

**ADVISORY AND FINANCE COMMITTEE**  
**Minutes**  
**September 7, 2023, Hybrid Meeting**

**PRESENT**      **12 members of the committee were present:** Gail Butler, Brian Dunn, Daniel Green, Bruce Howard, Joe Lalley, Timothy Lawlor, Steve Nearman, Lorenzo Pizarro, Christine Richards, Bethany Rogers, Jim Young, and Robert Zupperoli.

**ABSENT**      **3 members of the committee were absent:** Louis Cabana, Ashley Shaw, and Evelyn Strawn.  
**Call to Order** - The meeting was called to order by Chairman Steve Nearman at 7:00 PM.

**Announcements**

- **Hybrid Meeting:** This meeting is likely to be conducted in a hybrid format, with some participants attending physically and others attending virtually via a video conference application.
- **Ways to Watch:** The meeting will be airing on Comcast 15, Verizon 47, or on PACTV's YouTube channel which can be viewed at [pactv.org/stream](https://pactv.org/stream).
- **Public Comment:** Any speaker giving public comment is allotted up to 5 minutes in which to speak. Public Comment can be made at the beginning or end of each meeting, or in regard to a particular agenda item the speaker wishes to be heard on
- **Zoom Login Information:** Anyone who wants to attend the meeting virtually, including members of the public who wish to give public comment, can use one of the following methods in which to do so:
  - **Join via Zoom application:** Download the Zoom meeting application on your device, press/click on "Join", then enter Meeting ID: **995 2986 0638**, and then the Meeting Password: **100131**, or
  - **Join via website** (requires microphone): Go to [www.zoom.us](https://www.zoom.us), click "Join A Meeting" on the top righthand side, and enter the meeting ID: **995 2986 0638**, and then the meeting password **100131**, or
  - **Join via Telephone (voice only):** Dial **929-205-6099** and Enter Meeting ID: **995 2986 0638** and enter Meeting Password: **100131**

**Public Comment:** None.

**Minutes: Approve August 23, 2023, meeting minutes.** Mr. Green motioned to approve the minutes subject to grammar changes. Mr. Young second. Motion carried unanimously 11-0-0.

**Agenda Items**

**Fall Town Meeting Articles**

**Article 5 Blight/Nuisance Bylaw Ch 137** – Mr. Nick Mayo, Building Commissioner, briefed the committee that this bylaw's intent is to clean up nuisances properties around of town for various reasons, safety, property values and general well-being of the town. The bylaw will support already existing state building code, sanitary code, Title V regulations, fire code, etc. This bylaw goes beyond the other jurisdictions because it allows the town to enforce property management scenarios. Ms. Richards asked how this bylaw would affect the private property sector. Mr. Mayo said this applies to all properties in town. Ms. Richards asked about several different scenarios and how the town would enforce the bylaw. Mr. Mayo said that they would seek compliance and work with the homeowner to manage the situation. However, if the homeowner was unwilling to work with the town on compliance, they would send a cease-and-desist order but this bylaw is not designed to give the average property owner a hard time. Ms. Richards asked how the town would get a mortgage company, bank, or management company accountable for a property in foreclosure. Mr. Mayo said that they had a separate article for Town Meeting requesting funding for \$125,000 to manage the costs associated with these clean & lien situations. The town would step in, if necessary, and remedy the problem and then lien the property for the cost. Mr. Mayo said they are working out the process with the Tax Collector because this is new and a work in progress. Ms. Richards asked about liability to the town if the something goes wrong. Mr. Mayo said there are always liability issues and they would have to address the issue at that time. Ms. Richards said she had reservations and

didn't think this was ready for Town Meeting. Mr. Lalley noted the bylaw didn't include an appeal process to dispute a nuisance finding or violation if someone disagreed with the finding. He asked Mr. Mayo to explain how an appeal would be accomplished. Mr. Mayo said that the standard zoning and building board of appeals process would apply. Mr. Lalley asked about nuisances on town property. Mr. Mayo said that would be on the town to cleanup but this bylaw does not apply to municipal, state, or federal property. Ms. Rogers wanted to confirm that the intent of the article is for buildings such as Bert's and not the elderly community that can't mow their lawns. Mr. Mayo said it is intended for really egregious property issues and severe situations. Mr. Young asked for an example of a previous situation where this would have been helpful to have in place. Mr Mayo said this bylaw helps streamline problem resolution and the appeals process is quicker. Ms. Butler asked if this would help with vulgar signs. Mr. Mayo said not at all that is freedom of speech and covered under the 1<sup>st</sup> Amendment rights. Mr. Green asked if a property had a large area of stagnant water, and people started complaining, how would this be resolved without the owner potentially getting the levy or fines. Mr. Mayo said if the property owner isn't willing to work with the town to resolve the issue the town would issue a cease & desist to abate the nuisance and if necessary, the nuisance would be investigated, notice sent of the action the town would be taking to hire someone with expertise on removing stagnant water, and upon completion the town would lien the property. Ms. Richards asked about a drainage easement. Mr. Mayo said that if someone had a legal right to something it would be reviewed by the town's legal counsel for advice. Mr. Young motioned to approve Article 5 to Town Meeting. Ms. Butler second. Ms. Rogers recognizes that this is a step in the right direction to streamline existing conditions and not burden unmown lawns. Mr. Lawlor doesn't feel this is intended to be a harassment article and used Burt's as an example of an issue that needs addressing and he supports this. Ms. Richards feels the intent isn't just commercial and could be for fallen fences, overgrowth, and smaller homeowner problems. She is not going to support this and feels that big corporations don't care about the fines but small homeowners could suffer and most of these issues could be handled by the Board of Health. Mr. Nearman supported this bylaw and noted that Mr. Mayo indicated the town would work with homeowners and commercial businesses and is a positive step. Mr. Howard noted that the fines are set by the state not the town. Motion carried 10-1-0, Ms. Richards opposed.

