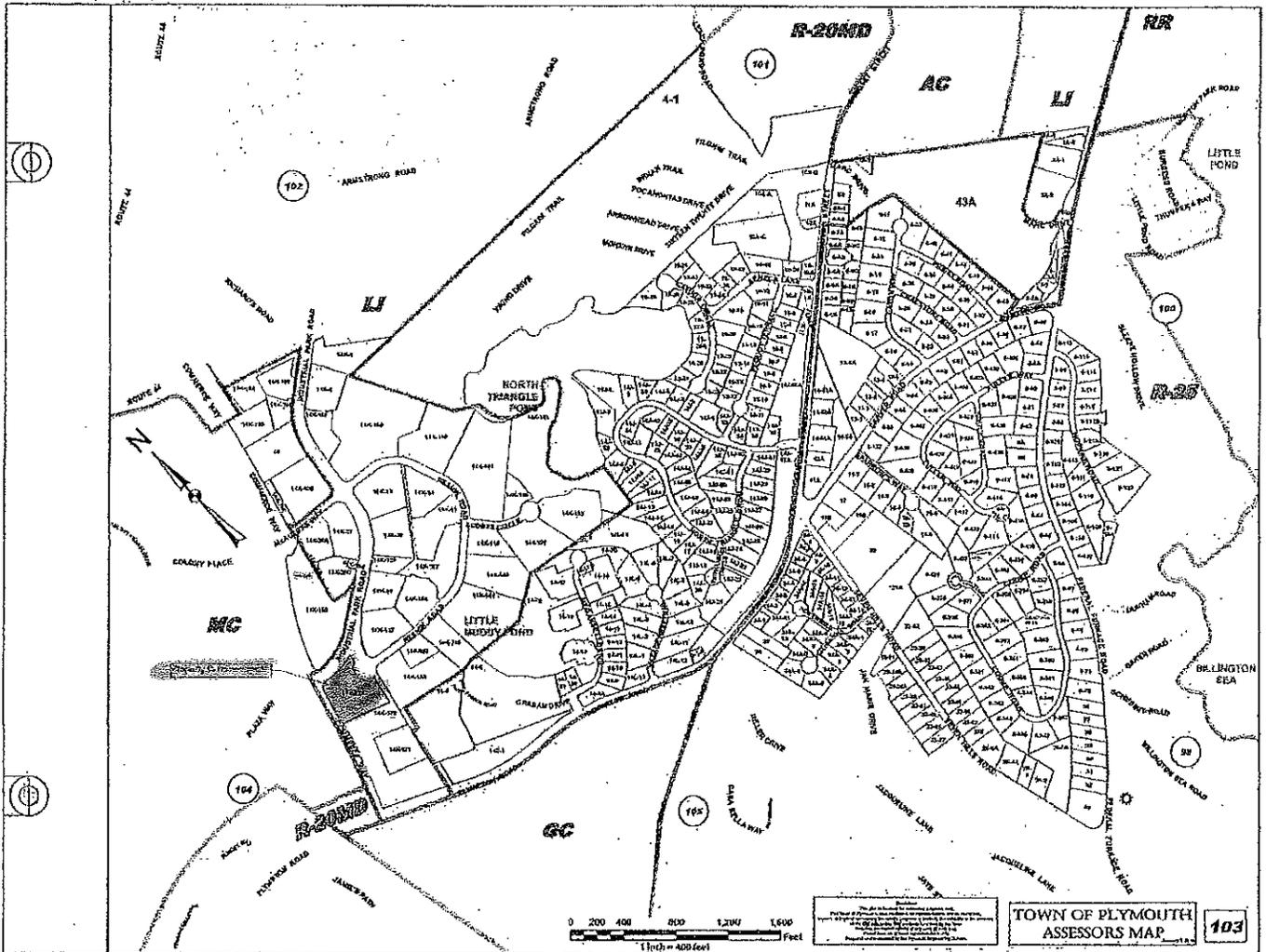
Thank you for your attention to this matter.

Very truly yours,



Michael E. Scott

MES:





MEMORANDUM

TO: Mr. Henry Stout
Atlantic Properties
100 Armstrong Road
Plymouth, MA 02360

FROM: Mr. Jeffrey S. Dirk, P.E., PTOE, FITE
Principal
Vanasse & Associates, Inc.
35 New England Business Center Drive
Suite 140
Andover, MA 01810-1066
(978) 474-8800, ext. 830
jdirk@rdva.com



DATE: June 27, 2016

RE: 7389

SUBJECT: Proposed Commercial Development
Resnik Road, Commerce Way and Plympton Road
Plymouth, Massachusetts

Vanasse & Associates, Inc. (VAI) has completed a preliminary assessment of the traffic characteristics and potential impacts on the transportation infrastructure associated with a proposed commercial development to be generally situated in the southeast corner of the intersection of Commerce Way at Industrial Park Road in Plymouth, Massachusetts (hereafter referred to as the "Project"). Specifically, this assessment reviews the overall traffic volumes that may be associated with the Project with consideration of proposed modifications to approved uses located proximate to Project site and the future relocation and retency of the Rising Tide Charter Public School Middle School as an office building.

Based on our initial assessment, we have concluded the following with respect to the Project:

1. The Project is expected to generate approximately 1,178 new vehicle trips on an average weekday (two-way, 24-hour volume), with 68 new vehicle trips expected during the weekday morning peak-hour, 106 new vehicle trips during the weekday evening peak-hour and 113 new vehicle trips during the Saturday midday peak-hour;
2. With the completion of the Project, the planned conversion of the Rising Tide Charter Public School Middle School to office space and the reduction in the size of one (1) of the approved office/medical office buildings located to the south of the Project site, peak-hour traffic volumes in the vicinity of the Project site are expected to be reduced during both the weekday morning and evening peak hours; during the Saturday midday peak-hour, the Project is predicted to result in 101 additional vehicle trips; however, overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than on a weekday and, therefore, reserve capacity exists to accommodate the increased demand that will result from the Project on a Saturday;
3. In comparison to the volume of traffic that was expected to be generated by the Rising Tide Charter Public School High School that was to occupy the Project site, the Project is expected to result in 83 fewer vehicle trips during the weekday morning peak-hour and comparable traffic volumes during the weekday evening peak-hour. During the Saturday midday peak-hour, the Project would result in 113 additional vehicle trips; however, again, overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than those on a weekday; and

4. After the completion of the Project and with the conversion of the Rising Tide Charter Public School Middle School to office space, operating conditions at the Commerce Way/Industrial Park Road/Plaza Way intersection and along both Industrial Park Road and Commerce Way will be similar to or improved over existing conditions.

The following details our preliminary findings with respect to the Project.

PROJECT DESCRIPTION AND CONTEXT

The Project will entail the construction of a mixed-use commercial development to be generally situated in the southeast corner of the intersection of Commerce Way at Industrial Park Road in Plymouth, Massachusetts (former location of the proposed Rising Tide Charter Public School High School). As proposed, the Project will encompass a 12,000 square foot (sf) pharmacy with drive-through prescription facility and two (2) restaurants (without drive-through windows) that will encompass 3,000 sf and 5,000 sf respectively. Access to the Project will be provided by way of the existing driveways that serve the Project site and include a full access driveway that intersects Resnik Road and Resnik Road Extension.

To the immediate south of the Project site, an office/medical office development has been approved to accommodate 72,000 sf of space in three (3) 24,000 sf buildings, of which one (1) 24,000 sf building is currently constructed and occupied, and the foundation for a second 24,000 sf building has been completed. The approved office/medical office building that has not yet advanced is proposed to be reduced in size from 24,000 sf to 12,000 sf.

