

Town of Plainville

OPEN SPACE & RECREATION PLAN



2019 -2026

Open Space and Recreation Plan

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Section 1: Plan Summary

The purpose of this 2019 Open Space and Recreation Plan is to provide a blueprint for responsible conservation and recreation planning in the Town of Plainville. The stated goals of the plan include: developing an accessible, connected open space and trail network; promoting public education, municipal training, and multi-partner collaboration; preserving and protecting Plainville's water resources, natural resources, and cultural resources, and; providing ample public recreational opportunities for people of all ages and abilities. Another goal of the Open Space Committee was to make the 2019 Plan more visible, available, and more user friendly (an Action Plan that is shorter, and more direct). All of this is being done in an effort to better engage not only the community, but also other potential partners in support of, and involvement in, the stewardship of the natural, cultural, and recreational assets of the Town.

The 2019 Open Space and Recreation Plan is written to be consistent with the state's current Open Space and Recreation Plan Requirements, as well as with the Town's current Master Plan. Approval and certification of the updated 2019 Open Space and Recreation Plan by the Massachusetts Executive Office of Energy and Environmental Affairs' (EEA), Division of Conservation Services (DCS) enables the Town to become eligible for land acquisition and recreation facility reimbursement funding through grant programs administered by DCS.

What's in the Plan?

The core elements of the Open Space and Recreation Plan include: an overview of the Town's natural and cultural resources (including scenic resources, unique environments and environmental challenges); an inventory of conservation and recreation lands currently owned by the state, city and private nonprofit groups; an analysis of community open space and recreation needs; and, an outline of the community's goals, objectives and the actions proposed to meet those needs.

The Town's environmental challenges, found in Section 4 of this document, are discussed in terms of their impacts, but also in terms of finding solutions that will help to make our community more resilient (able to recover quickly from adversity). This is particularly important as storm frequency and intensity, flood and drought cycles, vector borne diseases (via ticks, mosquitoes), and numerous threats to plants and trees, are magnified by climate change.

The key word in the new Open Space and Recreation Plan is "action." The Open Space and Recreation Committee wants this to be an active, living plan, not a static reference document. The Action Plan, found in Section 9 of this document, is representative of the comments received from the Open Space and Recreation Plan Survey, comments received during the Committee tabling event at the Fall Festival, input from eighteen public working meetings and, special topic/speakers events (DCR hunting regulations, Community Preservation Committee presentation on the Community Preservation Act-CPA, Disc Golf). All of these opportunities for public input yielded

signage, improved website utility (options, ease of use), the need for improvements at the Field of Dreams and, the need for more education and collaboration.

The Committee itself has also been “action oriented.” Concurrent with the development of the goals, objectives, and action items for the Open Space and Recreation Plan, the Committee has initiated movement on action items that have led to:

- The renaming of the Bergh Property to Hawkins Woods (as determined by a public poll conducted by the Committee), and overseeing the official opening to the public
- A public education campaign on, and local adoption of, the Community Preservation Act
- Discussion, acceptance, planning, and initial construction of a 9-hole disc golf course at Hawkins Woods
- Numerous trail walks and outdoor public events, held in order to promote awareness and the need for stewardship of our natural resource and recreation areas
- A rail trail walk to promote the goal of a local and regional shared use path
- Work with SRPEDD on a sight safety study to design parking access at Hawkins Woods
- Construction of a parking area at Hawkins Woods
- Work with SRPEDD developing a MassDOT Complete Streets Program application, policy, and local project prioritization list (including street, sidewalk, and bicycle facilities)
- Work with SRPEDD on a project to digitally map the municipal trail system in town
- Work with SRPEDD to apply for a state Municipal Vulnerability Preparedness (MVP) Program grant in order to assess and plan for better community resiliency

The Committee has also attempted to answer public questions related to off-road vehicle use on town-owned land, landowner liability related to public use of their land (with permission), small lot farming, and other questions, with an informative Appendix.

The Committee has accomplished a great deal already, but there is still a great deal to be done. There is a place for anyone/everyone to become involved in the implementation of the Open Space and Recreation Plan. Our plan has no life without community involvement . . . that is what will make and keep this a living document. And, as tasks are completed, we will be looking to update the current plan as well as look ahead to see what opportunities arise to help meet our stated goals and objectives.

Section 2: Introduction

A. Statement of Purpose

The Open Space and Recreation Plan is intended to present and discuss a coordinated set of actions that will help the Town of Plainville protect, preserve, and increase its open space and recreation assets and resources. The purpose of the plan is to provide the citizens of Plainville with a document that is comprehensive, readable, and easily understood, and accurately conveys the policies and actions necessary to meet the changing physical, cultural, and social needs of the population.

An important part of updating the 2007 Open Space and Recreation Plan was to understand and document the steps taken and progress made by the Town in addressing the previous plan's goals, objectives, and recommended actions. Overall, Plainville has continued to make gains in preserving open space, largely through the work of its Planning Board and Conservation Commission. The most significant conservation and recreation activity undertaken by the Town in recent years, was the Town Meeting vote to authorize the acquisition of the 103 acre Bergh Property (now called Hawkins Woods) in December of 2016. Hawkins Woods is a jewel in the local open space network, and will provide passive (trails) and active (disk golf) opportunities to visitors, as well as provide a potential link to the trails in the adjacent Heather Hill development.

B. Planning Process and Public Participation

The process of the creation of a long-range plan is almost more important than the document itself. The process allows for public participation and general education on issues and a means for all involved to reach a consensus on these issues.

Open Space Committee (OSC) members, as appointed by the Town include: Marcia Benes, Ellen LeBlanc, Carol Lewicki, Thomas McHugh, Sherry Norman, John Wegiel, Jill Winitzer, Dawn Denizkurt, and Lou LeBlanc (Chairperson). Chris Yarworth, Town Planner and Conservation Agent, provided technical and administrative support to the OSC. Southeastern Regional Planning and Economic Development District (SRPEDD), also provided technical assistance to the OSC, including data collection and analysis, report/grant writing, and mapping services.

The OSC, or its sub-committees, conducted seventeen (17) working meetings between April of 2017 and October of 2018. These meetings were used to update attendees on the work that had been completed to date, review and discuss that work, and to prioritize new tasks necessary to advance the planning process.

The first task of the OSC was to develop an "Open Space and Recreation Survey" in order to gauge the public's satisfaction with the current state of conservation, open space, and recreation programs and policies within the town, as well as to help chart a course for the future of these programs. The availability of the survey was published in the local paper, announced at local board, committee, and commission meetings. The survey was also distributed through the Senior Center/Council on Aging, the Public Library, the Town Hall, posted on the Town website, and made available through the OSC's respective member organizations. The OSC received 359 survey responses, up from the fewer than 100 received during the 2007 update. The responses were varied by Precinct and demographics, and gave a good representation of the town.

C. Enhanced Outreach and Public Participation

In order to ensure meaningful involvement in the planning process, additional effort was made to reach out to all neighborhoods, including the state designated environmental justice (EJ) neighborhoods, located in South Plainville, on the Plainville/North Attleboro municipal boundary. The EJ neighborhoods are located in Census Tract #4401, Block Groups #1000 – 1016, all of which are in close proximity to the downtown, Town Hall area. The EJ designation for this area applies due to the fact that households therein earn 65% or less of the state median income.

Enhanced outreach in these efforts included press releases, local cable access postings of meetings and events, as well as postings on the Town website (including the survey with a link to complete it online if desired). Distribution of meeting notices and surveys also occurred through the Senior Center and the Public Library, both of which are in proximity to and serve the EJ neighborhood. The OSC also had a public information booth, a suggestion box for renaming the Bergh property, and a survey station at the Town's Fall Festival, held at Telford Park. Telford Park is located behind the Town Hall, and is easily accessible from the EJ neighborhoods.

Section 3: Community Setting

The Town of Plainville in Southeastern Massachusetts exemplifies a small, rural community in an idyllic country setting. Geographically positioned along the northeast border of Rhode Island, the commute to Boston or Providence is both quick and convenient. A family oriented community, Plainville abounded with forests in the past centuries. The town has some land dedicated to conservation through both public and private ownership. The presence of horse farms and stables around the area enhances the rural nature of Plainville.

Regional Context

Plainville is located within Norfolk County, bordered to the north by Wrentham, to the east by Foxborough, to the south by North Attleborough, and Cumberland, RI to the west. The area is 31 miles south of Boston, and 14 miles north of Providence. Situated along the I-495 corridor, its northern border traversed Routes 1 and IA. Plainville covers a total area of 11.55 square miles, approximately 7,392 acres. It lies within the Ten Mile River and the Taunton River watersheds, with one river flowing south to Providence, and the other to Fall River.

A relatively small number of commercial/industrial acres located at major and minor public transportation routes that crisscross the town, had turned the locale into a desirable bedroom community for both Boston and Providence, RI. This has resulted in a loss of over 20% of the town's forests. Single-family homes had replaced farms and forests throughout the town. More recently, the town had engaged a new casino-type business venture with promise of high employment to complement the town's horse harness racing and gaming establishments. This economic expansion poses a challenge to residents who fear that pressure for more residential development could result in farther decrease of open space, and threaten their water supply.

History

The area that became Plainville was part of a boundary dispute between the Plymouth Colony and the Massachusetts Bay Colony. In 1640, a slate marker at the corner of the boundary line between the colonies where the angle becomes westerly (than southwesterly) to the Rhode Island border, became known as the "Angle Tree Stone", and is the emblem of the town seal.

Incorporated in 1905, the western half of Plainville (a part of Wrentham from the Dedham land grant of 1636) combined with the eastern half (originally a portion of Stoughton from the Dorchester land grant of 1638). A permanent agricultural economy developed in Plainville by the early 19th century. The establishment of a small craft industries and a town center that retained a number of Victorian-style buildings, had given way to present-day commercial strips spread out along the town's major roadways. Public transportation links (rail line and trolley line) soon gave way to automobiles, and highways, and Plainville's rural nature is now distinctly threatened.

DEMOGRAPHIC TRENDS

Plainville statistical highlights in 2018

Planning for Open Space and Recreation is best prepared with due consideration to the community's varied characteristics: *demographic, socio-economic, economic, housing profile and school enrollments* are carefully considered. These factors help provide the direction in the preparation of the plan for the maximum benefit to town residents, the neighboring communities, and the surrounding environment for several years to come.

This following brief summary serves as a guide to the detailed statistical analyses in this section.

DEMOGRAPHIC PROFILE

The Open Space and Recreation Plan for Plainville necessitates the recognition of the town's *population growth, population density, age structure, racial and ethnic composition and household characteristics*.

- As a bedroom community, Plainville's total population increased rapidly prior to 1970 and stabilized by 2010. The regional projected population numbers for the town in the next decades have a positive outlook – or an expected increase in total population.
- While the town had a sparse population density with only about 749 persons per square mile in 2010, this might change as more families come to live and work in Plainville.
- As of 2010, Plainville had a deficit of very young population age groups (under 14 years old) but high percentage of college-age youth (20-24 years old). The town had a robust younger labor force (ages 25-44 years old), along with a great bulk of older and soon-to retire baby boomers (45-64 years old). On the other hand, a significantly high number of elderly (65+ years) in town, had helped elevate the town's median age as the oldest, among nearby communities.
- Even while Plainville's population is mostly White, between 2000 and 2010, the Asians, Hispanic, and "Other" populations had increased within the area.
- Non-conventional household types such as women with no husbands present, but with under aged children, and householders preferring to live alone (including those aged 65 years), had become popular in Plainville.

Generally, the Open Space and Recreation Plan for Plainville will be well-served if it includes a comprehensive grasp of the town's demographic situation: its population, growth, density, age, racial and ethnic composition, as well as household types. In this way, the resulting plan will be most useful in accommodating and anticipating the types and styles of outdoor and indoor amenities and facilities that are responsive and adaptable to the all town residents.

SOCIO-ECONOMIC PROFILE

Plainville residents' socio-economic characteristics like educational attainment and income measures, have significant implications on their choices and preferences for open space and recreation.

- Plainville adults (25+ years old) achieved huge strides in attaining higher educational degrees in a span of fifteen years. As of 2015, over two-fifths of the town's adults possessed Bachelor's degrees and/or graduate degrees, making Plainville one of the most highly educated community in Southeastern Massachusetts, and remained slightly higher than the state average.
- In both 2000 and 2015, Plainville's median household income and median family income were clearly higher than the state average. The town's per capita income also caught up with the state by 2015.
- In 2015, one block group in Plainville fell under the Environmental Justice category: its median income was below 65% of the state average. Such an area however, did not meet the other eligibility standards including percent of minority population, and percent of people with language deficiency.

Planning for Open Space and Recreation in Plainville will be most responsive to the community's needs when the socio-economic characteristics of the town residents are carefully considered. Both education and income are big factors that affect the residents' likes and dislikes for the health facilities, recreational amenities and infrastructure.

ECONOMIC PROFILE

The economic base of Plainville provides a good grounding point for an Open Space and Recreation plan for the town. In doing so, the resident workers' needs and interests can be adequately responded to, and duly gratified. However, ample preparation and flexibility may be called for to accommodate the recent horse racing sports and casino-type business scheme in town that might subsequently change Plainville's economic character.

- As everywhere in the nation, Plainville's total employment levels suffered in the late 2000s, yet a real recovery is not so clear by 2015.
- The pattern of unemployment rates for Plainville blended with what occurred statewide and nationwide after 2008. A positive sign of a recovery for the town was somewhat evident in 2016.

Workers across Plainville engaged in various types of industry may possess differing tastes and preferences for open space and recreation. A challenge for the town's Open Space and Recreation plan will be to anticipate choices and outcomes.

HOUSING PROFILE

With a changing economy, Plainville's housing situation and its implication for Open Space and Recreation becomes very important. The rural atmosphere and suburban character of Plainville is facing a threat from the town's housing arrangements.

- In the last decades, Plainville had lost big tracts of its forested land to housing development.

- Plainville's housing stock increased modestly during the 2000-2015 period. The impact of the housing debacle in the last 2000s registered a high number of housing vacancies in the town as of 2015.
- The limitation of construction of new housing structures in Plainville as a response to the housing market downturn, was reflected in a dip in the number of building permits issued for single-family dwellings after 2008. The is an evident recent rise in the issuance of these permits in 2015, and, combined with increasing housing sales in the town, maybe taken as a sign of housing market recovery.
- Consistent with Plainville's recent boost and engagement with the harness horse racing sports and gaming industry, the dominant employment in town in 2015 consisted of Retail Trade, along with Accommodation and Food Services. Other major employment in the town were in Manufacturing, Construction, and Administrative and Waste Services, plus to a lesser extent, Health Care and Social Assistance.
- The cost of single-residential house in Plainville have risen to its pre-housing debacle level in 2007. Comparison with other neighboring communities showed that the housing costs of single residential units in Plainville fall within the housing price range in the area. Moreover, the rate of change in prices over a 15-year period showed Plainville's to be a typical in the neighborhood.

While Plainville may have been attractive as a suburban bedroom community, the town's economy will have some impact on its housing situation in the years ahead. Therefore, Open Space and Recreation planning for the town needs to have a good grasp of the town's overall housing situation: availability, and projected supply of adequate types of housing to shelter all types of households and family structures – to accommodate future housing challenges.

SCHOOL PROFILE

The range of facilities and amenities in the town's open space and recreational environment are also dependent on the number of schoolchildren who will enjoy these conveniences.

- Commensurate with the decline in the number of young cohorts in the town's population, the number schoolchildren in schools had also decreased. Consequently, planning has to recognize the trend in a reduced enrollment for the town's public schools.
- On the other hand, there is a possibility that as more families with school-aged children come to live and work in Plainville, the district enrollment might see an upturn in the coming years.

Open Space and Recreation plans for Plainville where schools are concerned at this time, may involve acknowledging the need to refocus and reuse instead of acquire more resources for new facilities designed for a big number of schoolchildren. The planning effort has to recognize the impact of some economic factors in the area that will affect the general character of the town, hence be flexible enough to shift gears or direction.

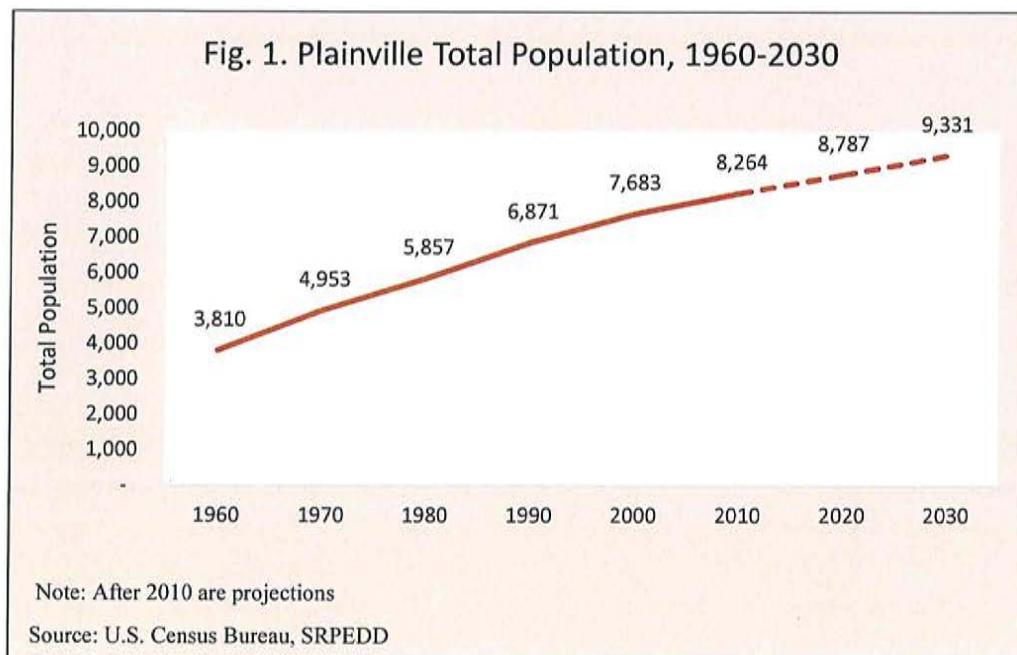
Plainville Town Characteristics

Demographic Profile

1A. Population

Plainville's population in 1960 more than doubled in 2000, and projected to increase rapidly in the coming decades. Besides serving as the bedroom community for the Metro Boston and Providence areas ushering in the era of families preferring to live in suburbs, the easy access to rail and interstate highways going through the town and its neighboring communities, enabled the movement of people in and out of Plainville easily. Subsequently, this movement brought about an expansion of the town's population.

Plainville's population growth from 1960 to 2010, and the projected populations to 2030, is displayed in Fig. 1.



Plainville's population grew straightforward from 1960 to 2000, with a hint of a slowdown by 2010. (Fig. 1). The regionally projected numbers to 2030 suggest that the town's population progression will even be speedy in the next decades.

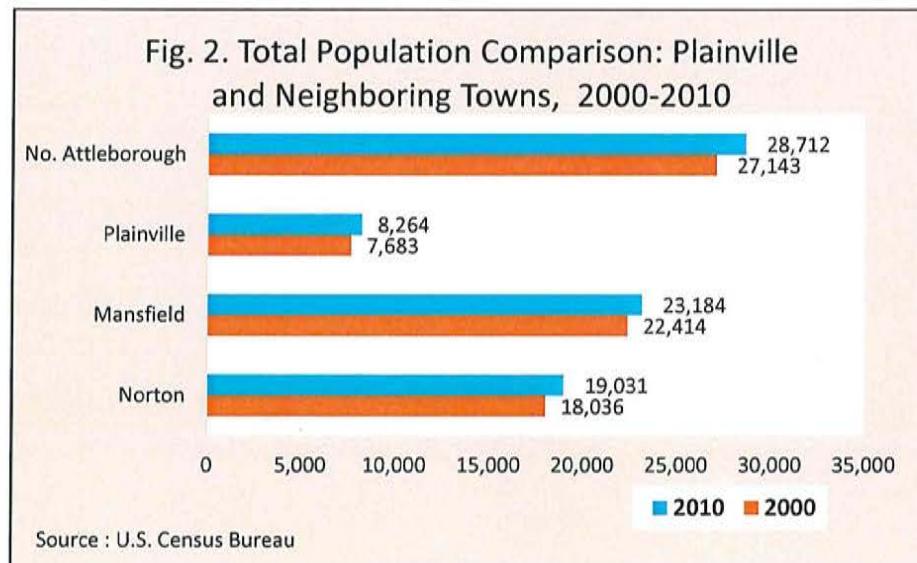
Table 1 reinforces the pattern of rapid rise in Plainville's population (in terms of percent change in the early decades) as observed above, and the moderate growth by 2010.

Table 1. Population Growth Rate: Plainville, 1960-2010

Years	Population	Numerical Increase	Percentage Change
1960	3,810		
1970	4,953	1,143	23.1
1980	5,857	904	15.4
1990	6,871	1,014	14.8
2000	7,683	812	10.6
2010	8,264	581	7.0

Source: U.S. Census Bureau

Fig 2 shows a comparison of population growth in the neighboring communities surrounding Plainville.



Between 2000 and 2010, the stable population growth experienced by Plainville was also apparent in the adjacent towns, as Fig. 2 reveals.

To compare how Plainville's future population growth is viewed regionally, the projected total population up to the year 2030 for Plainville and neighboring communities are examined in Table 2.

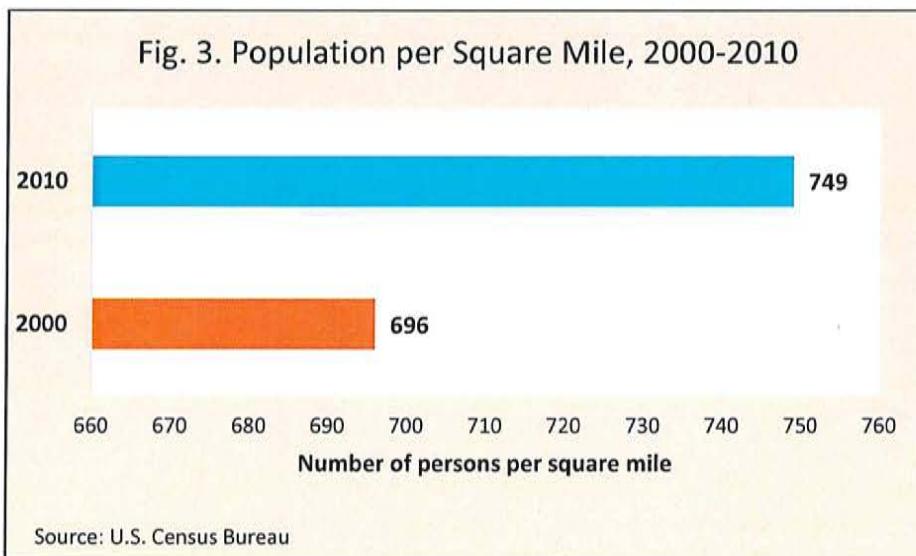
Table 2. Population Projections: Plainville and Neighboring Communities, 2010-2030

Municipality	2010	2020	2030	% Projected 2010-2020	% Projected 2010-2030
Norton	19,031	19,438	19,837	2.1	2.0
North Attleborough	28,712	29,738	30,731	3.6	7.0
Mansfield	23,184	22,978	23,569	-0.9	1.7
Plainville	8,264	8,787	9,331	6.3	12.9

Source: U.S. Census Bureau

The data (Table 2) clearly underlines to highly progressive increase in population projected for Plainville in the coming decades: a 13% growth by 2030 is way ahead of the other neighboring communities' population projections.

In Fig. 3, the number of persons per square mile in the last decades, are shown. Plainville's population density in 2000 was 696, and by 2010, the town added 53 people more per square mile.

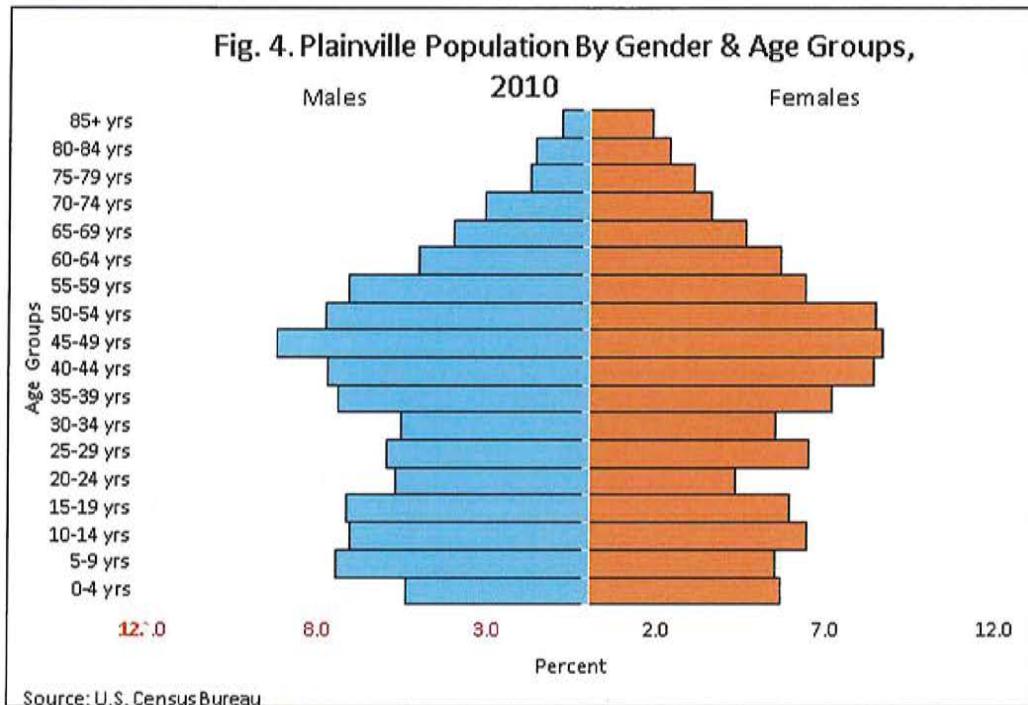


It is of vital importance for the preparation of Plainville's Open Space and Recreation Plan to consider seriously the status and direction of growth of its population. Attention to the town's population density is just as critical. Only then can the plan be responsive, accommodate, and provide for all the varied needs and demands of all members of the community.

1B. Population Age Structure

A comprehensive grasp of the age profile of the town's population is a good guide in the preparation and assessment of the respective community members' needs.

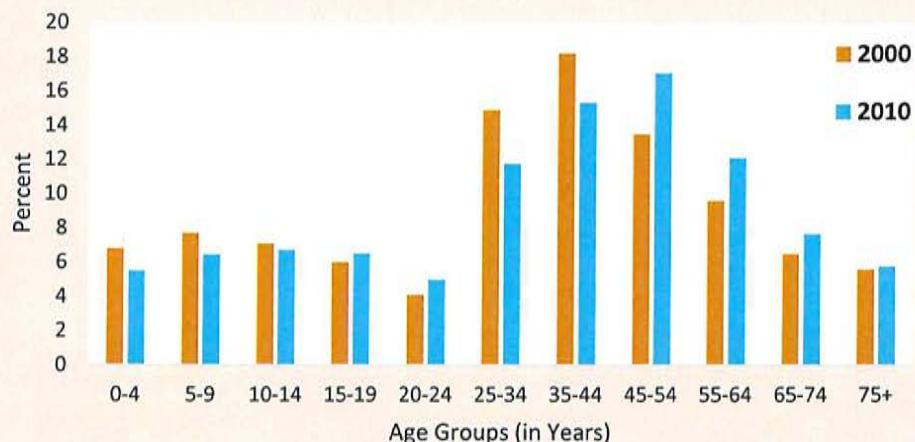
The age composition of Plainville's population in 2010 (latest definitive numbers available) can be seen in Fig. 4.



As of 2010, a deficit in the youngest age groups (under 5 years old) is evident from the data (Fig. 4). The same is also true for the the young adults cohort (20-34 years old), especially among males. The great bulk of the middle-aged and older workforce of both sexes (40 to 64 years old) imply a robust labor force which support the town's economy most ably. However, some of these cohorts will be retiring in the coming years, and will be economically dependent on Plainville's reduced younger age groups.

The data in Fig. 5 show a decade-long change in Plainville's age groups.

Fig. 5. Percent Changes in Population Age Groups, 2000-2010

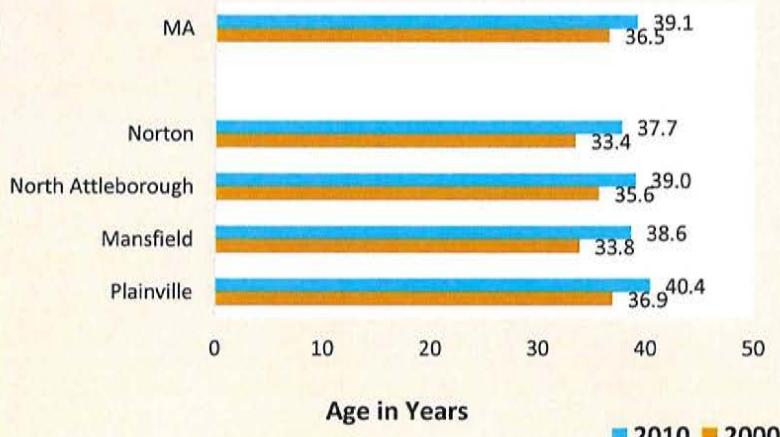


Source: U.S. Census Bureau

Between 2000 and 2010, there was proof in Fig. 5 that a decrease occurred among the youngest age cohorts (0-14 years) in Plainville. Conversely, a slight rise among the youth and young adults (15-24 years) was observed. Also, even while the young workers (25-44 years) declined during the decade, the older labor force (45-64 years old) increased. The latter age group will soon be joining the town's bulk of expanding elderly population (Fig. 5)

To assess how Plainville's population aging fares with the other communities, and the state, a comparison of median ages can be seen in Fig. 6.

Fig. 6. Median Ages Compared: 2000-2010



Source: U.S. Census Bureau

The data in Figure 6 point to Plainville as having the oldest population among the communities in the area, as reflected by median ages in 2000 and 2010. Plainville even had higher median age than the state as a whole.

Familiarity with the town's population age groups and the rate by which the town is aging, serves planners well in choosing and deciding the types of open space or styles of outdoor and indoor amenities and facilities that are responsive and adaptable to the needs of the various population cohorts.

1C Race and Ethnic Composition

In Table 3, Plainville's race and ethnic population from Census 2000 to 2010 are illustrated.

Table 3. Race & Ethnic Composition, 2000-2010

Housing Characteristics	2000	2010	% Change 2000-2010
Total	7,683	8,264	7.6
White	96.8	94.2	-2.7
Black	0.7	1.1	57.1
Asian	1.6	3.1	93.8
Other races	0.9	1.6	77.8
Hispanic	1.0	1.8	80.0

Source: U.S. Census Bureau

During the decade, Plainville population remained predominantly White, but dramatic changes had occurred in the town's various racial and ethnic population composition. These percentage changes of the Non-white populations of the town from 2000 to 2010 (Table 3), far exceeded the overall rate of increase in the town's total population. "Other" races include two or more races category, a new classification to take in mixed ancestries and ethnicities.

The growing diversity of racial/ethnic population in Plainville indicated varying interests and appetites for open space and recreational choices. Therefore, the planning exercise for the town has to acknowledge the changes in racial and ethnic composition of the town, in order to project the trajectory for future growth among these sub-populations.

1D. Household Types

Plainville household types had blended with the global trend of the rise in non-conventional household structures. From the traditional nuclear and extended family households, new household configurations have evolved.

The household types and changes occurring in Plainville covering the decade from 2000 to 2010 are featured in Table 4.

Table 4. Household Types: Plainville, 2000-2010

Household Types	2000	2010	% Change
	2000-2010		
Total households	3,009	3,303	9.8
Family households	2,040	2,205	8.1
Female householder, with children under 18 years old	150	172	14.7
Householder living alone	788	891	13.1
Household 65+ years living alone	274	328	19.7
Household size	2.53	2.49	-1.6

Source: U.S. Census Bureau

While conventional family households remained stable in Plainville from 2000 to 2010, households headed by females with no husbands present but with under-aged children had become more common in the town (Table 4). Moreover, between 2000 and 2010, there was a rise in residents preferring to live alone, and this mode was getting popular among the town's elderly (65+ years) members within the decade.

Overall, the familiar and conventional nuclear households (consisting of parents and their children) and even those with extended relations within the households, have given way to the present-day types of household structures. A great challenge for town open space and recreation planners includes facing and anticipating the demands and sustenance of single householders with young children, or adults living by themselves. Furthermore, the elderly who lives alone may need alternative arrangements for recreation in the coming years.

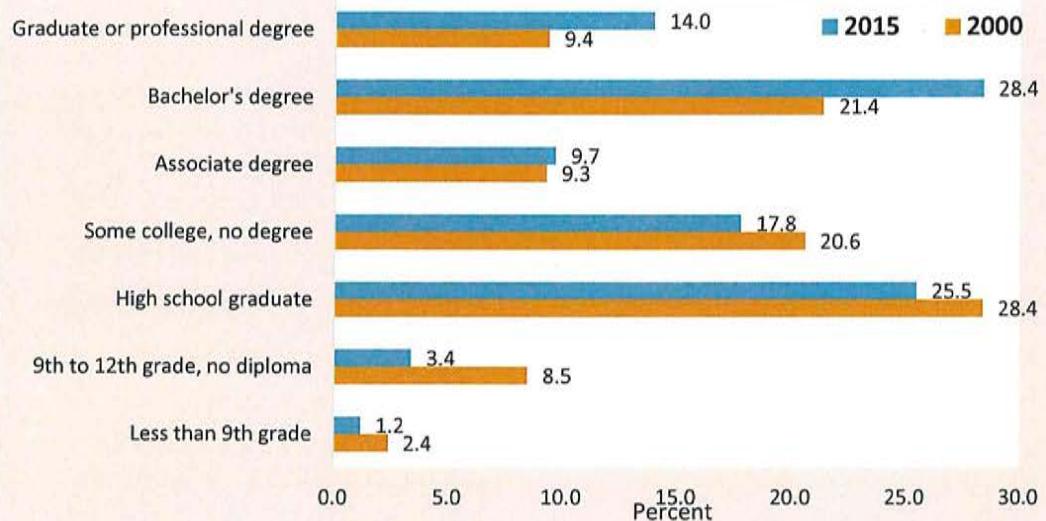
2. Socio-Economic Characteristics

People's socio-economic status, most notably, education and income, tend to govern tastes and preferences for any choices in daily life. This is also true for their inclinations and fondness for certain recreational activities.

2A. Education

Educational data estimates for Plainville are available for 2015 (ACS 2011-2015). Fig. 7 presents the educational attainment of Plainville adults for 2000 and 2015.

Fig. 7. Educational Attainment, 2000-2015

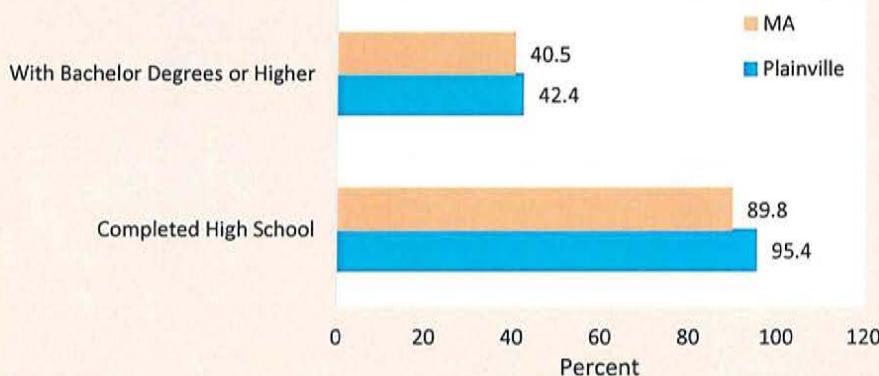


Source: U. S. Census Bureau

Plainville adults (aged 25 years and over) achieved huge improvements in higher education between 2000 and 2015 (Fig. 7). Those who had attained Bachelor's degrees, along with those who proceeded to obtain graduate degrees comprised over two-fifths of the town's adult population during the 15-year period.

Fig. 8 compares the educational levels of Plainville adults with the state averages.

**Fig. 8. Comparing Educational Levels:
Plainville vs. State, 2015**



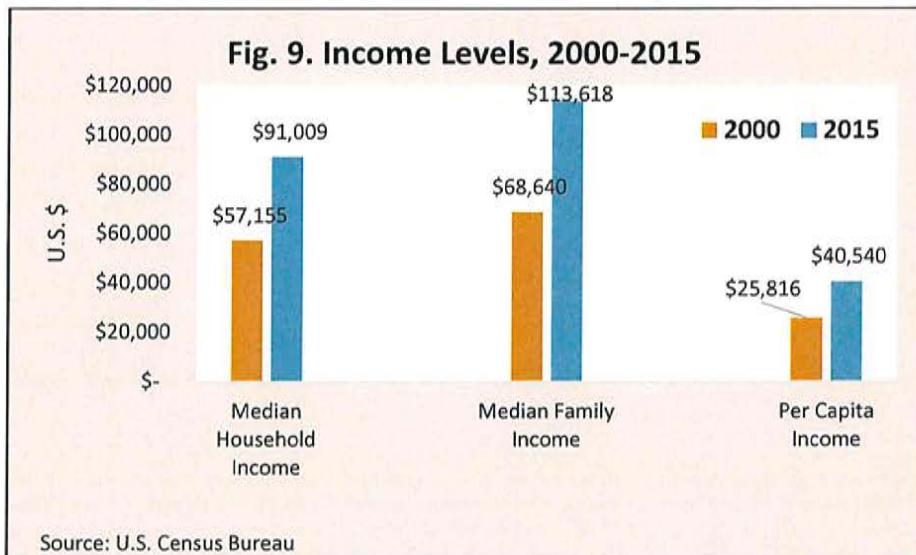
Source: U.S. Census Bureau

It is obvious from the data (Fig. 8) that in 2015, Plainville adult residents' educational attainment were higher than the state's in both high school completion and college degree plus graduate degree achievement.

2B. Income

Median household income, median family income, and per capita income, are the three most common types of income measures for a community.

In Fig. 9, the income levels for the Town of Plainville in 2000 and 2015 are shown.



Increases in all levels of income for Plainville within the 15-year period from 2000 to 2015 are evident in the data (Fig. 9), despite the economic depression in the late 2000s, and considering inflation (\$1 in 2000 = \$1.38 in 2015),

Table 5 presents a comparison of income levels between Plainville and the state from 2000 to 2015.

Table 5. Income Levels: Plainville vs. Massachusetts, 2000-2015						
Income Levels	2000		2015		% Change, 2000-2015	
	Plainville	MA	Plainville	MA	Plainville	MA
Median Household Income	\$57,155	\$50,502	\$91,009	\$66,563	59.2	31.8
Median Family Income	\$68,640	\$61,664	\$113,618	\$87,085	65.5	41.2
Per Capita Income	\$25,816	\$25,952	\$40,540	\$36,895	57.0	42.2

Source: U.S. Census Bureau

Note: \$1 in 2000 = \$1.38 in 2015

As the data show (Table 5), Plainville households and families had higher median incomes compared to statewide averages. Per capita income for the town also caught up with the state by 2015.

Furthermore, Plainville had higher percent increases in income levels during the 15-year interval compared to the state.

2C. Environmental Justice

A close examination of Plainville block group characteristics revealed that one block group had a median household income of \$39,141, which falls below the 65% of state average eligibility for Environmental Justice area. However, this block group did not meet the other eligibility criteria: a quarter percent of minority population, and percent of people with language deficiency.

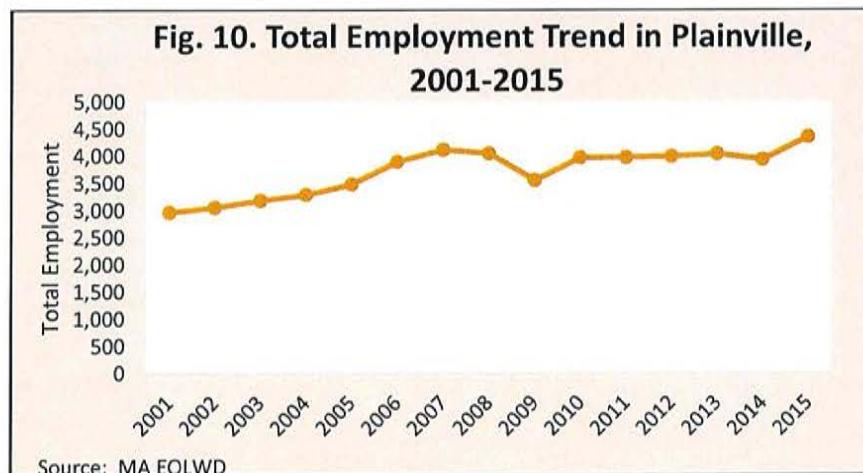
Planning for Open Space and Recreation process can only be most effective when the socio-economic characteristics of the town residents are carefully considered. Both education and income are big factors that determine and guide the residents' tastes and preferences for the health facilities, recreational amenities, or infrastructure that they like, dislike or utilize.

3. Economic Profile

The source of employment and revenue in a community serves as its economic base. A vital part of the planning process is to recognize the availability and types of jobs and employment that the residents of the town like Plainville are engaged in.