**Article 6 Bylaw Amendment (Swimming Pools)** – Mr. Nick Mayo, Building Commissioner, said the swimming pools are under the current state building code and this bylaw is old and outdated and should be rescinded. Mr. Mayo said that he has heard questions about what happens retroactively regarding existing pools if this bylaw got rescinded and the answer is they would still be subject to the requirements of the rescinded bylaw and they would still be required to keep their fences or barriers. Mr. Zupperoli motioned to approve Article 6. Mr. Lalley second. Motion carried unanimously 11-0-0.

**Article 10 Land Donation** – Fire Chief Neil Foley is seeking approval to accept land donated by A.D. Makepeace on Bourne Road for a proposed new fire station. Mr. Foley briefed on the status of both fire stations being renovated. He noted that to meet the growth needs of Plymouth they need to expand now to meet the future needs of the town. The current Bourne Fire Station-4 only has two bays for fire equipment/trucks, one bathroom, and one shower. He advised that in 2021 the Building Committee recommended abandoning the current location of station 4 and building a new station to meet the expanding needs of South Plymouth.

In February 2023 A.D. Makepeace pledged to donate this 2.33 acres parcel across from 220 Bourne Road. Mr. Foley is extremely appreciative of A.D. Makepeace for this donation. He advised that this parcel is in an excellent location to meet current and future needs, has greater visibility from the road, than the current location, increasing safety when fire apparatus enters the roadways, initial surveys found it suitable for construction, and its near a water distribution system, eliminating the need for complex groundwater pumps to supply the station and its fire suppression system.

Mr. Dan Gorczyca, A.D. Makepeace, said that anytime the private sector can work with the public sector for the common good, and it's feasible, it's fantastic.

Mr. Howard asked if this was a straight-out gift. Mr. Foley said it was a gift. Mr. Howard asked if the lot size was sufficient of increased equipment and trucks. Chief Foley said their design team looked at those variables, and others, including whether the new station 5 footprint would fit on the donated land and it will and then some. Ms. Rogers asked on an average shift how many personnel are on staff. Mr. Foley said usually 3 at the current station but they want the space to have two companies, which would be 8 to 10 personnel, to sufficiently meet future needs.

Mr. Zupperoli made a motion to approve Article 10. Mr. Lalley second. Ms. Rogers supports this article and would like staff more thoughtfully placed at the new location. Mr. Dunn thanked the Chief and A.D. Makepeace. Mr. Zupperoli is thankful that this was pursued. Motion carried 11-0-0.

**Article 11 Create EV Charging Fund**, Mr. Mark Reil, Climate and Resiliency and Sustainability Planner, advised that have been working diligently to provide more charging stations around town. They recently added 4 new charging stations and in July 2023 began charging for this service. The fees collected will be utilized to maintain the stations, pay the electric bill, and hopefully expand. Mr. Lalley asked if this was to be self-sufficient. Mr. Reil said yes, the intent was to not impact the town budget. Mr. Green made a motion to approve Article 11. Mr. Dunn second. Motion carried unanimously 11-0-0.

**Article 24 Citizen Petition – Solar Systems** - Attorney Timothy Angly, on behalf of the citizen petitioners, they are requesting to amend §207-11 Ground-mounted Solar Photovoltaic Systems of the zoning bylaw. They are looking to put a financial surety bond on projects exceed 8 feet above grade. The purpose of this is to ensure that if the solar project gets abandoned or should get loose and cause damage there is a means to have it removed or the damage covered. The second thing they are requesting is that the notification process include more neighbors and not just abutters. A neighbor two properties away may be affected, even though they aren't abutters, either by having to view the system, the system obstructs their view, or it isn't appealing and they want to have a say in the matter. They are looking to increase from 300 feet to 700 feet the abutter notification process. Mr. Howard, liaison to the Energy Committee, said the Energy Committee sent feedback they wanted included and asked if it was included. Attorney Angly said that they incorporated some of the feedback. Mr. Howard feels that the Financial Surety wording is unclear and doesn't feel it includes the Energy Committee feedback. Ms. Richards asked relating to the screening where it would go. Attorney Angly said the screening would go where it is best suited to screen the sight from the neighbor. Mr. Lalley doesn't understand why its only for solar, other projects also obstruct views or aren't appealing, so he won't support. Mr. Young motioned to approve Article 24. Mr. Lawlor second. Mr. Howard won't support and feels that the 700 feet is intended specifically for one neighbor and an amendment should be done with the Energy Commission input for all citizens. Motion carried 5-4-2.

#### **Old/New/Other Business**

Chairman Nearman advised that he is requesting availability from the committee for COPC attendance and to please email him preferences.

There was a discussion about the minutes verses the PACTV recording. The minutes are not verbatim but a summary of the discussion.

Ms. Rogers suggested that when a motion is made to separate an item from the original motion that the committee follow through on that item first, if it is approved to separate, to vote on the separated item before then voting on the original item.

**Public Comment** – None.

**Adjournment** - Ms. Rogers motioned to adjourn. Mr. Zupperoli second. Motion carried unanimously. The meeting adjourned at 8:51 PM.

Submitted by  
Jeanette White  
Budget Analyst