In addition, over the next year, the Rising Tide Charter Public School Middle School will be relocating to a new facility and the existing school building (30,204± sf) will be rehabilitated to accommodate office space.

TRAFFIC CHARACTERISTICS

In order to determine the potential impact of the project on the transportation infrastructure, an assessment of the traffic characteristics of the Project was completed using trip-generation statistics published by the Institute of Transportation Engineers (ITE)¹ for the appropriate land uses. The ITE provides trip-generation information for various types of land uses developed as a result of scientific studies that have been conducted over the past 50 plus years, the most recent update of which was published in 2012. Based on a review of the ITE database and the known elements of the Project, the following ITE Land Use Codes (LUCs) were used to develop the traffic characteristics of the Project: 881, *Pharmacy/Drugstore with Drive-Through Window*; and 932, *High-Turnover (Sit-Down) Restaurant*.

It is expected that a portion of the trips that are generated by the Project will consist of internal trips and would represent an employee, visitor or patient of the adjacent office/medical office buildings that would patronize the proposed pharmacy or one of the restaurants that are to be located within the Project site. Completing the trip-generation calculations on an individual land use basis does not account for the interaction between uses that may occur within a mixed-use development. In order to account for the interaction between the uses within the Project site, a 10 percent internal trip reduction was applied to the base ITE trip-generation calculations.

¹*Trip Generation*, 9th Edition; Institute of Transportation Engineers; Washington, DC; 2012.



In addition, a portion of the trips associated with the pharmacy and restaurant uses will be derived from existing traffic that is travelling in the area for other purposes and is passing the site. These trips are known as pass-by trips and do not represent new traffic to the area as a result of the Project. Pass-by trips vary depending on the specific land use and the relative visibility and accessibility of the Project site. For the purpose of this preliminary assessment, a pass-by trip rate of 40 percent was applied to the trip-generation calculations for the bank, pharmacy and restaurant uses. For context, average pass-by trip rates documented by the ITE² for these uses range from 43 to 49 percent.

Table 1 summarizes the anticipated traffic characteristics of the Project using the above methodology.

²*Trip Generation Handbook*, 3rd Edition, An ITE Proposed Recommended Practice; Institute of Transportation Engineers; Washington, D.C.; August 2014.

Table 1
TRIP-GENERATION SUMMARY

Time Period/Direction	Vehicle Trips						
	(A) Pharmacy with Drive- Thru (12,000 sf) ^a	(B) Restaurants (8,000 sf) ^b	(C = A + B) Total Trips	(D) Internal Trips ^c	(E = D - C) Net Trips	(F) Pass-By Trips ^d	(G = E - F) Total New Trips
Average Weekday Daily							
Entering	582	509	1,091	109	982	393	589
Exiting	582	509	1,091	109	982	393	589
Total	1,164	1,018	2,182	218	1,964	786	1,178
Weekday Morning Peak Hour							
Entering	22	47	69	7	62	23	39
Exiting	20	32	52	7	52	23	29
Total	42	86	128	14	114	46	68
Weekday Evening Peak Hour							
Entering	60	47	107	10	97	36	61
Exiting	59	32	91	10	81	36	45
Total	119	79	198	20	178	72	106
Saturday Midday Peak Hour							
Entering	48	60	108	11	97	38	59
Exiting	50	53	103	11	92	38	54
Total	98	113	211	22	189	76	113

^aBased on ITE LUC 881, Pharmacy/Drugstore with Drive-Through Window.

^bBased on ITE LUC 932, High-Turnover (Sit-Down) Restaurant.

^cInternal trips are 10 percent of total trips

^dA composite pass-by trip rate of 40 percent was applied to trips associated with the pharmacy and restaurants.



As can be seen in Table 1, the Project is expected to generate approximately 1,178 new vehicle trips on an average weekday (two-way, 24-hour volume, or 589 vehicles entering and 589 exiting), with 68 new vehicle trips expected during the weekday morning peak-hour (39 vehicles entering and 29 exiting), 106 new vehicle trips during the weekday evening peak-hour (61 vehicles entering and 45 exiting) and 113 new vehicle trips during the Saturday midday peak-hour (59 vehicles entering and 54 exiting).

Table 2 provides a contextual assessment of the overall volume of new traffic in the area during the peak traffic volume hours as a result of the Project and with consideration of changes external to the Project site including the following: i) reduction in the size of one (1) of the approved office/medical office buildings from 24,000 sf to 12,000 sf; and ii) conversion of the Rising Tide Charter Public School Middle School to office space.

Table 2
PEAK-HOUR TRAFFIC VOLUME SUMMARY

Time Period/Direction	Vehicle Trips				((A+B)-(C+D)) Difference
	(A) New Trips Associated with the Project	(B) Rising Tide Office Redevelopment (30,204 sf) ^a	(C) Existing Rising Tide Charter Middle School ^b	(D) Reduction in Size of the Approved Office/Medical Office Building (12,000 sf) ^c	
<i>Weekday Morning Peak Hour:</i>	68	73	275	34	-168
<i>Weekday Evening Peak Hour:</i>	106	70	166	40	-30
<i>Saturday Peak Hour:</i>	113	13	--	25	+101

^aBased on ITE LUC 710, *General Office Building*

^bAs counted in September 2015.

^cBased on ITE LUC 710, *General Office Building*, for 6,000 sf and LUC 720, *Medical-Dental Office Building*, for 6,000 sf.

As can be seen in Table 2, with: i) the completion of the Project; ii) the planned conversion of the Rising Tide Charter Public School Middle School to office space; and iii) the reduction in the size of one (1) of the approved office/medical office buildings from 24,000 sf to 12,000 sf; peak-hour traffic volumes in the vicinity of the Project site are expected to be reduced by 168 vehicle trips during the weekday morning peak-hour and by 30 vehicle trips during the weekday evening peak-hour. These conditions are primarily a result of the removal of the drop-off/pick-up activity that is associated with the Rising Tide Charter Public School Middle School with more modest reductions attributable to the reduction in the size of the approved office/medical office building.

During the Saturday midday peak-hour, the Project is predicted to result in 101 additional vehicle trips given that traffic volumes associated with the middle school and the reduced office/medical office building are relatively minor. That being said, *overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than those on a weekday and, therefore, reserve capacity exists to accommodate the increased demand that will result from the Project on a Saturday.*



Comparison to Rising Tide Charter Public School High School

Table 3 presents a comparison of the peak-hour traffic volumes associated with the Project to those of the Rising Tide Charter Public School High School that was proposed to be located on the Project site and without consideration of the changes external to the Project site described previously.

**Table 3
PEAK-HOUR TRAFFIC VOLUME COMPARISON
PROJECT VS. RISING TIDE CHARTER PUBLIC SCHOOL HIGH SCHOOL**

Time Period/Direction	Vehicle Trips		
	(A) New Trips Associated with the Project	(B) Rising Tide High School (350 students) ^a	(A-B) Difference
<i>Weekday Morning Peak Hour:</i>	68	151	-83
<i>Weekday Evening Peak Hour:</i>	106	102	+4
<i>Saturday Peak Hour:</i>	113	--	+113

^aObtained from: *Transportation Impact Assessment*, Rising Tide Charter Public School Expansion, Plymouth, Massachusetts; VAI; November 2015.