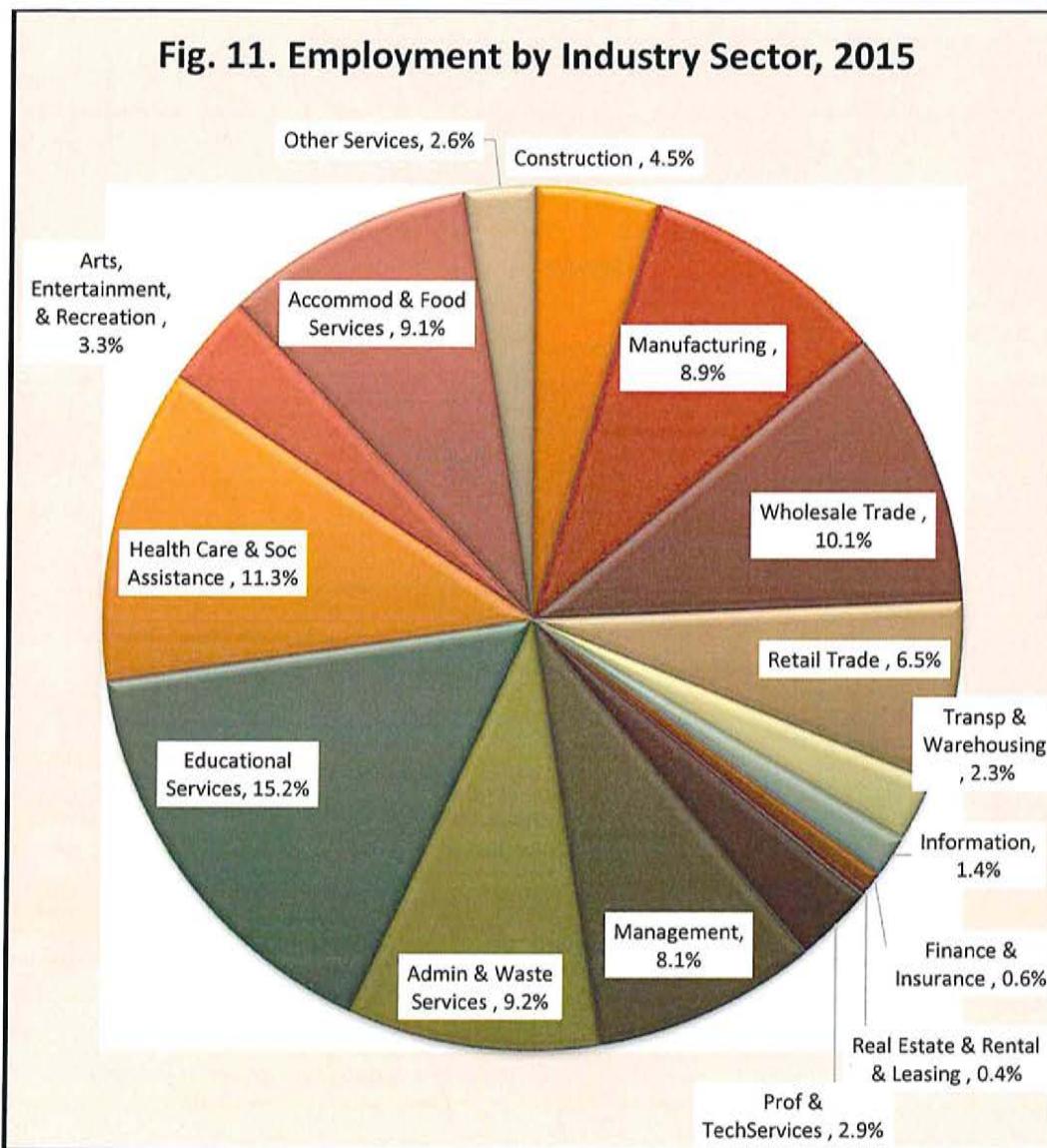
3A. Employment

Plainville's trend in total employment from 2001 to 2015 is on display in Fig. 10.



The impact of the economic recession around 2008 is highly visible from Fig. 10 that created a dip in Plainville's level of total employment. Even though the employment level in the town seemed to stabilize soon after 2010, only a hint of an economic upturn was observable in 2015.

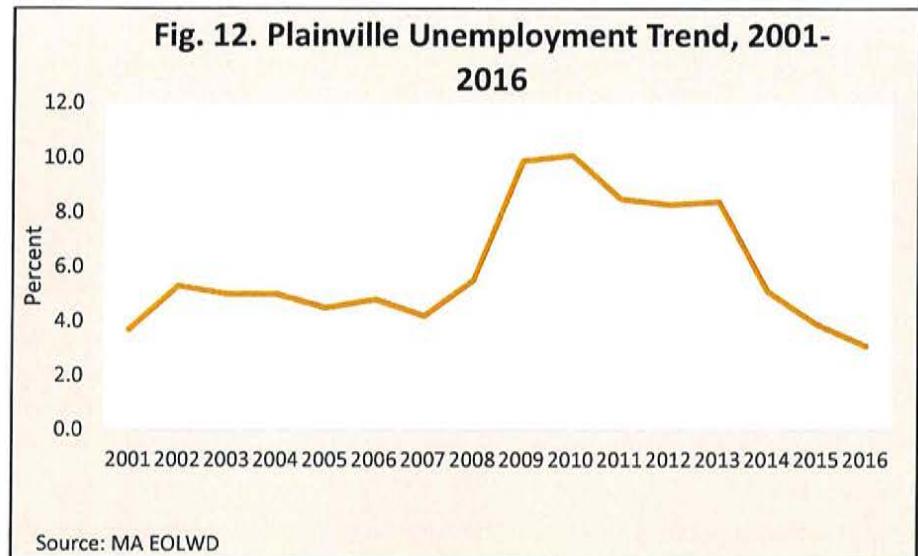
Fig. 11 presents a breakdown of employment by industry for 2015 in Plainville from the Massachusetts Executive Office of Labor and Workforce Development.



With the advent and expansion of the gaming and sports betting industry in Plainville, it is not surprising that in 2015, the top employment in the area was Retail Trade, followed by Accommodation and Food services. Manufacturing, Construction, Administrative and Waste Services, and also Health Care and Social Assistance, were also major sources of employment in Plainville in 2015 as the data in Fig. 11 revealed.

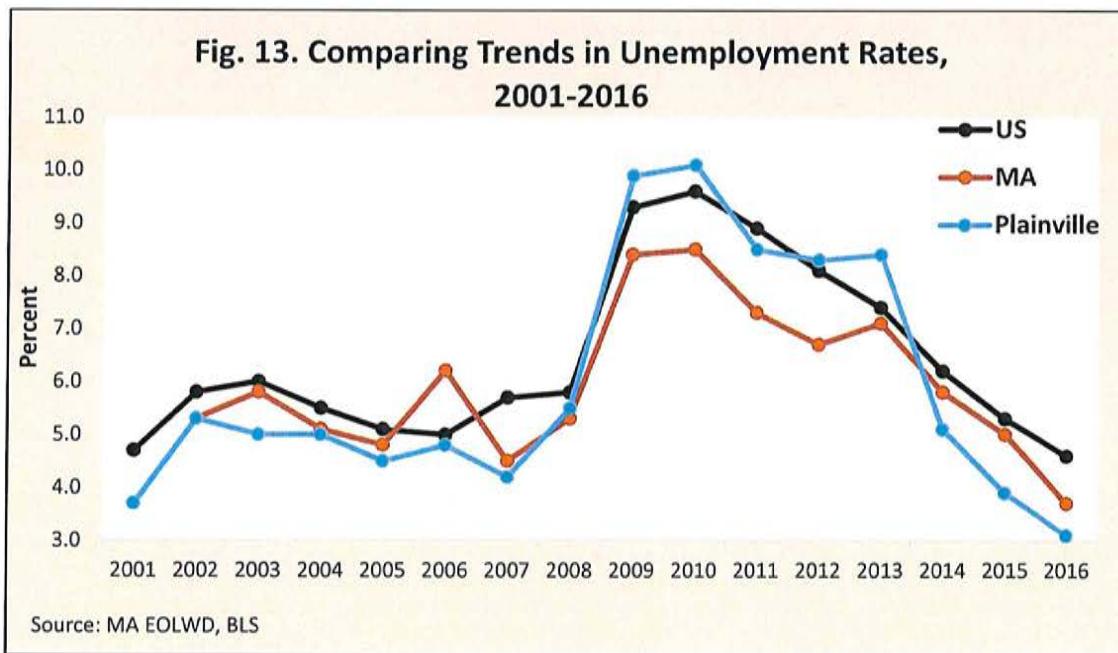
3B. Unemployment Rates

The trend of unemployment rates in Plainville from 2000 to 2015 is presented in Fig. 12.



The sharp rise in Plainville's unemployment rates coincided with the economic downturn around 2008, which peaked around 2010. By 2011, a gradual decline in the town's unemployment rates was evident, so much so that by 2016, the rates almost approximated the levels prior to recession years (Fig. 12).

A comparative view of Plainville's unemployment trend with that of Massachusetts and the U.S. is featured in Fig. 13.



Plainville's pattern of unemployment rates from 2001 to 2007 was lower than the state's and the nation's. Soon after however, the rates rose and even bypassed those areas until 2013. In the most recent years, Plainville seemed to have regained its low rates, as Fig. 13 portrays.

Overall, the economic features of Plainville must assume a big consideration in the planning for the municipality's open space and recreation. Not only do they influence the types of residents' needs and demands for pastime activities, and leisure facilities, but also their affordability, taste and preference for their own and their children's recreational options as well.

4. Housing Characteristics

The Open Space and Recreation Plan for any community is closely linked with the housing status of the residents therein, as this reflects their available land and space that provide options for spending time outdoors and indoors. Likewise, the residents' involvement in community social and cultural activities springing from their housing arrangements, also deem serious consideration.

4A. Housing Stock

The housing status for the town of Plainville within a 15-year span appears in Table 6.

Table 6. Housing Characteristics, 2000-2015

Housing Characteristics	2000	2015	% Change 2000-2015
Housing Units			
Total	3,111	3,766	21.1
Occupied	3,009	3,358	11.6
Vacant	102	408	300.0
Housing Tenure*			
Owned	2,180	2,587	18.7
Rented	829	771	-7.0

* Of occupied housing

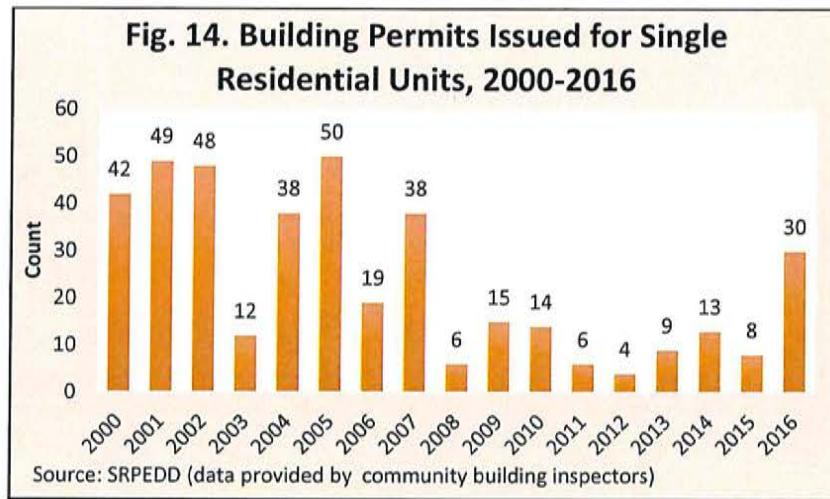
Source: U.S. Census Bureau

The housing debacle in the late 2000s is highly evident in the astronomical increase of vacant housing in Plainville from 2000 to 2015 (Table 6). The overall total housing stock had increased, and of these, home ownership rose between 2000 and 2015.

4B. Issuance of Building Permits

A good indicator of the housing situation in an area is the issuance of building permits for new residential units. As a response to the need or shortage of certain types of housing structures, or to reign in new constructions in the community due to a housing glut, building permits serve as useful tools.

Fig. 14 shows the number of building permits for single-family residential units issued by the town of Plainville from 2000 to 2016.

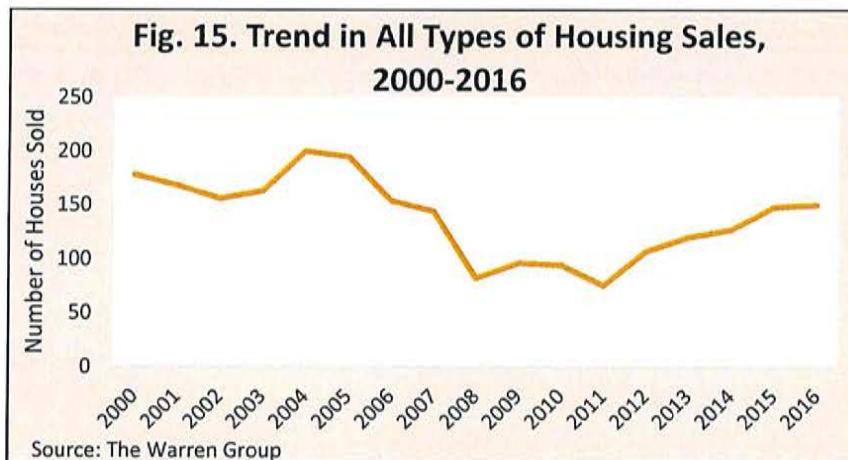


The high vacancy rate in Plainville resulted from the housing market bubble in the later part of the 2000 decade, forced the town to issue very limited permits for new single residential units after 2008. More housing units, possibly to fill the unmet demand brought about the gaming and sports sector located in the area, may have brought about a spike in building permits issuance by the town, although not as many as the numbers issued prior to the housing debacle (Fig. 14).

4C. Housing Sales

The sale of residential homes in a community is a reflection of the status of the housing market in the area: whether there is an oversupply or a big demand of some type of housing therein.

Fig. 15 presents the trend of total housing sales in 2000 to 2016 in Plainville.

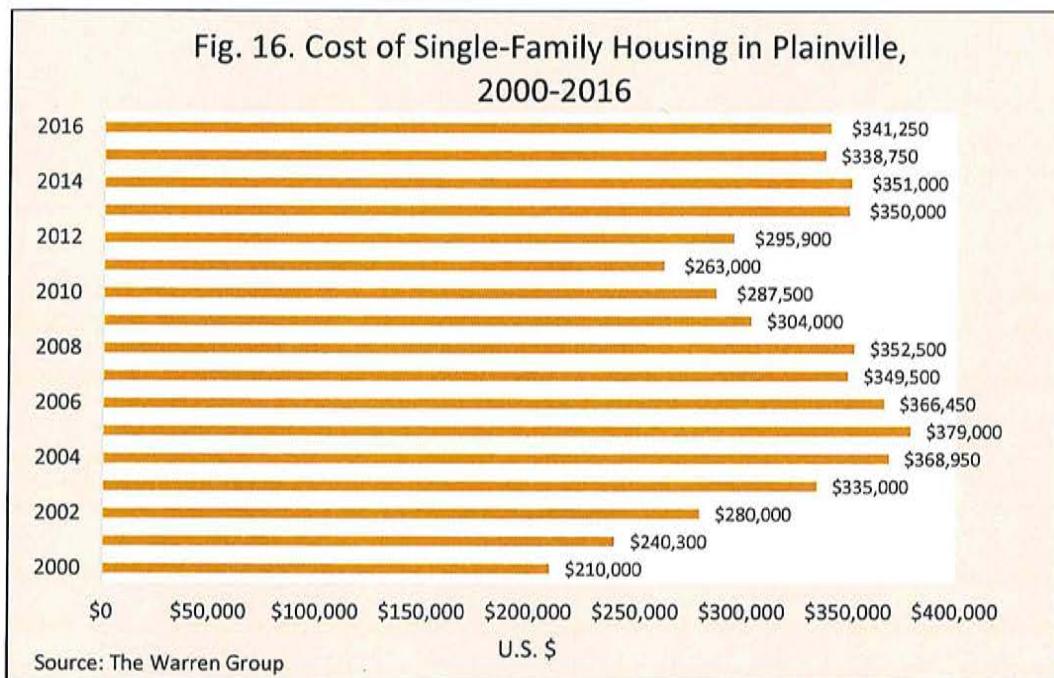


The trend in total housing sales that dipped in 2008 registered the impact of the economic-housing slump felt in Plainville (Fig. 15). Sales remained low until 2011, but a trace of an upturn in total housing sales may imply a recovering housing market.

4D. Housing Costs

Given that Plainville is a bedroom community of two metropolitan areas (Boston and Providence), the cost and affordability of housing are big factors in the relocation choices of families.

Fig. 16 presents the costs of single-family homes from 2000 to 2016 in Plainville.



The data (Fig. 16) show that the median cost of single-family homes in Plainville was not linear: since 2000. The costs peaked in 2005, then soon bottomed out in 2011. Most recently, there seems to be a trace of a rebound by 2016, which can be a signal of a positive economic outlook for the town.

For comparative purposes, Table 7 shows the median costs of single-family housing among Plainville's neighboring communities for 2000 and 2016, and the percent changes in costs within the 16-year interval.

Table 7. Changes in the Cost of Single-Family Homes: Plainville and Neighboring Areas, 2000 and 2016

Municipality	2000	2016	% Change
			2000-2015
Plainville	\$210,000	\$341,250	62.5
Norton	\$207,000	\$334,900	61.8
North Attleborough	\$208,500	\$340,500	63.3
Mansfield	\$275,000	\$413,000	50.2
Attleboro	\$179,900	\$285,000	58.4

Source: U.S. Census Bureau

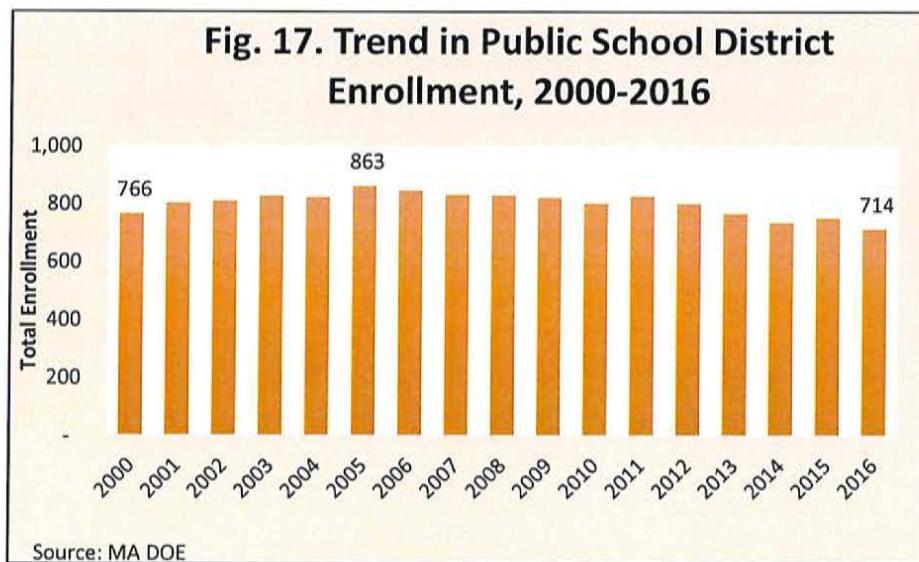
The cost of one-family residential unit in Plainville between 2000 and 2016 is not atypical of the area: the housing prices rose comparably with those of North Attleborough and Norton, the town's closest adjacent communities.

Thus, Plainville may attract families who strive for a good housing and suburban quality of life. In order to meet this desire as well as provide established town residents with their open space and recreation needs, Open Space and Recreation planning must have a satisfactory grasp of the town's overall housing situation. Factor such as supply of adequate types of housing to shelter all types of household and family structures, and the costs involved need considerable attention in the plan.

5. Public School District Enrollment

The town's number of schoolchildren coming from young families contribute to the ebb and flow of the district school's total enrollment. While there is a declining number of young children in Plainville in 2010, this may only be a temporary situation, which Open Space and Recreation planning have to consider.

The public school district enrollment for grades K-12 in Plainville from 2000 to 2016-17 school years appears in Fig. 17.



Plainville seemed to have a stable level of district school enrollment over a 16-year period, with no extreme highs or lows (Fig. 17). Nonetheless, if the economy of the town will prosper significantly, perhaps from the gaming and sports industry in town, the enrollment might see some upturn in the coming years.

Overall, planning for Open Space and Recreation in Plainville is of utmost benefit if carried out with the town's demographic composition, economic profile, and housing characteristics, are suitably considered. This will then guide the direction of all aspects of the plan, thereby advancing the lives not only town of residents, but also the community, and the environment.

6. Growth and Development Patterns

6A. Transportation Network

The Taunton-Attleboro region, where Plainville is located, has excellent highway facilities. Interstate 495, especially well designed south of Boston, provides access to Interstate 90 to the northwest and to U.S. Route 6, the Mid-Cape Highway, to the southeast. Interstate 95 and Fall River Expressway (state Route 24) provide access to the airport, port and intermodal facilities of Boston and Providence. The principal highways for Plainville are Route 495, Route 106, Route 1A and Route 1, which form an interchange in Plainville.

Plainville is a member of the Greater Attleboro-Taunton Regional Authority (GATRA), which provides Dial-A-Ride service to the elderly and disabled, as well as limited transit service to Attleboro. The Mansfield Municipal Airport, a General Aviation facility, is located two (2) miles Southeast of the Town.

The Town is looking to implement a ‘Complete Streets’ program, under MassDOT guidelines, that will incorporate improved circulation (streets, sidewalks, and connections to proposed shared use paths/bike features), as well as addressing drainage and safety concerns. The Open Space Committee has taken a leading role in pursuing this strategy, as well as the development of transportation alternatives. Also under consideration are possible inter-municipal shared use path/bike path/rail trail connections to North Attleborough.

6B. Water and Sewer

The more heavily populated areas of Plainville lie within the areas served by the municipal water system and similarly the area served, or considered for, municipal sewer service. This area runs north and south along South Street, between Route 1 to the east and Walnut and Warren Streets to the west. Also, a large portion of the more heavily populated area lies between the Foxboro town line to the Route 1 corridor on the east side of town. Current average day water production is 600,000 gallons per day and sewer flow to the shared treatment plant is 400,000 gallons per day.

Plainville Water and Sewer operates 4 gravel packed wells with an estimated safe yield of approximately 1.5 million gallons per day and is preparing for the addition of a fifth well with an estimated safe yield of .4 million gallons per day in the near future. The Town of Plainville operates one treatment plant for the removal of iron and manganese with disinfection processes. The Town cooperates, with the Town of North Attleborough, in a shared water treatment facility, that treats for iron, manganese and the removal of volatile organic compounds, and provides disinfection. A proposed new well will have limited treatment for disinfection and potential removal of volatile organic compounds. There are two 1.5- million-gallon water storage tanks, the older of which was built in 1960 and the newer tank built in 2003. There are three booster pump facilities in the system which boost water pressure from the “normal” pressure areas, to other isolated abutting areas which would otherwise have inadequate water pressure. There are approximately 60 miles of various size water mains, 300 plus fire hydrants and 2050 water services to the residential, commercial, municipal and industrial properties

located within Plainville. Two elementary schools, one regional medical center, several day care facilities and one senior housing project are serviced and would be considered as high priority areas for safeguarding water service in the event of any disaster, along with the Public Safety Facility.

Sewer service is provided to approximately 50% of the properties serviced within the areas outlined in the first paragraph above. The expansion of sewers over the last twenty years has been limited to those areas developed by private outside concerns, due to the lack of funding assistance available to municipalities from state and federal government administrations, as had been the previous method of expansion by the municipality. There are approximately 16 miles of sewer mains varying in size from 8" through 24" in diameter and three small sewer boosters or ejector pumps which service local needs areas that could not otherwise be serviced by gravity. The sewerage collected flows by gravity to the North Attleborough Wastewater Treatment Facility which is owned and operated by North Attleborough and of which the Town of Plainville shares in the operation and maintenance charges associated with it. The original proposed sewer service area was delineated in the 1960's, updated in the mid 1980's and is currently being updated and reviewed by the state D.E.P. to assure that Plainville's need for sewer service to the most needed areas of the community are and will be served properly, and to make certain that the sewer system in Plainville and North Attleborough are not adversely affected. A newly updated sewer system analysis report is being adopted as a master plan for future development with this regard.

The Town has two water system hydraulic analysis studies that have been done in the past which we utilize to decide upon capital projects. Over the past thirty-eight years the town has been faced with numerous environmental concerns needing to be addressed in order to maintain compliance with the Safe Drinking Water Act. Plainville has expended numerous resources to mitigate these concerns.

It is estimated that private water service by wells accounts for 20% of the residences in Plainville, and 40% of the town residents are serviced by private on-site septic systems.

6C. Zoning

The Town has recently amended or adopted two bylaws that are critical to natural resource protection, public health and safety, and community resilience. The importance of these bylaws is magnified by the fact that during the previous decade (2005-2013), Plainville was documented to be in the top ten communities for loss of natural land to development in the Commonwealth (Mass Audubon, Losing Ground, 2014). Furthermore, under the current regulatory conditions in Plainville, the town is projected to see increases of 1,047 households and 1,622 people by 2030 (SRPEDD, Regional Transportation Plan, 2019).

The Floodplain District was adopted at the June, 2015 Annual Town Meeting, and includes all special flood hazard areas within the Town of Plainville designated as Zone A or AE on the Norfolk County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District may be

defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 16, 2015.

The Groundwater Protection District Bylaw was amended at the June, 2014 Annual Town Meeting. The purpose of this Groundwater Protection District is to promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water for the Town of Plainville, as well as to preserve and protect existing and potential sources of drinking water. The District also helps to conserve natural resources in the Town of Plainville; and prevent temporary and permanent contamination of the environment. The Groundwater Protection District is an overlay district superimposed on the zoning districts, and thus applies to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses.

Section 4: Environmental Inventory and Analysis

4A. Geology, Soils and Topography

Bedrock Geology

The town of Plainville is located at the Northern terminus of the Narragansett Basin, a large geologic basin extending from coastal Massachusetts, across the eastern portion of Massachusetts and into Rhode Island. Just north of the Narragansett basin is a granitic material referred to as the Sharon upland (Zen and others 1983). The USGS has not mapped the bedrock geology of Plainville. From the resources reviewed, the bedrock features are summarized as:

- The Sharon Upland rocks are present in the Northern areas of town close to Wrentham and Foxboro. These rocks are typified by coarse pale to lightly colored Precambrian aged granites, considered Avalon terrain, formed 610 to 589 million years ago in an extrusive volcanic and plutonic sequence. These rocks are very old, dating back to the breakup of the super-continent Gondwana. Avalon terrain is also present in Africa, England and Europe and is expressed locally across eastern Massachusetts from north of Boston to the northwestern part of Rhode Island.
- The Narragansett Basin formed as a coal basin approximately 315 million years ago during the Alleghanian mountain building. Narragansett basin (and several other local basins such as the Norfolk Basin and the Boston Basin) formed as rift basin between the Sharon Upland to the north and the Narragansett Bay crystalline rocks to the east. The Narragansett Basin persisted as a low-lying swampy valley. The hot and humid terrestrial environment provided growing conditions for swampy wetland plants. Concurrently, the Basin was also receiving sediments from erosion of the surrounding area, resulting in the deposition and preservation of a thick sequence of sandstones, siltstones and shale. Locally the sandstones and shale are grey (Rhode Island Formation) or red (Wamsutta Formation) in color. Many areas of rock outcrops in Plainville exhibit the basin infill sequence of sediments. Coal beds in the area were mined historically during the industrial revolutions.

Surficial Geology

Glaciation facilitated the scouring and overdeepening bedrock valleys and (re)deposition of soils during the retreat and melting of the glacier. The most recent “Wisconsin Stage” glaciation, occurred approximately 15,000 years ago, and fully covered Plainville. This glacial advance, and the subsequent melting and retreat, caused glacial transport and deposition, resulting in the landforms visible in Plainville today, including:

- The two deepened valleys that provide the watershed divides for the Ten Mile and Taunton Rivers, in Plainville. A third watershed divide, located in the western portion of town, serves the Blackstone River.
- Two deepened valleys are present in Plainville, mapped by the USGS as areas of high potential groundwater yield. Each valley has already been developed for water supplies by both North Attleborough (Ten Mile) and Plainville (Taunton).

Each of these areas is generally flat and contains transmissive sand and gravel soils. The Ten Mile River follows the course of the first valley, located north-south along the former rail line and west of South Street. This valley provides the headwaters for the Ten Mile River and contains several small lakes including Cargill's Pond, Fuller Pond and Witherill's Pond. The second area is in the eastern part of Plainville surrounding the Old Mill Brook, Rabbit Hill Stream and Turnpike Lakes, Rabbit Hill Pond and Lake Mirimichi. This area also surrounded by extensive wetlands.

- Areas of town that are higher in elevation typically exhibit ground moraine deposits of glacial till. These deposits were formed by general glacial stagnation (loose ablation till) or at the base of the glacier during advance or stagnation (basal till). These deposits are typically very hard and poorly transmissive.

Plainville also exhibits other evidence of glaciation including striated bedrock, kettle holes (e.g., one on conservation land off Taunton Street), and eskers (e.g., eastern and western side of both Turnpike Lake and Lake Mirimichi).

Soils

The soils in Norfolk County have formed within the past 15,000 years and are considered to be young soils, exhibiting only slight alteration of the parent material and weak soil horizon development. Norfolk County is in a transitional climate zone. It has conditions of both humid-marine and humid-continental climates. The climate has sufficient cold to seasonally inhibit bacterial action in the soil, but sufficient moisture to permit the growth of large plants and trees. Plainville contains twelve types of soils (USGS report Map III). These groupings are used to compare the suitability of large areas for general land uses, including agriculture. The following is a list of the predominant soils series found in Plainville. Included in the profile of each series is a description of inherent use limitations such as stones, slope, wetness, etc.:

Canton

The Canton series consists of nearly level to very steep, deep (5+ feet), well-drained soils on uplands. They formed in glacial till, ground moraine and ice-contact stratified drift. Canton soils have friable fine sandy loam surface soil and subsoil with moderately rapid permeability, over a loamy coarse sand to loamy fine sand substratum at 18 to 36 inches with rapid permeability. Canton soils have a very stony or extremely stony surface, except where stones have been removed and have stones below the surface. Major limitations are related to slope and stoniness.

Canton-Urban Land Complex

This consists of gently sloping to strongly sloping well-drained Canton soils and areas of urban land. Although urban development has altered the soils and landscapes in these areas, the soil can be identified at widely separated points, and the general nature of the area can be determined. Broad delineations are made on the map. This map unit consists of approximately 75% Canton and similar soils and at least 25% urban land and other disturbed areas. Urban land consists of streets, parking lots, buildings, and other structures.

Charlton

The Charlton series consists of gently sloping to steep, deep (5+ feet), well-drained soils on uplands where the relief is affected by the underlying bedrock. They formed in glacial till ground moraine. Charlton soils are 60 inches or more of friable fine sandy loam surface soil, subsoil and substratum with moderate or moderately rapid permeability. Charlton soils have a very stony or extremely stony surface, except where stones have been removed and have stones below the surface. Major limitations are related to slope and stoniness.

Charlton-Hollis-Rock Outcrop Complex

This series consists of well drained Charlton soils, somewhat excessively drained Hollis soils and rock outcrops, that occur in such intricate patterns on the landscape, that it is not practical to separate them at the scale of mapping. Generally, these areas consist of approximately 50% Charlton soils, 15% Hollis soils, 10% rock outcrop and 25% other soils. Major limitations are related to rockiness and slope, and depth to bedrock in the Hollis soil.

Hinckley

The Hinckley series consists of nearly level to very steep, deep (5+ feet), excessively drained soils on glacial outwash plain, terraces, kames, and eskers. They formed in gravelly and cobbly coarse textured glacial outwash. Hinckley soils have friable or loose, gravelly and very gravelly sandy loam to loamy coarse sand surface soil and subsoil with rapid permeability, with loose stratified sands and gravels in the substratum at 12 to 30 inches, which have a very rapid permeability. Major limitations are related to slope and droughtiness.

Hollis

The Hollis series consists of gently sloping to very steep, shallow (less than 20 feet), somewhat excessively drained soils on bedrock controlled uplands. They formed in a thin mantle of glacial till. Hollis soils have friable fine sandy loam surface soil and subsoil with moderate or moderately rapid permeability. Depth of bedrock is 10 to 20 inches. Rock outcrops are common, and many areas have stones and boulders on the surface. Major limitations are related to depth to bedrock, rockiness and slope.

Merrimac

The Merrimac series consists of nearly level to steep, deep (5+ feet), somewhat excessively drained soils on glacial outwash plains, terraces and kames. They formed in water-sorted, sandy glacial material. Merrimac soils have friable fine sandy loam and sandy loam surface soil and subsoil with moderately rapid permeability over a loose stratified sand and gravel substratum at 18 to 30 inches with rapid permeability. They have few limitations for most uses.

Paxton

The Paxton series consists of gently sloping to very steep, deep (5+ feet), well-drained soils on drumlins. They formed in compact glacial till. Paxton soils have friable fine sandy loam surface soil and subsoil with moderate permeability over a firm or very firm fine sandy loam substratum (hardpan) at 15 to 38

inches, which has slow permeability. Paxton soils have a very stony or extremely stony surface, except where stones have been removed, and have stones below the surface. Major limitations are related to slow permeability in the substratum, slope and stoniness.

Ridgebury

The Ridgebury series consists of nearly level and gently sloping, deep (5+ feet), poorly drained soils in depressions and shallow drainageways of uplands. They formed in compact glacial till. Ridgebury soils have friable sandy loam and fine sandy loam surface soil and subsoil with moderate or moderately rapid permeability, over a firm sandy loam and fine sandy loam substratum (hardpan) at 14 to 30 inches, which has slow or very slow permeability. They have a perched, seasonal high water table at 0 to 18 inches. Ridgebury soils have a very stony or extremely stony surface, except where stones have been removed and have stones below the surface. Major limitations are related to wetness, slow permeability and stoniness.

Whitman

The Whitman series consists of nearly level, deep (5+ feet), very poorly drained soils in depressions and drainage ways of uplands. They formed in compact glacial till. Whitman soils have friable, loam or fine sandy loam surface soil and subsoil with moderate or moderately rapid permeability over a firm sandy loam, fine sandy loam or loam substratum (hardpan) at 10 to 30 inches, which has slow or very slow permeability. They have a perched high water table at or near the surface most of the year. Whitman soils have a very stony or extremely stony surface, except where stones have been removed and have stones below the surface. Major limitations are related to wetness, slow permeability and stoniness.

Windsor

The Windsor series consist of nearly level to very steep, deep (5+ feet), excessively drained soils on glacial outwash plains, terraces, and deltas. They formed in sandy glacial outwash. Windsor soils have a very friable or loose loamy sand or loamy fine sand surface soil, very friable or loose loamy fine sand-to-sand subsoil over a very friable or loose sand or fine sand substratum to a depth of 60 inches or more. They have rapid permeability throughout. Major limitations are related to droughtiness and slope.

Woodbridge

The Woodbridge series consist of nearly level to steep, deep (5+ feet), moderately well drained soils on drumlins. They formed in compact glacial till. Woodbridge soils have friable fine sandy loam or sandy loam surface soil and subsoil with moderate permeability over a firm, fine sandy loam or sandy loam substratum at 15 to 38 inches, which has slow or very slow permeability. Woodbridge soils have a very stony or extremely stony surface except where stones have been removed and have stones below the surface. They have a perched, seasonal high water table at 18 to 24 inches. Major limitations are related to wetness, slow permeability in the substratum, stoniness and slope.

Topography

The Town's terrain consists of rolling land and low relief. The western portion of town consists of the hummocky terrain associated with glacial till areas (i.e., typically hard and stony soils) and also

contains the highest elevation (approximately 430 feet above sea level) within the town, just south of High and Walnut Streets. Generally, flat areas and numerous small lakes typify this area. The Ten Mile River provides a broad flat area east of Walnut Street, extending to South Street, then proceeds to another ridge line. This portion of town contains the second highest elevation, approximately 400 feet, just east of Route 1A. This second ridge area then slopes downward at Route 1 to form the Taunton River watershed.

4B. Landscape Character and Scenic Resources

Historic and Cultural Resources

The history, culture, and character of an area is reflected in its buildings, structures and sites. These historic features provide a community with a continuing sense of its past and tangible, visual example of its heritage. However, lack of foresight in planning as an area grows and develops often leads to significant historical resources being destroyed, changed beyond recognition, or to the encroachment of structures that are incompatible and detract from the historic values of an area.

In 1628, Plainville was incorporated by Plymouth Colony. This colony had border disputes with its neighboring colony (The Massachusetts Bay Colony), which led to the erection of a large slate shaft on their border. The Angle Tree Stone can still be seen today near the Plainville-North Attleborough line off of High Street. The Native American Indians were the first settlers of Plainville and they were the recipients of a grant in 1674 which incorporated the area at the head of the Ten Mile River called Great Springs.

Many of the first white settlers who located around Fuller's Dam area were named Slack, and this area of Wrentham became known as Slackville. Plainville separated from Wrentham in 1905. Many houses in Plainville date back to the 1700 and 1800's. There was a grist mill and a mill that produced wool located in the town in the late 1700's. Plainville has at least twenty-five Revolutionary War veterans buried in the town cemeteries.

Over the years, improvements to the transportation system have influenced the development of Plainville. The first of these was the railroad in 1870, followed by the gradual improvements to the State Highway routes, and finally, the completion of the Interstate Highway System. These transportation improvements assisted the development of the jewelry industry and Plainville's strong economic ties to Attleboro and North Attleborough.

The extent to which Plainville's cultural and landscape assets are "hidden" is reflected in Statewide inventories. For Plainville, the Massachusetts Register of Historic Places (1996) lists only the Angle Tree Stone on the Plainville/North Attleborough town line off High Street in North Attleboro. Some 50 important historic and cultural resources have been identified and are being inventoried by the Plainville Historical Commission. Additionally, the Massachusetts Historic Commission has identified the following archaeologically-sensitive lands: Taunton St (rear 90 Taunton St).

4C. Scenic Resources and Unique Environments

The Town has 3 designated “Scenic Roads” under the Scenic Roads Act, MGL Chapter 40, Section 15C. The roads are Cowell Street, Everett Skinner Road and Fuller Street. Many of the community’s rural winding roads would provide good candidates for the inclusion in such a designation. The current Action Plan (Section 9 of this document) suggests designating three additional Scenic Roads at Walnut St, Warren St and Hancock St.

By definition, Areas of Critical Environmental Concern have high concentrations of natural resources. An area receives the designation as being a “critical area,” from the Secretary of Environmental Affairs, following a public nomination and review process. To be eligible for designation, the critical area must contain at least four of the eleven environmental features or categories listed in 301 CMR 12.06. Qualifying resources range from wetlands and water supply areas to rare species habitats and agricultural areas. These areas are also of regional or statewide consequence. While there are some interesting land forms/glacial remnants, such as the eskers at Lake Mirimichi and Turnpike Lake, currently, there are no designated ACEC areas in the Town of Plainville (nor is any section of Plainville part of a regionally designated ACEC).

4D. Water Resources

Ground and Surface Water

The major surface watershed divides or basins are as follows:

- The Blackstone River Basin, which flows to the north and the west is located in the western portion of Plainville and covers approximately 15% of the Town’s land area.
- The Ten Mile River Basin, which flows south, occupies the western central and the southeastern corner of Plainville. This basin covers approximately 35% of the Town’s land area.
- The Taunton River Basin, which flows to the east, covers the eastern portion of Plainville and the remaining 50% of the land area.

Wetlands

Wetlands are a valuable resource serving a wide array of public interests. The benefits of wetlands, while not all plainly visible include: public and private water supply; groundwater supply; flood control; storm damage prevention; pollution prevention; protection of fisheries and shellfish; and wildlife habitat. These interests are served by any one or a combination of wetland resource categories including: water bodies; land under water bodies; land areas bordering on water bodies; land subject to flooding, tidal action or coastal storm flowage; and buffer zones. In Plainville, virtually every type of inland wetland ecosystem has been inventoried.

The Wetland Protection Act governs activities that have potential impacts to such resources. The Town of Plainville has a Wetland Protection Bylaw that provides additional protection. Plainville also has

wetlands that are restricted under M.G.L c. 130 s. 105, the Wetland Restriction regulation that prohibits certain development activities from occurring in fragile areas.

Although both the State Wetland Protection Act and the Town Wetland Protection Bylaw protect wetlands, development still poses a serious threat to the integrity of these resources. Erosion, nitrogen runoff, unguarded development, and stormwater runoff pose serious threats to wetland integrity throughout the Town. The establishment of floodplain and watershed protection overlay zoning aids in protecting some of the larger areas from adverse impacts, but there are still concerns regarding the smaller wetlands whose functioning is just as important as their larger counter parts.