As can be seen in Table 3, the Project is expected to result in 83 fewer vehicle trips during the weekday morning peak-hour when compared to the volume of traffic that was expected to be generated by the Rising Tide Charter Public School High School, with comparable traffic volumes expected during the weekday evening peak-hour. During the Saturday midday peak-hour, the Project would result in 113 additional vehicle trips given that traffic volumes associated with the high school absent a special event are relatively minor. Again, overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than those on a weekday thereby affording reserve capacity to accommodate traffic volumes associated with the Project.

PRELIMINARY IMPACT ASSESSMENT

A review of traffic operations at the signalized intersection of Commerce Way at Industrial Park Road and Plaza Way as documented as a part of the November 2015 *Transportation Impact Assessment* prepared in support of the Rising Tide Charter Public School Expansion³ indicates that overall operating conditions are currently acceptable (defined as a level-of-service of “D” or better) during both the weekday morning and evening peak hours. Given the reduced traffic volumes on a Saturday along Industrial Park Road due to the nature of the abutting land use (primarily classified as office/industrial/warehousing), it can be surmised that similar or better operating conditions are experienced during the Saturday midday peak-hour. Accordingly, it is apparent that, *after the completion*

³*Transportation Impact Assessment*, Rising Tide Charter Public School Expansion, Plymouth, Massachusetts; VAI; November 2015.



of the Project and with the conversion of the Rising Tide Charter Public School Middle School to office space, operating conditions at the Commerce Way/Industrial Park Road/Plaza Way intersection and along both Industrial Park Road and Commerce Way will be similar to or improved over existing conditions. It is likely that traffic signal timing and coordination adjustments will be required for the traffic signal system along the Commerce Way corridor to reflect existing and projected future traffic patterns resulting from the Project and other contemplated development projects in the area.

Operating conditions for the Resnik Road Extension approach to Industrial Park Road were also found to be operating under acceptable conditions with the exception of those distinct periods in the morning and afternoon during school drop-off/pick-up when traffic volumes spike for an approximate 10-15 minute period. *The conversion of the Rising Tide Charter Public School Middle School to office space will eliminate these traffic volume spikes and allow for more dispersal of traffic at the intersection during the peak-hours resulting in improved operating conditions at the intersection.* That being said, consideration should be given to modifying the Resnik Road Extension approach to Industrial Park Road to accommodate a left-turn lane and a through/right-turn lane in order to reduce vehicle queuing and reflect anticipated turning movements at the intersection after the completion of the Project.

SUMMARY

VAI has completed a preliminary assessment of the traffic characteristics and potential impacts on the transportation infrastructure associated with the proposed commercial development to be generally situated in the southeast corner of the intersection of Commerce Way at Industrial Park Road in Plymouth, Massachusetts. Specifically, this assessment reviews the overall traffic volumes that may be associated with the Project with consideration of proposed modifications to approved uses located proximate to Project site and the future relocation and retency of the Rising Tide Charter Public School Middle School as an office building.

Based on our initial assessment, we have concluded the following with respect to the Project:

1. The Project is expected to generate approximately 1,178 new vehicle trips on an average weekday (two-way, 24-hour volume), with 68 new vehicle trips expected during the weekday morning peak-hour, 106 new vehicle trips during the weekday evening peak-hour and 113 new vehicle trips during the Saturday midday peak-hour;
2. With the completion of the Project, the planned conversion of the Rising Tide Charter Public School Middle School to office space and the reduction in the size of one (1) of the approved office/medical office buildings located to the south of the Project site, peak-hour traffic volumes in the vicinity of the Project site are expected to be reduced during both the weekday morning and evening peak hours; during the Saturday midday peak-hour, the Project is predicted to result in 101 additional vehicle trips; however, overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than on a weekday and, therefore, reserve capacity exists to accommodate the increased demand that will result from the Project on a Saturday;
3. In comparison to the volume of traffic that was expected to be generated by the Rising Tide Charter Public School High School that was to occupy the Project site, the Project is expected to result in 83 fewer vehicle trips during the weekday morning peak-hour and comparable traffic volumes during the weekday evening peak-hour. During the Saturday midday peak-hour, the Project would result in 113 additional vehicle trips; however, again, overall traffic volumes along Industrial Park Road and Resnik Road on a Saturday are significantly lower than those on a weekday; and

4. After the completion of the Project and with the conversion of the Rising Tide Charter Public School Middle School to office space, operating conditions at the Commerce Way/Industrial Park Road/Plaza Way intersection and along both Industrial Park Road and Commerce Way will be similar to or improved over existing conditions.

These preliminary findings and the analyses presented herein will be refined as a part of the formal *Transportation Impact Assessment* that will be prepared in support of the Project.

cc: File

FALL ANNUAL TOWN MEETING WARRANT

October 15, 2016

ARTICLE ____:

To see if the Town will vote to amend the General By-Laws by adopting a bylaw entitled "Plastic Bag Ban" as follows: or take any other action relative thereto:

BY PETITION: Kenneth Stone and Lee Burns et al.

To the Advisory and Finance Committee

We appreciate FinCom having us on the agenda to discuss the Plastic Bag Ban article submitted for the fall town meeting warrant.

Please find attached a packet of information including a copy of the proposed bylaw, a fact sheet, a scientific article and letters of support from various organizations.

During our presentation on August 17th, we will update you regarding changes in the proposed bylaw since we last met (including an exclusion for small businesses), review some of the salient points as to why we believe instituting such a bylaw is beneficial and have time to fully respond to any questions or concerns Board members may have.

Thank you and best regards until we meet next Wednesday.

Kenneth Stone, Ed.D.
Lee Burns, Ph.D.

ARTICLE : To see if the Town will vote to amend the General Bylaws by adopting a bylaw entitled "Plastic Bag Ban" as follows; or to take any other action relative thereto:

SECTION 1 – DEFINITIONS

CARRYOUT BAG:

A carryout bag is a thin film plastic bag of a thickness less than 3 mils with handles provided to a customer by an establishment and is used to transport merchandise from the establishment. Carryout bags do not include bags typically without handles used to contain dry cleaning, newspaper, small bags to contain fish, meats, produce or other products selected by the consumer to deliver items to the point of sale.

REUSABLE CARRYOUT BAG:

A Reusable Carryout meets all of the following requirements:

- [1] Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material; or of a non-toxic plastic as defined by applicable state and federal regulations that is no less than 3 mils thick and has the word "Reusable" or "Reuse" printed on the outside of the bag in a visible manner.
- [2] Is specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG

A paper bag that [1] is 100% recyclable and [2] contains at least 40% post-consumer recycled paper content.

ESTABLISHMENT:

An Establishment means any business selling goods, articles, or personal services to the public, including restaurants, with a gross interior space of 3000 square feet or larger; or has at least two (2) locations under the same ownership or brand name within the Town of Plymouth.

SECTION 2: Findings, Purpose, and Declaration

(a) Findings. The town meeting finds and determines that:

1. Thin plastic bags are harmful to the environment.
2. Thin plastic bags are part of litter resulting in the Town being a less desirable place in which to reside and do business.
3. Thin plastic bags are a danger to marine and land animal life.

(b) Purpose. The purpose of this bylaw is:

1. To help lessen the deterioration of the environment.
2. To further educate the public regarding the importance of using biodegradable materials.
3. To provide additional enforcement to protect public and private property from litter.
4. To encourage the use of reusable carryout bags and thereby decrease plastic waste.

(c) Declaration. The town meeting declares that these plastic bags are a nuisance which must be abated according to the provisions and regulations herein contained.

SECTION 3. PLASTIC BAG BAN/PROHIBITION

No Establishment in the Town of Plymouth, as defined in Section 1, shall provide thin film plastic carryout bags as defined in Section 1. Establishments in the Town of Plymouth, as defined in Section 1, shall only provide Reusable Carryout Bags that comply with the definition in Section 1. Nothing in this section shall be read to preclude any Establishment from utilizing Recyclable Paper Bags, with or without handles, at the point of sale.

SECTION 4. ENFORCEMENT

This Bylaw may be enforced by any agent of the Board of Health.

All of the requirements set forth in this by-law shall take effect within six months of the approval of the bylaw by the Office of the Massachusetts State's Attorney General and satisfaction of the posting/publication requirements of G.L. c. 40, § 32. However, if a retail establishment cannot comply with the effective date of this by-law due to economic hardship, the establishment may petition the Board of Health for an extension of six months.

This Bylaw may be enforced through any lawful means in law or in equity, including, but limited to, non-criminal disposition pursuant to M.G.L c.40, Section 21D and the appropriate chapter of the Town's General By-laws. If a non-criminal disposition is elected, then any Establishment that violates any provision of this Bylaw shall be subject to the following penalties:

First Offense:	Written Warning
Second Offense:	\$50 fine
Third Offense:	\$100 fine
Subsequent offenses:	\$200 fine

SECTION 5: SEVERABILITY

If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.



PLYMOUTH PROPOSES A BAN ON THIN FILM PLASTIC CARRYOUT BAGS

- **Plastic bags are hard to recycle:** Plymouth does not accept plastic bags for recycling. Neither does Waste Management, the country's largest trash hauler. It is now cheaper to make a new plastic bag than to recycle one.
- **Most plastic bags are not recycled:** Americans use approximately 100 billion plastic carryout bags each year; between 86 and 95% of these bags are not recycled (EPA figures).
- **Plastic bags are found as litter throughout Plymouth:** Plymouth's annual beach and town wide clean ups find large numbers of plastic bags along with other plastics. The Ocean Conservancy found that plastic bags make up the 3rd largest type of litter from land-based sources found on U.S. Coasts, surpassed only by cigarette butts and plastic bottle caps.
- **Plymouth uses millions of plastic bags annually:** According to a survey by the Mass Food Association (the industry's lobby group), in 2012 the average market handed out 2,682,643 disposable bags. Using these numbers and considering all the markets in Plymouth, that equals over 18 Million carryout disposable bags being distributed annually in Plymouth from the supermarkets alone!
- **Ocean plastic is increasing:** The world's oceans are now estimated to contain more than 5 Trillion plastic particles. The World Economic Forum says that by 2050, the weight of plastic in the ocean will outweigh the fish. One study stated that in some parts of the ocean, there are 6 pounds of plastic for every 1 pound of plankton. Plastic never biodegrades. Every piece of plastic that ever entered the ocean is still there and always will be.
- **Plastic kills:** Australian researches reported that nearly all of the world's seabirds have eaten plastic. 2 Million land and seabirds die annually from ingesting plastic and more than 100,00 marine mammals die from eating or from entanglement with plastics in the North Pacific alone. Raccoons, deer and even many family dogs and cats suffer or die annually as the result of eating plastic.
- **Plastics are made of non-renewable sources:** Thin plastic carryout bags are made with derivatives of fossil fuels. In 2010, 191 Million barrels of liquid gas, 412 Billion cubic feet of natural gas, and 65 Billion kilowatt hours of electricity were used in the U.S.A. to make plastic resins. Worldwide, over 436 million barrels of oil are used annually to make plastic bags. This results in millions of tons of green house gases entering the atmosphere every year.

- **Reusable bags are the best solution:** While paper bags are better than plastic overall (biodegradable, 58% are recycled, made from a renewable resource, plastic makes up 4 times as much solid waste as paper, all waste management companies accept paper for recycling), both are very carbon intensive to produce, ship and recycle. Carryout paper bags will continue to be allowed under Plymouth's bylaw. However the most sustainable practice is to shop with reusable bags. Shopping with reusable bags also saves money for local retailers and for the citizens of Plymouth.
- **Bag Bans are effective:** The goal of this bylaw is to reduce plastic waste by encouraging the use of reusable bags. In jurisdictions where bag restrictions are in place, the average reduction in use of plastic bags ranges from 80 to 90%. That could reduce the amount of solid waste Plymouth must pay to have processed by between 250,000 to 350,000 pounds if not more.

Plastic bag bans in Massachusetts, the nation and the world

Over 40 nations worldwide have banned or otherwise put restrictions on thin film carryout plastic bags. England, Scotland, Ireland and much of Europe have restrictions. Many third world countries such as Bangladesh have bans. Even China, one of if not the most polluted country in the world, recognized the harm these bags cause and imposed restrictions.

California and Hawaii have bans throughout their states. 60 Million people live in as many as 300 jurisdictions throughout the USA (the numbers change upward daily) that have restricted plastic carryout bags in one manner or another.

4.5 Billion people worldwide live in areas with plastic bag bans.

36 ~~34~~ communities in the Commonwealth have already approved restrictions on plastic shopping bags. This includes 13 of our neighbors on the Cape and Islands. Groups in over 20 municipalities statewide are currently pursuing bans. This includes a number of other towns on the South Shore in addition to Plymouth. The number of Massachusetts's towns doing so grows daily.

The momentum keeps building. And with good reason.

For more information or questions, email: PlymouthBansTheBag@hotmail.com



Global Plastic Production Rises, Recycling Lags

New Worldwatch Institute analysis explores trends in global plastic consumption and recycling
For Immediate Release | January 28, 2015 | CONTACT GAELLE GOURMELON

Washington, D.C.—For more than 50 years, global production of plastic has continued to rise. Some 299 million tons of plastics were produced in 2013, representing a 4 percent increase over 2012. Recovery and recycling, however, remain insufficient, and millions of tons of plastics end up in landfills and oceans each year, writes Gaelle Gourmelon, Communications and Marketing Manager at the Worldwatch Institute, in the Institute's latest Vital Signs Online article (www.worldwatch.org).

Worldwide plastic production has been growing as the durable, primarily petroleum-based material gradually replaces materials like glass and metal. Today, an average person living in Western Europe or North America consumes 100 kilograms of plastic each year, mostly in the form of packaging. Asia uses just 20 kilograms per person, but this figure is expected to grow rapidly as economies in the region expand.

According to the United Nations Environmental Program, between 22 percent and 43 percent of the plastic used worldwide is disposed of in landfills, where its resources are wasted, the material takes up valuable space, and it blights communities. Recovering plastic from the waste stream for recycling or for combustion for energy generation has the potential to minimize these problems. However, much of the plastic collected for recycling is shipped to countries with lower environmental regulation. And burning plastic for energy requires air emissions controls and produces hazardous ash, all while being relatively inefficient.

Most plastic scraps from the United States, Europe, and other countries that have established collection systems flow to China, which receives 56 percent (by weight) of waste plastic imports worldwide. Indirect evidence suggests that most of this imported plastic is reprocessed at low-tech, family-run facilities with no environmental protection controls, such as proper disposal of contaminants or waste water. There are also concerns that low-quality plastics are not reused but are disposed of or incinerated for energy in plants that lack air pollution control systems. Through its 2010 Green Fence Operation, the Chinese government has started to work to reduce the number unregulated facilities.