The western section of town has six (6) prominent wetland areas. Area #1 is west of Bow Street and it is primarily forested and is presently undeveloped. Area #2 is west of High Street and Chestnut Street. This forested area, whose land is undeveloped and vacant, lies near a pond. Area #3 is a long strip east of Hawkins Street. This area, which is primarily forested and surrounds Pitcher Brook, is owned by the town to the west of the brook, and is privately owned and undeveloped to the east. The central section has three prominent wetland areas. Area #4, which is west of South Street and surrounds the Ten Mile River, is primarily forested but also hosts open bodies of water. The Town of North Attleborough owns the land surrounding the school site off nearby South Street. Areas #5, which is related to Old Mill Brook, is forested and is located south of the State Reservation. Area #6, which is located west of Route 1 and south of Cowell Street, is primarily forested but the upper portion of this area has been proposed for development. The eastern section has two prominent wetland areas. One area lies between Lake Mirimichi and Turnpike Lake, and is primarily forested and surrounds the brook connecting the two lakes. This land is either undeveloped or vacant. The second area is located under Route 495 and south of Belcher Street. It surrounds a brook connecting Rabbit Hill Pond and Lake Mirimichi. This large area is partially vacant and partially state-owned.

Rivers and Streams

Plainville's principal river, the Ten Mile, has been protected to a degree through floodplain overlay zoning designation, as previously described. Many unnamed brooks, as well as natural and man-made infrastructure (stream crossings, culverts, swales) convey Plainville's surface waters.

Great Ponds

Great Ponds are defined by the Department of Environmental Protection's Waterway's Program which controls activities on waterways for the public good. Great Ponds are defined as any pond greater than ten (10) acres in its natural state calculated by the surface area of the land under the natural high water mark. Lake Mirimichi is a state listed Great Pond.

Recreational Usage

Many ponds are used for fishing, boating, and other active and passive recreational pursuits.

Plainville's water bodies provide aesthetic as well as recreational value to the quality of life in town. Most of these activities are limited time or "day-trip" in nature.

Water Quality and Water Supply

Lake Mmirimichi is protected by the Natural Resources Trust of Plainville and the Town of Plainville and is within the wellhead protection area of a municipal drinking water supply.

Vernal Pools

Vernal pools develop where small depressions, swales, or kettle holes collect spring runoff or coincide with seasonally high groundwater tables. This habitat is primarily a temporary freshwater body incapable of supporting fish populations. The absence of fish predation provides several vertebrate and invertebrate species with an indispensable habitat during their most vulnerable developmental stages. Some species, such as all mole salamanders (genus Ambystoma), will breed only in this type of isolated wetland habitat.

The Wetlands Protection Act does not automatically protect vernal pool habitats. To become protected a vernal pool must meet specific biological and physical criteria allowing certification by the Massachusetts Natural Heritage and Endangered Species Program. A vernal pool also needs to be located within a “Wetland Resource Area” before receiving protection. The Town of Plainville currently has 13 certified vernal pools.

Groundwater Resources

The Water Department administers public water supplies for sections of Plainville. These public water services combined contain four gravel packed wells, 2,050 residential hook-ups, and 105 commercial/municipal hook-ups.

Impacts to Water Supplies

Water supplies are currently protected by zoning bylaws that require appropriate setbacks from supply wells and limit septic system density in water contribution areas. Water supplies, in general, are also threatened by improper use and disposal of chemical products used in homes and businesses.

Protective Actions

The Town of Plainville has several exemplary protective regulations in effect. This district controls land uses such as gasoline storage and hazardous waste facilities. The Town also hosts an annual household hazardous waste collection event to help curtail improper disposal of harmful chemicals. Large lot zoning in wellhead protection areas has achieved remarkably low nitrogen concentrations in public water systems. Plainville also requires thorough review of new projects that may produce excessive quantities of wastewater and may demand construction of wastewater treatment facilities before approving the project.

4E. Flood Hazard Areas

The floodplain areas in Plainville have been delineated by the Federal Emergency Management Agency (FEMA) and are shown on Flood Insurance Rate Maps (FIRM) dated July 2, 1981.

Floodplain is a term used to describe the area adjoining lakes, rivers and streams (also oceans and bays) that during the past has been covered or can be expected to be covered by floodwaters. The river channel and the immediately adjacent lands form the floodway, which are high velocity areas that convey flood discharges. A floodway fringe is generally applied to the outermost area of the floodway, also subject to flooding, but has less of a role in the routing of flood discharge.

In Plainville, while minor flooding occurs around some of the rural waterways (while Plainville is its source, the Ten Mile River floods significantly as it flows through North Attleborough, into Attleboro, during severe storms), the largest flood hazard areas in Plainville are located around Turnpike Lake and Lake Mirimichi.

4F. Vegetation

Forest Land

The Town has a few remaining sizable tracts of forestland, including the State Forest. In the Town of Plainville, forests occupy 4,466 acres of land whereby the predominant cover type are hardwood species. The dominant hardwood type is oak, while the predominant softwoods consists of pines.

Pitch Pine-Oak Forests

Plainville's nutrient poor sandy soils provide ideal growing conditions for pitch pine-oak forests that dominate much of the Town's wooded open space lands. A subset of this forest considered to be rare forest communities are the pitch pine-scrub oak barrens. According to the Natural Heritage Program, pitch pine-scrub oak barrens have an open pitch pine canopy with a dense understory of scrub oak and huckleberry. Between dense oak patches, openings of lowbush blueberry, bearberry, sweetfern, and lichen often establish roots. Pine barren openings furnish optimal areas for two rare and endangered plant species Broad Tinker's-Weed, *Triosteum perfoliatum*, and Bushy Rockrose, *Helianthemum dumosum*. The endangered Barrens Buck Moth, *Hemileuca mai*, the threatened Gerhard's Underwing Moth, *Catacala herodias gerhardi*, and species of special concern Eastern Box Turtle, *Terrapene carolina carolina*, prefers this barren forest habitat.

The lack of light fires seriously threatens the viability of these forest systems. Both pitch pines and scrub oaks evolved to survive and benefit from random light fires which aid in preventing the establishment of competitive species. The cones of pitch pine trees are heat triggered to release seeds and both pitch pines and scrub oaks will sprout growth from their roots.

Public Shade Trees

The Plainville Department of Public Works (DPW) employs a Tree Management Program that incorporates a philosophy of tree preservation through the application of best management practices and education.

The tree program focuses on the benefits of trees both environmentally (for shade, cooling, air quality, quality of life) and economically (including enhanced property values, stormwater uptake, and potential energy savings). The DPW provides care and maintenance for all Town-owned trees in the street right-of-way and in public parks. Any new tree plantings are consistent

with species found in the area and are done in cooperation with the Tree Warden. (The DPW's "Tree Health Survey" is discussed in the *Environmental Challenges* portion of this plan, also found in Section 4).

4G. Fisheries and Wildlife and Rare, Endangered, and Threatened Species

Plainville has been the subject of relatively little biological inventory work. It is currently possible that more inventory work would turn up more occurrences of rare plants and animals. The Natural Heritage and Endangered Species Program strongly urges that efforts be made to preserve and protect "Priority Habitat" areas. Suggested measures for Towns include conservation restrictions or easements, special zoning regulations and districts, or acquisition. Early planning and review of significant development projects under the Wetlands Protection Act and other laws can also play a very positive role in protecting rare species habitats and ecologically significant natural communities. Those priority areas and species for Plainville are found in the state's BioMap II report (2012) for the Town of Plainville, a summary of which is contained in Appendix A.

Fisheries and Wildlife

The Division of Fisheries and Wildlife noted that sections of Plainville are abundant with white tail deer, found in the vicinity of the Wrentham State Forest; mink, found along the streams of Plainville; muskrat, found in the shallow marsh areas; opossums, found in the woodland areas, and; river otters, that eat crayfish. The diversity of the wildlife documented in Plainville reflects the work of the Town's Planning and Conservation departments to retain intact habitat, wildlife corridors, and forestland when evaluating the impacts of potential development.

4H. Corridors

Conservation corridors, or movement corridors, play an important part in allowing animals to migrate and survive in an increasingly developed environment. Many of Plainville's most intact corridors are located along watercourses, which are also biologically important habitats. Many of the corridors also include "edge habitat" or remaining but disturbed habitat fragments. The fish, water beetles, and frogs, in the Turnpike Lake region; ring-necked pheasant, ruffed grouse, American woodcock, and bobwhite quail in the upland areas, and lastly; black duck, mallard, and the Canada goose found in shallow marshes and open water areas. Opportunities for hunting are limited to the private lands and Town conservation areas. Other protected conservation lands as well as the water district lands are posted. Sporting and trapping licenses are administered through the Division of Fisheries and Wildlife.

Significant fish habitats found in Plainville include: native brook trout found in Pitcher Brook, and 12 to 15 species of warm water fishes in Lake Mirimichi and Turnpike Lake, including: large-mouth bass, pickerel, golden shiner, hornpout, sunfish, blue gill, pumpkin seed, yellow perch and several forage fishes. Three waterways in Plainville are stocked with trout at the beginning of each season. The three waterways include: Ten Mile River; Rabbit Hill Brook, which flows from Wrentham into Lake Mirimichi, and; Wading River, which flows out of Lake Mirimichi.

Area A: Abandoned Railroad Bed

Thirty acres of an abandoned railroad bed that extends northerly from Fletcher Street and intersects Green Street is used for ATV motoring, cross country skiing, hiking, horseback riding and snowmobiling.

Area B: Pitcher Brook Area

The fifty-six acres of the Pitcher Brook Area are primarily used for hiking, hunting, and observing nature. There is no developed access to the site, which is difficult and limited by the terrain.

Area C: Town Forest

This sixty-one-acre parcel of land, located between George Street and Berry Street, is primarily used for observing nature in its natural setting and for hiking activity.

Area D: Warner Trail

Owned by the Wentworth Hills LLC, this trail extends from Foxboro to Cumberland, RI, and skirts the southwest corner of Wrentham's Hancock Street, to the west of Plainville's Bow Street, and curves west of Rhodes Street. Much of The Warner Trail passes through private property and is clearly marked.

4I. Environmental Challenges

Hazardous Waste Sites

The DEP's Bureau of Waste Site Clean-Up lists 82 records of sites/reportable releases in the Town of Plainville. According to the most recent listing, a majority of these sites are classified as having some resolution. The record for the Town also includes three (3) sites listed as having "Activity & Use Limitations" (closed or resolved with restrictions for reuse), and two (2) still open, awaiting final resolution. A majority of these listed sites are a result of petroleum related spills or contamination. A few of the remaining sites involve contaminants related to the manufacturing processes employed by historic and traditional industries, such as foundries, jewelry, plating, and metal finishing. These sites, often referred to as brownfields, are for the most part, confined to the industrial and urban areas around the downtown. Some of the sites are in old industrial areas, are abandoned, and are considered blighted (showing evidence of the decline of a once thriving area). With a thorough analysis by Licensed Site Professionals, and working with the DEP (perhaps through a Brownfield grants program), the potential for site reuse or repurposing may exist (nearby Taunton has several examples).

Landfills

The Town's former landfill has been closed for many years. Residents have access to curbside, drop-off, and recycling programs through municipal contracts. Republic Services, the landfill owner, has constructed a large solar array at the Plainville site as part of a three site (including closed landfills in Randolph and East Bridgewater) that will be collectively capable of producing 13.5 MW of energy. The solar array has a forty-year design life, and the cumulative impact will be a carbon emission reduction of approximately 14,000 tons per year, while powering 19,000 homes.

Erosion and Sedimentation

The Conservation Commission, in part, actively regulates erosion and sedimentation to sensitive receptors. Additionally, for subdivisions, the Planning Board can add erosion control measures for utility and road construction. The Town's Zoning By-Law contains a provision for the permanent stabilization of slopes exceeding 15%, resulting from site grading.

The Town should employ streambank stabilization measures to address erosion at the Fuller Street Road Crossing, and should generally assess all road crossings/culverts in areas that handle or experience high flows. The Town should also address the impact of erosion on the Wetherell Pond Dam, which was losing material instream due to bank erosion (this could result in a breach of the structure).

Chronic Flooding

The importance of the floodplain lies in its ability to store and route stormwater. Although the entire floodplain is rarely covered, periods of intense storm of short duration and seasonal storms will induce a river or stream system into some degree of floodplain encroachment (somewhat regularly, on the average, every 1 to 3 years). The largest, and most challenging flood hazard areas in Plainville, remain the areas around both Turnpike Lake and Lake Mirimichi (due to a mixture of issues, including dams, terrain, water access and supply issues).

Ground and Surface Water Pollution

The groundwater aquifers in town are important sources of drinking water for both North Attleborough and Plainville. The first runs north to south underneath the Ten Mile River. The area of highest yield in this basin (100 to 1,200 gallons per minute) is between the former railroad tracks and South Street (Route 1A), from the North Attleborough Town Line, to Fuller Street. This basin contains wells for both North Attleborough and Plainville and is protected by the Groundwater Protection District Bylaw, as amended at the Plainville Annual Town Meeting in 2014.

The second aquifer is located in the area around Turnpike Lake. It is a high yield area (150 to 1,200 gallons per minute) and is located between the lake and Route 106. This basin contains several of Plainville's town wells, and is also protected by the Groundwater Protection District Bylaw.

Stormwater Management

The Board of Health and the Planning Board actively regulate stormwater and its potential impact to sensitive receptors. All public maintenance of stormwater systems and infrastructure is conducted by the town's Department of Public Works. The Department of Public Works also has an informative and educational stormwater management page on the Town's website.

Forests

In 2018, Plainville's Department of Public Works contracted Professional Environmental Services to undertake a "Tree Health Survey" due to concern over roadside tree mortality. The survey is used to assess present risks in order to target and mitigate problem trees that may pose future risks. The

survey identified a number of trees that were diseased or dead, and were targeted for removal or limb removal. Trees were also categorized by location, species, height, proximity to overhead utilities, ownership, and health. Trees were then assigned priority level for removal or limb removal based upon “target potential” (direction of fall and what it might hit). The survey resulted in the following recommendations:

- Develop a plan to mitigate non-utility municipal trees that possess a priority 1 target rating
- Collaborate with the Electric Utility (National Grid) to address tree hazards that have potential to result in temporary electrical outages and road closures
- Establish an annual tree management plan incorporating community funding, where and when available, to mitigate hazardous trees to reduce risk to the community
- Notify owners of private trees of their responsibility to mitigate trees which have been identified as hazardous to the public way
- Perform community outreach to provide status updates on the health of Plainville’s trees (utilize the Town website as well as all other social and traditional media outlets)

Well managed wooded/treed areas are essential to retaining community resilience. Planning for growth while keeping in mind the importance of the environmental services provided by forest land/trees will result in development that: is more beneficial to recharge by maintaining more of the diverse forest canopy; more beneficial as wind and weather breaks as well as providing improved air quality through the filtering of air borne pollutants; more beneficial to river and stream habitat and water quality by maintaining streamside buffers; more beneficial to soil retention through less lot clearing (also decreasing erosion and sedimentation), and; more beneficial to the life and movement of fish and wildlife populations by retaining more intact corridors and interior forest habitats.

Development Impacts

Between 2005 and 2013, Plainville experienced growth and land consumption at a rate that was significantly higher than the previous decade. Despite the economic slowdown associated with the national recession during this period, Plainville still ranked in the top 10 in the state for acres developed per square mile, including natural land and open land converted to development in acres per square mile ([Losing Ground](#), Mass Audubon, 2014). Some of this development has brought economic benefit to the Town, as well as helping it meet its state affordable housing target (10%). Plainville has, in fact, almost doubled the target number in recent years, while also incorporating the retention of green space and intact corridors wherever/whenever possible.

But development does ultimately place increased demands on standard municipal services and infrastructure through steady growth (police, fire, sewer, water, roads, schools, parks, recreation, etc.) as well as on the environmental services provided by the Town’s natural resources or “green infrastructure” (filtering of air and water borne pollutants; streamside buffering; fish and wildlife habitat and corridors; groundwater recharge; food production; flood storage).

The Town should plan for the future with a goal of promoting responsible growth through land use planning and management policies that consider the value of environmental services provided by their natural green infrastructure and their impact on local and regional resiliency. (Town staff have recently participated in a series of Regional Open Space planning meetings convened by the Foxboro Conservation Commission).

Dams

A survey of the MA Office of Dam Safety records indicates that Plainville has eight (8) dams that have been identified, six (6) of which are under public management (Town of Plainville, Plainville Conservation Commission. Or North Attleborough) and two (2) of which are under private management (Whiting & Davis). Of the dams assessed for potential hazard associated with failure, the George Street Pond Dam, and the Rabbit Hill Pond Dam, both managed by the Conservation Commission, are rated as “Significant Hazards”. The Wetherell Pond Dam, also managed by the Conservation Commission, is rated a “Low Hazard” threat. The other dams under Town management include Turnpike Lake Dam and Warren Allen Pond Dam.

Removal of dams that were constructed to impound water for former industrial sites, and now pose a threat to the community, have been removed to mitigate this threat, in the nearby Bridgewater, as well as in Taunton and Freetown. These dam removals have occurred through partnership efforts between cities and towns and the MA Division of Ecological Restoration, NOAA, U.S. Fish & Wildlife, American Rivers, The Nature Conservancy, USDA, Save the Bay, SRPEDD, and others. These ecological/river restoration projects have helped to reclaim hundreds of acres of floodplain, miles of restored passage/flow, and acres of wildlife habitat and spawning habitat for native and migratory fisheries.

Where dams serve a specific purpose, and repair, rather than removal is called for, communities have worked with the state through its Dam and Seawall Repair and Removal Program. The neighboring communities of Foxboro, Norton, and Attleboro have all received funding from this program in the past three years.

Impaired Waters

According to the DEP’s *Integrated List of Waters*, the U.S. Environmental Protection Agency Region I (U.S. EPA New England) *Waterbody Assessment*, and the DEP/EPA *Final Pathogen TMDLs for the Taunton and Ten Mile River Watersheds*, waterbodies are listed as impaired for various reasons including pathogens (bacteria), nutrients (nitrogen, phosphorus), low dissolved oxygen, non-native aquatic invasive species, and turbidity.

The Town must continue to: pursue a strategy of remediation of point and nonpoint sources of pollution as they are identified; promote stewardship of rivers and streams, continue to retain streamside buffers and habitat connections; continue to protect remaining intact floodplain; address the invasive plant species problem around its pond.

Pesticide and Fertilizer Application Areas

Easements for powerlines or other public utilities, railroad beds and golf courses are primary pesticide and fertilizer application sites in Plainville because of the intensive maintenance requirements of the land uses. The Town has two operating golf courses. Applications to public utility rights-of-way are regulated by the state's pesticide and herbicide program, where annual maintenance programs are submitted for review and permitting. New utility installation is subject to local wetland regulation provisions.

Non-Sewered Areas

As discussed earlier, only a portion Plainville is served by public sewer. All other land uses rely upon individual on-site disposal systems. According to the Plainville Water & Sewer Commissioner's records, approximately 2,250 on-site sewage disposal systems are in use in Plainville. The Board of Health and Conservation Commission have both established some performance-based replacement and installation criteria in sensitive resource areas.

Environmental Equity

The Town is committed to providing all residents with equal access to conservation, parks, and recreational opportunities. Environmental equity assures an unbiased distribution of environmental benefits, such as open space and recreation areas, to all neighborhoods and populations including the Environmental Justice (EJ) community. In building community resilience, social and economic concerns go hand-in-hand with the environmental and infrastructural issues discussed above.

One of the many ways that the Open Space and Recreation Plan helps to promote local resilience (in addition to protecting green infrastructure, soil, water, habitat) is to assure that all residents do have access to the conservation and recreation assets of the Town. This was identified as an issue in the Open Space and Recreation Plan Survey in a number of additional, open ended comments that cited the need for sidewalks, shared use paths, and better connectivity between conservation and recreation destinations. Over one hundred such comments were culled from the survey results, and were incorporated into the Goals and Objectives and Action Plan Sections of this document. These comments also helped to craft the development of an application and draft plan to the MassDOT Complete Streets Program to help address street, sidewalk, pathway, and stormwater management issues. Specific areas cited for improvement in the Open Space and Recreation Plan Survey, and in public sessions included:

- Sidewalks on: West Bacon, Route 1, and Route 106
- Shared Use Paths on: the railbed west of the center of town to the North Attleborough line
- Bike facilities (lanes, routes, or sharrows) on: School Street and Route 152
- Bike facilities and sidewalk improvements on: Route 1A

The Town is also in the process of revisiting its ADA/504 Transition Plan for Conservation and Parks Department facilities. Town staff will be working with local and regional personnel to complete an evaluation of its facilities utilizing standards consistent with DCS evaluation forms (Appendix G of the OSRP Planner's Workbook).

Climate Vulnerability

The Open Space and Recreation Committee also recommended pursuing a state Municipal Vulnerability Preparedness (MVP) Program Planning Grant in order to get a better perspective on all areas of vulnerability and need in town (and tied to the region, as well) in terms of dealing with climate change impacts. An MVP Plan focuses on:

- Defining extreme weather, natural, and climate hazards
- Looking at how the community may be impacted by the elements of climate change
- Identifying existing and future vulnerabilities and strengths
- Developing and prioritizing actions for the community
- Identifying opportunities to take action to reduce risk and build resilience
- Implement key actions identified through the planning process

The resulting assessment and plan is then submitted to the state for certification. Certified plans provide access to MVP Action Grant funding and other opportunities for the community to address their concerns.

Section 5: Inventory of Lands of Conservation and Recreation Interest

Open space preservation is critically important. It affords the local population an opportunity to enjoy the benefits of more rural landscapes and associated activities as well as relief from the constraints of excessive urbanization. Open space also serves a vital role as a buffer between land uses, for flood control, community resilience, and as habitats for desirable plant and wildlife species.

Protected land includes:

- A. Any land that is specifically designated for conservation purposes under MGL Chapter 40, Section 8C (Conservation Commission Act), contains a conservation restriction under MGL Chapter 184, Sections 31-33, designated for conservation or recreation purposes purchased with LAND grant funds (or with funds from the former Self Help or Urban Self Help Grant Programs, under MGL Chapter 132A, Sections 2B, and the implementing regulations found in 301CMR7.00).
- B. State-owned wildlife habitat land and water department land held for aquifer protection, and recreation land is protected under Article 97 of the Amendments to the Constitution. All other municipally-owned land is defined as land not committed to conservation purposes, or parks not dedicated under MGL Chapter 45, Sections 3 and 14, and therefore are not protected under Article 97.
- C. The majority of land acquired using the aforementioned laws and funding sources consists of municipal and government land holdings and is referred to as “public open space land” in this document. There are private landowners, like land trusts, whose land is also permanently protected and open to the public. This land is referred to as ‘private open space land’ in this document.

The distinction between active and passive recreation (defined below) has not always been clear to the public or local officials, but it is very important when dealing with land under the management of the Conservation Commission or under the management of the Recreation Commission. By law, only passive recreation is allowed on land owned or managed by the Conservation Commission.

Passive Outdoor Recreation, per the MA Division of Conservation Service’s (DCS) recently revised definition (per 301 CMR 5.00), is any outdoor activity that occurs in a natural setting with minimum disturbance of the natural and cultural resources, and that is consistent with quiet enjoyment of the land including, but not limited to, hiking, nature study, outdoor education, cross country skiing, snowshoeing, horseback riding, trail bicycling, hunting, fishing, picnicking, canoeing, ice-skating, community gardening in existing fields, swimming in a natural water body with minimal site development, or informal sports activities on an open natural field. For the purposes of eligibility and reimbursement under these regulations snowmobiling may be considered passive outdoor recreation if the municipality determines that it is compatible with other activities. Facilities necessary to support passive recreation with a minimum of disturbance to the natural and cultural resources, such as natural surface trails and wood roads, and appropriately-scaled parking areas, bathrooms, and nature centers, are considered

consistent with passive outdoor recreation. Passive outdoor recreation areas may also be managed for sustainable forestry and farming, including community farms and forests.

The definition of **Active Outdoor Recreation** has also been revised by DCS (per 301 CMR 5.00) to include any outdoor recreation that occurs in parks and requires significant alteration of the natural landscape to provide playground or active sports facilities, such as: tennis, basketball or other court sports; ballfields; swimming pools or spray pads; paved bike or walking trails; golf courses; marinas; enclosed dog parks; boat rentals; concession stands; community gardens; outdoor skating rinks; bathroom buildings; bleachers or stands, or; other developed facilities needed for active outdoor recreation.

A **conservation restriction (or CR)** is a deed restriction that permanently protects property as open space. Landowners can donate a Conservation Restriction to the Conservation Commission; sometimes the development rights can be sold to the Conservation Commission instead. The DCS, acting on behalf of the Executive Office of Energy and Environmental Affairs (EEA), approves the language of the restriction and the owner records the Conservation Restriction at the Registry of Deeds with the property. Even if the property changes hands the restriction will remain in place. A number of land owners place conservation restrictions on their property to ensure that their family's land will remain in its natural state even after they have passed.

A Conservation Restriction may be owned by a non-profit land trust or another non-profit organization including the town itself; it does not necessarily have to be held by the owner of the land. In many cases, a land trust may hold a Conservation Restriction on land that is owned by a private landowner or even on land that is owned by the town or state.

Conservation Restrictions are the easiest and most reliable means of ensuring the perpetual protection of land. The Town should work in conjunction with land trusts and other private land conservation organizations to acquire Conservation Restrictions on all unprotected municipal lands of conservation or open space value.

Open Space and Land Inventory

Open space includes a variety of land types that provide numerous benefits not only to the Town and its residents, but to the region as a whole. Open space values may include aesthetics, natural resource features, recreational opportunities, and the potential for increased nature based economic vitality. It also plays an important part in shaping community identity and enhancing the quality of life.

Unprotected lands contain a mixture of Town owned and private land. Town owned land is all land not committed for conservation purposes. Private land refers to land enrolled in MGL Chapters 61, 61A, 618, and other private lands that add significantly to the open space profile of the Town.

The unprotected lands in the Town have been divided into six sub-categories:

- park and recreation land
- conservation land
- multi-purpose open space land;
- Chapter 61B Recreation Lands;

- Chapter 61A Agriculture Land; and,
- Chapter 61 Forest Lands.

The owner, location, map and parcel, size of the parcel, recreational potential, public and handicapped access, current use of the site, degree of protection, condition, means of purchase (grant source, etc.), and zoning, for each parcel, is included in the **Inventory of Lands of Conservation Interest in Appendix D** of this Open Space and Recreation Plan.

Agricultural Land Protection Under MGL Chapters 61, 61A, and 61B

The agricultural and horticultural land classification program under Massachusetts General Laws Chapter 61A is designed to encourage the preservation of the state's valuable farmland and promote active agricultural and horticultural land use. It offers significant local tax benefits to property owners willing to make a long-term commitment to farming. In exchange for these benefits, the city or town in which the land is located is given the right to recover some of the tax benefits afforded the owner when the land is removed from classification. Under Chapter 61, a city or town is also given an option to purchase the property should the land be sold or used for any purpose other than to continue raising farm products.

Eligible property must consist of at least 5 contiguous acres of land under the same ownership and be "actively devoted" to agricultural or horticultural land use under Chapter 61A. Land is used for agricultural or horticultural purposes if it is used primarily and directly to raise or grow the following for sale in the regular course of business:

- Animals, including, but not limited to dairy cattle, beef cattle, poultry, sheep, swine, horses, ponies, mules, goats, bees and fur-bearing animals, or products derived from the animals.
- Fruits, vegetables, berries, nuts and other foods for human consumption, feed for animals, tobacco, flowers, sod, trees, nursery or greenhouse products.
- Forest products under a forest management plan approved by the State Forester (see Chapter 61 discussion).

Land is also used for agricultural and horticultural purposes if it is used primarily and directly in a manner related to the production of the animals or crops and that use is necessary and incidental to the actual production or preparation of the animals or crops for market.

For the land to be considered "actively devoted" to a farm use, it must have been farmed for the two fiscal years prior to the year of classification and must have produced a certain amount of sales. The minimum gross sales requirement is \$500 for the first 5 acres of productive land. That amount is increased by \$5 for each additional acre of productive land being classified, unless the additional acreage is woodland or wetland. In that case, the amount is increased by only \$50 for each additional acre.

The minimum gross sales requirement for land being used to cultivate or raise a farm product that takes more than one season to produce its first harvest is satisfied if the land is being used in a manner intended to produce those sales within the product development period set by the Farmland Valuation Advisory Commission for the particular crop or animal.

Buildings and other structures located on the parcel, as well as any land on which a residence is located or regularly used for residential purposes, do not qualify for classification and continue to be assessed a regular local property tax.

Forested Land Under M.G.L. Chapter 61

The forest land classification program under Massachusetts General Laws Chapter 61 is designed to encourage the preservation and enhancement of the state's forests. It offers significant local tax benefits to property owners willing to make a long term commitment to forestry. In exchange for these benefits, the city or town in which the land is located is given the right to recover some of the tax benefits afforded the owner when the land is removed from classification and an option to purchase the property should the land be sold or used for non-forestry uses.

Eligible parcels must consist of at least 10 contiguous acres of land under the same ownership and be managed under a 10-year management plan approved and certified by the State Forester in order to qualify for and retain classification as forest land under Chapter 61. Buildings and other structures located on the parcel, as well as the land on which they are located and any accessory land, do not qualify for classification and continue to be assessed a regular local property tax.

Massachusetts General Laws Chapter 61 allows landowners to reduce the property tax burden on their woodlands if they are willing to keep the forested land undeveloped and in wood production. Land certified under Chapter 61 is taxed at 5 percent of fair market value or at \$10 per acre, whichever is greater. In addition, a products tax of 8 percent is charged on the stumpage value of any wood cut from the property.

To qualify for Chapter 61, landowners must have 10 or more contiguous acres of private woodland managed for wood production under an approved long-term forest management plan. The plan must be approved by the DCR service forester and then filed with the local board of assessors. To continue in the program, the plan must be renewed every 10 years. As part of the agreement, the town receives an option to purchase the property if the owner decides to sell to someone other than a relative.

Generally speaking, if the land is not kept in wood production for at least 10 years, the costs incurred will be greater than paying the normal tax bills as they come due. If landowners choose to remove their land from Chapter 61 prior to the 10-year anniversary, they must repay all the taxes which were avoided and a 14 percent interest penalty.

Recreation Land Under Chapter 61 B

The recreational land classification program under Massachusetts General Laws Chapter 61B is designed to encourage the preservation of the Commonwealth's valuable open space and promote recreational land uses. It offers significant local tax benefits to property owners willing to make a long term commitment to preserving land in an undeveloped condition or for use for outdoor activities. In exchange for these benefits, the city or town in which the land is located is given the right to recover some of the tax benefits afforded the owner and an option to purchase the property should the land be sold or used for any purpose other than to maintain it as open space or for recreational use.

Property must consist of at least five contiguous acres of land under the same ownership in order to qualify for and retain classification as recreational land under Chapter 61B. The land must fall into one of the following two categories to qualify:

1. It must be maintained in a substantially natural, wild or open condition or must be maintained in a landscaped condition permitting the preservation of wildlife and natural resources. It does not have to be open to the public, but can be held as private, undeveloped, open space land.
2. It must be used for certain recreational purposes and must be open to the public or members of a non- profit organization. Recreational purposes include land used primarily for any of the following outdoor activities, so long as they do not materially interfere with the environmental benefits of the land: hiking, camping, nature study and observation, boating, golfing, non- commercial youth soccer, horseback riding, hunting, fishing, skiing, swimming, picnicking, private · non-commercial flying, hang gliding, archery, and target shooting. Buildings and other structures located on the land, as well as the land on which a residence is located or regularly used for residential purposes, do not qualify for classification and will continue to be assessed a regular local property tax.

Under Chapter 61B, the owner still pays an annual property tax to the city or town in which the classified land is located. However, the tax is based on the commercial tax rate for the fiscal year applied to the value of the land for recreational purposes, rather than its fair market value as would be the case if the land were not classified. The value of the land for recreational purposes is determined annually by the assessors and cannot exceed 25 percent of the fair market value of the land. The property tax is due in the same number of installments and at the same time as other local property tax payments in the city or town. Interest is charged on any overdue taxes at the same rate applicable to overdue local property taxes.

The city or town has an option to purchase any classified land whenever the owner plans to sell or convert it to a residential, commercial or industrial use. The owner must notify by certified mail the mayor and city council or the selectmen, assessors, planning board and conservation commission of the city or town of any intention to sell or convert the land to those uses. If the owner plans to sell the land, the city or town has the right to match a bona fide offer to purchase it. If the owner plans to convert the land to another use, the city or town has the right to purchase it at fair market value, as is determined by an impartial appraisal. The city or town may also assign its option to a non-profit, conservation organization. The owner cannot sell or convert the land until at least 120 days after the mailing of the required notices or until the owner has been notified in writing that the option will not be exercised, whichever is earlier. This option is not available to the city or town and the notice requirement does not apply if the recreational use is simply discontinued, or if the owner plans to build a residence for his or her use, or the use of his or her parent, grandparent, child, grandchild, brother or sister, the surviving spouse of any of those relatives, or an employee working full time in the recreational use of the land.

To ensure the continued protection of all Chapter 61 properties, the Town's Conservation Commission and the Recreation Department, in cooperation with the Assessor, should conduct an annual review (including interviews with owners) of all Chapter 61 properties to assess which properties should be

pursued for potential acquisition. By conducting these reviews annually, the town can develop a ranking and prioritization system for potential acquisition. This will provide a rationale and clear direction for the town in its pursuit of securing the funding necessary for land purchases.

Recreation and Conservation Assets

Plainville Park Department

The Town of Plainville's Park Department provides programs for its residents and maintains the only Town Park, located on South Street behind the former Town Hall. Many of the programs offered are held either at the Town Park or at the Anna Ware Jackson Elementary School and Beatrice Wood School, where ample indoor and outdoor facilities are located.

The community strongly supports youth athletics though the Plainville Athletic League, Plainville Youth Soccer League, and Town recreation leagues. The community is engaged in the ongoing process of completing the Field of Dreams complex that will further enhance recreational sports for the Town. A strong sense of pride in community is exemplified in the Field of Dreams complex project by the involvement of so many of the residents.

There is also a public swimming pool, located at the Town Park, open from the end of June until the end of August.

The Park Department offers a diverse assortment of programs to residents of all ages at the Plainville Town Park and other facilities throughout the town. Programs are offered seasonally and year-round and include some of the following:

- Summer Recreation Program
 - Sports
 - Swimming
 - Arts & Crafts
 - Karaoke & Lip Syncs
 - Board Games
 - Table Games
 - Cookouts & Pizza Lunches
 - Fishing Derbies
 - Special Events
- Swimming Lessons
- Fall Instructional Soccer Program
- Adult Basketball
- Adult Bike Club
- Teen Volleyball
- Adult Coed Volleyball
- After School Programs
- Floor Hockey
- Halloween in the Park
- Indoor Soccer
- Gym Games – Speedball, Dodgeball, Kickball

Recreation Facilities:

1. The Town Park/Clarence Telford Park

Location: Route 1A, or South Street

Map/Lot: Map 7/Lot 182, 15

Ownership: Town of Plainville Park and Recreation

Management: Park Department

Acreage: 19.0 acres

Amenities:

1 Tennis Court

Basketball Court

Softball Field

Skate board park

Playground

Jungle gym

Picnic area

Pool

Pavilion (40 X 60, with lights)

Gazebo

The Town Park property is located off South Street in the center of town. The site, overall, is in a good state of condition and does comply with ADA standards. The pool has recently received a new lift and currently has a collaboration program to rent the pool out for people with disabilities. The bathhouse also complies with ADA standards.

The Anna Ware Jackson Elementary School and Beatrice Wood School house many of the programs offered by the Plainville Recreation Department. Both schools were built within the last five years and compile with the ADA standards.

2. Field of Dreams

Location: School Street

Map/Lot: Map7/Lot 14

Ownership and Management: Town of Plainville Park Department

Acreage: 31.6 acres

The entrance to the Field of Dreams ball field is located off of School Street. Many community members have been very generous and donated time and equipment to the completion of the first phase of this project. Phase II will include a snack bar, restroom facilities, and two more fields. The Park Department will take into consideration ADA compliant accessible port-a-johns during the transition to Phase II.

Plainville Conservation Commission

Plainville is a small town of approximately 8,000 residents that has managed to maintain its rural charm. It has numerous public and private conservation areas and horse farms, helping to create a pastoral setting. It has a number of lakes, ponds, and watersheds of major rivers, including the Taunton River and Ten Mile River, as well as the source waters of the Ten Mile and Seven Mile Rivers.

The Plainville Conservation Commission is appointed by the Board of Selectmen. Currently there are 7 members appointed to the Plainville Conservation Commission and a part-time Conservation Commission Agent to administer the provisions of the Massachusetts Wetland Protection Act, the local Wetland Protection Bylaw, and manage Town-owned conservation land.

Conservation Properties:

1. Eagle Scout Nature Trail

Location: Everett Skinner Road

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 64.8 acres

Map 4/ Lot 1

Description:

Wildlife habitat, 2,830 feet of trails, parking area, brook, wetlands, vegetation, glacial erratic and kettle pond, native historical significance, stonewalls.

The original trail was a 1976 bicentennial Boy Scout project created by a local Eagle Scout named Andy Felix. Eagle Scout Brian Mullen completed a reconstruction project in 1993. Included in the trail features is a “Bridge to Nowhere” that leads to a kettle pond (or glacial pothole). Don LaChance a local Eagle Scout constructed the bridge. In 1999, Scouts Troop leader George P. Kleczka refurbished and improved the trail. The Boy Scout Troop #132 is dedicated to the maintenance and upkeep of the Eagle Scout Nature Trail for generations to come.

The trail begins winding along the scenic Mill Brook across the forest ridge and around the kettle pond and circles around a white pine grove. The trail is 2,830 feet in length and allows ample opportunity to view a beautiful array of flora and fauna. The trail offers historical significance that dates as far back as the glacial period.

A list of tree species located within the Eagle Scout Nature Trail includes:

White Pine	<i>Pinus strobes</i>
Yellow birch	<i>Betula lutea</i>
Red maple	<i>Acer Rubrum</i>
Black birch	<i>Betula lenta</i>
Flowering dogwood	<i>Cornus florida</i>
White ash	<i>Fraenzinus Americana</i>
Pitch pine	<i>Pinus rigida</i>
American beech	<i>Fagus grandifolia</i>
Gray birch	<i>Betula populifolia</i>
Black Oak	<i>Quercus velutina</i>
Juniper	<i>Juniperus</i>
communis Quaking Aspen	<i>Populus</i>
tremuloides Smooth sumac	<i>Rhus glabra</i>
Black cherry	<i>Pruus seretian</i>
Red cedar	<i>Juniperus virginiana</i>
White oak	<i>Quercus alba</i>

Located on the west side of George Street, is hiking, trail biking, picnicking. Other features of this area include wetlands, uplands, remnant glacial features and areas of native historic significance. There are also a number of accessibility issues associated with this site. Strategically placed boulders were necessary to regulate illegal all-terrain vehicle (ATV) use. The rugged trails and large boulders, which block the entrance from the parking lot, currently make it inaccessible for people with disabilities. A short distance north of the parking area is a cart path that could be used to create an accessible camping and picnic area.

2. John Bowmar Trail

Location: Cowell Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 94.3 acres

Map 4/Lot 32

Description:

The John Bowmar Trail is a wooded trail through pine forest, swamp, stream, picnic tables, campsites, with stonewalls identifying the historic land use. Three historical sites are situated within the John Bowmar Trail, Old Annie Oatey Place, Old Mill Site, and Guinea School House. This site abuts a 12.5 acre parcel owned by the Town of Plainville, The Beagle Club, Town of Plainville disposal site, Kennedy Field (P.A.L. Field House), and the Eagle Scout Nature Trail.

The forest is predominately white pine transitioning red oak. This typical oak-conifer forest grows on well-drained, nutrient-poor, relatively thin soils over acidic bedrock such as granite or gneiss. The oak leaves and pine needles decompose slowly, creating deep leaf litter and contributing their own acidity to the soil chemistry. This was created by human use of the land since the 1800s; the colonists had

felled 90% of the forest for farmland, firewood, and lumber profits. Today a grove of white pine exists where an abandoned farmstead once stood, hence, the stonewalls that exist throughout the forest.

The John Bowmar Trail is located on the east side of George Street and offers hiking, camping, picnicking, and a sense of place by preserving historically significant sites. Parking is available at the head of the trail at the Plainville Athletic League ball fields. There is a good connectivity and opportunity between this trail and the ball field for family use and nature education. The trail is rugged and steep making it not applicable for ADA compliance. The ATV use degrades the trail for hikers and other users.

3. Conservation Property (George Street) Location:

George Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 12.5 acres

Map 4/Lot 30

Description:

Land-locked, wooded site located between the Beagle Club and the John Bowmar Trail.

4. Conservation Property (George Street) Location:

George Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 31.9 acres

Map 4/ Lot 11

Description:

The property is located east of George Street across from Wampum Street stretching eastward toward Hawthorne Brook. There is parking available for three cars.

5. Conservation Property (Wampum Street) Location:

Wampum Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 3.78 acres

Map 4/Lot 10

Description:

The Conservation Commission property is located east of George Street on the corner of Wampum Street. This parcel offers connectivity to the Conservation Commission property to the east across George Street, and to the Wrentham State Forest property toward the west and north.

6. Conservation Property (Witherell Place)

Location: 25 Witherell Place

Owner: Town of Plainville

Jurisdiction: Conservation Commission
Acreage: 1.24 acres
Map 11A/ Lot 11

Description:

The property consists of a dam on an area of the Ten Mile River known as the Wetherells Pond.

7. Conservation Property (Rear of George Street)

Location: Rear of George Street
Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 4.59 acres
Map 7/ Lot 73

Description:

The property located off the rear of George Street is an island within Turnpike Lake. There is no official access to the island.