Approximately 10–20 million tons of plastic end up in the oceans each year. A recent study conservatively estimated that 5.25 trillion plastic particles weighing a total of 268,940 tons are currently floating in the world's oceans. This plastic debris results in an estimated \$13 billion a year in losses from damage to marine ecosystems, including financial losses to fisheries and tourism as well as time spent cleaning beaches. Animals such as seabirds, whales, and dolphins can become entangled in plastic matter, and floating plastic items—such as discarded nets, docks, and boats—can

transport microbes, algae, invertebrates, and fish into non-native regions, affecting the local ecosystems.

The environmental and social benefits of plastics must be weighed against the problems that the durability and high volume of this material present to the waste stream. Plastics help to reduce food waste by keeping products fresh longer, allow for the manufacture of life-saving healthcare equipment, reduce packaging mass compared with other materials, improve transportation efficiency, and have large potential for use in renewable energy technologies. But plastic litter, gyres of plastics in the oceans, and toxic additives in plastic products—including colorants, flame retardants, and plasticizers (such as bisphenol A, or BPA)—are raising awareness of and strengthening consumer demand for more sustainable materials.

Along with reducing unnecessary plastic consumption, finding more environmentally friendly packaging alternatives, and improving product and packaging design to use less plastic, many challenges associated with plastics could be addressed by improving management of the material across its life cycle.

Businesses and consumers could increase their participation in collection in order to move plastic waste toward a recovery supply chain, and companies could switch to greater use of recycled plastics. Governments must regulate the plastic supply chain to encourage and monitor recycling.

Report highlights:

- About 4 percent of the petroleum consumed worldwide each year is used to make plastic, and another 4 percent is used to power plastic manufacturing processes.
- In Europe, 26 percent, or 6.6 million tons, of the post-consumer plastic produced in 2012 was recycled, while 36 percent was incinerated for energy generation. The remaining 38 percent of post-consumer plastics in Europe went to landfills.
- In the United States, only 9 percent of post-consumer plastic (2.8 million tons) was recycled in 2012. The remaining 32 million tons was discarded.

The full data and analysis are available for purchase through our Vital Signs Online website.



THE LEAGUE
OF WOMEN VOTERS®

August 11, 2016

To Whom It May Concern,

I am writing this letter on behalf of the Greater Plymouth Area League of Women Voters to express this organization's support of the Town of Plymouth adopting a bylaw entitled "Plastic Bag Ban".

After a study of the question of solid waste, the League adopted a position several years ago to "promote increased source reduction and recycling and decreased reliance on land filling and incineration". This proposed bylaw is definitely one step towards reducing the amount of solid waste generated in this town.

In 2013 the League sponsored an educational forum in conjunction the Network of Open Space Friends on the dangers of plastic and plastic bags to the environment and to the health of people and animals. This bylaw is a natural progression from that educational effort to action.

The Greater Plymouth Area League of Women Voters is asking that you join with is in support of this bylaw in order to make our town a healthier and more attractive place to live.

Very truly yours,

Mary LeSueur,
Board Member and Chair of the Sustainability Committee

Plymouth Area Interfaith Clergy Association
PO Box 3284 - Plymouth, MA 02361



August 8, 2016

Board of Selectman
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

To whom it may concern:

We write as concerned leaders from religious communities in the Plymouth Area in support of action that will protect our environment – for the wellbeing of our vulnerable earth and all its creatures.

The Plymouth Area Interfaith Clergy Association strongly endorses the plastic bag warrant article.

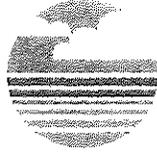
At a meeting of our clergy association this Spring, we learned more about the threat to the environment that comes with plastic bag use. We are aware that residents of Plymouth use over 18 million polyethylene shopping bags per year, and that people typically return these bags at a rate of only 5%. Eliminating such non-biodegradable packaging will not only reduce waste, it will also make our town more beautiful by reducing the unsightly and ultimately permanent litter that these plastic products have caused. We are particularly troubled by the way that plastic bag litter disturbs and damages wildlife in our area.

We believe once people are made aware of what is at stake, that they can change their habits. Other coastal towns have found this to be true. We urge you to vote favorable action on this Article.

Sincerely,

Helen Nablo
President, Plymouth Area Interfaith Clergy Association
Pastor, The Church of the Pilgrimage

Plymouth



Network of
Open Space Friends

August 11, 2016

To Whom It May Concern:

The Network of Open Space Friends (NOSF) is a coalition of environmental groups and concerned citizens of the town of Plymouth that came together in order to protect the open space we have in the Town of Plymouth and to encourage better stewardship of our environment. You may be aware of this organization since it is this group that organizes the two volunteer Home Town Litter Clean-ups each year.

Partly as a result of these litter clean-ups and partly because of the environmental concerns of members of this organization, the NOSF formed a sub-committee to work on ways to reduce the amount of solid waste generated in the Town of Plymouth. NOSF also cosponsored the showing of the film Bag-It which included a panel of experts on the dangers of plastic in our environment. As a result of the information generated from these activities it is clear to us that banning single use bags would be of benefit to the residents of our town.

Plastic bags littering our public spaces are an eye soar that is apparent to both residents and visitors alike. Beyond that, they provide a significant threat to many of the marine animals that live in our waters. These problems can be addressed by reducing the number of thin plastic bags that are currently so ubiquitous.

We urge your support of the bylaw entitled "Plastic Bag Ban". Please join with us to make America's Hometown a leader in improving the environment we all depend upon.

Very truly yours,

A handwritten signature in cursive script that reads "Evelyn Strawn".

Evelyn Strawn

Coordinator, Network of Open Space Friends

Plymouth Town Hall
11 Lincoln Street
Plymouth MA 02360

Plymouth Open Space Committee

August 2, 2016

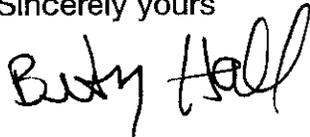
Kenneth Stone, Ed.D.
Lee Burns, Ph.D.

Dear Drs. Stone & Burns

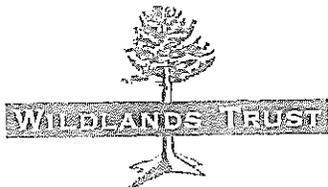
The Open Space Committee is in unanimous support of your article to ban the use of thin plastic carryout bags in Plymouth. We know that the millions of plastic bags used every year create vast amounts of non-degrading litter that is virtually permanent, and kill birds, animals and marine life which mistake them for food. We also appreciate the care you have taken to exempt smaller businesses from the ban, and to distinguish between the banned bags and bags used for produce, raw meat and fish.

Let us hope that Plymouth will join the many Massachusetts towns that have already taken this important step toward reducing plastic trash.

Sincerely yours

A handwritten signature in black ink that reads "Betsy Hall". The signature is written in a cursive, flowing style.

Betsy Hall
Chair



Wildlands Trust, Inc. | 675 Long Pond Road | Plymouth, MA 02360
Phone: 774 343 5121 | Fax: 774 343 5121 | www.wildlandstrust.org

December 28, 2015

Board of Selectmen
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

Dear Gentlemen:

As direct caretakers for over 1,000 acres of publicly accessible open space here in the Town of Plymouth, Wildlands Trust is deeply familiar with the issue of plastic litter in our community. Our staff spends thousands of hours annually caring for land here in southeastern Massachusetts, and one of our most frequent scourges of litter are single-use plastic bags. These plastic bags threaten our precious environment on multiple levels. They often wind up in waterways or on the landscape, become eyesores, and degrade water and soil as they break down into tiny toxic bits. Their manufacture, transportation, and disposal use large quantities of non-renewable resources and contribute to the production of global-warming gases. All of these problems could be mitigated by reducing the amount of single-use plastic bags used here in Plymouth.

Wildlands Trust urges the Board of Selectmen to support the proposed Carryout Plastic Bag Bylaw here in Plymouth.

Sincerely,

Karen H. Grey
Executive Director



January 19, 2016

To Whom It May Concern:

The board of the Southeastern Pine Barrens Alliance (SEMPBA) recently voted to support the passage of Article 35 which seeks to establish a "Carryout Plastic Bylaw."

SEMPBA is a non-profit, all-volunteer group dedicated to preserving the globally rare Pine Barrens of Southeastern Massachusetts.

Our volunteers participate in the town wide litter clean up and spend a great deal of time in Plymouth forests where they have witnessed the proliferation of single-use plastic bags along the trails and in the trees and bushes of otherwise pristine environments.

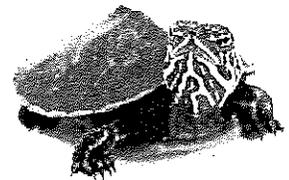
We believe that reducing the use of these types of bags would be a constructive way to promote a healthier habitat.

We urge Plymouth residents to support passage of this bylaw.

Very truly yours,

Sharl Heller

Sharl Heller, President



Northern Red-bellied Cooter found only in ponds in Plymouth County

Southeastern Massachusetts Pine Barrens Alliance, Inc.
204 Long Pond Road, Plymouth, MA 02360
(774) 773-9982 • sempba@pinebarrensalliance.org • www.pinebarrensalliance.org



SIX PONDS

*Long Pond, Little Long Pond, Bloody Pond,
Gallows Pond, Halfway Pond, Round Pond*

The Six Ponds Improvement Association Box 1580 Plymouth, MA 02362 www.sixponds.org

Date: January 20, 2016

To: Board of Selectmen, Finance Committee Members – Town of Plymouth

From: The Six Ponds Improvement Association

Re: **Carry Out Bag Bylaw**

The Six Ponds Improvement Association is dedicated to the protection of the ponds, natural areas and quality of life in our neighborhoods and town. Please join with us and other communities across the Commonwealth and the country and eliminate thin plastic shopping bags. Please support the Carry Out Bag Bylaw.

This past week there were public service announcements from the New England Aquarium demanding an end to the use of thin plastic shopping bags. The obvious litter issues aside, these bags wreak havoc with wildlife in our ponds and in the ocean.

One estimate is that every American throws away over 300 of these bags every year. In Plymouth alone that translates to **over 17 million thin plastic bags** that annually become part of the solid waste stream or end up as litter. This represents a substantial cost for transportation and disposal.

In Plymouth at our twice-yearly town cleanups we pick up thousands of these bags. But the ones we pick up is where we're lucky . . . unlucky are the thousands upon thousands of bags that end up in our woods and trails, open space areas, ponds and oceans where they are unsightly, harm and kill wildlife, and clog boat engines and machinery. Ultimately the bags fragment in to microscopic particles that take thousands of years to break down chemically, and that bioaccumulate and poison the animals – including humans – who ingest them.

The Town of Plymouth can do something to decrease the astounding number of thin plastic bags. *America's Hometown* can serve as an example to the rest of the South Shore, the Commonwealth and the Nation by working to eliminate the use of these ubiquitous and unnecessary bags.

We can do this! Please support the Carry Out Bag Bylaw. Thank you!

cc: Jonathan Beder – Director, Department of Public Works
Lee Burns, PhD – Co-Coordinator, Carry Out Bag Bylaw
David Gould – Director, Department of Marine and Environmental Affairs
Ken Stone, Ed.D – Co-Coordinator, Carry Out Bag Bylaw
Richard Vacca – Conservation Agent



January 19, 2016

To Whom It May Concern:

The board of the Southeastern Pine Barrens Alliance (SEMPBA) recently voted to support the passage of Article 35 which seeks to establish a "Carryout Plastic Bylaw."

SEMPBA is a non-profit, all-volunteer group dedicated to preserving the globally rare Pine Barrens of Southeastern Massachusetts.

Our volunteers participate in the town wide litter clean up and spend a great deal of time in Plymouth forests where they have witnessed the proliferation of single-use plastic bags along the trails and in the trees and bushes of otherwise pristine environments.

We believe that reducing the use of these types of bags would be a constructive way to promote a healthier habitat.

We urge Plymouth residents to support passage of this bylaw.

Very truly yours,

Sharl Heller

Sharl Heller, President



Northern Red-bellied Cooter found only in ponds in Plymouth County

Southeastern Massachusetts Pine Barrens Alliance, Inc.
204 Long Pond Road, Plymouth, MA 02360
(774) 773-9982 • sempba@pinebarrensalliance.org • www.pinebarrensalliance.org



Advocacy Department

Six Beacon Street, Suite 1025 • Boston, Massachusetts 02108
tel 617.962.5187 • fax 617.523.4183 • email jclarke@massaudubon.org

August 10, 2016

Dr. Ken Stone
10 Madison Reach
Plymouth, MA 02360

Dr. Lee Burns
110 Treetop Way
Plymouth, MA 02360

Dear Dr. Stone and Dr. Burns,

I am writing to express Mass Audubon's endorsement of the proposed bylaw to reduce plastic bags that you are sponsoring at Plymouth Town Meeting this fall.

Mass Audubon encourages the use of reusable shopping bags as opposed to plastic or other one-time use bags to reduce solid waste and provide for overall environmental health. US EPA statistics show that over 380 billion plastic bags are consumed in the US each year. Plastic bags are made of nonrenewable resources, and serve as a major source of greenhouse gas emissions, pollution, and marine litter. Most go to landfills, accumulate, and then do not easily decompose (it takes nearly 1000 years for a plastic bag to fully compost). Plastic bags should not be burned because they contain pollutants and toxic fluorocarbons.

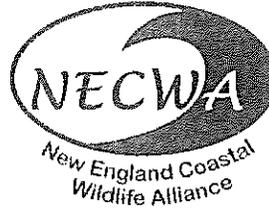
These single-use bags also pose a threat to sea turtles, whales, and other marine animals that die every year from eating plastic bags they mistake for food. Because they are made from polyethylene, which is made from crude oil and natural gas, plastic bags deplete valuable and costly nonrenewable resources.

Thirty-six communities in Massachusetts have passed regulations on plastic bags, and many others, including Boston, are currently considering joining this list. Throughout the world, more and more municipalities are living more sustainably by taking measures to curb plastic waste. Mass Audubon applauds the effort being made in Plymouth to eliminate the use of single-use plastic bags and contribute to a shift away from disposable petroleum-based products.

Sincerely,

John J. Clarke
Director of Public Policy & Government Relations

Protecting the Nature of Massachusetts



January 7, 2016

Board of Selectman
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

To Whom It May Concern:

The New England Coastal Wildlife Alliance (NECWA) is a nonprofit environmental organization based in southeastern MA. Our mission is to better understand and protect the unique coastal marine wildlife in the waters off New England. Our many projects and activities support this mission, including our Marine Wildlife Research Program, our Internship Program, and our New England Basking Shark and Ocean Sunfish Sighting Network (NEBShark).

NECWA spends hundreds of hours working offshore aboard commercial whale-watching vessels that operate out of Plymouth Harbor. When offshore, we collect sighting data on the marine wildlife seen from the vessel and we conduct educational outreach activities with our passengers as we head offshore. Also, NECWA devotes a great deal of time each fall and winter responding to strandings of ocean sunfish, torpedo rays, sea turtles, whales, dolphins, and various other species or types of marine animals.