8. Conservation Property (Rear of George Street)

Location: Rear of George Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 5.91 acres
Map 7/ Lot 74

Description:

This parcel located off the rear of George Street abuts Turnpike Lake. There is no access.

9. Conservation Property (Washington Street) Location:

Washington Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 14.0 acres
Map 4/Lot 34

Description:

The property, located on Washington Street, straddles Old Mill Brook, which empties into Turnpike Lake. The entire property is located in a Flood II Protection Zone, and is entirely wetlands. There is no access available to this property, which has frontage on Washington Street.

10. Conservation Property (Mirimichi/Belcher Street)

Location: Mirimichi/Belcher Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 21 acres
Map 3/Lot 34

Description:

This land-locked parcel abuts Lake Mirimichi and only a small portion of the property is located within a Flood II Protection Zone.

11. Conservation Property (Pitcher Brook)

Location: Pitcher Brook

Owner: Town of Plainville

Jurisdiction: Town of

Plainville Acreage: 56.0 acres

Map 14/Lot 1

Description:

The Pitcher Brook property is 56.0-acre parcel located in the southwest portion of the Town of Plainville. Pitcher Brook is a perennial stream. This parcel is not accessible due to the fact that it is land locked.

12. Conservation Property (George Street)

Location: George Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 15.2

Map 7/Lot 36

Description:

This property has limited access on George Street and is mainly wetlands.

Section 6: Community Goals

Description of the Process

The process of establishing goals for open space and recreation planning in Plainville, was explained in Section 2 of this plan. In addition to the community-wide survey, the process consisted of the review of what has been accomplished since the completion and certification of the previous plan (2007) during public working meetings and forums held by the OSRC, between April of 2017 and October of 2018. All Committee working meetings and public forums were held in an accessible meeting room and venue at the Senior Center. All OSRC agendas and meeting minutes were posted on the Town website. A number of interviews with local citizens, local officials, and representatives of organizations who partner with the town in conservation and recreation ventures, were also conducted over this time period.

Progress Report from the 2007 Open Space and Recreation Plan

In the course of developing the Action Plan for the 2019 Open Space and Recreation Plan, there was a great deal of discussion and review of the progress made on the implementation of the Action Plan items contained in the 2007 Open Space and Recreation Plan. The Town, through its various departments, committees, and the efforts of organizations and individuals, has been able to address and implement several of these Action Plan items, or items that are related to specific recommended actions.

A list of some of the major accomplishments of Action items identified in the 2007 Open Space and Recreation Plan include:

- Created an Open Space and Recreation Committee
- Promoted Zoning changes that addressed natural resource concerns
- Protected critical open space through acquisition and other means (Bergh)
- Monitor the impacts of stormwater through the Stormwater Committee
- Investigate the feasibility of a trail/greenway along the abandoned rail bed
- Prepare and publish trail maps for Town properties (Boy Scout Mapping Projects)
- Review bylaws to improve water supply/water resource protection
- Update the Master Plan

Open Space and Recreation Goals

In 2019, the stewardship of existing assets coupled with the challenges of developing new conservation, open space, and recreation opportunities for the town, makes establishing sound resource and recreation planning strategies essential. With a growing and aging population, fewer financial resources with which to operate (dwindling federal, state, and local grants in

particular), and more competition for those remaining financial resources, the town must be even more organized, creative and resourceful in maximizing partnership opportunities, pursuing new and innovative ways to generate revenue, and prioritizing future conservation, recreation, and open space needs.

Five (5) basic goals in the area of open space and recreation emerged during the public participation process, and are listed (in no specific order) as follows:

1. Improve and expand the Town's recreational facilities
2. Develop an accessible, connected open space and trail network
3. Promote Education, Training, and Collaboration
4. Protect bio-diversity and natural/cultural resources, and rural character of the Town
5. Improve the implementation and funding mechanisms necessary to support the Town's open space and recreation needs

Section 7: Analysis of Needs

A. Conservation and Resource Protection Needs

Over the past several years, the Conservation Commission, aside from meeting its responsibilities under the Wetlands Protection Act, has also been working with other municipal boards, commissions, departments, and committees, to protect and increase the conservation and open space assets of the Town. These efforts have also included working with/encouraging developers to set aside land for public use and conservation purposes. This is part of a broader strategy to connect people to, and with, the existing conservation, recreation, and public spaces in town. This approach can also complement the regulatory work of the Planning Board.

In order to further protect the quality and quantity of Plainville's water resources, the Commission should assess and prioritize the acquisition/permanent protection of open space in significant watershed areas. This assessment should not only include land that meets conservation and recreation needs, but also provides river and stream buffers, preserves critical habitat linkages and functions, and protects recharge areas near existing and future potential water supply sites. Healthy environmental systems require a network of vital connections that help to preserve the services that these systems provide to our cities and towns (water quality, air quality, fish and wildlife habitat, etc.). By protecting and restoring naturally functioning ecosystems, we help to preserve the "green infrastructure" that is critical to the overall health and resiliency of our cities and towns.

Another part of a more comprehensive municipal natural resources protection strategy would be to develop management plans for all of its conservation holdings. This could be part of an ongoing effort and involve other conservation partners such as the Natural Resources Trust of Plainville and The Wildlands Trust. The process should begin by addressing municipal lands (and Conservation Restrictions) held in areas recognized as critical to the town's natural resources. If parcels already have management plans, they should be revisited in order to see if they are still appropriate, and if they are being addressed.

Areas that are critical for their conservation, recreation, and cultural values, and are heavily used and favored by the public, should also undergo regular need assessments, and when necessary, upgrades. It is also very important to regularly inspect locally held conservation restrictions to insure that no encroachment or improper use is occurring.

Finally, since 2001, Plainville has flirted with the idea of passing the Community Preservation Act (CPA) in order to help fund potential conservation, recreation, historical, as well as housing, initiatives. Previous efforts to pass the CPA had failed to gather the necessary public support. The results of the most recent Open Space and Recreation Plan Public Survey (2017-8) showed an overwhelming support to bring the CPA question to a Town Meeting vote. The OSRC organized a public education effort that led to the passage of the CPA at the fall Town Meeting in 2018. This allowed the OSRC to address one of its primary action items, even as the 2018 Open Space and Recreation Plan was in its final draft. As a result of the OSRC's quick and timely public response, Plainville should be receiving its initial CPA funds from the state in the fall of 2019.

B. Parks & Recreation and Community Needs

The Statewide Comprehensive Outdoor Recreation Plan (SCORP), Massachusetts Outdoor 2017, is a five-year plan developed by the Commonwealth's Executive Office of Energy and Environmental Affairs (EEA). The plan is required for state participation in the federal Land and Water Conservation Fund (LWCF) grants programs. The SCORP also provides an overview of the recreational preferences of the citizens of each geographic region of the Commonwealth as determined through a public participation and outreach process. The profile of recreational use afforded by the SCORP also provides municipalities with a planning tool for addressing the future needs and uses of our outdoor recreational resources.

The SCORP's summary of information, collected at both public events and through other methods of survey (online and telephone), showed that people participate in outdoor activities primarily for physical fitness, but also to be close to nature. Despite having access to nearby facilities, lack of time (55%) was the number one reason that people gave for not using these facilities more often. While recreational programs were also important to responders, 88.2% that it was either somewhat or very important to have more programs for those aged 4 to 12 years, and 91.2% responded similarly regarding programs for teens.

Survey data also indicates that: water based activities, such as boating – canoe, kayak, power boat; fishing; swimming – at beaches, lakes, rivers, pools, paddle boarding, tubing; and, trail-based recreation, such as hiking, biking (on and off-road), cross-country skiing, walking/jogging on trails, and mountain biking, provide the most popular recreational outlets for families in the regions. The SCORP also revealed that the types of projects that respondents would like to see funded in the future are: trails (hiking, biking, paved walkways, trails for people with disabilities); playgrounds (for ages 2-5, for people with disabilities, for ages 6-12, and for ages 6 months – 2 years), and; water (swimming pool, canoe/kayak access, and fishing areas).

Finally, it should also be noted that the SCORP also called out the need to recognize and address the needs of underserved populations (citizens with disabilities, teens, and senior citizens) and areas of a community (areas that are lacking facilities, environmental justice neighborhoods) when planning for and designing parks and conservation areas.

A good part of the SCORP summary reflects Plainville's recreation preferences and goals. Based upon both the Open Space and Recreation survey and feedback at community meetings, the top choices for the types of recreation facilities that are needed or should be expanded in Plainville included: nature/hiking/walking trails; bike paths; improved water/beach access, and; more diverse passive and active recreation programs and facilities for people of all ages and abilities.

Some of the facilities/opportunities specifically mentioned as "recreational and community needs" (in terms of upgrades, repurposing, or new development) at public meetings and in Open Space Survey comments, included:

- Field of Dreams: In need of access improvements; bathroom facilities/comfort station; new 50/70 baseball diamond; develop a walking trail around the field
- Town Park: In need of improved courts and lighting around the soccer fields and courts

- The need for better/consistent signage at conservation and recreation facilities town-wide (way finding)
- The need to develop a more connected local trail system, rail trail, and regional trail connections (including bicycle and pedestrian connections, which was important across all age groups responding)
- The need to improve access to waterbodies in order to improve fishing, canoeing, kayaking, and other water-based activities
- Need to address ADA concerns at park and recreation facilities
- Pass CPA to help fund necessary improvements

Community planners have traditionally looked to the National Park and Recreation Association Standards (NPRA) as a benchmark for the number of facilities/opportunities/acres a community should have per units of population. These standards are still very useful as guides, but have become more difficult to achieve in leaner economic times as communities struggle to maintain their current recreational assets and stock. Partnerships (local and regional), reinvestment, and repurposing may hold the keys to the maximum and efficient use of current recreational stock as well as the ability to expand and offer more (and more diverse) quality, life-long experiences to citizens of all ages and abilities.

Special User Group Needs

Seniors

Plainville is similar to its neighbors, the state, and national trends in that its population is aging and remaining more active than in years past. Data presented in Section 3 of this plan shows that the percentage of Plainville's population aged 45 and over increased significantly between 2000 and 2010. The population aged 45 to 54, 55 to 64, and 65 to 74 years, now makes up approximately 36% of Plainville's current population. At the same time, Plainville's population aged 25 to 44 years has experienced a sizeable decrease, and now makes up only 25% of the current population (where this age group made up 36% of the population in 2000).

As a result of all of the above, Plainville's Median Age increased by approximately four (4) years (to 40.4 years of age) during this same time period, and passed the state Median Age figure (39.1 years).

Many people in this age group, both in survey responses and in community meetings, were looking for the Town to provide increased outdoor activities for seniors (walking, hiking, biking, etc.), as well as year-round indoor programs conducted at social or recreational (Council on Aging, etc.).

Citizens with Disabilities

Plainville must update its self-evaluation and transition plan for its recreational facilities as required under the Americans with Disabilities Act (ADA). These plans are carried out through a municipally appointed ADA Coordinator. The Coordinator is responsible for working to bring all municipal services, infrastructure, and buildings into compliance with the Act. The ADA Coordinator is not responsible for privately owned facilities.

The ADA Transition Plan, contains an inventory of the public recreation facilities of the Town (exclusive of the School Department facilities; the School Department must conduct their own assessment and prepare a Transition Plan for their facilities). The Transition Plan takes an inventory of the improvements needed to bring a facility into ADA compliance.

The Town recognizes the need to further develop its ADA Transition Plan, and has been attempting to address these needs as funding allows, particularly as we seek to expand our passive and active recreational assets. The OSRC is currently working with our ADA Coordinator, SRPEDD, and outside evaluators to inventory our properties, consistent with the requirements of the DCS open space and recreation planning process (see Section 12).

All future recreation facilities should be designed with the needs of citizens with disabilities in mind, in terms of site access, physical use, and ability to view events and cultural/scenic landscapes.

C. MANAGEMENT NEEDS, POTENTIAL CHANGE OF USE

Beyond the management needs of the physical conservation and recreation assets of the Town, the Open Space and Recreation Plan Committee saw the need to manage the flow of information/education regarding the Open Space and Recreation Plan as a major priority. People feel the need to promote the plan, increase public awareness, involvement (volunteerism), and in turn, local government efficiency. The following ideas are a synthesis of those offered at Open Space Plan Committee and community meetings, and in follow-up interviews:

Management/Oversight

The Board of Selectmen should continue to support the work of the permanent Open Space and Recreation Committee (OSRC). The OSRC can serve as the Town's initial point of contact for, and to oversee the implementation of, the Open Space and Recreation Plan. This will also improve both the internal communication process, and in turn, communication with external agencies, organizations, and potential partners. The OSRC can also meet on a regular basis to make sure that the Open Space and Recreation Plan's Action items are being addressed (or delayed for whatever reasons) and keep the plan and the Town's accomplishments in the public eye.

The Board of Selectmen should appoint a Bike/Pathways Committee to work with the OSRC to help develop local bike and pedestrian routes, and also to engage similar regional groups who would like to forge trail links with Plainville. Plainville's neighbors in Norton, North Attleborough, and Mansfield have been very active participants in the SRPEDD Bicycle and Pedestrian programs (these towns are developing individual routes as well as regional links to proposed and existing routes).

SRPEDD is in the process of updating its Regional Transportation Plan for 2020, and is also working continuously with community bicycle, pedestrian and trail committees to maintain up-to-date Regional Bicycle and Pedestrian Plans. SRPEDD has also been working with North Attleborough and Norton on developing and implementing local Complete Streets Programs through Mass DOT (another potential source of bike and pedestrian priority project funding).

Education/ Outreach

The Town needs to develop and promote local public education materials describing available conservation, recreation, and open space assets and opportunities. In particular, developing a passive and active recreation facilities website, with downloadable maps/brochures and fact sheets, would complement the existing web page. An improved web page and physical materials would help to forge stronger ties between the Town and potential conservation and recreation partners, as well as to promote the public ownership and the need for stewardship of these outstanding resources.

Consistent wayfinding signage and informational kiosks at town owned conservation and recreation areas will make sites easier to find, encourage public use, and help the OSRC promote the local need for stewardship of our community held assets.

Land Acquisition and Preservation

The OSRC also identified the need for a formal Land Acquisition/Protection Strategy for conservation and open space parcels. The goal here would be to promote a more unified and purposeful approach to land acquisition by the Town that would focus on: keeping significant natural corridors intact; retaining the integrity of significant blocks of watershed and agricultural land; looking at land function as well as features in a complementary context, and; promoting a coordinated, multidisciplinary approach as to how and why land is preserved or acquired.

This strategy should be used to target susceptible natural resource areas in Plainville along its rivers, streams, and waterbodies, and in areas of agricultural significance (in essence, a way to address issues in identified Core Habitat, high-quality streams, Heritage Landscape Inventory, and Critical Natural Landscape areas; see Appendix A).

The Town should promote agricultural retention, and look at assistance programs offered by the Southeastern Massachusetts Agricultural Partnership (SEMAP), MA Department of Agricultural Resources (MDAR), and the USDA. This also encourage small scale local farming and complement the Town's desire, per survey results, to develop a local farmers' market.

This can also help with retention of productive agricultural soils, promote the practice of agriculture, and encourage new farmers to invest in the community. The town can also sponsor workshops on intergenerational transfer of property to help older farm owners and their heirs.

Section 8: Goals and Objectives

The goals and objectives listed below were derived from all available sources of public input, including online and paper surveys, public comments made at regular OSRC working meetings, and comments emailed to the OSRC or SRPEDD following public events. The OSRC has attempted, to the best of our ability, to blend all of the comments received in a manner that will be representative of the community and encourage their continued involvement as we bring this plan to life.

Goal 1: Improve and expand the town's recreational opportunities and facilities.

Objective 1: Complete all necessary work and expand opportunities at the Field of Dreams.

Objective 2: Complete all elements of the Town Park Courts project

Objective 3: Explore the development of Disc Golf in Plainville (also a regional activity).

Objective 4: Address the ADA needs of existing conservation and recreation facilities in order to increase opportunities for all citizens regardless of age or ability.

Objective 5: Acquire land for passive and active recreation in order to expand opportunities when and where feasible, and

Objective 6: Develop and maintain a list of priority parcels for acquisition.

Goal 2: Develop an accessible, connected open space and trail network

Objective 1: Pursue opportunities through the MassDOT Complete Streets Program.

Objective 2: Install a sidewalk on West Bacon Street.

Objective 3: Install a pedestrian walkway at Routes 1 and 106.

Objective 4: Develop pedestrian, trail, waterway, and bicycle opportunities and connections where necessary and feasible.

Objective 5: Develop adequate parking, where needed, at conservation and recreation facilities.

Objective 6: Work with neighboring communities to create or tie-into regional trail opportunities.

Goal 3: Promote Education, Training, and Collaboration.

Objective 1: Post and maintain a list of the Town's Open Space and Recreation assets on the Town website

Objective 2: Develop and install uniform wayfinding signage at all town-owned conservation and recreation facilities.

Objective 3: Install kiosks with maps and educational material at conservation properties, as feasible.

Objective 4: Build/strengthen partnerships with local and regional conservation, recreation, preservation, and non-profit organizations and pursue available grant and funding opportunities.

Goal 4: Protect bio-diversity, natural/cultural resources, and rural character of the Town.

Objective 1: Develop natural resource education programs for the Town.

Objective 2: Work with state, regional, and local partners to update and maintain the natural and cultural/historical resource database for Plainville.

Objective 3: Promote the retention of agricultural soils and the practice of farming and the farm economy.

Objective 4: Promote public education on the identification and removal of aquatic invasives.

Objective 5: Enhance protection of existing and future potential water supply areas.

Objective 6: Retain habitat connectivity in critical areas, particularly areas that are important to the Town's resiliency to the impacts of climate change.

Objective 7: Prioritize land for acquisition in areas critical to the protection of Plainville's natural resources and community resiliency.

Goal 5: Improve the implementation and funding mechanisms necessary to support the Town's open space and recreation needs.

Objective 1: Pass the Community Preservation Act

Objective 2: Make the Park Department a line item in the Town Budget

Objective 3: Create a community Land Stewardship Program

Objective 4: Perform an annual review of progress made on the implementation of the Open Space and Recreation Plan.

Section 9: Action Plan

The OSC has been committed to pursuing opportunities to address the goals and action items presented in this plan, even as the plan was being drafted and completed. We have done so through the dedication of our members and staff, as well as with the support of the public at community events and at Town Meeting.

The 2019 Open Space and Recreation Plan update presents us, as a town, with the opportunity to complete a number of projects and realize the ideas presented in the following Action Plan. The Action Plan is based on our survey results, working meetings, community forums, and additional comments from local, regional, and state partners. We have tried to construct an Action Plan that is inclusive, practical, and doable, by planning with you, not at you!

The Action Plan is parceled out in 1-3 (short-term/start-up), 4-7 (moderate/follow-up), and 1-7 (long-term/ongoing) year increments in order to help organize thinking and help to strategize for funding opportunities. The Actions are organized in a format that is designed to be user friendly in grants/proposal writing.

Years 1-3

1. Action: Educate the public about, and pass the Community Preservation Act in Plainville
Local Lead/Potential Partners: Open Space and Recreation Committee, Community Preservation Coalition, Selectmen, others as necessary
Goals and Objectives addressed: Goal 5, Objective 1

2. Action: Add bathroom/comfort station to the Field of Dreams
Local Lead/Potential Partners: Park Department, Open Space and Recreation Committee, others as necessary
Goals and Objectives Addressed: Goal 1, Objectives 1 and 4
Potential Funding Sources: local, DCS, private grants sources

3. Action: Complete the resurfacing of the basketball courts at Town Park and install ADA walkway to the courts.
Local Lead/Potential Partners: Park Department, Open Space and Recreation Committee, others as necessary
Goals and Objectives Addressed: Goal 1, Objectives 2 and 4
Potential Funding Sources: local

4. Action: Install new basketball hoops at Town Park
Local Lead/Potential Partners: Park Department, others as necessary
Goals and Objectives Addressed: Goal 1, Objective 2
Potential Funding Sources: local

5. Action: Upgrade the lighting at the Town Park soccer fields and courts
Local Lead/Potential Partners: Park Department, others as needed
Goals and Objectives Addressed: Goal 1, Objectives 2 and 4
Potential Funding Sources: local, DCS grant

6. Action: Plan and develop a 9-hole disc golf course on the Hawkins Woods property (Phase 1)
Local Lead/Potential Partners: Selectmen, Conservation, Open Space and Recreation Committee, Disc Golf Association, others as deemed necessary and feasible
Goals and Objectives Addressed: Goal 1, Objective 3
Potential Funding Sources: local, private non-profit, others as necessary

7. Action: Participate in the MassDOT Complete Streets Program, including passing a local Complete Streets policy and developing a priority projects list (bike, pedestrian, drainage, resurfacing)
Local Lead/Potential Partners: Selectmen, DPW, Planning, Conservation, SRPEDD, MassDOT
Goals and Objectives Addressed: Goal 2, Objective 1

8. Action: Develop and install uniform wayfinding signage at all town-owned conservation and recreation facilities
Local Lead/Potential Partners: Open Space and Recreation Committee, Selectmen, DPW, Park Department, non-profits
Goals and Objectives Addressed: Goal 3, Objective 2
Potential Funding Sources: local, non-profits, other

9. Action: Begin to develop plans for, and construct, sidewalk/pedestrian walkway on West Bacon Street, Route 1, Route 106
Local Lead/Potential Partners: DPW, Selectmen, SRPEDD, MassDOT, others as necessary
Goals and Objectives Addressed: Goal 2, Objectives 2, 3, and 4
Potential Funding Sources: MassDOT Complete Streets Program, DCR, local, other

10. Action: Participate in the state's Municipal Vulnerability Preparedness (MVP) Planning Program
Local Lead/Potential Partners: Conservation, Planning, SRPEDD, MA Executive Office of Energy and Environmental Affairs (EEA), other Town Departments, Commissions, Committees, citizens, others as deemed necessary
Goals and Objectives Addressed: Goal 4, Objectives 3, 4, 6, and 7
Potential Funding Sources: EEA MVP Planning Grant

11. Action: Develop plans for a rail trail with potential regional connections
Local Lead/Potential Partners: Open Space and Recreation Committee, Conservation, Planning, SRPEDD, North Attleboro, Foxboro, others as necessary
Goals and Objectives Addressed: Goal 2, Objectives 4 and 6; Goal 3, Objective 4
Potential Funding Sources: MassTrails (DCR), local, SRPEDD, DCS, other

12. Action: Develop a trail connection from the Heather Hills area to nearby town-owned open space
Local Lead/potential Partners: Conservation, Planning, Open Space and Recreation Committee, Selectmen, landowner
Goals and Objectives Addressed: Goal 1, Objective 5; Goal 2, Objective 4
Potential Funding Sources: local, private

13. Action: Update the ADA Section 504 Transition Plan for all town-owned conservation and recreation facilities
Local Lead/Potential Partners: Selectmen, Conservation, Park Department, Local ADA Coordinator, Others as necessary
Goals and Objectives Addressed: Goal 1, Objective 4
Potential Funding Sources: local

Years 4-7

14. Action: Continue sidewalk/pedestrian walkway construction activities
Local Lead/Potential Partners: DPW, Selectmen, SRPEDD, MassDOT, others
Goals and Objectives Addressed: Goal 2, Objectives 2, 3, and 4
Potential Funding Sources: MassDOT Complete Streets Program, DCR, local, other

15. Action: Plan and develop a walking trail around the Field of Dreams
Local Lead/Potential Partners: Conservation, Park Department, others as needed
Goals and Objectives Addressed: Goal 1, Objectives 1 and 4; Goal 2, Objective 4
Potential Funding Sources: local, DCS grant

16. Action: Develop Phase 2 (holes 10 – 18) of the disc golf course at Hawkins Woods
Local Lead/Potential Partners: Conservation, Selectmen, others as needed
Goals and Objectives Addressed: Goal 1, Objective 3; Goal 5, Objective 4
Potential Funding Sources: local, DCS, non-profit partners

17. Action: Continue rail trail development through final design and engineering
Local Lead/Potential Partners: Open Space and Recreation Committee, Selectmen, SRPEDD, MassDOT, regional partners as feasible
Goals and Objectives Addressed: Goal 2, Objectives 4 and 6; Goal 3, Objective 4
Potential Funding Sources: MassDOT, local, SRPEDD, other

18. Action: Pursue funding in order to address social, environmental and infrastructural needs identified in the MVP planning process
Local Lead/Potential Partners: Selectmen, Conservation, Planning, other town offices, SRPEDD, EEA, non-profits
Goals and Objectives Addressed: Goal 4, Objectives 6 and 7
Potential Funding Sources: MVP Action Grant, local, other state grants programs as applicable

Years 1-7

19. Action: Create a general educational process for conservation programs

Local Lead/Potential Partners: Conservation Commission, Wildlands Trust, SRPEDD, MA Executive Office of Energy and Environmental Affairs (EEA), Southeastern Massachusetts Agricultural Partnership SEMAP, Mass Audubon, The Nature Conservancy (TNC), EPA, MA Department of Conservation and Recreation (DCR), others as needed

Goals and Objectives Addressed: Goal 4, Objectives 1 and 4

Potential Funding Sources: local, regional, state, federal programs

20. Action: Clean up and remove aquatic invasives from Lake Mirimichi and Turnpike Lake

Local Lead/Potential Partners: Conservation Commission, DEP, MA Congress of Lakes and Ponds, NE Wildflower Society, others as needed

Goals and Objectives Addressed: Goal 4, Objective 4

Potential Funding Sources: local, regional, state funding programs; technical assistance programs; volunteers (in-kind)

21. Action: Improve access to waterbodies to improve fishing, canoeing, kayaking, and other water-based recreational activities.

Local Lead/Potential Partners: Selectmen, Planning, Conservation, DCR, MA Office of Fishing and Boating Access (FBA), Taunton River Stewardship Council (TRSC), Trout Unlimited (TU), SRPEDD, others as needed

Goals and Objectives Addressed: Goal 1, Objective 5

Potential Funding Sources: MA FBA, TRSC, TU, SRPEDD (Municipal Assistance), local, regional, state, federal programs

22. Action: Protect Witherall Pond as a future potential water supply

Local Lead/Potential Partners: Planning, Selectmen, Board of Health, DPW/Water & Sewer, DEP, others

Goals and Objectives Addressed: Goal 4, Objectives 2 and 5

Potential Funding Sources: local, DEP

23. Action: Create/expand facilities at the Field of Dreams to include a new 50/70 baseball diamond

Local Lead/Potential Partners: Park Department, Plainville Athletic League, others as needed

Goals and Objectives Addressed: Goal 1, Objective 1

Potential Funding Sources: local, DCS grant

24. Action: Establish a local Farmers Market

Local Lead/Potential Partners: Selectmen, Planning, Board of Health, MA Department of Agricultural Resources (MDAR), SEMAP, others as needed

Goals and Objectives Addressed: Goal 4, Objective 3

Potential Funding Sources: MDAR grants, SEMAP (technical assistance), others as appropriate

25. Action: Develop and maintain a priority list of parcels for acquisition in order to enhance conservation,

recreation, open space, and habitat connectivity in Plainville.

Local Lead/Potential Partners: Open Space and Recreation Committee, Conservation, Planning,

Selectmen, state and regional agencies, non-profit organizations, others as feasible
Goals and Objectives Addressed: Goal 1, Objectives 5 and 6; Goal 4, Objectives 2, 5, 6, and 7

26. Action: Work with state, regional, and local partners to update and maintain the natural resources database for Plainville

Local Lead/Potential Partners: Conservation, EEA, SRPEDD, non-profits, Land Trust, others as necessary

Goals and Objectives Addressed: Goal 4, Objectives 2, 6, and 7

Potential Funding Sources: state, local, regional, non-profit

27. Action: Improve the capability and utility of the Town's website to promote conservation, recreation, and open space opportunities, including available education and training materials

Local Lead/Potential Partners: Selectmen, Open Space and Recreation Committee, others as necessary and feasible

Goals and Objectives Addressed: Goal 3, Objective 1; Goal 4, Objectives 1 and 4

Potential Funding Sources: local, other

28. Action: Take actions appropriate to document, protect, and preserve Plainville's historic, cultural, and cultural landscape assets.

Local Lead/Potential Partners: Open Space and Recreation Committee, Plainville Historical Society, Plainville Historical Commission, Local Cultural Council, DCR Office of Cultural Resources, SRPEDD, others

Goals and Objectives Addressed: Goal 3, Objective 4; Goal 4, Objective 2

Potential Funding Sources: local, local Cultural Council, Mass Cultural Council

29. Action: Find/develop adequate space/facilities and consistent funding for the Park Department

Local Lead/Potential Partners: Selectmen, Finance Committee, Open space and Recreation Committee, others as appropriate

Goals and Objectives Addressed: Goal 5, Objective 2; Goal 1

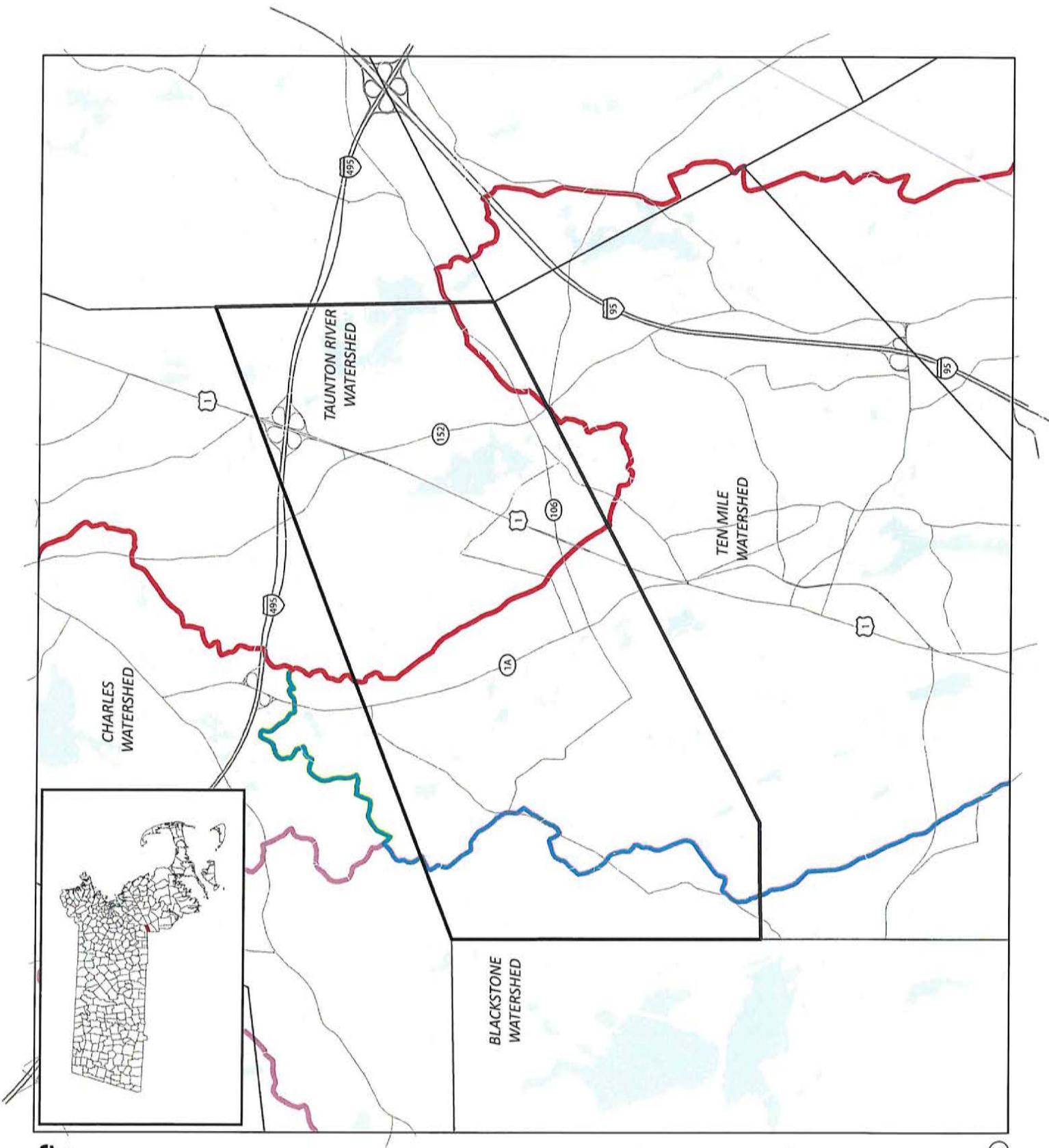
Potential Funding Sources: local, state, other

SECTION 10: Maps

Town of Plainville

Open Space and Recreation Plan

Regional Context Map



Legend

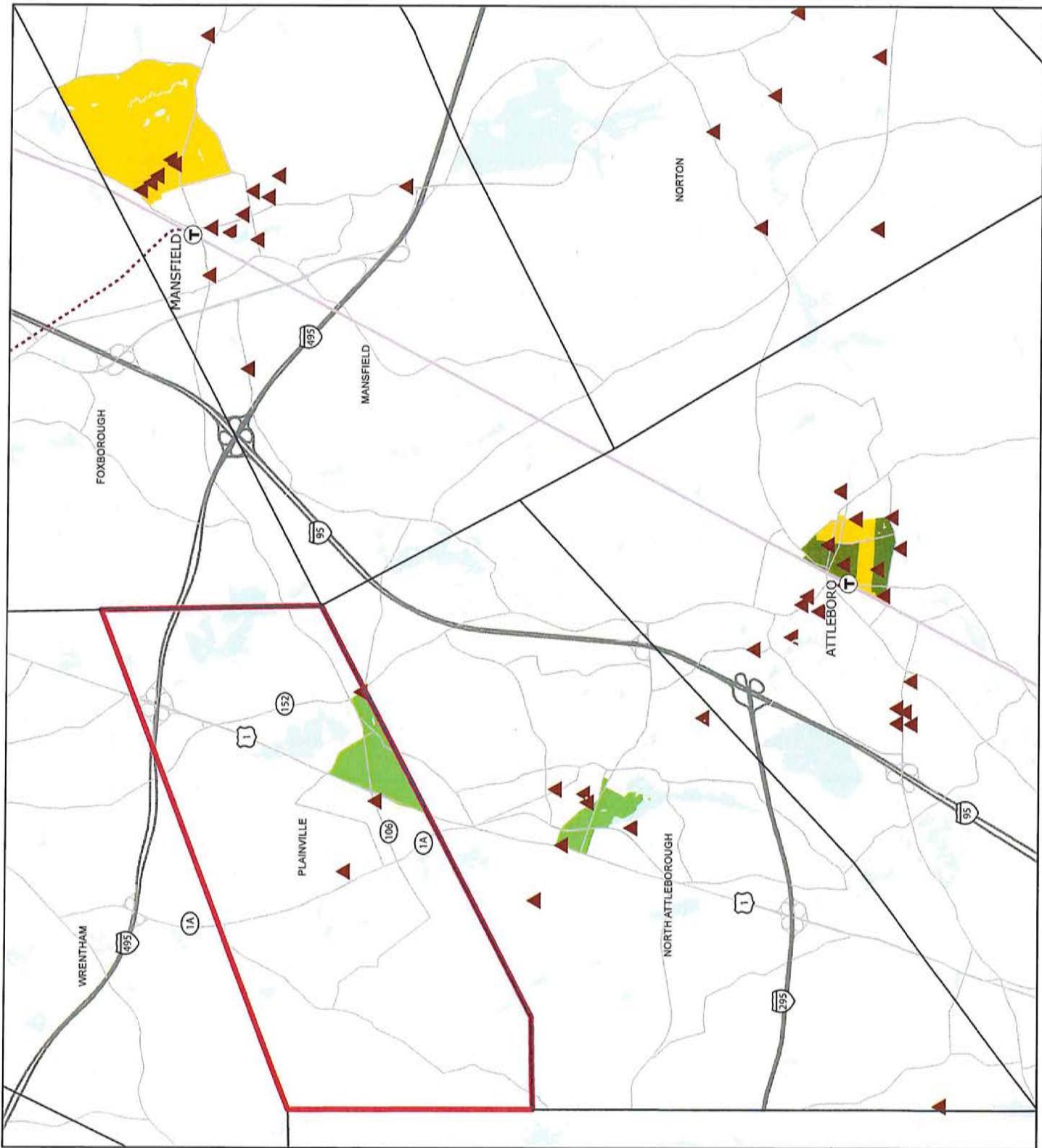
- Taunton River Watershed
- Charles Watershed
- Ten Mile Watershed
- Blackstone Watershed
- Municipal Boundaries
- Water
- Interstates
- Arterials and Collectors
- Local Roads
- MBTA Active Commuter Rail Lines

2017. Map produced by SRFED for the use of the Taunton River Watershed. All rights reserved. SRFED does not warrant the map to be accurate for any other use. This map is not intended for engineering, legal, or survey purposes. Data sources: MassGIS, MassDOT and the Town of Plainville.

Town of Plainville

Open Space and Recreation Plan

Environmental Justice Map



MassDEP Environmental Justice 2010
Populations - EJ Criteria by Block Group

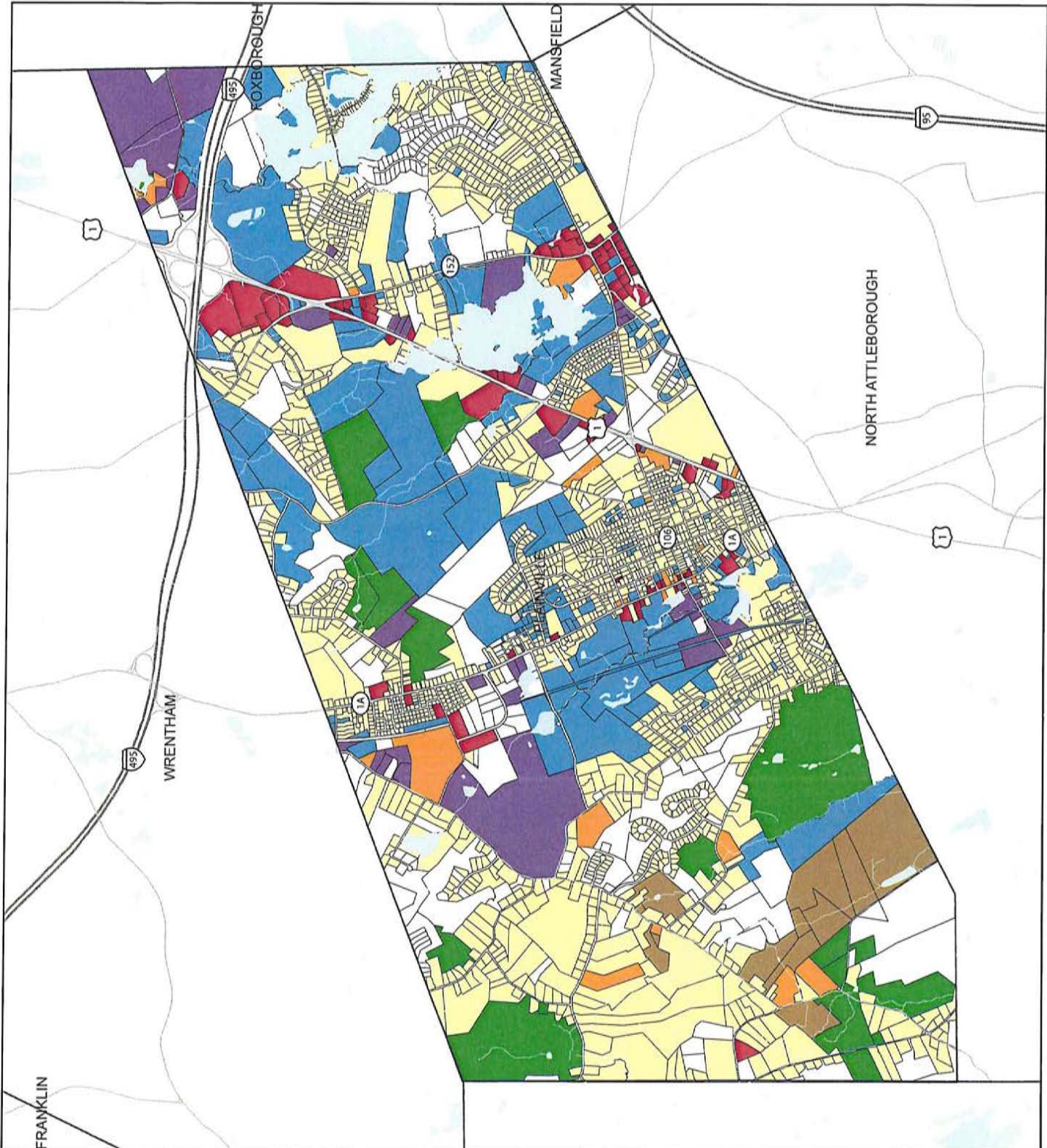
87
Note: Map produced by SARTO for the sole purpose of a long term planning document and was not submitted for any official use. This map is not intended for any survey purposes. Data sources: Massachusetts Dept. of Transportation, Data Services, MassGIS, MassDOT and the Town of Plainville.

1 mile

Town of Plainville

Open Space and Recreation Plan

Land Use Map



Legend

- Vacant or No Data
- Mixed-Use
- Residential
- Open Space and Recreational
- Agricultural
- Commercial
- Industrial
- Institutional
- Water
- Utility and Transportation
- Municipal Boundaries
- Interstates
- Arterial and Collectors
- Local Roads

84
Map 2 of 7. Maps produced by SPINCO are for the sole purpose of aiding planning decisions and are not authorized for any other use. This map is not intended for legal, or survey purposes. Data sources: MASSGIS, MASSDOD and the Town of Plainville.

1 mile

Town of Plainville
Zoning Map

June 6, 2015



FOXBOROUGH

WRENTHAM

MANSFIELD

NORTH
ATTLEBOROUGH

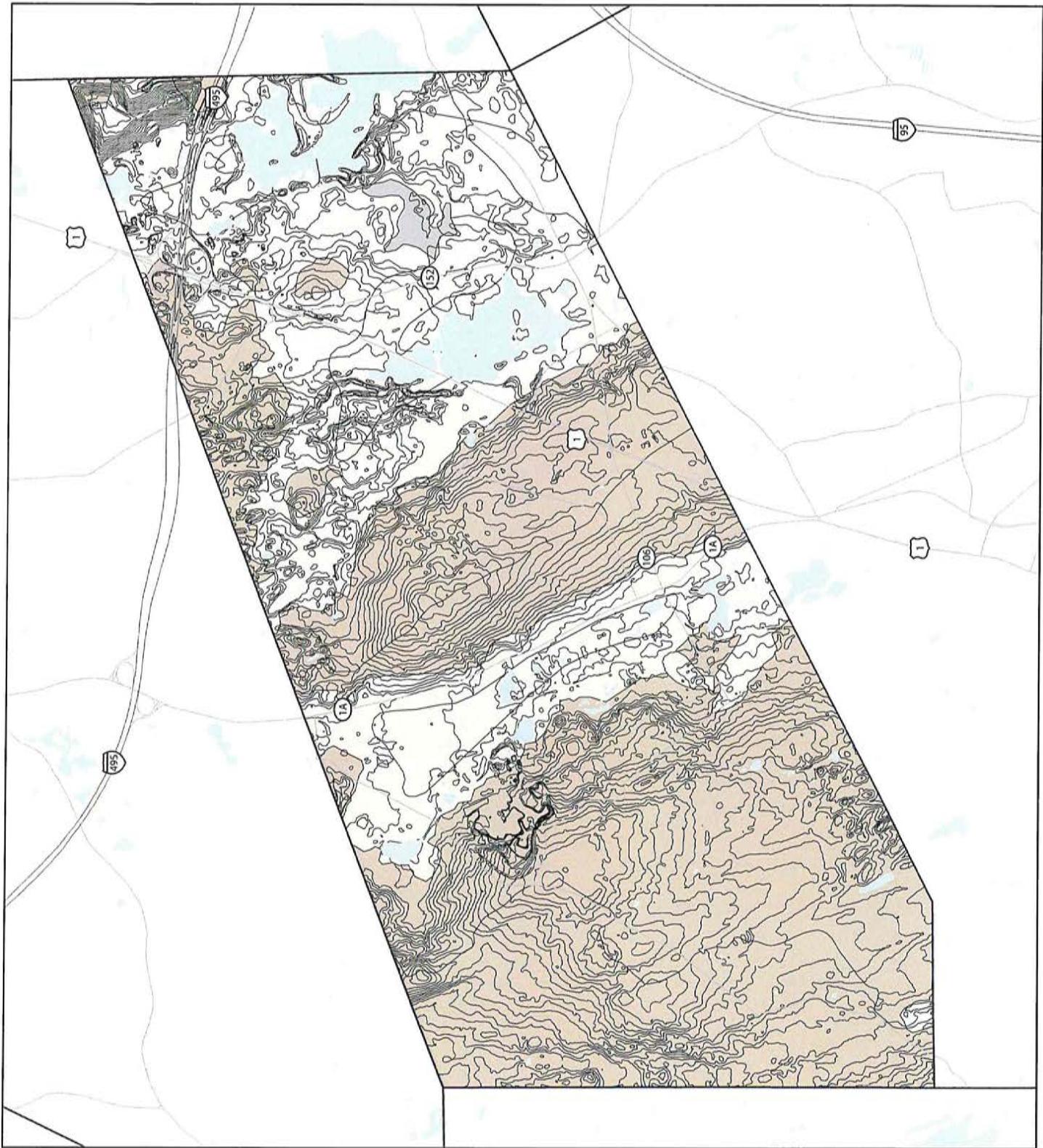
Legend	
ZONING	
Town Center District	
Commercial - CA	
Commercial - CB	
Commercial - CC	
Commercial - CI	
Commercial - CD	
Industrial - IA	
Industrial - IB	
Industrial - IC	
Residential - RA	
Residential - RB	
Residential - RC	
Residential - RD	
Water Body	

GRAPHIC SCALE
1 in. = 1000 ft.

Town of Plainville

Open Space and Recreation Plan

Surficial Geology Map



Legend

- Sand and Gravel Deposits
- Till or Bedrock
- Floodplain Alluvium
- 3 Meter Contours
- Municipal Boundaries
- Interstates
- Arterials and Collectors
- Local Roads

June 2007. Map produced by SPARCSO for the State of Connecticut and planned for use in the State's Natural Resource Data System. This data is not intended for engineering, legal, or survey purposes. Data source: MapScen; MapScen; and the Town of Plainville.

1 mile

Town of Plainville
Open Space and
Recreation Plan
Prime Soils Map

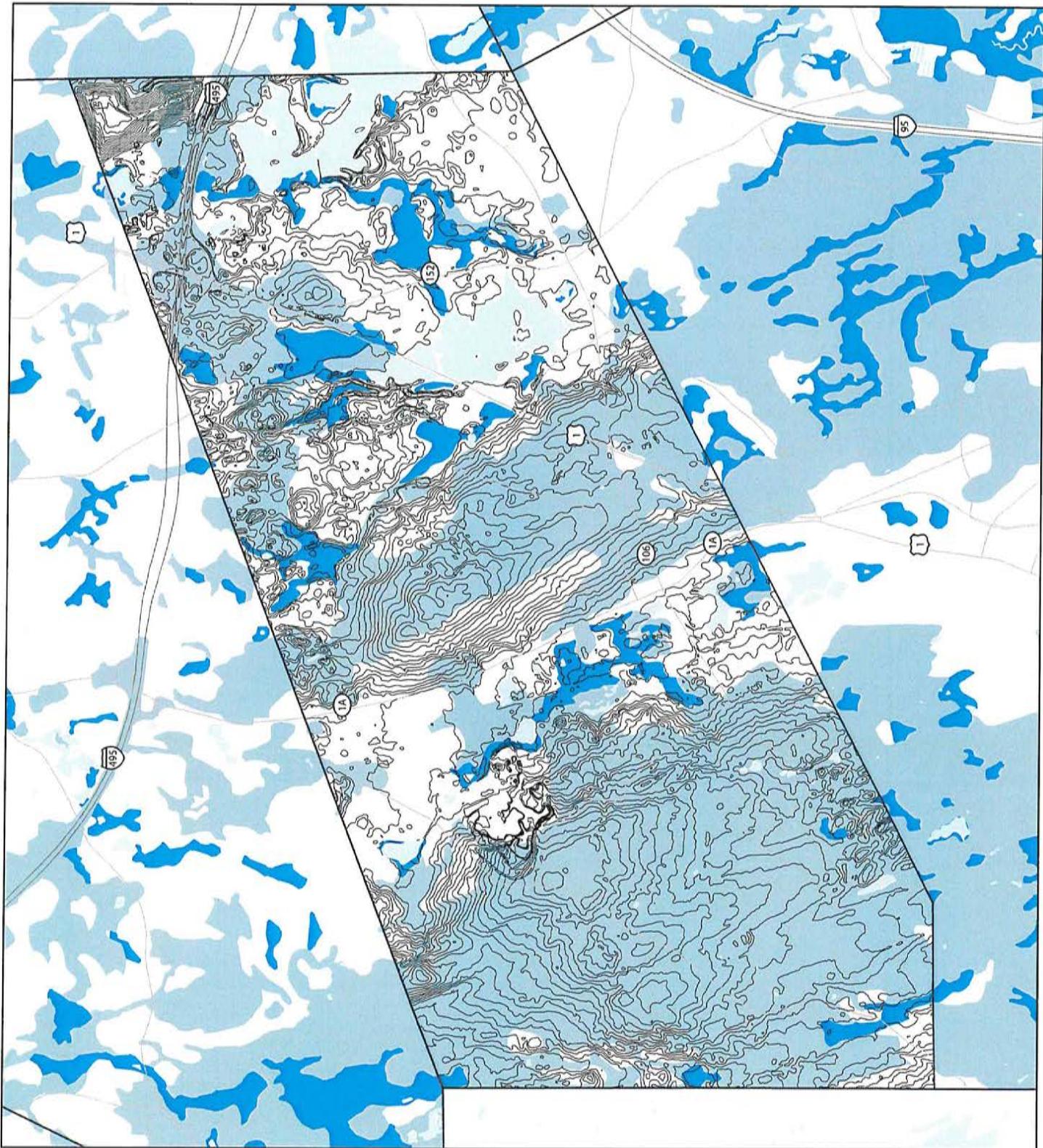


Legend

- All prime and Statewide Significance
- 3 Meter Contours
- Municipal Boundaries

June 1, 2017. Map produced by SRFEDO for the sole purpose of active resource planning decisions and are not intended for any other use. This map is not intended for engineering, legal, or surveying purposes. Data sources: IABAS/GIS, MassGIS 1:250,000 of the Town of Plainville.

Town of Plainville
Open Space and
Recreation Plan
Hydric Soils Map



Legend

- All Hydric
- Partially Hydric
- 3 Meter Contours
- Municipal Boundaries

June 27, 2012. Map produced by STERCO, Inc. for the State of Connecticut. All rights reserved. This map is not intended for engineering, legal, or survey purposes. Data sources: CTAS, CTAS2010, and the Town of Plainville.

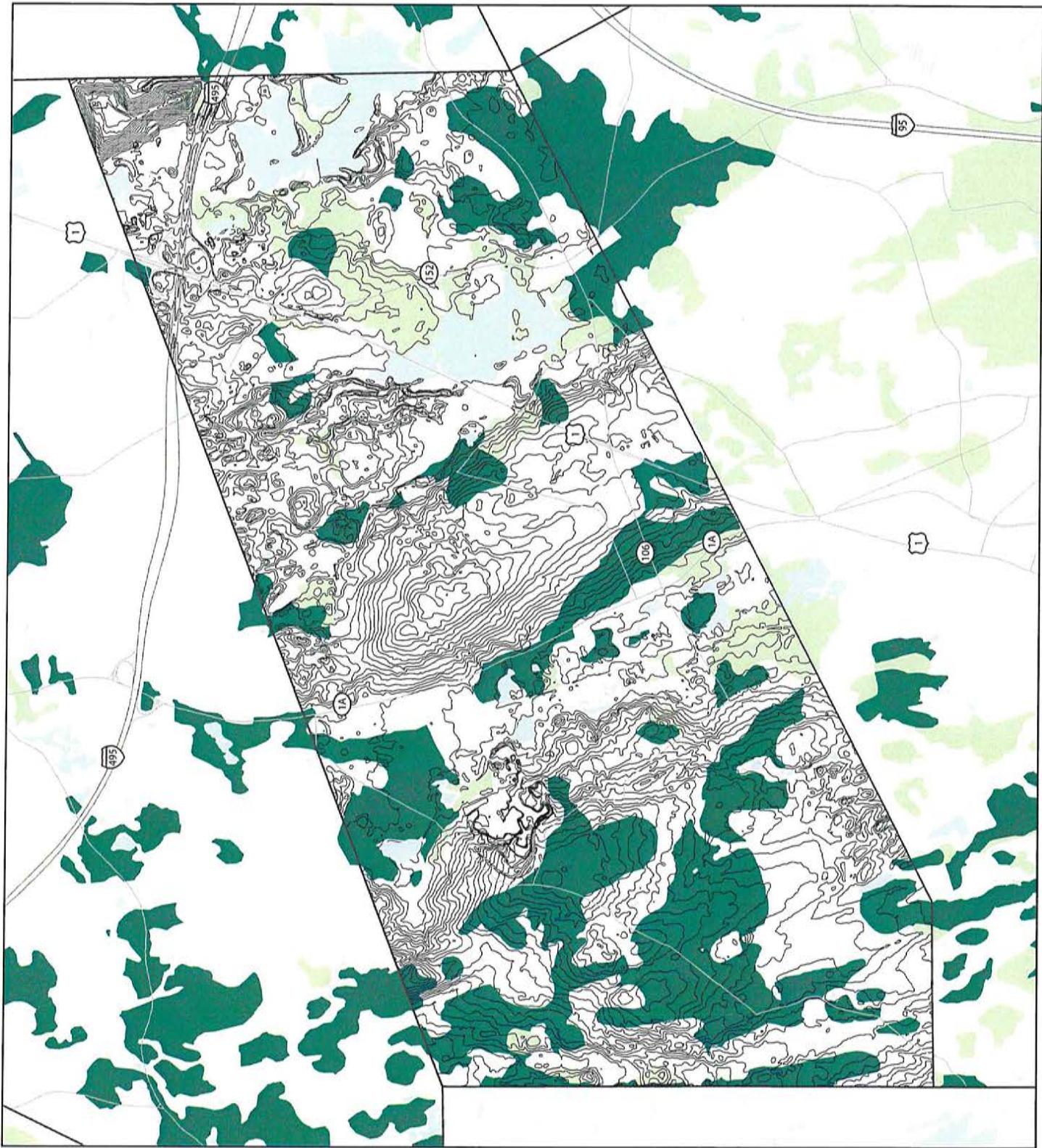
78

1 mile

Town of Plainville

Open Space and Recreation Plan

Farmland Soils Map



Map 21: 2012 Farmland produced by SPEND areas for the State
of Massachusetts. This map is not intended for
engineering, legal, or surveying purposes. Data sources:
MAFIS, MAUSGS, and the Town of Plainville.

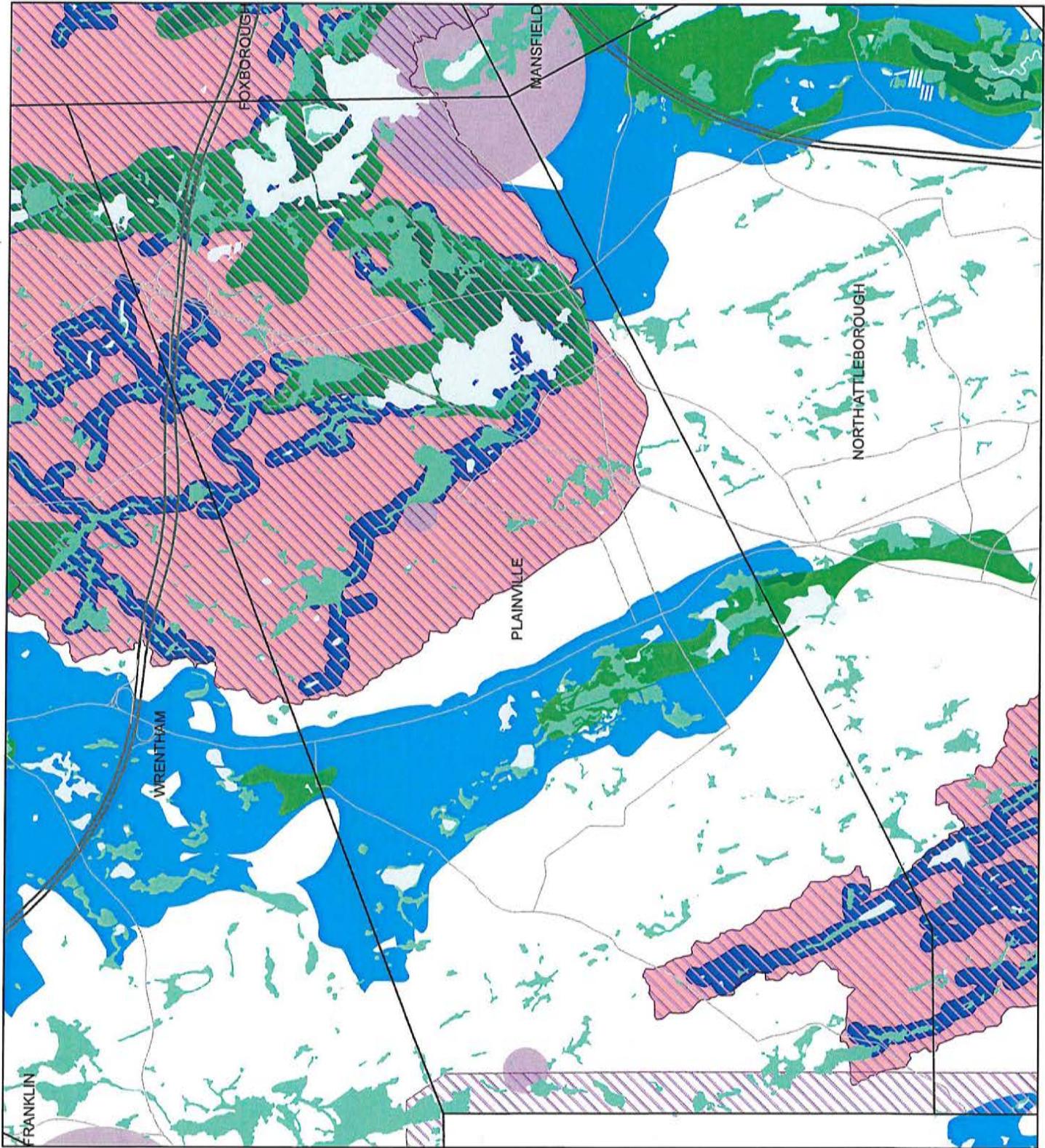
Page 79

1 mile

Town of Plainville

Open Space and Recreation Plan

Water Resources Map



Map 21: 2017. Maps produced by SPEDD are for the sole purpose of aiding proposed plan/zone decisions and are not warranted for any other use. This map is not intended for engineering, legal, or survey purposes. Data sources: ATLAS05, MASSDOT and the town of Plainville.

June 21, 2017. Maps produced by SPEDD are for the sole purpose of aiding proposed plan/zone decisions and are not warranted for any other use. This map is not intended for engineering, legal, or survey purposes. Data sources: ATLAS05, MASSDOT and the town of Plainville.

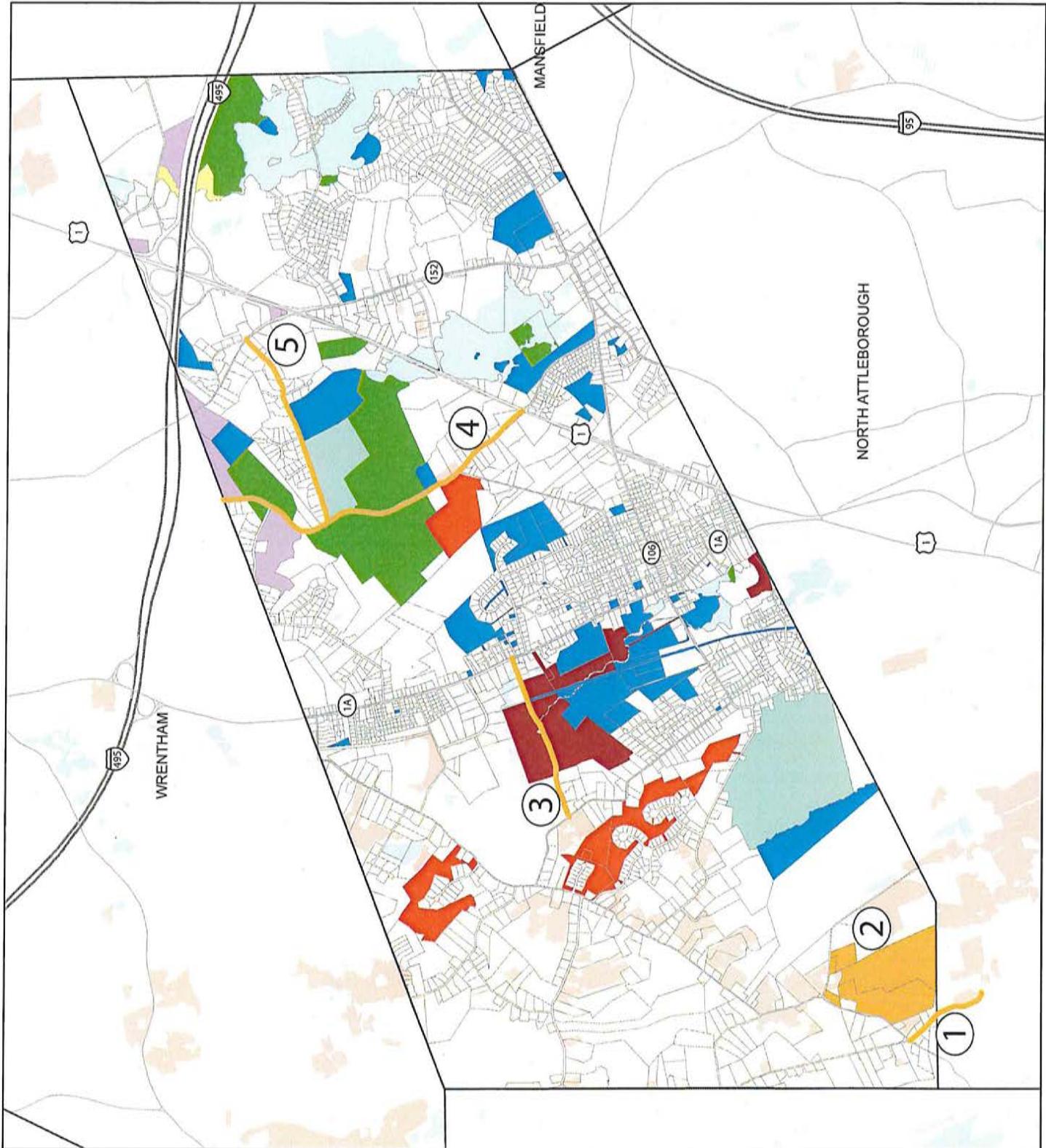
1

1 mile

Town of Plainville

Open Space and Recreation Plan

Unique and Scenic Features Map



Active Agriculture (Land Use 2005)
Cranberry Bog; Crops; Nursery; Orchard; Pasture

Developed (Land Use 2005)
Commercial; High Density Residential; Industrial; Low Density Residential; Marina; Medium Density Residential; Mining; Multi-Family Residential; Urban Public Institutional; Very Low Density Residential; Waste Disposal

Municipal Boundaries

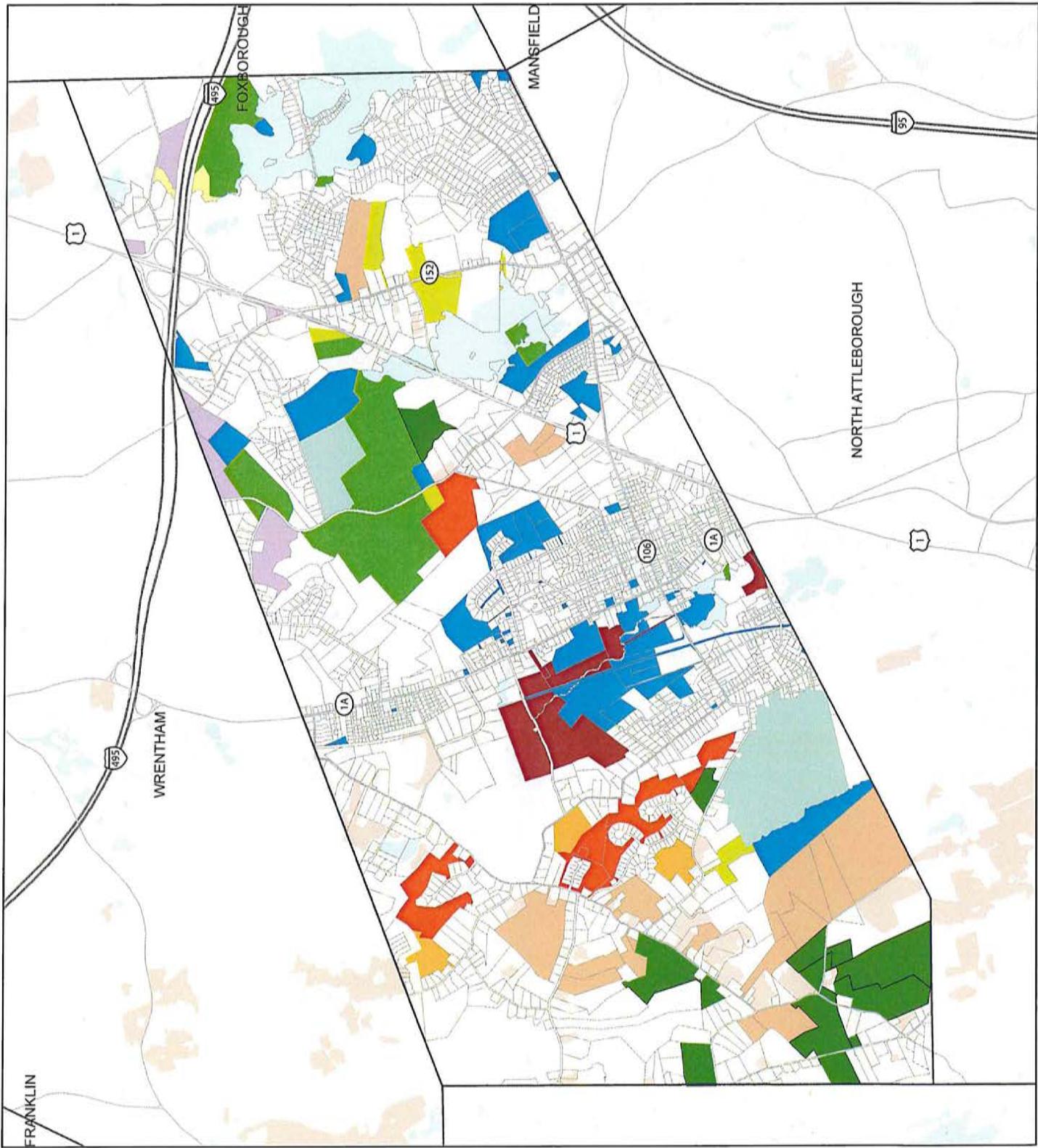
— Interstates
— Arterials and Collectors
— Local Roads

June 22, 2014. Map produced by SARECO for the Town of Plainville. All rights reserved. This map is for the sole purpose of reference and is not to be used for any other purpose. This map may not be reproduced or distributed for any other purpose without the express written permission of the Town of Plainville.

Town of Plainville

Open Space and Recreation Plan

Open Space Map



Map 2.2 - 2005 FASB (as of 2000) as indicated by SAWFOO. Use for the right purpose of identifying regions of planning decisions, and are not suitable for any other use. This map is not to scale.

1 mile

Town of Plainville

Open Space and Recreation Plan

Open Space Map

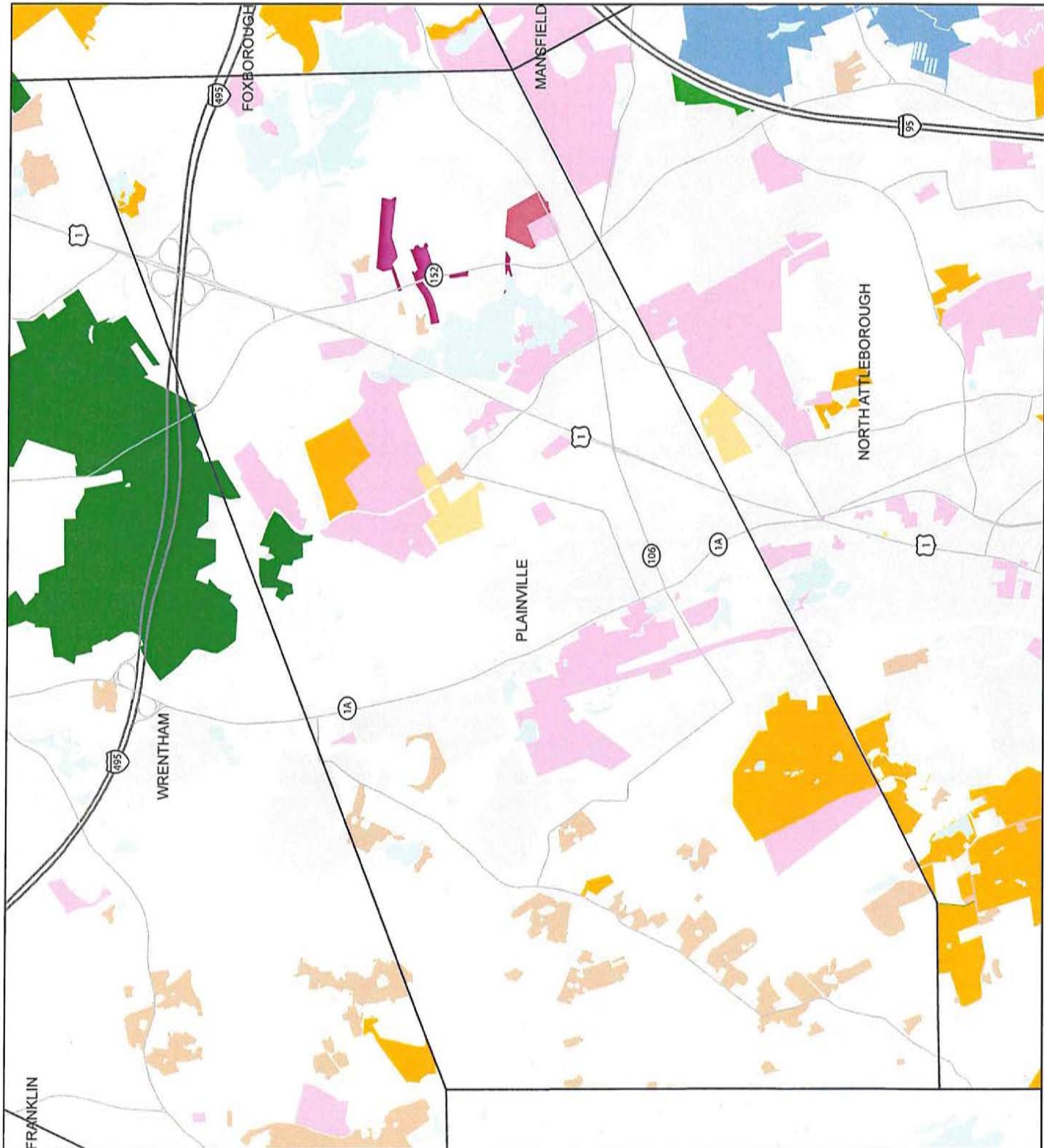
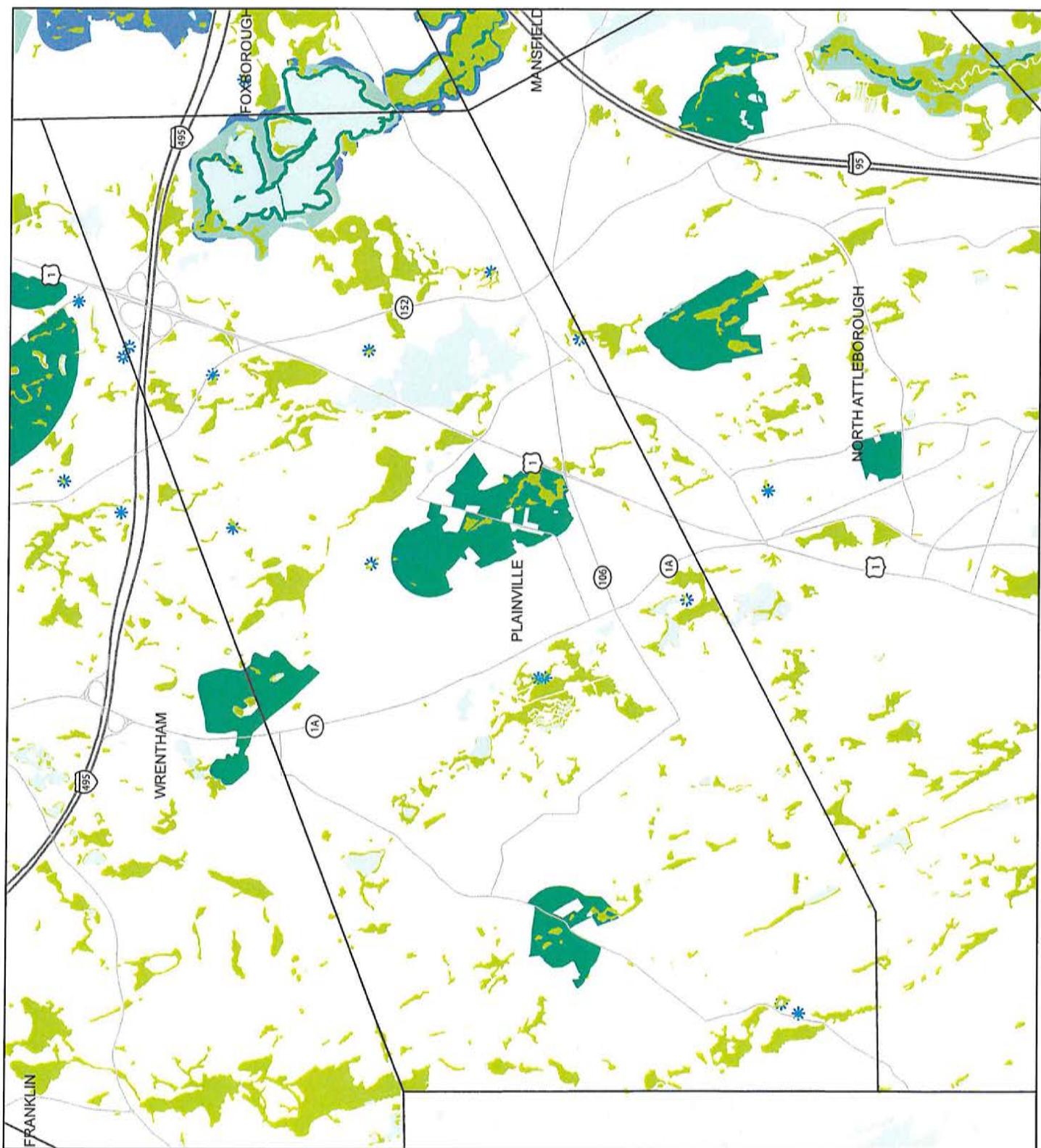


Figure 2.3(1): Maps produced by SPFIELD are for the sole purpose of aiding regional planning decisions and are not warranted for any other use. This map is not intended for surveying, legal, or survey purposes. Data sources: RayGIS, MapUGIS, and the Town of Plainville.

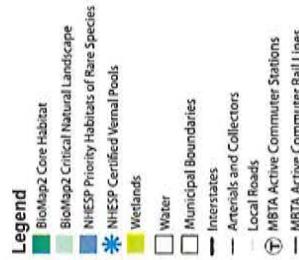
1

1 mile



Town of Plainville
Open Space and Recreation Plan

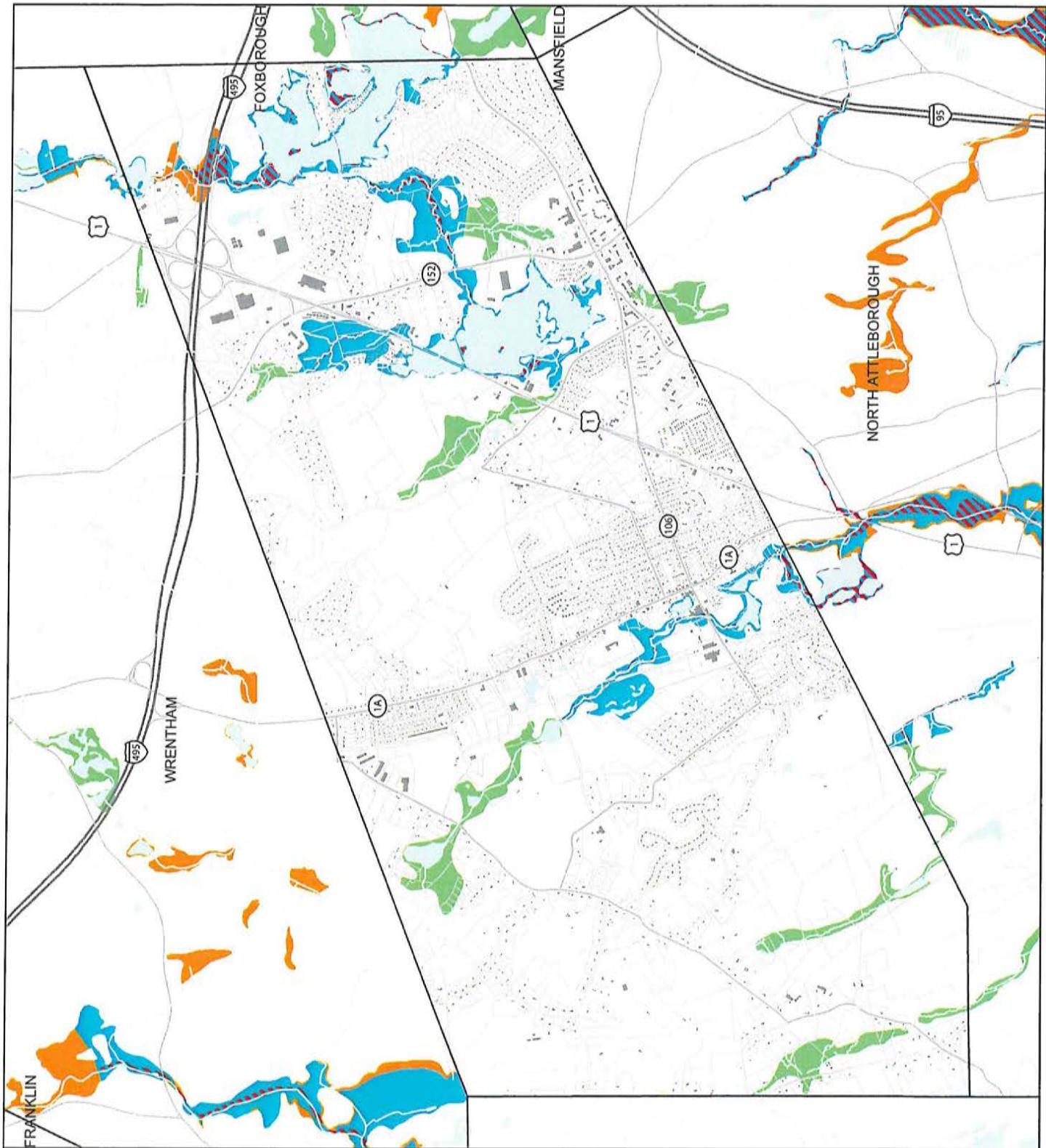
Habitat Map



June 21, 2017. Maps produced by SPEDCO and the 2016 Purification of Sedic Ecosystems project documents shall not be used for any other use. This map is not intended for use in the MBTA rail or transit system. It is the intent of SPEDCO, SPEDCO, MBTA, and the Town of Plainville, Massachusetts, to use this map for planning and decision making only.