During these activities, we always spend time picking up plastic bags and other marine debris from the water or from the shoreline. Not only do we collect marine debris as a secondary activity during many of our outdoor programs, but NECWA sponsors a number of beach cleanups each year in a continued effort to remove plastics from the environment.

All types of marine debris, especially plastic bags, are a huge problem in the natural environment and can harm or kill many species of marine animals. A plastic bag floating in the water column looks just like a jellyfish that are eaten by many species of marine wildlife that feeds in our productive waters, including ocean sunfish and leatherback sea turtles. Other marine animals like seals and whales can become entangled in plastic bags and other marine debris.

NECWA and our members support a ban on plastic bags in Plymouth and other towns in Massachusetts and hope you will join us in this very important effort. Please support the proposed Carryout Plastic Bag Bylaw in Plymouth, MA.

Sincerely,

Carol "Krill" Carson
Marine Biologist and President, NECWA



THE HUMANE SOCIETY
OF THE UNITED STATES

Eric L. Bernthal, Esq.
Chair of the Board

Jennifer Leaning, M.D., S.M.H.
Vice Chair

Jason Weiss
Second Vice Chair

Kathleen M. Linehan, Esq.
Board Treasurer

Wayne Parelle
President & CEO

Michael Markarian
Chief Program & Policy Officer

G. Thomas Waite III
Treasurer & CFO

Andrew N. Rowan, Ph.D.
*Chief International Officer
& Chief Scientific Officer*

Roger A. Kindler
*General Counsel
Vice President & CLO*

Amy C. Rodgers
Secretary

DIRECTORS

Jeffrey J. Arciniegro

Eric L. Bernthal, Esq.

Erika Brunson

Jerry Cesak

Arleta W. Coupe, Esq.

Neil B. Fang, Esq., CPA

Jane Greenspun Gale

Amanda Hearst

Cathy Kangas

Paula A. Kislak, D.V.M.

Charles A. Lane

Jennifer Leaning, M.D., S.M.H.

Kathleen M. Linehan, Esq.

John Mackey

Mary T. Max

Patrick L. McDonnell

C. Thomas McMillen

Judy Ney

Sharon Lee Patrick

Marsha R. Perelman

Marian G. Probst

Jonathan M. Ratner

Joshua S. Reichert, Ph.D.

Walter J. Stewart, Esq.

Andrew Weinstein

Jason Weiss

David O. Wiebers, M.D.

July 30, 2016

On behalf of the Humane Society of the United States, Cape Wildlife Center, and our tens of thousands of supporters in the Commonwealth, I am writing to express our support for the restriction of single-use plastic bags.

The millions of tons of trash discarded in the Bay State every year impose lethal dangers to wildlife. While much of this garbage is hauled to landfills, a large amount makes its way into the natural environment.

Although exact figures are near impossible to attain, the Massachusetts Department of Transportation runs three volunteer programs that together removed about 98,000 bags of litter from Massachusetts highways and roadways in 2012. Beyond our highways, debris also clogs the oceans; the Ocean Conservancy's 2014 coastal cleanup in Massachusetts involved nearly 3,000 volunteers and removed more than 11 tons of debris. This ubiquitous trash provides an ample banquet for wild animals displaced into developed areas due to shrinking habitats. Unfortunately, the simple act of satisfying hunger pangs often ends in injury or death.

Plastic bags and other pieces of litter are also indirect killers. Plastic bags tossed from car windows can put curious animals in the path of oncoming vehicles. This roadside garbage can have a domino effect; for example, a billowing plastic bag may attract a curious prey animal, which may be hit by a car, which then puts predators and scavengers in harm's way.

The exact number of trash-related fatalities is anyone's guess but what is not conjecture is the array of terrestrial and marine species affected by it. Stranded whales, turtles, and dolphins have been found with plastic bags in their stomachs or dead from entanglement.

Perhaps the most famous case involved a pygmy sperm whale stranded off the New Jersey coast in 1993. Inky, as she was called, had 3 square feet of plastic clogging her stomach. She survived, but many do not. Cape Wildlife Center has treated many animals victimized by plastic bags and improperly-discarded trash.

Halting the proliferation of plastic bags will help protect our environment and wildlife. Thank you for your time and the opportunity to submit testimony.

Sincerely,

Stephanie J. Harris
Massachusetts State Director
Sharris@humanesociety.org
617.943.6659

Deborah Millman
Director, Cape Wildlife Center
Dmillman@fundforanimals.org
508.362.0111



MASSACHUSETTS
SIERRA
CLUB

Massachusetts Sierra Club
10 Milk Street, Suite 417
Boston MA 02108-4600
(617) 423-5775
www.sierraclubmass.org
office@sierraclubmass.org

August 1, 2016

Dear Town Meeting:

The Massachusetts Chapter of the Sierra Club has been actively supporting efforts to curb the use of single-use polyethylene bags at the state and local levels. Such restrictions are part of a campaign to reduce unnecessary plastic waste and ultimately achieve zero waste.

The Massachusetts Sierra Club strongly endorses your plastic bag warrant article. In the past four years, 35 Massachusetts municipalities from Williamstown to the Vineyard have passed laws to restrict plastic bags. This proposed by-law is similar to other legislation that has been successfully implemented throughout the Commonwealth.

Plastic bags are composed of petrochemicals derived from non-renewable, fracked natural gas and oil. Plymouth residents are estimated to use over 18 million polyethylene shopping bags per year. Bags are not recycled conveniently or in a closed loop fashion. People typically return bags at a rate of only 5%. Eliminating such non-biodegradable packaging will not only reduce waste, it will also beautify the Town by reducing the unsightly and ultimately permanent litter that these plastic products have caused. As litter, bags directly harm animals on land and in the Atlantic Ocean.

The proposed by-law allows alternatives that are reusable and/or made of natural, biodegradable and renewable materials. Moving to better packaging will enhance the sustainability of the town's retail economy.

We urge you to vote favorable action on this Article.

Respectfully,

Emily Norton,
Massachusetts Sierra Club, Chapter Director
emily.norton@sierraclub.org

From: Steven Lydon
To: john.moody@verizon.net
Date: Saturday, July 23, 2016 3:19:09 PM

To the Finance and Advisory Committee
John Moody, Chair

My question concerns taxpayer monies that were recently given to the Manomet Youth Center. I believe the amount was \$3,500.

I understand that money is in a reserve fund and used mainly for snow and ice and that monies can be used for other things but in this case I disagree. I know that the Manomet Youth Center is a private-public organization which is a subject for another time. I felt there were a few questions that should have been asked like why did this board get headed up by Mrs. Cavacco allowed to enter into contracts with vendors that could not be fulfilled putting the town in jeopardy. I believe that Mrs. Cavacco being present at the meeting should have given some type of explanation on why the shortfall and also what procedures will be taken to prevent this from reoccurring and how this \$3,500 will be paid back. Mister chairman please read my sentiments at the next Finance Committee meeting.

Thank you for time and consideration,
Steve Lydon
Town meeting member Precinct



State Ethics Commission - Conflict of Interest Law Online Training Programs

MUNICIPAL EMPLOYEE ONLINE TRAINING PROGRAM

<http://www.muniprogram.eth.state.ma.us/>

You are municipal employee for conflict of interest law purposes

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the town has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts.

BUDGET SUB-COMMITTEES

- Each Advisory & Finance Committee member will serve on two Budget Sub-Committees.
- Please refer to the attached sheet for specific budget areas covered by each Sub-Committee.
- Please select your top three choices and rank them 1, 2 or 3.
- Also mark if you would be willing to Chair the Sub-Committee.
- Once your selections are made, the Chair & Vice-Chairs will assign members to Sub-Committees.