Town of Plainville

FEMA National Flood Hazard Map



Flood Zone Designations

A: 1% Annual Chance of Flooding, no BFE

AE: 1% Annual Chance of Flooding, with BFE

VE: High Risk Coastal Area

AO: 1% Annual Chance of 1-ft Sheet Flow Flooding, with Depth

AH: 1% Annual Chance of 1-ft Pending, with BFE

AE Regulatory Floodway

D: Possible But Undetermined Hazard

X: Reduced Flood Risk due to Levee

Y: Area Not Included

Z: Area with no DFIRM - Paper FIRMs in Effect

Building Footprints

Parcels

Water

Municipal Boundaries

Interstates

Interstates

Arterials and Collectors

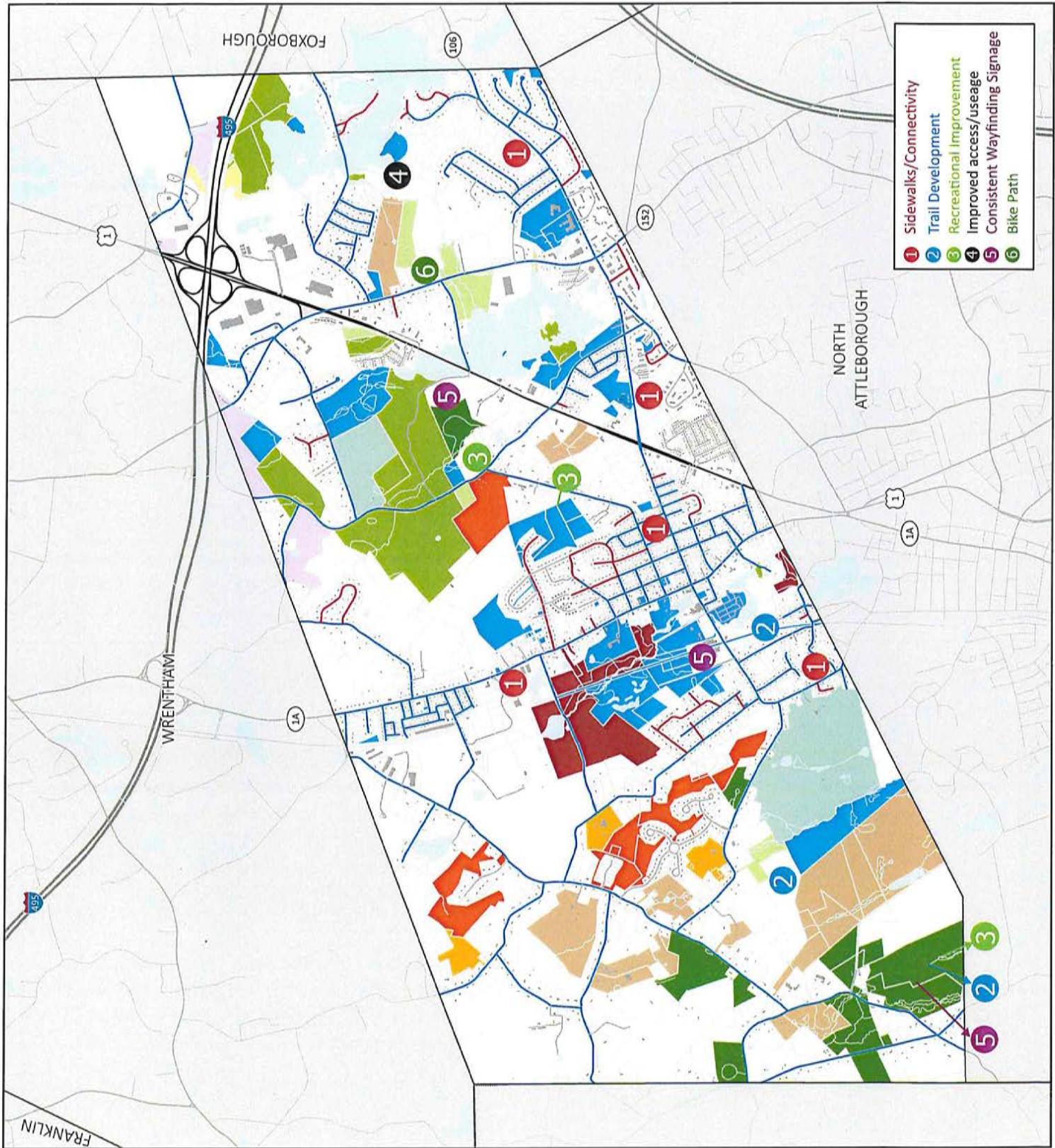
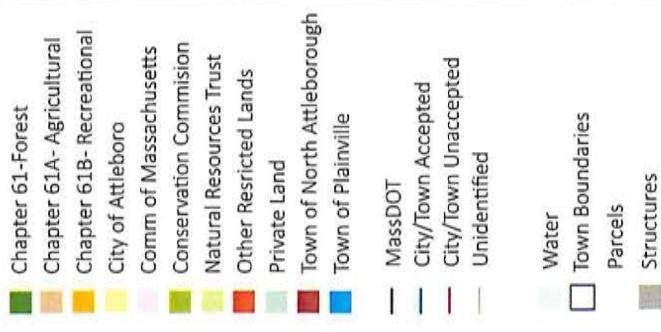
Local Roads

November, 2017. Map produced by MERRILL for the
sole purpose of being a regional planning document and
not intended for any other use. This map is not intended
for engineering, legal or survey purposes. Data sources:
MassGIS, MERRILL and FEMA.

Town of Plainville

Open Space and Recreation Plan- Action Map

Open Space & Roadway Network by Jurisdiction Map



© June 21, 2017. Maps produced by SPEDDO are for the sole purpose of aiding regional planning decisions and are not warranted for any other use. This map is not intended for engineering, legal, or survey purposes. Data sources: MassDOT and the town of Plainville.



0.5 Miles

SECTION 11: Public Comments



Southeastern Regional Planning & Economic Development District
► 88 Broadway ▼ Phone (508)824-1367 ▼ FAX (508)823-1803 ▼ bnap@srpedd.org ▼ Taunton, MA 02780 ►

June 30, 2019

Melissa Cryan
Executive Office of Energy and Environmental Affairs
Division of Conservation Services
100 Cambridge Street
Boston, MA 02114

RE: Town of Plainville, Open Space & Recreation Plan

Dear Ms. Cryan:

Southeastern Regional Planning and Economic Development District's (SRPEDD) planning staff has recently completed a review of the Town of Plainville's update of their Open Space & Recreation Plan.

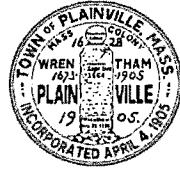
The plan is consistent with SRPEDD's regional goals and objectives and in general compliance with DCS's Open Space and Recreation Plan Requirements. The plan also reflects the tremendous amount of time, effort and research put into it by the Town's Open Space & Recreation Planning Committee, volunteers, and planning staff. The Seven Year Action Plan accurately reflects community needs and issues of concern. The Town's Director of Planning & Development is very enthusiastic about addressing this plan, and he, along with the members of the Open Space & Recreation Planning Committee, has been working to address Action Items as opportunities have arisen during the OSRP's development. This group's level of commitment to engage the public and bring this plan to life is something that I have rarely encountered in my 33 years at SRPEDD, and I look forward to the opportunity to work with them in the pursuit of their goals.

SRPEDD enthusiastically recommends and supports the certification of the Plainville Open Space & Recreation Plan. If you have any questions regarding our comments, please do not hesitate to contact me.

Respectfully,

Bill Napolitano

Bill Napolitano
Environmental Program Director



**Plainville Planning Board
190 South Street
Plainville, MA 02762
508-576-8494**

05/24/2021

Melissa Cryan
Executive Office of Energy and Environmental Affairs
Division of Conservation Services
100 Cambridge Street
Boston, MA 02114

Dear Ms. Cryan:

The Town of Plainville's Planning Board has recently completed a review of the updated Plainville Open Space and Recreation Plan (OSRP), 2019 – 2026.

The Board believes that the OSRP is in compliance with DCS's Open Space and Recreation Plan Requirements. The plan reflects the time, effort and research put into it by the Open Space and Recreation Committee, community volunteers, other town boards and committees, and especially Bill Napolitano of SRPEDD, who worked diligently to facilitate cooperation within the town, and to put this plan together. The Seven Year Action Plan presents a thorough overview of some of the issues of concern expressed both in the community survey and at public events.

The Town's Conservation and Planning staff continue to work with partners such as local land trusts, trail and outdoor recreation advocates, Boy Scouts and neighboring communities to promote responsible conservation and land use planning, water resource protection, and the retention of unique natural, cultural and historical resources that are so important not only to Plainville, but to the region and the Commonwealth as a whole.

The Board enthusiastically endorses the certification of the Plainville 2019-2026 OSRP. We look forward to working with you in the future as we address the tasks presented in the plan.

Sincerely,

A handwritten signature in black ink that reads "Dawn Denizkurt".

Dawn Denizkurt
Plainville Planning Board, Chairperson



**Plainville Conservation Commission
190 South Street
Plainville, MA 02762**

05/25/2021

Melissa Cryan
Executive Office of Energy and Environmental Affairs
Division of Conservation Services
100 Cambridge Street
Boston, MA 02114

Dear Ms. Cryan:

The Town of Plainville's Conservation Commission has recently completed a review of the updated Plainville Open Space and Recreation Plan (OSRP), 2019 – 2026.

The Commission believes that the OSRP is in compliance with DCS's Open Space and Recreation Plan Requirements. The plan reflects the time, effort and research put into it by the Open Space and Recreation Committee, community volunteers, other town boards and committees, and especially Bill Napolitano of SRPEDD, who worked diligently to facilitate cooperation within the town, and to put this plan together. The Seven Year Action Plan presents a thorough overview of some of the issues of concern expressed both in the community survey and at public events.

The Town's Conservation and Planning staff continue to work with partners such as local land trusts, trail and outdoor recreation advocates, Boy Scouts and neighboring communities to promote responsible conservation and land use planning, water resource protection, and the retention of unique natural, cultural and historical resources that are so important not only to Plainville, but to the region and the Commonwealth as a whole.

The Commission enthusiastically endorses the certification of the Plainville 2019-2026 OSRP. We look forward to working with you in the future as we address the tasks presented in the plan.

Sincerely,


Robert Moores
Plainville Conservation Commission, Chairperson

OFFICE OF
THE BOARD OF
SELECTMEN



Town of Plainville

190 South Street
P. O. Box 1717
Plainville, MA 02762
Telephone: 508-695-3010 EXT. 470

05/25/2021

Melissa Cryan
Executive Office of Energy and Environmental Affairs
Division of Conservation Services
100 Cambridge Street
Boston, MA 02114

Dear Ms. Cryan:

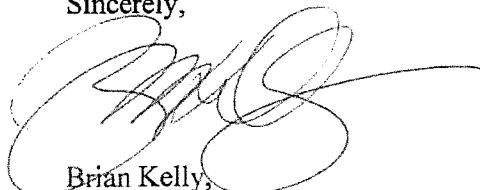
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Sincerely,



Brian Kelly
Plainville Board of Selectmen, Chairperson

SECTION 12: References

Print, Personal Meetings, and Correspondence

1. Commonwealth of Massachusetts, Division of Conservation Services, The Open Space Planner's Workbook, March, 2008.
2. Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs (EEA), Massachusetts Statewide Comprehensive Outdoor Recreation Plan (SCORP) 2017.
3. Natural Heritage & Endangered Species Program, Estimated Habitats of Rare Wildlife and Certified Vernal Pools, 11th Edition, June 1, 2003; 12th Edition, October 1, 2006; 13th Edition October 1, 2008.
4. Natural Heritage & Endangered Species Program, Massachusetts Species of Special Concern, 2010.
5. Massachusetts Audubon Society, Losing Ground: Planning for Resilience, 2014.
6. Massachusetts Historical Commission, Historic and Archaeological Resources of Southeastern Massachusetts, 1985.
7. Massachusetts Historical Commission, MHC Reconnaissance Survey Reports, December, 1981.
8. Natural Heritage & Endangered Species Program, BioMap 2, Plainville, MA, 2012
9. Town of Plainville, 2007 Open Space and Recreation Plan.
10. Mass GIS, Land Use data.
11. Assessor's data, Town of Plainville.
12. United States Department of Agriculture (USDA), Natural Resource Conservation Service, West Wareham Field Office, agricultural data and personal communication.
13. Town of Plainville, 2009 Master Plan.
14. Burns, Sara, Water Resources Scientist, The Nature Conservancy, personal communication.
15. Bowden, Alison, Freshwater Program Director, The Nature Conservancy, MA, personal communication.
16. MacFaden, Scott, Wildlands Trust, personal communication.
17. Lambert, Beth, Director, Massachusetts Division of Ecological Restoration, personal communication.

18. Shakun, Jennifer, Manomet, personal communication.
19. Walberg, Eric, Manomet, personal communication.
20. U.S. Census Data 2010, Town of Plainville, SRPEDD Data Center.
21. American Community Survey Data 2010-2015, SRPEDD Data Center.
22. Massachusetts Executive Office of Labor and Workforce Development (EOLWD) Data 2000-2013, SRPEDD Data Center.
23. Yarworth, Christopher, Town of Plainville, Planning and Conservation, personal communication.
24. Teiner, John, Town of Plainville, Park Department, personal communication.
25. Cornock, Jed, SRPEDD/Complete Streets Program, personal communication.
26. Jones, Jacqueline, SRPEDD/South Coast Bikeway, personal communication.
27. Conservation Assessment Prioritization System (CAPS), Index of Ecological Integrity (IEI), UMass Extension, 2011.

Web-Based Sources of Material and Data

MA Executive Office of Energy and Environmental Affairs www.mass.gov/eea
MA Department of Environmental Protection www.mass.gov/dep
MA Natural Heritage & Endangered Species Program www.nhesp.org
MA Division of Ecological Restoration www.mass.gov/der
MA Department of Conservation and Recreation www.mass.gov/dcr
MA Department of Fish and Game www.mass.gov/dfg
Southeastern Regional Planning and Economic Development District www.srpedd.org
Massachusetts Audubon Society www.massaudubon.org
The Nature Conservancy www.tnc.org
USDA Natural Resource Conservation Service (NRCS) www.ma.nrcs.usda.gov
MA Department of Agricultural Resources www.mass.gov/agr
US EPA www.epa.gov
Manomet www.manomet.org
Wildlands Trust www.wildlandstrust.org
Town of Plainville www.plainville.ma.us
The Community Preservation Coalition www.communitypreservation.org

SECTION 13

Section 504/ADA: Policies and Transition Plans

On July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA). The ADA provides comprehensive civil rights protection to individuals with disabilities in the areas of employment, public accommodations, state and local government services, and telecommunications.

Plainville has a regulatory obligation to ensure that it does not discriminate against individuals with disabilities in the provision of municipal programs and services. The ADA defines individuals with disabilities as those who fall into one of the following three categories:

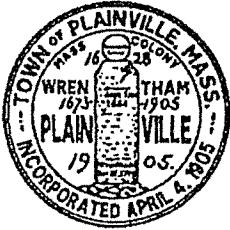
1. Individuals who have a physical or mental impairment that substantially limits one or more major life activities,
2. Individuals with a record of such an impairment; or
3. Individuals regarded as having such an impairment

The ADA does not necessitate that all of the Town's facilities are fully accessible. The ADA does, however, require that all of the Town's programs and services, "*when viewed in their entirety*," are accessible. The law provides public entities with some flexibility in how this standard can be met. Both structural and nonstructural methods of providing "program access" can be used.

In order to meet these goals, the ADA requires a public entity take the five (5) steps listed below:

1. Designate an employee responsible for carrying out compliance activities.
2. Provide notice to the public of its rights and protections under the ADA and how the entity complies with those obligations.
3. Establish a grievance procedure.
4. Conduct a Self-Evaluation, a comprehensive review of policies and procedures.
5. Develop an *ADA Transition Plan*.

Plainville's policies (Section I) and Transition Plans for Recreation and Conservation facilities (Section II), are presented on the following pages.



TOWN OF PLAINVILLE
Office of the
BOARD OF SELECTMEN

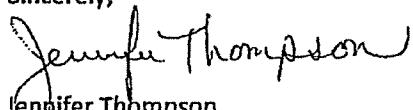
August 6, 2019

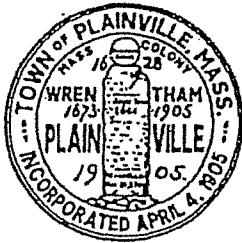
Re: Designation of Section 504/ADA Coordinator

To Whom It May Concern:

This letter shall serve as notice that the Plainville Board of Selectmen voted, at their meeting on June 20, 2016 to appoint Town Administrator Jennifer Thompson, as the Section 504/ADA Coordinator for the Town of Plainville municipal facilities and programs.

Sincerely,


Jennifer Thompson



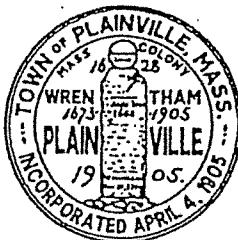
TOWN OF PLAINVILLE
Office of the
BOARD OF SELECTMEN

AMERICANS WITH DISABILITIES ACT NOTICE

The Town of Plainville recognizes its responsibility under the Americans with Disabilities Act (ADA) to ensure effective communications with persons with disabilities in the delivery of municipal services and programs. This includes, but is not limited to, provision of auxiliary aids such as qualified sign interpreters, assistive listening devices, readers, taped texts, and Braille or large print materials.

Individuals requiring communications aids under the ADA should submit a request, when reasonably possible in writing, not less than fifteen (15) calendar days prior to the municipal event or meeting. Requests should be directed to: Town Administrator/ADA Coordinator, Plainville Town Hall, 142 South Street, P.O. Box 1717, Plainville, MA 02762.

Jennifer Thompson,
Town Administrator



TOWN OF PLAINVILLE

Office of the

BOARD OF SELECTMEN

AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURES

The following Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs and benefits by the Town of Plainville.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem. Reasonable accommodations, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities who are unable to submit a written complaint.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Jennifer Thompson *Town Administrator*
142 South Street, Plainville, MA 02762
(508) 695-3010 ext. 11

Within 15 calendar days after receipt of the complaint, the Town Administrator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Town Administrator will respond in writing, and where appropriate in a format accessible to the complainant such as audiotape. The response will explain the position of the Town of Plainville and offer options for substantive resolution of the complaint.

If the response by the Town Administrator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the Board of Selectmen.

Within 15 calendar days after receipt of the appeal, the Board of Selectmen will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Board of Selectmen will respond in writing, and where appropriate in a format accessible to the complainant such as audiotape, with a final resolution of the complaint.

All complaints received by Jennifer Thompson appeals to the Board of Selectmen or their designee and responses from the ADA Coordinator and Board of Selectmen will be kept by the Town of Plainville for at least three years.



TOWN OF PLAINVILLE
MASSACHUSETTS

Statement of Grievance
Section 504 of Rehabilitation Act of 1973 and
Americans with Disabilities Act (ADA)

Name: _____
Address: _____
Phone: _____

Relationship to Town of Plainville:

Resident
 Employee
 Visitor
 Other _____ (describe)

Description of Disability:

Statement of Complaint:

What action are you requesting:

Signature: _____ Date: _____

Received by: _____ Date: _____

ADA COMPLIANCE AND TRANSITION PLAN: CONSERVATION and RECREATION FACILITIES

The following self-evaluation and transition plans were developed in accordance with the protocol presented in Appendix H of the state's Open Space and Recreation Planner's Handbook (Executive Office of Energy and Environmental Affairs, Division of Conservation Services, rev. March 2008). A written summary of comments from the inventory sheets is contained in the Transition Plan for each site, **and appear in bold type**. All ADA materials are kept on file with the ADA Coordinator.

Implementation of these Transition Plans is the responsibility of the controlling commission or department. In some instances, such as where the Town has Cooperative Management Agreements in place, the planning, scheduling, and implementation of site transition plans will be conducted on a partnership basis.

EVALUATION AND TRANSITION PLAN for APPLICABLE FACILITIES

Plainville Park Department

The Town of Plainville's Park Department provides programs for its residents and maintains the only Town Park located on South Street. Many of the programs offered are held either at the Town Park or Anna Ware Jackson Elementary School and Beatrice Wood School where ample indoor and outdoor facilities are located.

There is a public swimming pool, located at the Town Park (Telford Park), that provides ADA compliant access and is open annually from the end of June until the end of August.

Recreation Facilities:

The Town Park/Clarence Telford Park

Location: 142 South Street (Route 1A)

Map/Lot: Map 7/Lot 182, 15

Ownership: Town of Plainville Park and Recreation

Management: Park Department

Acreage: 9.1

The Town Park property is located off South Street in the center of town. The site is in good condition and generally complies with ADA standards, including parking and all applicable surfaces. **Seating at the park is currently in need of an upgrade in order to meet ADA compliance standards. The water fountain is currently broken and in need of repair and an upgrade. The park also needs ADA compliant signage.**

The pool has a chair lift for wheelchair access. There is also a program in place that permits pool rentals for people with disabilities.

The bathhouse generally complies with ADA standards. **Specific ADA compliance needs include replacement of non-compliant fixtures (doors, sinks) and spacing issues.**

Field of Dreams

Location: 80 School Street

Map/Lot: Map 7/Lot 14

Ownership: Town of Plainville Park Department

Management:

Acreage: 31.63

The entrance to the Field of Dreams ball field is located off of School Street. The Field of Dreams two baseball fields are in excellent condition. The outfield areas accommodate overlapping soccer fields, and a number of local and regional athletic leagues and teams have made use of this facility since its completion in 2009.

The complex currently makes use of ADA compliant porta potties, as no restrooms/comfort stations are available on site. There is a large parking area and an access road between the fields, but both consist of a gravel surface, and there are no designated parking spots for the disabled. The facility also lacks seating, so spectators must bring their own chairs or something to sit on. The lack of lighting is also something that the Park Department would like to address in any future expansion/improvement plans.

Any improvement plans for this facility should include: an upgrade of the access road and parking facilities to meet ADA compliant standards for surfaces and designated spaces; installation of ADA compliant restroom facilities; ADA compliant pathway/sidewalk access to the fields from the parking lot; ADA compliant seating, with consideration for wheelchairs, and; ADA compliant walking trails around the facility, as has been suggested in public survey comments during the Open Space and Recreation Planning process.

Plainville Conservation Commission

The Plainville Conservation Commission is a seven-member volunteer board appointed by the Board of Selectmen to protect the Town's wetland resource areas. The Conservation Commission administers the Massachusetts Wetlands Protection Act and the Plainville Wetlands Protection Bylaw (Chapter 472) and regulations (Chapter 900, Code of the Town of Plainville). The Commission also oversees the Town's Conservation lands.

Conservation Properties:

Eagle Scout Nature Trail

Location: Everett Skinner Rd.

Owned: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 64.8

Map 4/ Lot 1

Description:

Wildlife habitat, 2,830 feet of trails, parking area, brook, wetlands, vegetation, glacial erratic and kettle pond, native historical significance, stonewalls. The trail begins winding along the scenic Mill Brook across the forest ridge and around the kettle pond and circles around a white pine grove. The

trail is 2,830 feet in length and allows ample opportunity to view a beautiful array of flora and fauna. The trail offers historical significance that dates as far back as the glacial period.

There are a number of accessibility issues associated with this site. The strategically placed boulders were necessary to regulate illegal all-terrain vehicle (ATV) use. The rugged trails and large boulders, which block the entrance from the parking lot, currently make it inaccessible for people with disabilities.

Overall, the physical nature of the site presents enormous challenges to creating a completely accessible trail system. A short distance north of the current parking area is a cart path where the Town could potentially create an accessible camping and picnic area.

John Bowmar Trail

Location: Cowell Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 94.3 acres

Map 4/Lot 32

Description:

The John Bowmar Trail is a wooded trail through pine forest, swamp, stream, picnic tables, campsites, with stonewalls identifying the historic land use. Three historical sites situated within the John Bowmar Trail include: Old Annie Oatey Place, Old Mill Site, and Guinea School House.

This site also abuts a 12.5 acre parcel owned by the Town of Plainville, The Beagle Club, Town of Plainville disposal site, Kennedy Field (P.A.L. Field House), and the Eagle Scout Nature Trail.

The forest is predominately white pine transitioning red oak. This typical oak-conifer forest grows on well-drained, nutrient-poor, relatively thin soils over acidic bedrock such as granite or gneiss. The oak leaves and pine needles decompose slowly, creating deep leaf litter and contributing their own acidity to the soil chemistry. This was created by human use of the land since the 1800s; the colonist had felled 90% of the forest for farmland, firewood, and lumber profits. Today a grove of white pine exists where an abandoned farmstead, hence stonewalls that exist throughout the forest.

The John Bowmar Trail is located on the east side of George Street and offers hiking, camping, picnicking, and a sense of place by preserving historically significant sites. Parking is available at the head of the trail at the Plainville Athletic League ball fields. There is a good connectivity and opportunity between this trail and the ball field for family use and nature education.

Similar to the Eagle Scout Trail, The Bowmar Trail is also rugged and steep in spots, presenting a significant challenge to making the site completely ADA compliant. The campsites and picnic area could potentially be made more accessible. In addition, ATV use degrades the trail for hikers and other users, and must be addressed in any plans for trail upgrades.

Conservation Property (George Street) Location: George Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 12.5
Map 4/Lot 30

Description:
Land-locked, wooded site located between the Beagle Club and the John Bowmar Trail.

Because this site is land-locked, there is currently no feasible access or recreational use on this parcel.

Conservation Property (George Street) Location: George Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 31.9
Map 4/ Lot 11

Description:
The property is located east of George Street across from Wampum Street stretching eastward toward Hawthorne Brook. There is parking available for three cars.

This site is large, and needs further evaluation for potential use.

Conservation Property (Wampum Street) Location: Wampum Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 3.78
Map 4/Lot 10

Description:
The Conservation Commission property is located east of George Street on the corner of Wampum Street. This parcel offers connectivity to the Conservation Commission property to the east across George Street and the Wrentham State Forest property toward the west and north.

This site needs further evaluation for potential use.

Conservation Property (Witherell Place) Location: 25 Witherell Place

Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 1.24
Map 11A/ Lot 11

Description:

The property consists of a dam on the Ten Mile River known as the Wetherells Pond.

The site consists of an impoundment on the Ten Mile River. The Town owns the dam, which is in poor condition and is in need of an assessment to determine the need to remove or repair the structure. In its current state, this property has no potential for accessible conservation/recreation activity.

Conservation Property (Rear of George Street) Location: Rear of George Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 4.59
Map 7/ Lot 73

Description:

The property located off the rear of George Street is an island within Turnpike Lake. There is no official access to the island.

N/A; lack of access.

Conservation Property (Rear of George Street) Location: Rear of George Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 5.91
Map 7/ Lot 74

Description:

This parcel located off the rear of George Street abuts Turnpike Lake. There is no access.

N/A; lack of access

Conservation Property (Washington Street) Location: Washington Street
Owner: Town of Plainville
Jurisdiction: Conservation Commission
Acreage: 14.0
Map 4/Lot 34

Description:

The property, located on Washington Street, straddles Old Mill Brook that empties into Turnpike Lake. The entire property is located in a Flood II Protection Zone, and is entirely wetlands. There is no access available to this property, which has frontage on Washington Street.

Because it is land-locked, there is currently no feasible access or recreational use on this parcel.

Conservation Property (Mirimichi/Belcher

Street) Location: Mirimichi/Belcher Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 21 acres

Map 3/Lot 34

Description:

This land-locked parcel abuts Lake Mirimichi, and only a small portion of the property is located within a Flood II Protection Zone.

Because it is land-locked, there is currently no feasible access or recreational use on this parcel.

Conservation Property (George

Street)

Location: George Street

Owner: Town of Plainville

Jurisdiction: Conservation Commission

Acreage: 15.2

Map 7/Lot 36

Description:

This property has limited access on George Street and is mainly wetlands.

The limited access to the site and the nature of the site (predominantly wetlands), presents many challenges for any proposed improvements.

APPENDIX A

BioMap 2 Summary



Introduction

The Massachusetts Department of Fish & Game, through the Division of Fisheries and Wildlife's Natural Heritage & Endangered Species Program (NHESP), and The Nature Conservancy's Massachusetts Program developed *BioMap2* to protect the state's biodiversity in the context of climate change.

BioMap2 combines NHESP's 30 years of rigorously documented rare species and natural community data with spatial data identifying wildlife species and habitats that were the focus of the Division of Fisheries and Wildlife's 2005 State Wildlife Action Plan (SWAP). *BioMap2* also integrates The Nature Conservancy's assessment of large, well-connected, and intact ecosystems and landscapes across the Commonwealth, incorporating concepts of ecosystem resilience to address anticipated climate change impacts.

Protection and stewardship of *BioMap2* Core Habitat and Critical Natural Landscape is essential to safeguard the diversity of species and their habitats, intact ecosystems, and resilient natural landscapes across Massachusetts.

What Does Status Mean?

The Division of Fisheries and Wildlife determines a status category for each rare species listed under the Massachusetts Endangered Species Act, M.G.L. c.131A, and its implementing regulations 321 CMR 10.00. Rare species are categorized as Endangered, Threatened or of Special Concern according to the following:

- Endangered species are in danger of extinction throughout all or a significant portion of their range or are in danger of extirpation from Massachusetts.

BioMap2



MA Department of Fish & Game, Bureau of Land & Water Resources & Endangered Species Program • The Nature Conservancy

Get your copy of the *BioMap2* report! Download from www.mass.gov/nhesp or contact Natural Heritage at 508-389-6360 or natural.heritage@state.ma.us.

- Threatened species are likely to become Endangered in Massachusetts in the foreseeable future throughout all or a significant portion of their range.
- Special Concern species have suffered a decline that could threaten the species if allowed to continue unchecked or occur in such small numbers or with such restricted distribution or specialized habitat requirements that they could easily become Threatened in Massachusetts.

In addition NHESP maintains an unofficial watch list of plants that are tracked due to potential conservation interest or concern, but are not regulated under the Massachusetts Endangered Species Act or other laws or regulations. Likewise, described natural communities are not regulated by any law or regulations, but they can help to identify





ecologically important areas that are worthy of protection. The status of natural communities reflects the documented number and acreages of each community type in the state:

- Critically Imperiled communities typically have 5 or fewer documented sites or have very few remaining acres in the state.
- Imperiled communities typically have 6-20 sites or few remaining acres in the state.
- Vulnerable communities typically have 21-100 sites or limited acreage across the state.
- Secure communities typically have over 100 sites or abundant acreage across the state; however, excellent examples are identified as Core Habit to ensure continued protection.

In 2005 the Massachusetts Division of Fisheries and Wildlife completed a comprehensive State Wildlife Action Plan (SWAP) documenting the status of Massachusetts wildlife and providing recommendations to help guide wildlife conservation decision-making. SWAP includes all the wildlife species listed under the Massachusetts Endangered Species Act (MESA), as well as more than 80 species that need conservation attention but do not meet the requirements for inclusion under MESA. The SWAP document is organized around habitat types in need of conservation within the Commonwealth. While the original BioMap focused primarily on rare species protected under MESA, *BioMap2* also addresses other Species of Conservation Concern, their habitats, and the ecosystems that support them to create a spatial representation of most of the elements of SWAP.

BioMap2: One Plan, Two Components

BioMap2 identifies two complementary spatial layers, Core Habitat and Critical Natural Landscape.

Core Habitat identifies key areas that are critical for the long-term persistence of rare species and other Species of Conservation Concern, as well as a wide diversity of natural communities and intact ecosystems across the Commonwealth. Protection of Core Habitats will contribute to the conservation of specific elements of biodiversity.

Critical Natural Landscape identifies large natural Landscape Blocks that are minimally impacted by development. If protected, these areas will provide habitat for wide-ranging native species, support intact ecological processes, maintain connectivity among habitats, and enhance ecological resilience to natural and anthropogenic disturbances in a rapidly changing world. Areas delineated as Critical Natural Landscape also include buffering upland around wetland, coastal, and aquatic Core Habitats to help ensure their long-term integrity.

The long-term persistence of Massachusetts biological resources requires a determined commitment to land and water conservation. Protection and stewardship of both Critical Natural Landscapes and Core Habitats are needed to realize the biodiversity conservation vision of *BioMap2*.

Components of Core Habitat

Core Habitat identifies specific areas necessary to promote the long-term persistence of rare species, other Species of Conservation Concern, exemplary natural communities, and intact ecosystems.

Rare Species

There are 432 native plant and animal species listed as Endangered, Threatened or Special Concern under the Massachusetts Endangered Species Act (MESA) based on their rarity, population trends, and threats to survival. For



Natural Heritage & Endangered Species Program

For more information on rare species and natural communities, please see our fact sheets online at www.mass.gov/nhesp.

Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road, Westborough, MA 015813

phone: 508-389-6360 fax: 508-389-7890



Table 1. Species of Conservation Concern described in the State Wildlife Action Plan and/or included on the MESA List and for which habitat was mapped in *BioMap2*. Note that plants are not included in SWAP, and that marine species such as whales and sea turtles are not included in *BioMap2*.

Taxonomic Group	MESA-listed Species	Non-listed Species of Conservation Concern
Mammals	4	5
Birds	27	23
Reptiles	10	5
Amphibians	4	3
Fish	10	17
Invertebrates	102	9
Plants	256	0
Total	413	62

BioMap2, NHESP staff identified the highest quality habitat sites for each non-marine species based on size, condition, and landscape context.

Other Species of Conservation Concern

In addition to species on the MESA List described previously, the State Wildlife Action Plan (SWAP) identifies 257 wildlife species and 22 natural habitats most in need of conservation within the Commonwealth. *BioMap2* includes species-specific habitat areas for 45 of these species and habitat for 17 additional species which was mapped with other coarse-filter and fine-filter approaches.

Priority Natural Communities

Natural communities are assemblages of plant and animal species that share a common environment and occur together repeatedly on the landscape. *BioMap2* gives conservation

priority to natural communities with limited distribution and to the best examples of more common types.

Vernal Pools

Vernal pools are small, seasonal wetlands that provide important wildlife habitat, especially for amphibians and invertebrate animals that use them to breed. *BioMap2* identifies the top 5 percent most interconnected clusters of Potential Vernal Pools in the state.

Forest Cores

In *BioMap2*, Core Habitat includes the best examples of large, intact forests that are least impacted by roads and development, providing critical habitat for numerous woodland species. For example, the interior forest habitat defined by Forest Cores supports many bird species sensitive to the impacts of roads and development, such as the Black-throated Green Warbler, and helps maintain ecological processes found only in unfragmented forest patches.

Wetland Cores

BioMap2 used an assessment of Ecological Integrity to identify the least disturbed wetlands in the state within undeveloped landscapes—those with intact buffers and little fragmentation or other stressors associated with development. These wetlands are most likely to support critical wetland functions (i.e., natural hydrologic conditions, diverse plant and animal habitats, etc.) and are most likely to maintain these functions into the future.

Aquatic Cores

To delineate integrated and functional ecosystems for fish species and other aquatic





Species of Conservation Concern, beyond the species and exemplary habitats described above, *BioMap2* identifies intact river corridors within which important physical and ecological processes of the river or stream occur.

Components of Critical Natural Landscape

Critical Natural Landscape identifies intact landscapes in Massachusetts that are better able to support ecological processes and disturbance regimes, and a wide array of species and habitats over long time frames.

Landscape Blocks

BioMap2 identifies the most intact large areas of predominately natural vegetation, consisting of contiguous forests, wetlands, rivers, lakes, and ponds, as well as coastal habitats such as barrier beaches and salt marshes.

Upland Buffers of Wetland and Aquatic Cores

A variety of analyses were used to identify protective upland buffers around wetlands and rivers.

Upland Habitat to Support Coastal Adaptation

BioMap2 identifies undeveloped lands adjacent to and up to one and a half meters above existing salt marshes as Critical Natural Landscapes with high potential to support inland migration of salt marsh and other coastal habitats over the coming century.

The conservation areas identified by *BioMap2* are based on breadth and depth of data, scientific expertise, and understanding of Massachusetts' biodiversity. The numerous sources of information and analyses used to

Legal Protection of Biodiversity

BioMap2 presents a powerful vision of what Massachusetts would look like with full protection of the land most important for supporting the Commonwealth's biodiversity. While *BioMap2* is a planning tool with *no regulatory function*, all state-listed species enjoy legal protection under the [Massachusetts Endangered Species Act \(M.G.L. c.131A\)](#) and its implementing regulations ([321 CMR 10.00](#)). Wetland habitat of state-listed wildlife is also protected under the [Wetlands Protection Act](#) Regulations ([310 CMR 10.00](#)). The *Natural Heritage Atlas* contains maps of [Priority Habitats](#) and [Estimated Habitats](#), which are used, respectively, for regulation under the Massachusetts Endangered Species Act and the Wetlands Protection Act. For more information on rare species regulations, and to view Priority and Estimated Habitat maps, please see the [Regulatory Review](#) page at <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>.

BioMap2 is a conservation planning tool that does not, in any way, supplant the Estimated and Priority Habitat Maps which have regulatory significance. Unless and until the *BioMap2* vision is fully realized, we must continue to protect our most imperiled species and their habitats.

create Core Habitat and Critical Natural Landscape are complementary, and outline a comprehensive conservation vision for Massachusetts, from rare species to intact landscapes. In total, these robust analyses define a suite of priority lands and waters that, if permanently protected, will support Massachusetts' natural systems for generations to come.



Natural Heritage & Endangered Species Program

For more information on rare species and natural communities, please see our fact sheets online at www.mass.gov/nhesp.

Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road, Westborough, MA 015813

phone: 508-389-6360 fax: 508-389-7890



Understanding Core Habitat Summaries

Following the Town Overview, there is a descriptive summary of each Core Habitat and Critical Natural Landscape that occurs in your city or town. These summaries highlight some of the outstanding characteristics of each Core Habitat and Critical Natural Landscape, and will help you learn more about your city or town's biodiversity. You can find out more information about many of these species and natural communities by looking at specific fact sheets at www.mass.gov/nhesp.

Additional Information

For copies of the full *BioMap2* report, the Technical Report, and an [interactive mapping tool](#), visit the [BioMap2 website](#) via the Land Protection and Planning tab at www.mass.gov/nhesp. If you have any questions about this report, or if you need help protecting land for biodiversity in your community, the Natural Heritage & Endangered Species Program staff looks forward to working with you.

Contact the Natural Heritage & Endangered Species Program

By phone 508-389-6360
By fax 508-389-7890
By email natural.heritage@state.ma.us
By Mail 100 Hartwell Street, Suite 230
West Boylston, MA 01583

The GIS datalayers of *BioMap2* are available for download from MassGIS at www.mass.gov/mgis.



**Natural Heritage
& Endangered
Species Program**

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Town Overview

Plainville lies on the border of the Bristol Lowland/Narragansett Lowland and the Southern New England Coastal Plains and Hills Ecoregions. The Bristol Lowland/Narragansett Lowland Ecoregion is an area of flat, gently rolling plains. Forests are mostly central hardwoods and some elm-ash-red maple and red and white pine. There are numerous wetlands, some cropland/pasture, and many cranberry bogs. The Southern New England Coastal Plains and Hills Ecoregion is comprised of plains with a few low hills. Forests are mainly central hardwoods with some transition hardwoods and some elm-ash-red maple and red and white pine. Many major rivers drain this area. Aquatic Core and Species of Conservation Concern Core is found at Lake Mirimichi. Other cores are found along High Street, south of George Street, and along the Wrentham border.



Plainville at a Glance

- Total Area: 7,358 acres (11.5 square miles)
- Human Population in 2010: 8,264
- Open space protected in perpetuity: 605 acres, or 8.2% percent of total area*
- BioMap2 Core Habitat: 501 acres
- BioMap2 Core Habitat Protected: 30 acres or 6.0%
- BioMap2 Critical Natural Landscape: 274 acres
- BioMap2 Critical Natural Landscape Protected: 4 acres or 1.3%

BioMap2 Components

Core Habitats

- 1 Aquatic Core
- 5 Species of Conservation Concern Cores**
 - 1 fish, 1 amphibian, 2 insects

Critical Natural Landscapes

- 1 Aquatic Core Buffer

* Calculated using MassGIS data layer "Protected and Recreational Open Space—March, 2012".

** See next pages for complete list of species, natural communities and other biodiversity elements.



Natural Heritage & Endangered Species Program

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Massachusetts Division of Fisheries and Wildlife

1 Rabbit Hill Road, Westborough, MA 015813

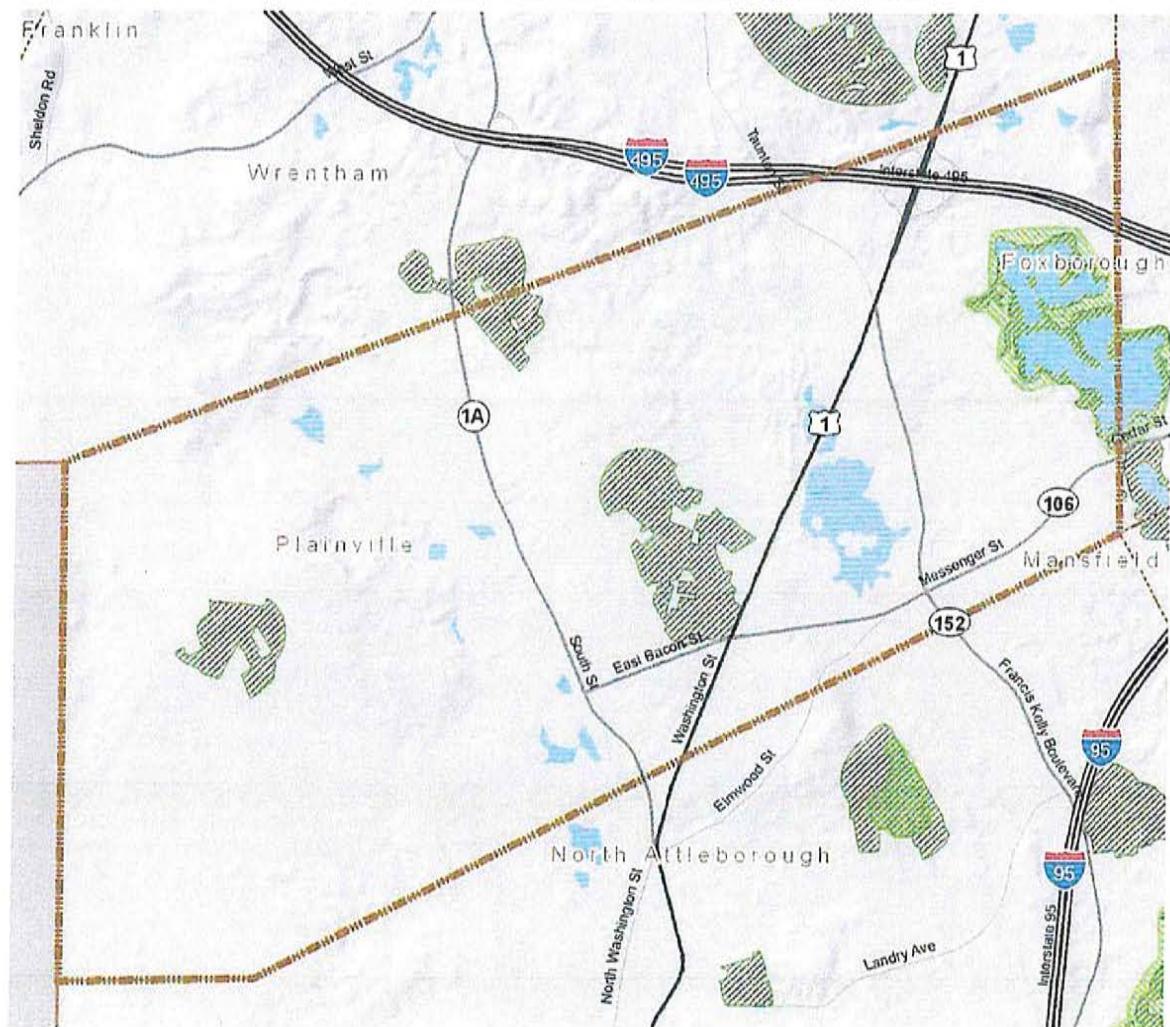
phone: 508-389-6360 fax: 508-389-7890



BioMap2

Conserving the Biodiversity of Massachusetts in a Changing World

BioMap2 Core Habitat and Critical Natural Landscape in Plainville



BioMap2 Core Habitat



BioMap2 Critical Natural Landscape

1 Mile



**Natural Heritage
& Endangered
Species Program**

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phone: 508-389-6360 fax: 508-389-7890



**Species of Conservation Concern, Priority and Exemplary Natural Communities,
and Other Elements of Biodiversity in Plainville**

Insects

Butterflies

Hessel's Hairstreak, (*Callophrys hesseli*), SC
Oak Hairstreak, (*Satyrium favonius*), SC

Amphibians

Marbled Salamander, (*Ambystoma opacum*), T

Fishes

Bridle Shiner, (*Notropis bifrenatus*), SC

Other BioMap2 Components

Aquatic Core

Aquatic Core Buffer

E = Endangered

T = Threatened

SC = Special Concern

S1 = Critically Imperiled communities, typically 5 or fewer documented sites or very few remaining acres in the state.

S2 = Imperiled communities, typically 6-20 sites or few remaining acres in the state.

S3 = Vulnerable communities, typically have 21-100 sites or limited acreage across the state.



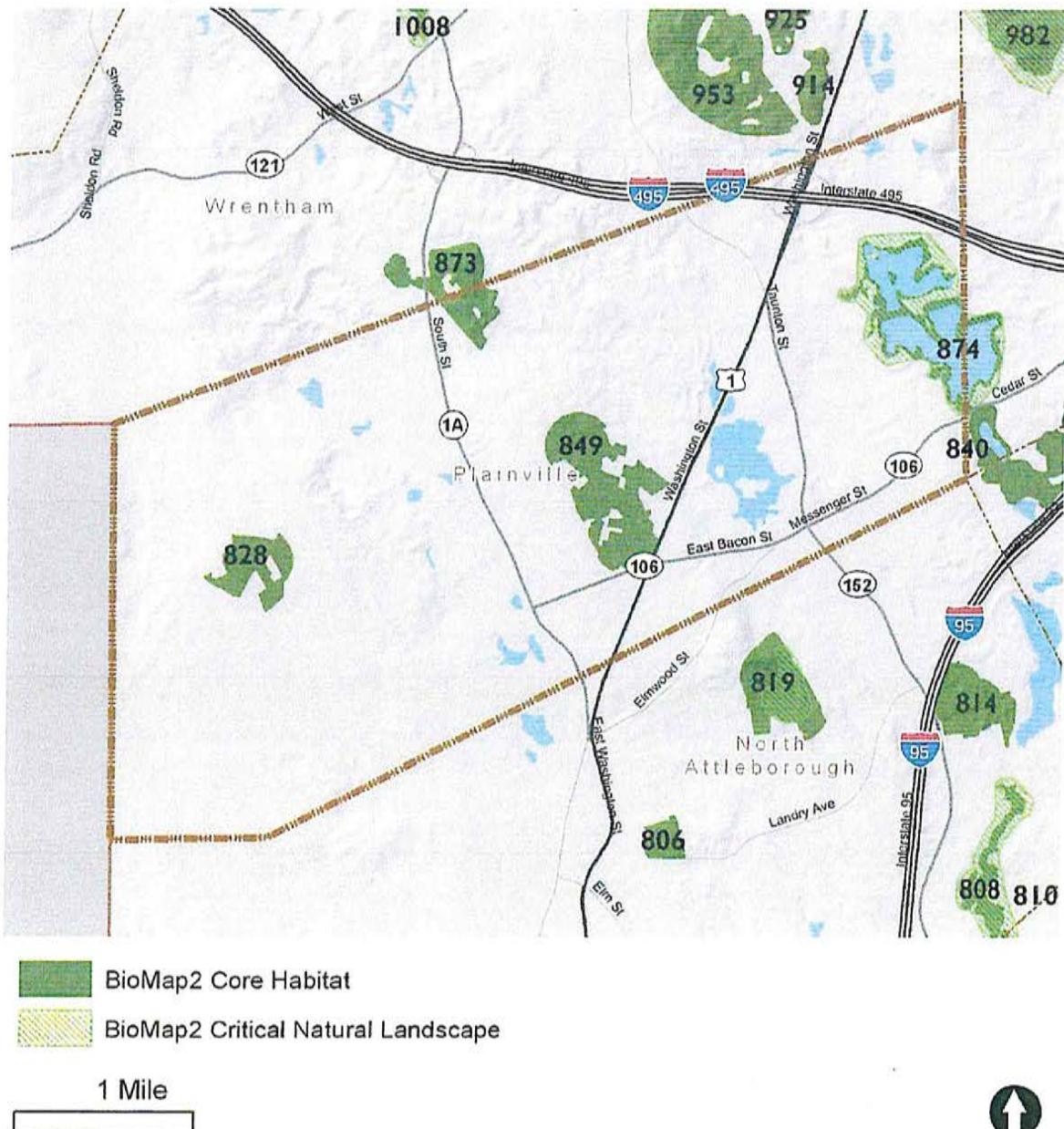


BioMap2

Conserving the Biodiversity of Massachusetts in a Changing World

BioMap2 Core Habitat in Plainville

Core IDs correspond with the following element lists and summaries.



Natural Heritage
& Endangered
Species Program

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APPENDIX B

Disc Golf Proposal

Plainville Hawkins Woods Disc Course Proposal

PROJECT DESCRIPTION:

Rationale:

There are now more than 5,800 disc golf courses in the United States, over 200 in Canada and 7,500 worldwide in 72 countries. As of December 2017, there are over 41,000 professional disc golfers registered with the Professional Disc Golf Association (PDGA). This does not include the millions of amateur and recreational players around the world. Nearly all courses are installed with the help or approval of city, county, or town parks departments on public lands. Studies show that there are few recreational activities which offer the high benefit-to-cost ratio of disc golf. Disc golf has relatively low capital and maintenance costs compared with other recreational installations, is environmentally sound, is played year-round in all climates and is enjoyed immediately even by beginners of all ages. Players can get started with the purchase of a \$10 disc at local sporting goods stores.

The installation of a disc golf course would be consistent with the first stated goal to **“Improve and expand the town’s recreational opportunities and facilities”** as stated in the draft Plainville Open Space and Recreation Plan (OSRP). Disc golf would also help with other goals and objectives listed in the OSRP:

Create a Community Land Stewardship Program.

The regional Disc golf community is comprised of more than 300 people. People who play disc golf generally all pitch in to maintain the course and the area. Such as removing fallen trees and debris due to storms, keeping up trails and paths, and keeping litter under control.

Develop and install uniform wayfinding signage at all town-owned conservation and recreation facilities.

Install kiosks with maps and educational material at conservation properties, as feasible.

Typically, a kiosk is setup at the parking area of a disc golf course explaining what the sport is, what the “rules of the game” are, player etiquette, and a map of the course. This can display information for all activities at this location as well as how it is linked to other surrounding areas.

Protect bio-diversity, natural resources, and rural character of the Town.

Courses are designed to fit into the existing flora of the area. The impact of a disc golf course on the surrounding area is minimal. Disc golfers tend to take great pride in where they play, helping reduce potential litter in the area. In the long-term, a Disc golf course would also help in the preservation of the area by giving young people a stake in its preservation and protection.

What Is Disc golf?

Disc golf is played much like traditional golf. Instead of hitting a ball into a hole, you throw a more streamlined looking Frisbee® disc into a supported metal basket. The goal is the same: to complete the course in the fewest number of shots. A golf disc is thrown from a tee area to each basket. As players progress down the fairway, they make each consecutive shot from where the previous throw has landed. The trees, shrubs and changes in terrain provide challenging obstacles for the golfer.

Who Can Play?

The simple answer is everyone can. In studies measuring participation in recreational activities, "throwing a Frisbee" has consistently been a top-ten activity. A disc golf course serves a broader portion of the community than many narrower interest activities with higher cost, skill or fitness levels required to even begin to play. Men and women, young and old, families with small children - all can play disc golf. Since disc golf is so easy to understand and enjoy, no one is excluded.

How Much Does It Cost to Play?

Many courses are located in city or regional parks where citizens play free. Most private and several public facilities will charge up to \$5 per day to play. The equipment itself is quite inexpensive – discs designed for golf sell for \$8-\$15 each and only one is needed to get started. The proposed course in Plainville would be free to play.

What Kind of Construction Would Be Planned?

The installation of a 9-hole disc golf course at Hawkins Woods would include the construction of tees and the installation of signs and baskets. No foliage would need to be planted or removed. A few branches usually need to be trimmed near a few tees and baskets, especially near eye level.

Tees: Each hole would have one or two tees, a short one for novice players and a longer one for advanced players. The tees would consist of a 5' x 10' rectangular wooden frame filled in with gravel and stone dust.

Baskets: Each hole would have a basket mounted on a pipe that slides inside an anchor pipe buried in the ground. The basket pipe and anchor pipe each have collar tabs that line up and are securely locked with a padlock to prevent theft.

Signs: Tee signs are very important to help first time users find their way through the course. Each hole would have a sign indicating the number, length, recommended flight path and par. Each basket would have an arrow pointing to the next tee pad. In addition, a kiosk would be placed near the parking area listing the rules, course layout, and other messaging as needed. The signs would be constructed with a natural appearance to fit in with the surrounding area.

What Maintenance Is Required for a Disc Golf Course?

After installation, the maintenance needs for a disc golf course are primarily fairway maintenance (undergrowth, debris), tee pad touchup, and litter control. The baskets are made of welded steel anchored in the ground and need no regular maintenance. Disc golf volunteers would be eager to undertake the initial clean-up of these areas and then maintain them as trash-free zones. Walking pathways used by players may need occasional maintenance to prevent erosion and soil compacting. Disc golf volunteers would also be willing to become "land stewards" for the area.

How Much Land Is Needed?

An 18-hole course would cover approximately 18 acres, depending on design. The rough rule of thumb for total space needed is about one acre per hole. A significant advantage of disc golf is its ability to utilize areas that are not desirable or usable for other activities. In addition, a disc golf course need not be an exclusive use area, it can co-exist amicably with other active and passive recreation uses such as hiking or dog-walking. Finally, the relative portability of baskets and signs allows for the relocation of holes if necessary based on land usage.

HOW DOES THE PROJECT BENEFIT THE COMMUNITY:

The installation of a disc golf course would benefit the surrounding community by increasing and enhancing recreational opportunities, donations / fundraising, safety and conservation goals.

Recreational Needs: A disc golf course would provide an inexpensive form of recreation for people of all age and skill levels. Disc golf has been an extra-curricular activity at the King Philip Regional Middle School where the installation of a 9-hole public disc golf course was recently completed. A disc golf course would give youth in the community a healthy and challenging outlet for their energies and would allow the disc golf community and Parks & Recreation department to organize clinics and youth leagues. For the growing number of disc golfers in area, the presence of a disc golf course in Plainville would increase the number of course choices available and alleviate crowding at the Franklin (Dacey Fields) and Easton (Borderland) courses which are very popular 18-hole courses.

Donations / Fundraising: Course events can be held to raise money for course improvements and maintenance as well as town services, such as the Plainville “*Living Bread*” Food Pantry. The Franklin Dacey Fields Disc Golf League raised ~\$750 and 300 lbs of food for the Franklin Food Bank and a disc golfer in North Attleboro raised \$2002 for the North Attleboro Lenore’s Pantry.

Safety: A disc golf course at Hawkins Woods would increase foot traffic at random times during the day. The influx of purposeful visitors would discourage the presence of individuals who are only in the area to cause mischief and perhaps engage in undesirable activities. Studies show that the installation of a disc golf course has led to significant decreases in vandalism and litter as disc golfers have a stake in keeping the course and surrounding area clean and well-kept.

Conservation: Disc golf is an environment-friendly sport. Unlike traditional golf, a disc golf course does not require trees to be removed, grass mowed and watered daily, plants uprooted or non-native species planted. Most courses are designed to fit into the existing flora of the area. The impact of a disc golf course on the surrounding area is minimal.

PROPOSED INSTALLATION PLAN:

Working with the Plainville Conservation Commissioner, the Plainville Boy Scout Troop 132, and the regional Disc Golfers, the following would be created:

Hiking Trails: Establishing a few different hiking trails on the site between 1 and 2 miles in length. They should be setup in order to link them with the rest of the trails within town.

Disc Course: Setup the 9-hole course to co-exist with the hiking trails. Leave room for expansion to a future 18-holes. The existing “skid” paths (paths created by the previous logging activities) can be used for fairways to avoid disturbing the area any more than necessary.

Signage: Post signs for the hiking trails, disc course, and a kiosk at the parking area.

APPENDIX C

Off-Road and Recreational Vehicle Use Chapter 202 of the Acts of 2010

Chapter 202 of the Acts of 2010

AN ACT REGULATING THE USE OF OFF-HIGHWAY AND RECREATION VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1.

Chapter 10 of the General Laws is hereby amended by inserting after section 35NN the following section:

Section 35OO.

- (a) There shall be established and set up on the books of the commonwealth an Off-Highway Vehicle Program Fund. Notwithstanding the provisions relative to the distribution of fines, penalties and forfeitures in section 10G of chapter 21A to the contrary, there shall be credited to the fund all of the fees collected pursuant to section 22 of chapter 90B, 75 per cent of all fines, costs, forfeitures, expenses and interest imposed pursuant to section 21 and sections 24 to 32, inclusive, of said chapter 90B and pursuant to the fourth paragraph of section 10H of chapter 21A, any revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, any appropriation or grant explicitly made to the fund and any income derived from the investment of amounts credited to the fund. The remaining 25 per cent of the fines, costs, forfeitures, expenses and interest imposed pursuant to said section 21 and said sections 24 to 32, inclusive of said chapter 90B and pursuant to the fourth paragraph of section 10H of chapter 21A shall be distributed equally among the division, departments or offices involved or to the division, department or office if a single law enforcement agency was involved.
- (b) The secretary of energy and environmental affairs, as trustee, shall administer the fund. All amounts credited to the fund may be expended, without further appropriation, for use by the office of environmental law enforcement, the department of conservation and recreation, the department of fish and game and the department of environmental protection for the following purposes:
 - (i) the enforcement of statutes, regulations and policies applicable to off-highway vehicles;
 - (ii) the acquisition of land for use as commonwealth-approved trails and facilities for off-highway vehicles or for the development, maintenance, repair or restoration of commonwealth-approved trails and facilities;
 - (iii) grants made by the department of conservation and recreation to municipalities and other public entities for the purposes of clauses (i) and (ii);
 - (iv) the development and administration of safety, training and education programs relative to off-highway vehicles; and
 - (v) other off-highway program activities, including all direct and indirect costs of personnel or contractors of the office of environmental law enforcement, the department of conservation and recreation, the department of fish and game and the department of environmental protection; provided, however, that the secretary of energy and environmental affairs shall report annually, not later than January 15, to the house and senate committees on ways and means and the joint committees on

environment, natural resources and agriculture, transportation and public safety and homeland security relative to the source and amount of funds deposited into the fund, the amount distributed to each department and the purpose and recipient of expenditures from the fund.

- (c) Monies deposited into the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.
- (d) Not less than 25 per cent of the monies deposited in the fund shall be expended on a fiscal year basis for the activities identified in clause (ii) of subsection (b) or for grants made pursuant to clause (iii) of subsection (b) to fund the activities identified in clause (ii) of subsection (b). Monies that are deposited in the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

SECTION 2.

Section 10H of chapter 21A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the third paragraph the following paragraph:

A person notified to appear before the clerk of a district court as provided in section 10G for a violation of sections 21 to 24, inclusive, of said chapter 90B may so appear within the time specified and pay a fine of \$250.

SECTION 3.

Said chapter 21A is hereby further amended by striking out section 11, as so appearing, and inserting in place thereof the following section:

Section 11.

There shall be within the office of law enforcement a boating safety advisory board. The board shall consist of 5 members to be appointed by the governor, 2 of whom shall be representatives of the boating public, each of whom shall hold a certificate of number issued pursuant to section 3 of chapter 90B; 1 of whom may represent the harbormaster's association; and 2 of whom shall represent the recreational boating business, 1 of whom shall operate a boat dealership. Each member shall serve for a term of 3 years. The chair of the board shall be appointed from among the 5 members, annually by the governor and, in the absence of same, shall be designated by the director. Board members shall be appointed or reappointed for terms of 3 years.

The boating safety advisory board shall meet at least quarterly and 3 members in attendance shall constitute a quorum. The chiefs of enforcement of the coastal enforcement bureau and the inland enforcement bureau established under section 6 of chapter 21, or their designees, shall attend all meetings of the board and shall provide such information as the board shall request.

The board shall review the budgetary recommendations of the director and the secretary of energy and environmental affairs concerning the expenditure of federal funds allocated to the division for recreational boating safety each fiscal year prior to the submission of such recommendations to the secretary or the governor, as the case may be. In the event the board disapproves of any such recommendation it may file a report noting its objection and such report shall be transmitted to the governor and to the house and senate committees on ways and means.

SECTION 4.

Said chapter 21A is hereby further amended by adding the following section:

Section 23.

There is hereby established within the executive office of energy and environmental affairs a state off-highway vehicle advisory committee. The committee shall advise the secretary and the department of conservation and recreation, the department of fish and game, the department of environmental protection and the office of environmental law enforcement on matters involving the commonwealth's regulation of off-highway vehicles, as defined in section 20 of chapter 90B, including the development and enforcement of state regulations and policies, safety and training programs and the distribution of available state funding.

The committee shall consist of 13 members to be appointed by the secretary,

- 3 of whom shall be representatives of off-highway vehicle users;
- 1 of whom shall be a representative of the New England Trail Rider Association;
- 1 of whom shall be a representative of the Specialty Vehicle Industry Association and the Massachusetts Powersport Dealers Association;
- 1 of whom shall be a representative of the department of public health;
- 1 of whom shall be a representative of child safety advocates associated with the safe use of off-highway vehicles;
- 1 of whom shall be a representative of the Snowmobile Association of Massachusetts, Inc.;
- 2 of whom shall be representatives of a nonprofit organization that owns and manages land open to the public;
- 1 of whom shall be a representative of an association or organization of large private land owners; 1 of whom shall be a member of a friends group of the Massachusetts Forest and Parks Network; and
- 2 of whom shall be representatives of state or local law enforcement authorities. Members shall serve without compensation. Members shall be appointed for terms of 3 years.

The committee shall select a chair annually by a majority vote of the members. The committee shall meet at least twice each year and shall also meet at the request of the secretary or the committee chair.

SECTION 5.

Section 20 of chapter 90B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the definition of "Law enforcement officer" and inserting in place thereof the following 3 definitions:

"All-terrain vehicle", a motorized recreational vehicle designed or modified for travel on 4 low pressure tires and having a seat designed to be straddled by the operator and handlebars for steering control.

"Directly supervised", the supervising adult shall be sufficiently close to the operator at all times that the operator's vehicle is in operation, such that a reasonable person acting as supervisor under the totality of the circumstances including, but not limited to, vehicle and ambient noise, the landscape, topography and geography of the location, and the operator's wearing of protective headgear, would reasonably believe that he is maintaining visual contact and verbal communication with the operator.

"Law enforcement officer", the director, a deputy director of enforcement, a chief of enforcement, a deputy chief of enforcement, an environmental police officer and a deputy environmental police officer of the office of environmental law enforcement, the registrar or an authorized agent thereof, a police officer, a member of the state police, a city or town police officer or an employee of the commonwealth having police powers on public lands.

SECTION 6.

Said section 20 of said chapter 90B, as so appearing, is hereby further amended by striking out the definition of "Recreation vehicle" and inserting in place thereof the following 2 definitions:

"Recreation utility vehicle" or **"utility vehicle"**, a motorized flotation tire vehicle with not less than 4 and not more than 6 low pressure tires that is limited in engine displacement to less than 1,500 cubic centimeters and in total dry weight to not more than 1,800 pounds and that has a seat that is of bench design, not intended to be straddled by the operator, and a steering wheel for control.

"Recreation vehicle" or **"off-highway vehicle"**, any motor vehicle designed or modified for use over unimproved terrain for recreation or pleasure while not being operated on a public way as defined in chapter 90 including, but not limited to,

- all-terrain vehicles,
- off-highway motorcycles,
- dirt bikes,
- recreation utility vehicles and
- all registered motor vehicles while not being operated on a public way

as defined in said chapter 90; provided, however, that recreation vehicles and off-highway vehicles operated exclusively for agricultural, forestry, lumbering or construction purposes shall not be subject to this chapter and it shall be an affirmative defense that such vehicle was being operated for such purposes at the time of an alleged violation of this chapter.

SECTION 7.

Said chapter 90B is hereby further amended by striking out section 21, as so appearing, and inserting in place thereof the following section:

Section 21.

No person under 18 years of age shall operate a recreation vehicle unless he has successfully completed a recreation vehicle safety and responsibility course approved by the director of environmental law enforcement. Such course shall include, but shall not be limited to, notification of the potential criminal penalties and forfeiture process for certain violations of law relative to the safe operation of recreation vehicles.

A parent or legal guardian of an operator of a recreation vehicle under 16 years of age shall participate in at least 1 session of the recreation vehicle safety and responsibility course or as required by the director.

Proof of the successful completion of the course shall be carried on the person of the operator while operating a recreation vehicle. Proof of an operator's successful completion of another state's equivalent recreation vehicle safety and responsibility course, as determined by the director, shall be valid in the commonwealth.

SECTION 8.

Section 22 of said chapter 90B, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following 2 paragraphs:

No person shall operate a snow vehicle or a recreation vehicle unless the vehicle has been registered in accordance with this chapter and a registration number assigned by the director is displayed on the vehicle.

The registration number shall be painted or by means of a decal or sticker which is firmly attached to both sides of the cowling of the vehicle and located so that both are clearly visible and not obstructed. The registration number displayed shall be not less than 3 inches in height and not less than one-half inch in width and shall be in a color that is in marked and distinct contrast to the background to which the number is applied. The registration number shall be maintained in a legible condition at all times. A motor vehicle license or learner's permit shall not be required for the operation of a snow vehicle or a recreation vehicle.

Application for registration of a snow vehicle or a recreation vehicle shall be made by the owner to the director or his agent on such forms as the director shall prescribe and shall state the name and address of the owner of the vehicle. No person shall knowingly make a false statement in an application for registration of a snow vehicle or recreation vehicle.

SECTION 9.

Said section 22 of said chapter 90B, as so appearing, is hereby further amended by striking out the third paragraph and inserting in place thereof the following 2 paragraphs:

The fee for initial registration of each such vehicle and for each renewal thereof, other than vehicles for which application is made by a manufacturer or dealer as hereinafter provided, shall be determined annually by the commissioner of administration as provided in section 3B of chapter 7, except that no fee shall be collected for the registration of any such vehicle owned by the commonwealth or any political subdivision thereof or a vehicle used exclusively for agricultural, forestry, lumbering or construction purposes.

In the case of a recreation vehicle to be operated exclusively for agricultural, forestry, lumbering or construction purposes, the owner of such vehicle may apply for an exemption from the registration fee. The application for exemption shall be on a form prescribed by the director of law enforcement. If the director is satisfied that the vehicle for which a fee exemption is sought is to be operated exclusively for agricultural, forestry, lumbering or construction purposes, the director shall grant the application and the owner of such vehicle shall be exempt from the registration fee for such vehicle. If the vehicle ceases to be operated exclusively for agricultural, forestry, lumbering or construction purposes, the owner shall no longer be exempt from paying such registration fee and shall be required to pay a portion of the registration fee for the year in which the exemption no longer applies. A new application for a fee exemption shall be required for further fee exemption with an application for registration renewal. A fee exemption granted pursuant to this section shall not be admissible nor relevant at trial on the question of whether such vehicle was being operated for agricultural, forestry, lumbering or construction purposes at the time of an alleged violation of this chapter.

SECTION 10.

Section 24 of said chapter 90B, as so appearing, is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following paragraph:

No snow vehicle or recreation vehicle shall be operated which emits noxious fumes or makes unusual or excessive noise. No snow vehicle or recreation vehicle manufactured on or after January 1, 1998, shall be sold, offered for sale or operated that produces a sound pressure level of more than 96 decibels when measured from a distance of 20 inches using test procedures established by the Society of Automotive Engineers under Standard J1287 JUL98 or with such other test procedures for measurement of sound pressure levels as the registrar may adopt.

No snow vehicle or recreation vehicle manufactured prior to January 1, 1998, shall be offered for sale or operated that produces a sound pressure level of more than 101 decibels when measured from a distance of 20 inches using test procedures established by the Society of Automotive

Engineers under Standard J1287 JUL98 or with such other test procedures for measurement of sound pressure levels as the registrar may adopt.

SECTION 11.

Section 25 of said chapter 90B, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:

No person under 16 and one-half years of age shall operate a snow vehicle or a recreation vehicle across or on a public way unless the operator holds a valid license or right to operate a motor vehicle or is directly supervised by a person 18 years of age or older. An operator of a snow vehicle or a recreation vehicle that meets the requirements of the preceding sentence shall, after coming to a full stop, cross, as directly as possible, a public way; provided, however, that for recreation vehicles, the public way and the crossing shall be marked and approved for use by recreation vehicles by the applicable state or local authorities as part of a publicly or privately authorized recreation vehicle trail system. An operator of a snow vehicle or a recreation vehicle shall make the crossing safely and without interfering with the free movement of vehicular traffic. An operator of a snow vehicle or a recreation vehicle shall yield the right of way to all other vehicular traffic when making such crossing; provided, further, that an operator shall not cross a controlled access highway.

SECTION 12.

Said section 25 of said chapter 90B, as so appearing, is hereby further amended by inserting after the word "vehicle", in lines 29, 30, 32, 33 and 34, each time it appears, the following words: or recreation vehicle.

SECTION 13.

Said chapter 90B is hereby further amended by striking out section 26, as so appearing, and inserting in place thereof the following section:

Section 26.

- (a) (1) No person under 14 years of age shall operate an all terrain vehicle or recreation utility vehicle. This section shall not apply to a person operating a recreation vehicle or snow vehicle in preparation for, or while a participant in, a sanctioned race, rally or organized event which is supervised by a person aged 18 or older and which has been authorized or approved by a municipal permitting authority. It shall be an affirmative defense in a delinquency proceeding for a violation of this section that a juvenile was supervised by a person aged 18 or older while operating such a vehicle within 21 days before such sanctioned race, rally or organized event or while a participant in such a sanctioned race, rally or organized event.
(2) No person between 14 and 16 years of age shall operate an all-terrain vehicle or recreation utility vehicle with an engine capacity greater than 90 cubic centimeters; provided, however, that a person between 14 and 16 years of age may operate an all-terrain vehicle or recreation utility vehicle with an engine capacity equal to or less than 90 cubic centimeters if directly supervised by a person 18 years of age or older.
- (b) No person aged 18 years of age or older shall knowingly permit another, who is under the age of 18, to operate a snow vehicle or recreation vehicle in his custody or under his control in violation of this chapter. Lack of ownership of the vehicle or mistake as to the age of the operator shall not be available defenses to a violation of this section.

- (c) No person operating or in control of a snow vehicle or recreation vehicle shall refuse to stop such vehicle after having been requested or signaled to do so by a law enforcement officer. No such person shall refuse to give his correct name, address and registration number to such officer.
- (d) No person shall operate or ride in or on a snow vehicle or a recreation vehicle or ride in or on a sled, inflated tube or similar article attached to such vehicle and which is pulled by such vehicle, without wearing protective headgear. Such headgear shall conform to minimum standards for construction and performance as the registrar of motor vehicles may prescribe.
- (e) No person shall operate a snow vehicle or a recreation vehicle on privately-owned property unless:
 - (i) the operator is the owner or lessee or an immediate family member of the owner or lessee of the property;
 - (ii) the operator has in his possession either a document, signed by the owner or lessee of such property or his agent, authorizing the operation of a such vehicle on the property by the operator or valid proof of current membership in a club, association or other organization to which express authorization for the operation of such vehicles on the property has been granted; provided, however, that such operation shall be consistent with the express authorization granted and any restrictions imposed therewith; or
 - (iii) the owner or lessee of the property has designated the area for use by such vehicles by posting reasonable notice of such designation in a manner approved by the director.

No person shall operate a snow vehicle or recreation vehicle on publicly-owned property except on trails marked and designated for use by such vehicles, or without the express permission of the owner.

- (f) No person shall operate a snow vehicle or a recreation vehicle in a manner that harasses or otherwise harms deer or other wildlife.

No person shall operate a snow vehicle or recreation vehicle in a reforested or planted area in a manner that causes damage to growing stock.

No person shall operate a snow vehicle or a recreation vehicle in a manner that causes damage to public or private property including, but not limited to, lands owned or managed by the department of conservation and recreation or the division of fisheries and wildlife, wetlands or other waters of the commonwealth, priority habitats delineated as such by the division of fisheries and wildlife pursuant to chapter 131A, lands used for public water supply purposes or historic or archaeological sites.
- (g) No person shall carry a firearm, rifle or shotgun in or on a snow vehicle or recreation vehicle or on a trailer or sled attached thereto unless such firearm, rifle or shotgun is unloaded and in an enclosed case. This section shall not apply to a law enforcement officer or other person with enforcement powers authorized in section 32, or to a paraplegic as provided in section 65 of chapter 131.
- (h) No person shall operate a snow vehicle or recreation vehicle after the registration has been suspended or revoked.

SECTION 14.

Said chapter 90B is hereby further amended by inserting after section 26, as appearing in the 2008 Official Edition, the following 5 sections:

Section 26A.

- (a) Whoever being 21 years of age or older operates a snow vehicle or recreation vehicle:
 - (1) with a percentage, by weight, of alcohol in his blood of .08 or greater, as determined by a chemical test or analysis of his blood or as indicated by a chemical test or analysis of his breath pursuant to section 24 of chapter 90; or
 - (2) while under the influence of intoxicating liquor, or of marijuana, narcotic drugs, depressants or stimulant substances, as defined in section 1 of chapter 94C, or the vapors of glue, shall be punished by a fine of not less than \$500 nor more than \$5,000.
- (b) Whoever being under 21 years of age operates a snow vehicle or recreation vehicle:
 - (1) with a percentage, by weight, of alcohol in his blood of .02 or greater, as determined by a chemical test or analysis of his blood or as indicated by a chemical test or analysis of his breath pursuant to section 24 of chapter 90; or
 - (2) while under the influence of intoxicating liquor, or of marijuana, narcotic drugs, depressants or stimulant substances, as defined in section 1 of chapter 94C, or the vapors of glue, shall be punished by a fine of not less than \$500 nor more than \$5,000.

Section 26B.

- (a) Whoever operates a snow vehicle or recreation vehicle recklessly or operates a snow vehicle or a recreation vehicle negligently so that the lives or safety of the public might be endangered shall be punished by a fine of not less than \$250 nor more than \$1,000.
- (b) Whoever operates a snow vehicle or recreation vehicle and, without stopping and making known his name, address and the registration number of his snow vehicle or recreation vehicle, leaves the scene after knowingly colliding with or otherwise causing injury to another snow vehicle or recreation vehicle or property shall be punished by a fine of not less than \$250 nor more than \$1,000; provided, however, that the damage to property shall be greater than \$500.
- (c) Whoever operates a snow vehicle or a recreation vehicle and, without stopping and making known his name, address and the registration number of his snow vehicle or recreation vehicle, leaves the scene after knowingly colliding with or otherwise causing bodily injury to another shall be punished by a fine of not less than \$500 nor more than \$1,000.
- (d) Whoever operates a snow vehicle or a recreation vehicle recklessly or negligently so that the lives or safety of the public might be endangered and, by such operation, causes serious bodily injury, shall be punished by imprisonment in a jail or house of correction for not more than 2 and one-half years or by a fine of not less than \$300 nor more than \$5,000, or by both such fine and imprisonment.

For the purposes of this section "serious bodily injury" shall mean bodily injury which creates a substantial risk of death or which involves either total disability or the loss or substantial impairment of some bodily function for a substantial period of time.

- (e) Whoever operates a snow vehicle or a recreation vehicle recklessly or negligently so that the lives or safety of the public might be endangered, and by such operation causes the death of another person, shall be punished by imprisonment in a jail or house of correction for not more than 2 and one-half years or by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$5,000, or by both such fine and imprisonment.

Section 26C.

- (a) Upon a conviction or adjudication by reason of a violation of subsections (c) to (e), inclusive, of section 26B or upon a second or subsequent conviction or adjudication of delinquency for violation of section 26, or any combination thereof, a snow vehicle or recreation vehicle used in the commission of such violation or violations shall be subject to forfeiture.
- (b) A district attorney or the attorney general may petition the superior or district court in the name of the commonwealth in the nature of a proceeding in rem to order forfeiture of such snow vehicle or recreation vehicle. The petition shall be filed in the court having jurisdiction over the criminal proceeding brought under this section. The proceeding shall be deemed a civil suit in equity. In all such actions in which the snow vehicle or recreation vehicle is jointly owned before the date of the violation committed by the defendant by either a parent, spouse, child, grandparent, brother, sister or parent of the spouse living in the defendant's household, the commonwealth shall have the burden of proving to the court the existence of probable cause to institute the action.
- (c) The court shall order the commonwealth to give notice by certified or registered mail to the owners of the snow vehicle or recreation vehicle and to such other persons or entities who appear to have an interest therein, and the court shall promptly, but not less than 2 weeks after notice, hold a hearing on the petition. Upon the motion of an owner of the snow vehicle or recreation vehicle, the court may continue the hearing on the petition pending the outcome of a criminal trial related to the violation.

During the pendency of the proceedings, the court may issue at the request of the commonwealth ex-parte any preliminary order or process as is necessary to seize or secure the property for which forfeiture is sought and to provide for its custody. Process for seizure of the property shall issue only upon a showing of probable cause, and the application therefor and the issuance, execution and return thereof shall be subject to chapter 276, as applicable.

- (d) At a hearing under this section, the court shall hear evidence and make findings of fact and conclusions of law and shall issue a final order from which the parties shall have such right of appeal as from a decree in equity. No forfeiture under this section shall extinguish a perfected security interest held by a creditor in the property at the time of the filing of the forfeiture action.

In all actions where a final order results in forfeiture, the final order shall provide for disposition of the property by the commonwealth or any subdivision thereof in any manner not prohibited by law, including official use by an authorized law enforcement or other agency, or at sale at public auction or by competitive bidding, with the sale being conducted by the office of the district attorney or the attorney general that obtained the final order of forfeiture.

- (e) The final order of the court shall provide that the proceeds of any such sale shall be used to pay the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising and notice, and 75 per cent of the balance of any proceeds shall be deposited into the Off-Highway Vehicle Program Fund, established in section 3500 of chapter 10 and the remaining 25 per cent shall be distributed equally by the court among the division, departments or offices involved in the seizure or to the division, department or office if a single law enforcement agency was involved.
- (f) Any moneys and proceeds received by a division, department or office pursuant to this section may be expended without further appropriation to defray the costs of investigations, to provide additional technical equipment or expertise, to provide matching funds to obtain

federal grants or to accomplish such other law enforcement, environmental or public recreational purposes as the head of such division, department or office deems appropriate, but such funds shall not be considered a source of revenue to meet the operating needs of such division, department or office.

Section 26D.

A summons may be issued instead of a warrant for arrest upon a complaint for a violation of section 26A or 26B if in the judgment of the court or justice receiving the complaint there is reason to believe that the defendant will appear upon a summons. Nothing in this section shall limit a law enforcement officer's power to arrest under any other provisions of the General Laws or at common law.

Section 26E.

- (a) Any person age 18 or older with custody or control of a snow vehicle or recreation vehicle, who knowingly permits another, who is under the age of 18, to operate such vehicle shall be held liable, jointly and severally with the operator, for any damage or injuries caused by such operator's operation of the vehicle and for any fines, penalties or restitution resulting therefrom.
- (b) An owner of a snow vehicle or recreation vehicle or other person who knowingly permits a person 18 years of age or older to operate a snow vehicle or a recreation vehicle in violation of this chapter shall be held liable, jointly and severally, with the operator, for any damage or injuries caused by such operator's negligent operation and for any fines, penalties or restitution resulting therefrom.
- (c) Lack of ownership of the vehicle or mistake as to the age of the operator shall not be defenses in an action filed pursuant to this section.

SECTION 15.

Said chapter 90B is hereby amended by inserting after section 28, as so appearing, the following 2 sections:

Section 28A.

Notwithstanding section 28, upon conviction of, or adjudication of delinquency by reason of a violation of subsections (c) to (e), inclusive, of section 26B the registrar shall immediately suspend the operator's license or right to operate a motor vehicle and the director shall revoke the registration of any snow vehicle or recreation vehicle issued to such person. The registrar, after having suspended or revoked the license or right to operate of a person pursuant to this section, shall issue a new license or reinstate the right to operate of such person if the prosecution or adjudication of such person is terminated in favor of the defendant or juvenile and the director shall issue a new registration number if a vehicle was registered to such person. The registrar may, after an investigation or upon a hearing, issue a new license or reinstate the right to operate and the director may issue a new snow vehicle or recreation vehicle registration number to a person convicted or adjudicated delinquent for a violation of said subsections (c) to (e), inclusive, of said section 26B; provided, however, that no such license, right to operate or registration shall be reinstated by the registrar or issued by the director to any person so convicted or adjudicated delinquent by reason of said subsection (c) or (d) of said section 26B until 1 year after the date of suspension or revocation following his original conviction or adjudication of delinquency if for a first offense or until 2 years after the date of suspension or revocation if for a subsequent conviction or adjudication of delinquency, or to any person convicted of or adjudicated delinquent by reason of subsection (e) of said section 26B until 5

years after the date of suspension or revocation following his original conviction or adjudication if for a first offense, or until 15 years after the date of suspension or revocation if for a subsequent conviction or adjudication.

If the person so convicted or adjudicated is under age 17 at the time of a conviction or adjudication of delinquency under subsections (c) to (e), inclusive, of section 26B, inclusive, and he has not been issued a license or right to operate or has not been issued a snow vehicle or recreation vehicle registration number, neither the registrar nor the director shall issue such license or right to operate a motor vehicle or a snow vehicle or recreation vehicle registration until the time periods provided in the previous paragraph have passed and calculation of such time period shall not commence to run until such person reaches age 16 for purposes of issuance of a right to operate a motor vehicle and 16 and one-half for purposes of issuance of a license to operate a motor vehicle and for issuance of a snow vehicle or recreation vehicle registration number.

Section 28B.

Notwithstanding section 28, upon conviction of, or adjudication of delinquency by reason of a violation of section 26A, the registrar shall immediately suspend the operator's license or right to operate a motor vehicle and the director shall revoke the registration of any snow vehicle or recreation vehicle issued to such person. The registrar, after having suspended or revoked the license or right to operate of any person under this section, shall issue a new license or reinstate the right to operate and the director shall issue a new registration number, if the prosecution or adjudication of delinquency of such person is terminated in favor of the defendant or juvenile. The registrar may, after an investigation or upon hearing, issue a new license or reinstate the right to operate and the director may issue a new snow vehicle or recreation vehicle registration number to a person so convicted of or adjudicated delinquent by means of a violation of said section 26A; provided, however, that no such license or right to operate shall be issued by the registrar nor shall a registration number be issued by the director to a person convicted of a violation of subsection (a) of said section 26A, for a first offense, until 1 year after the date of suspension or revocation following his original conviction, or from the date of his original conviction if the person is unlicensed or has not been issued the right to operate or, for a subsequent offense, until 2 years after the date of such suspension, revocation or conviction, or to any person convicted of or adjudicated delinquent for a violation of subsection (b) of said section 26A, for a first offense, until 2 years after the date of suspension or revocation or, if the person is unlicensed or has not been issued a right to operate, until 2 years after the date of his original conviction or adjudication or, for a subsequent offense, until 3 years after the date of such suspension, revocation, conviction or adjudication; provided, however, that a person whose license or right to operate was suspended due to a conviction of said subsection (a) of said section 26A may, after the expiration of 3 months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes, which license shall be effective for not more than an identical 12-hour period every day on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control, and the registrar may, in his discretion, issue such license or right to operate under such terms and conditions as he deems appropriate and necessary; and provided further, that such person may, after the expiration of 6 months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license or right to operate on a limited basis on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control and

the registrar may, in his discretion, issue such a license or right to operate under such terms and conditions as he deems appropriate and necessary.

If the person so convicted or adjudicated is under age 17 at the time of such conviction or adjudication and has not been issued a license or right to operate or a snow vehicle or recreation vehicle registration number, the registrar shall not issue such license or right to operate a motor vehicle and the director shall not issue a snow or recreation vehicle registration until the time periods provided in the previous paragraph have passed but the calculation of such time period shall not commence until such person reaches age 16 for purposes of issuance of a right to operate a motor vehicle and 16 and one-half for purposes of issuance of a license to operate a motor vehicle and for issuance of a snow vehicle or recreation vehicle registration number.

SECTION 16.