	Rank top 3 1-3	Chair? Y/N
A Administration/Inspectional Services		
B Department of Finance		
C Public Safety Services / Marine & Environmental		
D Public Works		
E Planning & Development/Community Resources		
F Public Schools		
G Enterprise Funds		

COMMITTEE LIAISON OPPORTUNITIES

- If you are not currently serving on a standing committee or as a liaison, please indicate your level of interest in each of the opportunities listed below.
- Once your selections are made, the Chair & Vice-Chairs will assign members as liaisons.

Committee	Information	Interest Level
CIC Capital Improvements Committee (1) space	<ul style="list-style-type: none"> • 2nd Monday of month at 6PM, as needed • Sept 12: hear Fall Town Meeting articles • January: meet for a full weekday to hear departmental presentations and rank Capital Improvement Plan projects • February: review funding of the Plan 	<input type="checkbox"/> High Interest <input type="checkbox"/> Moderate Interest <input type="checkbox"/> Limited Interest <input type="checkbox"/> No Interest
PGDC Plymouth Growth & Development Corporation (1) space	<ul style="list-style-type: none"> • Wednesdays at 6:30PM, usually twice per month • Meet at Park Plymouth Office (corner of Court St & North Russell St) 	<input type="checkbox"/> High Interest <input type="checkbox"/> Moderate Interest <input type="checkbox"/> Limited Interest <input type="checkbox"/> No Interest

FY2018 ADVISORY & FINANCE– BUDGET SUB-COMMITTEES

Each of the Budget Sub-Committees may meet as many as three or four times.

While the sub-committee meeting schedule is determined by the sub-committee chair, generally, the first meeting will include sub-committee members only, providing the opportunity to discuss budget material received, review historical issues, look at trends, formulate questions and all “get on the same page” in preparing for subsequent meetings.

At least one meeting will be with department and division heads to review the budget, make inquiries about specific programs and line items, and discuss possible recommendations.

Subsequent meetings may be scheduled, as needed, by the sub-committee chair to review the budget report and recommendations.

A Administration/Inspectional Services		
#123 Town Manager/Board of Selectmen	#241 Building & Zoning	#130 Fuel/Utility Fund
#138 Procurement	#510 Board of Health	#910 Member Benefits
#152 Human Resources	#155 Information Technologies	#945 Town Insurance
#161 Town Clerk		
B Department of Finance		
#114 Moderator	#146 Treasury & Collections	#755 Bond Issuance
#129 Salary Reserve Fund	#158 Tax Title Foreclosures	#911 Pension Contributions
#132 FinComm Reserve Fund	#710 Long Term Debt	#913 Unemployment Compensation
#133 Finance & Accounting Division	#750 Long Term Interest	#914 Member Insurance
#141 Assessing	#752 Short Term Interest	#915 OPEB Trust Funding
Revenue Analysis	#753 Misc Interests	#916 Compensated Absences
Balance Sheet Analysis		
C Public Safety Services / Marine & Environmental		
#210 Police Department	#291 Emergency Management	#292 Animal Control
#220 Fire Department	#293 Parking Enforcement	#295 Harbor Master
		#427 Natural Resources
D Public Works		
#411 Engineering	#423 Snow & Ice	#490 Crematory
#420 Highway	#425 Fleet Maintenance	#491 Cemetery
#421 DPW Administration	#433 Solid Waste-Town & School	#492 Parks & Forestry
#422 Building Maintenance		
E Planning & Development/Community Resources		
#175 Community Planning	#541 Council on Aging	#610 Library
#189 Redevelopment Authority	#543 Veterans Services	#630 Recreation
	#549 Disabilities Commission	#695 1749 Courthouse
F Public Schools		
#300 Plymouth Public Schools	#390 Medicaid Reimbursement	#391 Out of District Transportation
G Enterprise Funds		
#433 Solid Waste Enterprise	#450 Water Enterprise	
#440 Sewer Enterprise	#482 Airport Enterprise	

**Town of Plymouth
Advisory & Finance Committee
Standing Committees & Special Appointments**

Standing Committees

Committee	Responsibility	Member
Audit Committee	Selects the external auditor to perform the Town's annual audit and works with the external auditor and Town management to review the Annual Audit reports before formal release. Works with the Town Manager, Finance Director and Town's Internal Auditor to establish an annual plan for internal audit activities. Reviews the findings of internal audit reports and periodically reports to the AFC on the status of audit activities and progress of management in resolving outstanding Management Letter recommendations.	Christopher Merrill, Chair Harry Salerno Marc SIRRICO
Policy & Rules Committee (formerly Rules Committee)	Periodically reviews and maintains AFC By-Laws and Standing Rules, recommending updates to the full Committee as needed. Works with the Finance Director in documenting the Town's Financial Policies and providing public access to policy documents.	John Moody, Chair Kevin Canty Christopher Merrill Harry Salerno Marc SIRRICO

Special Appointments & Liaisons

Position	Responsibility	Member
Affordable Housing Trust	Liaison to the Affordable Housing Trust; monitors/supports activities of the Trust in developing/expanding affordable housing inventory in Plymouth. May serve as a Trustee (requires Board of Selectmen appointment) at the member's discretion.	Kevin Canty
Capital Improvement Committee	Represents AFC on the Capital Improvement Committee; periodically reports to AFC on CIC activities and facilitates informed discussion about proposed capital projects being reviewed for Town Meeting recommendation.	Vacant
Committee of Precinct Chairs	Liaison with the COPC; represents Advisory & Finance Committee at COPC meetings; facilitates planning, scheduling, communication for Town Meeting; may be requested to address COPC questions; periodically reports to the Committee about COPC activities.	John Moody Harry Salerno

Position	Responsibility	Member
Community Preservation Committee	Liaison to the Community Preservation Committee; monitors CPC activities and develops understanding of specific proposals that will become Town Meeting articles; periodically reports to the AFC about CPC activities and upcoming proposals.	Harry Helm
Economic Development Liaison (formerly Tax Increment Financing Agreements)	Liaison to the Economic Development Director; provides independent review of proposed TIF agreements on behalf of the AFC. Periodically reports to the AFC on activities & initiatives related to economic development within Plymouth.	Christopher Merrill
Energy Committee	Liaison to the Energy Committee; monitors activities of the Energy Committee, specifically those that may become Town Meeting articles or those that relate to the Town's energy use & conservation; periodically reports to the AFC on initiatives.	Patricia McPherson
Insurance Committee	UNDER REVIEW FOR CONTINUED NEED	Vacant
Planning Board	Liaison to the Planning Board; monitors Planning Board activities, generally. Develops understanding of proposals that will become Town Meeting articles (e.g., By-Law additions & changes) and facilitates informed discussion of those proposals at AFC meetings.	Patrick O'Brien
Plymouth Growth & Development Corporation	Liaison to the PGDC; represents Advisory & Finance Committee at PGDC meetings; may provide support to PGDC as requested and periodically reports to the AFC about PGDC activities.	Vacant
Public Lands Acquisition	Monitors proposals for land acquisition by the Town, whether by purchase, exchange or gift. May interact with various committees (e.g., Open Space, CPC) or Town department heads to develop understanding of proposals. May conduct independent cost-benefit analyses of proposed acquisitions, incorporating tax revenue losses, revenue generation opportunities or other benefits to the Town and its residents.	Harry Helm