The first paragraph of section 32 of said chapter 90B, as so appearing, is hereby amended by striking out the first and second sentences and inserting in place thereof the following sentence:

Sections 21 to 34, inclusive, and the rules and regulations promulgated thereunder shall be enforced by law enforcement officers; provided, however, that any investigation, arrest or decision to seek application for complaint relative to a violation of subsections (c) to (e), inclusive, of section 26B shall be executed by a law enforcement officer who has successfully completed minimum training requirements for the enforcement of such sections as determined by the secretary of public safety and security.

SECTION 17.

Said chapter 90B is hereby further amended by striking out section 34, as so appearing, and inserting in place thereof the following section:

Section 34.

Whoever violates any provision of sections 21 to 24, inclusive, or any rule or regulation made thereunder, shall be punished by a fine of not less than \$250 nor more than \$500.

Whoever violates subsections (e) to (h), inclusive, of section 26 shall be punished by a fine of not less than \$250 nor more than \$1,000.

Whoever violates any provision of section 25 or subsections (a) to (d), inclusive, of section 26 shall be punished for a first offense, by a fine of \$250, and for a second or subsequent offense, by a fine of not less than \$500 nor more than \$2,500, and the snow vehicle or recreation vehicle in use at the time of such second or subsequent offense shall be subject to forfeiture under section 26C.

SECTION 18.

Said chapter 90B is hereby further amended by striking out section 35, as so appearing, and inserting in place thereof the following section:

Section 35.

Notwithstanding the provisions relative to the distribution of fines, penalties and forfeitures in section 10G of chapter 21A to the contrary, of the fines collected by the commonwealth pursuant to a violation of the fourth paragraph of section 10H of chapter 21A and section 21 and sections 24 to 32, inclusive, 75 per cent shall be deposited into the Off-Highway Vehicle Program Fund, established in section 3500 of chapter 10, and the remaining 25 per cent shall be distributed equally among the divisions, departments or offices involved in the enforcement of the laws which resulted in the assessment of such fines.

SECTION 19.

Chapter 242 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 7A the following section:

Section 7B.

- (a) Any person operating an off-highway or recreational vehicle who damages or destroys a field crop product and agricultural property situated on the land of another shall be liable to the owner of such product in tort.
- (b) A party awarded judgment under this section shall be entitled to damages in an amount up to, but not greater than, 3 times the amount assessed for the removal, damage or destruction of the farm crop product and agricultural property, plus attorney fees and litigation costs. In assessing damages under this section, the court shall consider the market value of the field crop product and agricultural property prior to its removal, damage or destruction and all costs directly related to the production, research, testing, replacement and development of the field crop product and agricultural property.
- (c) Damages awarded under this section shall not limit remedies available under chapter 266 or under any other applicable local, state or federal law.
- (d) Liability under this section shall not apply to any federal, state or local government agency, or to any employee of any such agency acting in the course of his employment.
- (e) For purposes of this section, a “field crop product” shall mean any product of the soil that is grown in the context of a research or product development program in conjunction or coordination with a private research facility or a university, any federal, state or local governmental agency or any crop produced for commercial purposes on an agricultural operation as defined by Section 1A of chapter 128.
- (f) For purposes of this section, an “agricultural property” shall mean any implement of husbandry, structure used for the conveyance of water or structure used in the production, growing or processing of field crop products or for keeping and raising of livestock.

SECTION 20.

Section 121A of chapter 266 of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words “two hundred and fifty dollars” and inserting in place thereof the following figure: \$500.

SECTION 21.

Notwithstanding any general or special law to the contrary, in making initial appointments to the off-highway vehicle advisory committee established pursuant to section 23 of chapter 21A, added by section 4 of this act, the secretary of energy and environmental affairs shall appoint 4 members to serve for a term of 1 year, 4 members to serve for a term of 2 years and 5 members to serve for a term of 3 years.

SECTION 22.

The director of law enforcement in the executive office of energy and environmental affairs may, after consultation with the off-highway vehicle advisory committee and a public hearing, promulgate regulations consistent with this act including, but not limited to, increasing the age at which persons may operate all-terrain vehicles or regulating the engine size and speed capabilities of such vehicles, based on the age of the operator.

SECTION 23.

On or before February 1, 2011, the director of law enforcement in the executive office of energy and environmental affairs shall amend regulations of the division that are inconsistent with this act.

SECTION 24.

On or before November 1, 2010, the director of law enforcement in the executive office of energy and environmental affairs shall prescribe forms for application for registration fee exemption for vehicles used exclusively for agricultural, forestry, lumbering or construction purposes under section 22 of chapter 90B of the General Laws.

SECTION 25.

On or before November 1, 2010, the director of law enforcement in the executive office of energy and environmental affairs shall adopt minimum training requirements for law enforcement officers, except state and municipal police officers, as required by section 32 of chapter 90B of the General Laws.

SECTION 26.

Section 7 shall take effect on February 1, 2011; provided, however, that no operator of a snow vehicle or recreation vehicle shall be assessed a penalty for violation of section 22 of chapter 90B of the General Laws until May 1, 2011.

SECTION 27.

The provisions of subsections (b) and (c) of section 26B of chapter 90B of the General Laws prohibiting an operator of a snow vehicle or recreation vehicle from leaving the scene after causing injury to property or to a person without making known his registration number shall take effect on February 1, 2011. Nothing in this section shall affect the prohibition in said subsections (b) and (c) of said section 26B of said chapter 90B against an operator leaving the scene after causing injury to property or to a person without stopping and making known his name, address and registration number on or after October 1, 2010.

Approved July 31, 2010

APPENDIX D

Inventory of Protected Lands and Lands of Conservation Interest

Town of Plainville – Open Space, Recreation & Private Land Use

Map	Lot	Owner	Location	Manager	Acres	Existing Use	Recreation Potential & Proposed Use	Public Access	Zoning	Protected	Type of Grant	Condition of Site
Private Lands												
1	43A&F	Laidlaw Waste Systems	Blecher Street	Republic Services	137.80	Capped Landfill/Current 5 MW Solar Facility	Solar	No	Industrial	No		
9	2 & 85	Wenworth Hill Investments, LLC	Rear Bow Street	Constant Potolok	136.70	Wenworth Hills Golf Course	Golf	Yes	Residential	No		
14	2,3 & 4,5,6	Heather Hill Investments LLC	149 West Beacon	Constant Potolok	198.07	Heather Hill Golf Course	Proposed site of 364-unit senior housing complex with 107 acres of open space. Part of proposed trail network from Telford Park/Town Hall to Hawkins Woods	Yes	Residential	No		
Total Acres					466.57							
Chapter Lands												
Map	Lot	Owner	Location	Manager	Acres	Existing Use	Recreation Potential & Proposed Use	Public Access	Zoning	Protected	Type of Grant	Condition of Site
1	27	Wrentham Sportsmen's Association	7.9 Madison Street		5.58	Sportman's Club/Hunting/Fishing	High	No	Industrial	Ch. 61B		
1	31	Wrentham Sportsmen's Association	7.9 Madison Street		7.92	Rabbit Hill Pond	High	No	Industrial	Ch. 61B		
3	41A	Robert Ashman	6 Ashman Lane		28.90	Woods	Low	No	Residential	Ch. 61A		
4	29	Plainville Eagle Club	153 Everett Skinner Road		44.76	Private Sportsman's Lodge/Rails/Hunting Woods	Medium	No	Residential	Ch. 61		
5	155A	Massachusetts Land League	29 Berry Street		19.23		Low	No	Residential	Ch. 61		
5	155B	Massachusetts Land League	27 Berry Street		27.10	Woods	Low	No	Residential	Ch. 61		
5	155C	Massachusetts Land League	27 Berry Street		0.70	Woods	Low	No	Residential	Ch. 61		
5	175	Massachusetts Land League	31 Berry Street		0.70	Woods	Low	No	Residential	Ch. 61		
6	290	Scott Dion	3 Patriot Way		0.16	Woods	Low	No	Residential	Ch. 61B		
7	47	Techa, LLC	80 Washington Street		11.99	Landscape Yard	Low	No	Commercial	Ch. 61A		

	7	53	Techa, LLC	Next to 80 Washington Street	5.68	Landscape Yard	Low	No	Commercial	Ch. 61A
8	1	Walnut Street Farm, LLC	86 Walnut Street	15.98	Horse Stables and Paddocks	Medium	No	Residential	Ch. 61B	
9	2	Wentworth Hills Investments, LLC	Rear Bow Street	127.7	Wentworth Hills Golf Course	High	Yes	Residential	Ch. 61B	
9	12	Philip Johnson	Hancock Street	14.56	Woods	Low	No	Residential	Ch. 61B	
9	34	Yeshay Busi	59 High Street	47.17	Woods/Farmland/Pasture/Wetlands	Low	No	Residential	Ch. 61A	
9	62A	John Dunn	Behind 9 Rhodes Street	5.00	Woods/Wetlands	Low	No	Residential	Ch. 61B	
9	85	Wentworth Hills Investments, LLC	Rear Rhodes Street	3.00	Wentworth Hills Golf Course	High	Yes	Residential	Ch. 61B	
12	2	Dale Rohlock	45 Warren Street	16.9	Horse Stables and Paddocks	High	No	Residential	Ch. 61B	
12	214	Milton Bacheiller	23 Warren Street	10.00	Woods	Low	No	Residential	Ch. 61	
13	8	Charles Mason	40 Hawkins Street	20.36	Woods	Low	No	Residential	Ch. 61	
13	15	Samad Barzegar	28 Rhodes Street	36.52	Woods	Low	No	Residential	Ch. 61	
13	14B	Ryan Family Trust	38 Rhodes Street	5.00	Woods/Field	Low	No	Residential	Ch. 61	
13	16A	William Roberts	16 Rhodes Street	13.01	Horse stables and paddocks	Medium	No	Residential	Ch. 61A & B	
13	18	Charles Mason	97 High Street	44.21	Woods	Low	No	Residential	Ch. 61	
13	25	William Roberts Revocable Trust	73 Warren Street	21.03	Woods/Fields	Low	No	Residential	Ch. 61A	
13	25B	William Roberts Revocable Trust	82 High Street	1.03	Field	Low	No	Residential	Ch. 61A	
13	58	Michael Dijala	14 Rhodes Street	11.46	Horse stables and paddocks	Medium	No	Residential	Ch. 61A & B	
13	89	Alice Szalai	High Street	7.85	Horse stable and fields	Low	No	Residential	Ch. 61A	
15	7	Gilbert Bergh	Fales Road	13.28	Woods	Low	No	Residential	Ch. 61	
15	11	Lou & Ellen Leblanc	107 Hawkins Street	5.00	Farm/Woods	Low	No	Residential	Ch. 61A	
15	13	Robert & Judith Davis	Hawkins Street	20.14	Hay Fields	Low	No	Residential	Ch. 61A	
15	14	Gilbert Bergh	Hawkins Street	31.90	Woods	Low	No	Residential	Ch. 61	
15	17A	Gilbert Bergh	25 Fales Road	1.69	Woods	Low	No	Residential	Ch. 61	
15	23	John Carroll	Peek Road	7.47	Woods	Low	No	Residential	Ch. 61	
15	28	Robert & Judith Davis	106 High Street	14.76	Woods/Trails	Low	No	Residential	Ch. 61A	
15	31	Robert & Judith Davis	Off Peck Road	4.90	Woods/Trails	Low	No	Residential	Ch. 61A	

Map	Lot	Owner	Location	Manager	Acres	Existing Use	Recreation Potential & Proposed Use	Public Access	Zoning	Protected	Type of Grant	Condition of Site
1	18	Town of Plainville	Between Rte. 495 & Lake Minimichi	Conservation Commission	1.00	Wood/s/Trails/Shoreline/ Hunting	Passive recreation- Trail/Hunting/ Birdwatching-and kiosk/parking	Ycs	Residential	No	None	Good
1	19	Town of Plainville	Between Rte. 495 & Lake Minimichi	Conservation Commission	24.00	Wood/s/Trails/Shoreline/ Hunting	Passive recreation- Trail/Hunting/ Birdwatching-and kiosk/parking	Ycs	Residential	No	None	Good
1	20	Town of Plainville	Between Rte. 495 & Lake Minimichi	Conservation Commission	5.60	Wood/s/Trails/Shoreline/ Hunting	Passive recreation- Trail/Hunting/ Birdwatching-and kiosk/parking	Ycs	Residential	No	None	Good
2	5B	Town of Plainville	15 Old Taunton street	Select Board	1.04	W/land	Wetlands	Ycs	Residential	No	None-Tax taking	Wetlands
2	5C	Town of Plainville	15 Old Taunton street	Select Board	7.79	Woods/Wetlands	Wetlands	Ycs	Residential	No	None-Tax taking	Wetlands
3	10	Town of Plainville	78 Taunton Street	Select Board	0.96	Bliss Chapel	Future religious/community gathering-building needs renovation/no parking	Ycs	Commercial	No	Donated for religious use	Building needs renovation
3	30	Town of Plainville	Lake Minimichi	Select Board	61.00	Lake/Power Boating/Paddling/Fishing	Boating/kayaking/ Fishing – weed control needed	Ycs	Residential	Yes	City of Attleboro controls water rights	Lake needs weed control
3	31	Town of Plainville	Lake Minimichi Island	Select Board	0.75	Island in lake	Birdwatching/ Picnicking	Yes	Residential	Yes	City of Attleboro controls water rights	Good
3	32	Town of Plainville	Between Rte. 495 & Lake Minimichi	Conservation Commission	11.60	Wood/s/Trails/Shoreline/ Hunting	Passive recreation- Trail/Hunting/ Birdwatching-and kiosk/parking	Ycs	Residential	No	None	Good
3	33	Town of Plainville	0 Minimichi Street	Conservation Commission	3.00	Woodland/Lakeshore/ Hiking trails	Passive recreation- Trail/Hunting/ Birdwatching	Ycs	Residential	No	None	Good

3	34	Town of Plainville	Mirimichi/ Bather Street	Conservation Commission	21.00	Wooded/Hiking Trails/Lakefront/Fishing/Hunting	Yes	Residential	No	None	Good
3	40	Town of Plainville	Tanion & Mirimichi Streets	Select Board	5.40	Cemetery	Yes	Residential	No	Restricted for cemetery purposes	Good
3	53B	Town of Plainville	Mirimichi Street	Conservation Commission	1.68	Lakeshore/Tail/Fishing/Boat Launch Ramp	Hiking Trail/Fishing/Boat Launch Ramp/Picnicking/Birding	Yes	Residential	Yes	Article 97
3	53C	Town of Plainville	Mirimichi Street	Conservation Commission	0.49	Lakeshore/Tail/Fishing	Hiking Trail/Fishing/Boat Launch Ramp/Picnicking/Birding	Yes	Residential	Yes	Article 97
3	55	Town of Plainville	Lake Mirimichi	Select Board	77.02	Lake/Power Boating/Kayaking	Power Boating/Kayaking/ Fishing - wood control needed	Yes	Residential	Yes	City of Atlinboro controls water rights
3	133	Town of Plainville	11 Oxbow Drive	DPW	8.25	Town well & protected Zone 1	Hiking only - protected for wells	Yes	Residential	Yes	Zone 1
3	226	Town of Plainville	28 Mirimichi Street	Select Board	0.83	Wetland	Wetland protection only-no trails	Yes	Residential	No	Tax Taking
3	227	Town of Plainville	30 Mirimichi Street	Select Board	1.14	Wetland	Wetland protection only-no trails	Yes	Residential	No	Tax Taking
3	228	Town of Plainville	32 Mirimichi Street	Select Board	1.22	Wetland	Wetland protection only-no trails	Yes	Residential	No	Tax Taking
3	239	Town of Plainville	Haynes Road	Select Board	0.68	Woods	Wetlands protection only	Yes	Residential	No	Tax Taking
3	246	Town of Plainville	Haynes Road	Select Board	0.33	Woods	Access to proposed easement over private land to 0.5 acre open space off Lake Mirimichi	Yes	Residential	No	Tax Taking
4	1	Town of Plainville	0 Everett Skinner Rd.	Conservation Commission	64.40	Woodland/Hiking Trails	Woodland/Hiking Trails signs needed-part of planned larger loop trail	Yes	Residential	Yes	Article 97 (Decd Bk 40663 Pg. 591)
4	10	Town of Plainville	0 Wampum St.	Conservation Commission	3.78	Woodland	Low	Yes	Residential	Yes	Article 97 (Decd Bk 40663 Pg. 591)
4	11	Town of Plainville	0 George St.	Conservation Commission	33.56	Woodland/Hiking Trails	Woodland/Hiking Trails signs needed-part of planned larger loop trail	Yes	Residential	Yes	Article 97 (Decd Bk 40663 Pg. 591)
4	12	Town of Plainville	Rear Covell Street	Conservation Commission	11.83	Woodland/Hiking Trails	Woodland/Hiking Trails signs needed-part of planned larger loop trail	Yes	Residential	Yes	Article 97
4	18	Town of Plainville	Rear Oak Ridge Drive	Select Board	10.07	Woodland/Hiking Trails	Woodland/Hiking Trails signs needed-part of planned larger loop trail	Yes	Residential	No	None
4	19	Town of Plainville	Rear Red Rock Lane	Conservation Commission	18.08	Woodland/Hiking Trails/Havilorne Brook	Woodland/Hiking Trails signs needed-part of planned larger	Yes	Residential	Yes	Article 97

4	30	Town of Plainville	0 George St.	Conservation Commission	12.5	Woodland/Hiking Trails	loop trail	Yes	Residential	Yes	Article 97 (Deed Bk 40063 Pg. 590)	Good
4	32	Town of Plainville	0 Covell Land	Conservation Commission	94.3	Woodland/Hiking Trails	Woodland/Hiking Trails-knots, trail signage needed-part of planned larger loop trail	Yes	Residential	Yes	Article 97 (Deed Bk 40063 Pg. 590)	Good
4	34	Town of Plainville	0 Washington Street	Conservation Commission	14.00	Wetlands	Wetland protection only	Yes	Commercial/Residential	No	Wetlands Protection Act	Wetlands
4	53	Town of Plainville	0 Covell Street	Select Board	53.00	Former Town Dump	Will need study for reuse, if even possible	No	Residential	No	Land Taking for Sanitary Landfill	Stable ground cover over dump
5	21	Town of Plainville	Rear Green Street	Select Board	1.98	Woodland	Abuts proposed Maconet Green way rail trail - possible picnic/test area or trail	Yes	Residential	No	None	Good
5	110	Town of Plainville	\$ Harvard Street	Select Board	0.24	Woods	Isolated parcel in developed lots - minimal use anticipated	Yes	Residential	No	None	Good
6	26	Town of Plainville	68 Messenger Street	School Dept.	11.50	Jackson School	Expansion as needed by School Dept.	Yes	Commercial	No	School Bldg. Assistance	School needs continual maintenance and upkeep
6	26A	Town of Plainville	72 Messenger Street	School Dept.	22.50	Wood School	Expansion as needed by School Dept.	Yes	Commercial	No	School Bldg. Assistance	School needs continual maintenance and upkeep
6	252	Town of Plainville	Rear Landau Road (drainage)	DPW	2.76	Woodland	Drainage & utilities associated with subdivision	Yes	Residential	No	None	Good
6	266	Town of Plainville	9 Landau Road	DPW	1.35	Woodland/Drainage Basin	Drainage & utilities associated with subdivision	Yes	Residential	No	None	Good
6	280	Town of Plainville	0 Morningside Road	Town	1.96	Open Space/DPW pump	Drainage & utilities associated with subdivision	Yes	Residential	No	None	Good
7	14	Town of Plainville	Rear School St.	Plainville Park & Recreation	4.5	"Field of Dreams" Ballfields	Additional ballfields, exercise paths, restrooms, concession stands proposed	Yes	Residential	No	None	Good
7	15	Town of Plainville	Rear School St.	Plainville Park & Recreation	6.27	"Field of Dreams" Ballfields	Additional ballfields, exercise paths, restrooms, concession stands proposed	Yes	Residential	No	None	Fields and parking need continual maintenance and upkeep. Fields in medium condition. Parking lot is stone surface.
7	17	Town of Plainville	Rear School St.	Plainville Park & Recreation	8.09	"Field of Dreams" Ballfields	Additional ballfields, exercise paths, restrooms, concession stands proposed	Yes	Residential	No	None	Fields and parking need continual maintenance and upkeep. Fields in medium condition. Parking lot is stone surface.
7	26	Town of Plainville	Everett Skinner Road	Plainville Athletic League	5.11	Ballfields	Need additional parking, land is leased by non-profit from Town	Yes	Residential	No	None	Fields and parking need continual maintenance and upkeep. Fields in medium condition. Parking lot is stone surface.
7	32	Town of Plainville	0 Washington Street	DPW	13.85	Open Space/Wetlands-Pond	Pond and Wetlands about conservation trails for viewing	Yes	Commercial	No	Wetlands Protection Act	Wetlands
7	36	Town of Plainville	0 George Street	Select Board	15.20	Pond/Woodland	Pond and wetlands, no public access along perimeter.	Yes	Residential	Yes	Wetlands Protection Act	Wetlands

7	66	Town of Plainville	0 Washington Street	DFW	5.70	Turnpike Lake (upper)	beaver dam at upstream end	Fishing/Canoeing	Yes	Commercial	Ycs	100% wetlands (lake)	Lake needs weed control
7	70	Town of Plainville	Island in Turnpike Lake	DFW	0.31	Island in Turnpike Lake	Fishing/Picnicking	Yes	Commercial/ Residential	No	Wetlands Protection Act	Good	
7	71	Town of Plainville	Island in Turnpike Lake	DFW	1.8	Island in Turnpike Lake	Fishing/Picnicking	Yes	Commercial/ Residential	No	Wetlands Protection Act	Good	
7	72	Town of Plainville	Turnpike Lake	DFW	101.19	Turnpike Lake	Fishing/Canoeing	Yes	Residential	Ycs	100% wetlands (lake)	Wetlands Protection Act	Lake needs weed control – hazardous materials remediation and dam repairs being done by BASF
7	73	Town of Plainville	Island in Turnpike Lake	DFW	4.59	Island in Turnpike Lake	Fishing/Camping/Bay Scouts	Yes	Residential	No	Wetlands Protection Act	Good	
7	74	Town of Plainville	Rear George Street	DFW	5.91	Woodland/Wall Protection	Reserved for wall head protection/ Access to Islands	Yes	Residential	Yes	100% wetlands (lake)	Zone 1 & 2 well protection	Good
7	75	Town of Plainville	Turnpike Lake	DFW	8.27	Turnpike Lake	Fishing/Canoeing	Yes	Residential	No	Wetlands Protection Act	Good	
7	117	Town of Plainville	Shepard Street	Select Board	0.5	Land abutting Turnpike Lake/Fishing	Small parcel abutting lake and highway – used for fishing	Yes	Residential	Yes	100% wetlands (lake)	Lake needs weed control – hazardous materials remediation and dam repairs being done by BASF	
7	161	Town of Plainville	Off Sharlene Lane	Select Board	1.79	Conservation strip behind house lot development	Isolated strip of woodland – visual buffer only	Yes	Residential	Yes	Wetlands Protection Act	Good	
7	182	Town of Plainville	Rear School St.	Plainville Park & Recreation	12.77	"Fields of Dreams" Ballfields	Additional ballfields, exercise paths, restrooms, concession stands proposed	Ycs	Residential	No	Open space tied to development project	Good	
7	219	Town of Plainville	0 Heather Lane	DFW	0.16	Pump Station	No additional use	Ycs	Residential	No	None	None	Fields and parking need continual maintenance and upkeep. Fields in medium condition. Parking lot is stone surface.
7	236	Town of Plainville	62 Sharlene Lane	DFW	0.74	Water Tank	No additional use	Yes	Residential	No	Unknown	Good	
7	237	Town of Plainville	60 Sharlene Lane	DFW	0.67	Woodland	Reserved for Water Supply uses	Yes	Residential	No	Unknown	Good	
8	96	Town of Plainville	190 South Street	Select Board	21.00	Town Hall & Public Safety Complex	Room for additional municipal uses as needed	Yes	Commercial	No	None	None	Buildings and parking need continual maintenance and upkeep. Library needs new AC
8	104	Town of Plainville	25 Wisteria Drive	Conservation Commission	22.86	Woodland/Trails	Future signage needed to tie into larger trail system on abutting parcels/monitored vehicle use without permission	Ycs	Residential	Yes	Protected via Residential Open Space Development	Good	
8	112	Town of Plainville	Millard Lane	Select Board	0.15	Woods	Connects with other open space land for public access	Yes	Residential	No	None	Good	
8	123	Town of Plainville	Rear Fern Ave	Select Board	0.31	Woods/Connects with other open space land for public access	Connects with other open space land for public access	Yes	Residential	No	None	Good	
8	124	Town of Plainville	Rear Fern Ave.	Conservation Commission	0.13	Woods	Connects with other open space land for public access	Yes	Residential	Ycs	Article 97	Good	
8	135	Town of Plainville	Edgemont Road	Select Board	0.11	Woods	Isolated lot-to-future proposed municipal	Yes	Residential	No	None	Good	

						use						
8	136	Town of Plainville	Mallard Lane	Select Board	0.15	Woods	Connects with other open space land for public access	Yes	Residential	No	None	Good
8	137	Town of Plainville	Mallard Lane	Select Board	0.28	Woods	Connects with other open space land for public access	Yes	Residential	No	None	Good
8	138	Town of Plainville	Mallard Lane	Select Board	0.13	Woods	Connects with other open space land for public access	Yes	Residential	No	None	Good
8	144C	Town of Plainville	Edgemont Road	Select Board	0.21	Woods	Isolated lot-no future proposed municipal use	Yes	Residential	No	None	Good
8	145	Town of Plainville	Edgemont Road	Select Board	0.48	Woods	Isolated lot-no future proposed municipal use	Yes	Residential	No	None	Good
8	155	Town of Plainville	2 Maple Trace	DPW	0.34	Drainage Basin	Drainage basin	Yes	Residential	No	None	Good
8	162	Town of Plainville	Rear Fuller Street	Select Board	2.35	Old Rail Road bed	Future Metacomet Greenway Rail Trail-Hiking, Bicycling, Running	Ycs	Residential	No	None	Poor
8	170	Town of Plainville	Mallard Lane	Select Board	0.13	Woods	Connects with other open space land for public access	Yes	Residential	No	None	Good
8	172	Town of Plainville	Edgemont Road	Select Board	0.11	Woods	Isolated lot-no future proposed municipal use	Ycs	Residential	No	None	Good
8	200	Town of Plainville	383 South Street	Select Board	0.46	Woods	Isolated lot-no future proposed municipal use	Ycs	Residential	No	None	Good
8	220	Town of Plainville	30-32 Shadene Lane	Select Board	0.36	Woods	Isolated lot-no future proposed municipal use	Ycs	Residential	No	None	Good
9	96	Town of Plainville	Rear Bridle Path	DPW	0.99	Drainage basin	Drainage basin	Ycs	Residential	No	None	Good
9	102	Town of Plainville	Rear Bridle Path	Conservation Commission	41.22	Woods/Trails	Possible enhanced trail system, trail markings and public access needed	Ycs	Residential	Yes	Article 97	Overgrown
10	4	Town of Plainville	East Bacon	DPW	0.25	DPW Pump Station	DPW Pump Station	Ycs	Residential	No	None	Good
11A	10A	Town of Plainville	25 Witherell Place	Conservation Commission	1.24	Woodland abutting lake	Lake frontage to clear public access, signage or parking	Ycs	Residential	Yes	Article 97 (Ded Br 2018.5 Pg. 461)	Good
11A	18A	Town of Plainville	Behind 52-54 South Street	Select Board	0.11	Woods	Isolated parcel-no public access	No	Residential	No	None	Good
11A	29	Town of Plainville	11 Bacon Square	Select Board	0.21	Woods	Isolated lot-no future proposed municipal use	Ycs	Residential	No	None	Good
11B	11	Town of Plainville	24 Spring Street	Select Board	0.44	Boy Scout House	House needs major repair and ADA compliance	Ycs	Commercial	No	None	Poor
11B	13	Town of Plainville	9 School Street	Council on Aging	0.46	Plainville Senior Center	Possible expansion in future ADA issues/Need more parking and room for outdoor activities	Ycs	Commercial	No	None	Needs upgrades/roof repairs
11B	182	Town of Plainville	0 East Bacon	DPW	2.00	Water Tower	Water Tower	No	Residential	No	None	Good
11C	39	Town of Plainville	171 East Bacon Street	DPW	25.00	Water Dept. Buildings and Well Protection Land	Buildings and Well Protection land.	Ycs	Residential	Yes	Zone 1 & 2 Well Protection	Medium

11C	67	Town of Plainville	0 Sunnyside Drive	Select Board	2.05	Woods/Open space associated with condo project	possible future water treatment plant isolated lot	Ycs	Residential	Yes	Zoning Restricted as part of development	Good
12	11A	Town of Plainville	Rear Farm Hill Lane	Conservation Commission	2.42	Woods/Trail	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Yes	Residential	Yes	Article 97	Good
12	12	Town of Plainville	Rear Trotters Lane	Conservation Commission	12.71	Woods/Trail	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Yes	Residential	Yes	Article 97	Good
12	12D	Town of Plainville	Trotters Lane	DPW	0.66	Trotters Lane/Connection between open space lands with easement access over 12B & C	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Ycs	Residential	No	Public Road	Good
12	13B	Town of Plainville	Rear Walnut Street	Conservation Commission	5.50	Woods/Trail	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Ycs	Residential	Yes	Article 97	Good
12	38D	Town of Plainville	Off Farm Hill Lane	DPW	0.12	Drainage Basin & Trail	Trail Access to easement over Psl. 12/11	Yes	Residential	No	None	Good
12	44	Town of Plainville	Rear Field Dr.	DPW	6.61	Wooded/Watershed Protection/Hiking trails	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Ycs	Residential	Yes	Article 97 (Decd Bk 11650 Pg. 284)	Good
12	46	Town of Plainville	33 Field Drive	DPW	37.00	Wooded/Watershed Protection/Hiking trails	Part of proposed hiking trail from Telford Park/Town Hall to Hawkins Woods-needed signage, clearing, mapping.	Ycs	Residential	Yes	Article 97 (Decd Bk 11650 Pg. 284)	Good
12	63	Town of Plainville	0 Water Drive	DPW	8.32	Wooded/Watershed Protection/Hiking trails	Need trail mapping	Ycs	Residential	Yes	Article 97 (Decd Bk 11650 Pg. 284)	Good
12	63A	Town of Plainville	Rear Water Drive	DPW	10.34	Wooded	Need trail mapping	Ycs	Residential	No	None	Good
12	64A (Two Parcels)	Town of Plainville	West Bacon Street	DPW	8.70	Wooded/Watershed Protection/Hiking trails	Wooded/Watershed Protection/Hiking trails	Ycs	Residential	Yes	Article 97 (Decd Bk 11650 Pg. 284)	Good
12	94	Town of Plainville	West Bacon Street	Select Board	15.96	Witherell's Pond	Need expanded access for fishing/canoing	Ycs	Residential	Yes	100% wetlands (lake)	Good
12	108	Town of Plainville	West Bacon Street	Select Board	1.00	Cemetery	No other use proposed	Ycs	TCD	No	None	Good
12	112	Town of Plainville	Rear West Bacon Street	DPW	3.70	Town Well	No other use proposed	No	Residential	Yes	Zone 1 Well Protection	Good
12	113	Town of Plainville	West Bacon Street	DPW	12.50	DPW Garage	Possible future expansion as needed	No	Industrial	No	None	Poor

Map	Lot	Non-Profit Lands & Other Public Entities	Owner	Location	Manager	Acres	Existing Use	Recreation Potential & Proposed Use	Public Access	Zoning	Protected	Type of Grant	Condition of Site
1	17	City of Attleboro	0 Becker Street	City of Attleboro	DCR	4.6	Woods/Trails/Hunting	Medium	Ycs	Residential	No	Unknown-Obtained for watershed protection	DCR land
2	1	Comm. of Massachusetts	George Street	George Street	DCR	13.42	Woods/Trails/Hunting	Medium	Ycs	Residential	Yes	Unknown-Obtained for watershed protection	DCR land
2	2	Comm. of Massachusetts	George Street	George Street	DCR	12.25	Woods/Trails/Hunting	Medium	Ycs	Residential	Yes	Unknown-Obtained for watershed protection	DCR land
3	43A	Natural Resources Trust of Plainville	57A Taunton Street	NRTP	14.31	Nature Study/Passive	Low	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
4	3	Comm. of Massachusetts	Wampum Street	DCR	32.35	Woods/Trails/Hunting	Medium	Ycs	Residential	Yes	Yes	DCR land	DCR land
4	33	Natural Resources Trust of Plainville	172 Washington Street	NRTP	9.00	Nature Study/Passive/Wetlands	Low	Ycs	Commercial	Yes	Yes	Trust Charter	DCR land
6	8	Natural Resources Trust of Plainville	38 Taunton Street	NRTP	1.34	Nature Study/Passive	Medium	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
6	9	Natural Resources Trust of Plainville	38 Taunton Street	NRTP	18.20	Nature Study/Passive/Trails	Medium	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
6	9-A & B	Natural Resources Trust of Plainville	Shepard Street	NRTP	5.85	Nature Study/Passive/Trails	Medium	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
6	24	Natural Resources Trust of Plainville	50 Taunton Street	NRTP	7.20	Nature Study/Passive	Low	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
8	11	Town of North Attleboro	Off Fuller Street	Water Dept.	63.49	Woods/Trails/Wetlands Protection/Lakefront/Dam	Medium	Ycs	Residential	Unknown	Unknown	Well Head Protection for North Attleboro Wells	DCR land
8	12	Town of North Attleboro	Off Fuller Street	Water Dept.	31.85	Woods/Trails/Wetlands Protection/Ten Mile River	Medium	Ycs	Residential	Unknown	Unknown	Well Head Protection for North Attleboro Wells	DCR land
8	87	Town of North Attleboro	Off Fuller Street	Water Dept.	15.10	Woods/Trails/Wetlands Protection/Ten Mile River	Medium	Ycs	Residential	Unknown	Unknown	Well Head Protection for North Attleboro Wells	DCR land
8	114	Town of North Attleboro	Off Fuller Street	Water Dept.	9.75	Woods/Trails/Wetlands Protection/Ten Mile River	Medium	Ycs	Residential	Unknown	Unknown	Well Head Protection for North Attleboro Wells	DCR land
12	157	Natural Resources Trust of Plainville	Warren Street	NRTP	13.43	Study/Passive/Woodland	Low	Ycs	Residential	Yes	Yes	Trust Charter	DCR land
		Total Acres			252.14								
		Conservation Restrictions											
9	114	Amberfields, LLC	Rear Hancock St.	Amberfields, LLC	10.27	Woods/Trails	Medium	Ycs	Residential	Yes	CR pending - Proceed via Residential Open Space Development	CR pending - Proceed via Residential Open Space Development	DCR land
12	334	Walnut Hill Estates , LLC (Homeowners Association)	Behind Walnut Hill Estates houses.	Walnut Hill Estates , LLC	24.26	Woods/Trails - Hiking and Horse	Medium	Ycs	Residential	Yes	Conservation Restriction	Conservation Restriction	DCR land
13	3	Walnut Hill Estates , LLC (Homeowners Association)	Behind Walnut Hill Estates houses.	Walnut Hill Estates , LLC	15.22	Woods/Trails - Hiking and Horse	Medium	Ycs	Residential	Yes	Conservation Restriction	Conservation Restriction	DCR land
13	83	Walnut Hill Estates , LLC (Homeowners Association)	Behind Walnut Hill Estates houses.	Walnut Hill Estates , LLC	10.30	Woods/Trails - Hiking and Horse	Medium	Ycs	Residential	Yes	Conservation Restriction	Conservation Restriction	DCR land

APPENDIX E

**Public Use of Land for Recreational, Conservation, Scientific
Educational and Other Purposes; Landowner's Liability Limited;
Exception**

Chapter 21, Section 17C

Part I ADMINISTRATION OF THE GOVERNMENT

Title II EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE
COMMONWEALTH

Chapter 21 DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Section 17C PUBLIC USE OF LAND FOR RECREATIONAL, CONSERVATION,
SCIENTIFIC EDUCATIONAL AND OTHER PURPOSES;
LANDOWNER'S LIABILITY LIMITED; EXCEPTION

Section 17C. (a) Any person having an interest in land including the structures, buildings, and equipment attached to the land, including without limitation, railroad and utility corridors, easements and rights of way, wetlands, rivers, streams, ponds, lakes, and other bodies of water, who lawfully permits the public to use such land for recreational, conservation, scientific, educational, environmental, ecological, research, religious, or charitable purposes without imposing a charge or fee therefor, or who leases such land for said purposes to the commonwealth or any political subdivision thereof or to any nonprofit corporation, trust or association, shall not be liable for personal injuries or property damage sustained by such members of the public, including without limitation a minor, while on said land in the absence of wilful, wanton, or reckless conduct by such person. Such permission shall not confer upon any

member of the public using said land, including without limitation a minor, the status of an invitee or licensee to whom any duty would be owed by said person.

(b) The liability of any person who imposes a charge or fee for the use of his land by the public for the purposes described in subsection (a) shall not be limited by any provision of this section. For the purposes of this section, "person" shall include the person having any interest in the land, his agent, manager or licensee and shall include, without limitation, any governmental body, agency or instrumentality, a nonprofit corporation, trust, association, corporation, company or other business organization and any director, officer, trustee, member, employee, authorized volunteer or agent thereof. For the purposes of this section, "structures, buildings and equipment" shall include any structure, building or equipment used by an electric company, transmission company, distribution company, gas company or railroad in the operation of its business. A contribution or other voluntary payment not required to be made to use such land shall not be considered a charge or fee within the meaning of this section.

APPENDIX F

Agricultural Law Memo

Small Plot Farming: Amendments to Ch. 40A, Section 3



Agricultural Law Memo

ALM 10-04

August 9, 2010

TOPIC: Small Plot Farming: Amendments to Chapter 40A, Section 3

ISSUE: On Thursday, August 5, 2010, Governor Patrick signed into law Chapter 240 of the Acts of 2010. Section 79 of Chapter 240 amends General Laws Chapter 40A, Section 3, by adding as an additional category of agricultural uses protected by that statute any parcel of 2 acres or more that generates annual revenues from the sale of products of \$1,000 or more per acre. The purpose of this ALM is to explain the meaning of this addition.

Chapter 40A, Section 3, provides a conditional exemption for the use of land and the construction and use of structures on land for the primary purpose of commercial agriculture. It provides that no zoning ordinance or by-law may prohibit, unreasonably regulate, or require a special permit for the use of land and the construction and use of structures that have a primary purpose of commercial agriculture. Prior to amendment, Section 3 applied to (1) parcels of land of any size devoted primarily to commercial agriculture within districts zoned for agriculture, and (2) parcels of land of five acres or more devoted primarily to commercial agriculture within any zoning district. Neither of these has a minimum revenue requirement.

As amended, Section 3 provides an additional third category of protection: (3) parcels of land of 2 acres or more if the sale of products from the agricultural use generates \$1,000 per acre or more of gross sales. Therefore, if a parcel falls into any one of these three categories, the parcel will enjoy the protections of Section 3. The full text of Section 3, as amended, is attached to this ALM.

Readers should note three points: (1) the amendments to Section 3 became effective immediately upon the Governor's signing on August 5, 2010; (2) agriculture is broadly defined by reference to General Laws Chapter 128, Section 1A; and (3) the amendments do not alter the acreage requirements of other laws, such as use taxation under Chapters 61, 61A and 61B.

Chapter 240 of the Acts of 2010

SECTION 79. Section 3 of chapter 40A of the General Laws is hereby amended by inserting after the word "more", in line 25, as so appearing, the following words:or to parcels 2 acres or more if the sale of products produced from the agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture use on the parcel annually generates at least \$1,000 per acre based on gross sales dollars.

Amended Section 3 of Chapter 40A (inserting text in bold):

No zoning ordinance or by-law shall regulate or restrict the use of materials, or methods of construction of structures regulated by the state building code, nor shall any such ordinance or by-law prohibit, unreasonably regulate, or require a special permit for the use of land for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, nor prohibit, unreasonably regulate or require a special permit for the use, expansion, reconstruction or construction of structures thereon for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, provided that either during the months of June, July, August and September of each year or during the harvest season of the primary crop raised on land of the owner or lessee, 25 per cent of such products for sale, based on either gross sales dollars or volume, have been produced by the owner or lessee of the land on which the facility is located, or at least 25 per cent of such products for sale, based on either gross annual sales or annual volume, have been produced by the owner or lessee of the land on which the facility is located and at least an additional 50 per cent of such products for sale, based upon either gross annual sales or annual volume, have been produced in Massachusetts on land other than that on which the facility is located, used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, whether by the owner or lessee of the land on which the facility is located or by another, except that all such activities may be limited to parcels of 5 acres or more or to **parcels 2 acres or more if the sale of products produced from the agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture use on the parcel annually generates at least \$1,000 per acre based on gross sales dollars** in area not zoned for agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture. For such purposes, land divided by a public or private way or a waterway shall be construed as 1 parcel. No zoning ordinance or by-law shall exempt land or structures from flood plain or wetlands regulations established pursuant to the General Laws. For the purposes of this section, the term "agriculture" shall be as defined in section 1A of chapter 128, and the term horticulture shall include the growing and keeping of nursery stock and the sale thereof. Said nursery stock shall be considered to be produced by the owner or lessee of the land if it is nourished, maintained and managed while on the premises.