

TOWN OF IPSWICH  
MASSACHUSETTS

Article 20 Committee  
Meeting of Thursday, June 30, 2016  
Ipswich Town Hall, 25 Green Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Article 20 Committee was held on THURSDAY, JUNE 30, 2016 at 7 PM in Town Managers Conference Room

Eric Josephson, Chief Paul Nikas, Bob Weatherall, Catherine Howe Psy. D., William Craft, Susan Boreri [MD](#).  
Fred Winthrop was absent.

William Craft called the meeting to order at 7:10.

**Citizens Inquires**  
None

**Establishing the Article 20 Committee -Electing a Chair and discussing goals:**

- A distribution list will be created by Mr. Josephson to make communication easier.
- The Committee discussed electing a chair, and they thought Fred Winthrop would be fitting, if he is able to attend meetings. If he agrees the Board has consensus on making him chair.
- In the interim Mr. Craft will lead the meeting tonight only.
- Mr. Josephson would like to see this committee provide guidance in the safe conduct of “Sport Shooting and Target Ranges” on private property. The Town of Ipswich is permitted to exercise authority over the safe discharge of “firearms” in areas excluding discharge relating to hunting and self-defense. This is not about hunting, to be clear. We need to be careful about not infringing on already existing state law.
- ~~Ms. Boreri~~[Dr. Boreri](#) explained that her bylaw came almost word for word from Belmont, which was approved by the Massachusetts Attorney General.
- Ms. Howe asked about current definitions and requirements and these were explained by Chief Nikas and Mr. Josephson. ~~Ms. Boreri~~[Dr. Boreri](#) explained we are discussing “sport shooting and shooting ranges” on private property. .
- The intent of article 20 was to look specifically at “sport shooting and shooting ranges” on private property and how guideline might better serve the town of Ipswich.
- Mr. Craft reiterated that the discharge of a fire arm already is protected, if done in self-defense and in a state regulated shooting range such as the Ipswich Fish and Game Club. This was discussed at length, because now it appears that anyone case set up a shooting range on private property with little or no oversight.
- The state law is very confusing, and the Chief Nikas agreed. The current law was discussed at length.
- Ms. Howe asked further questions about the Fish and game Club, Mr. Josephson explained that members all bring their own firearms and members are individually licensed.
- Mr. Craft said the Town, with previously discussed exceptions, has the authority to manage and/or provide ~~guidene~~[guidance](#) on the discharge of firearms in Ipswich. We cannot restrict

discharge for hunting or personal defense. Ms. ~~Boreli~~ Boreli explained why this article came about, and Chief Nikas explained that the state never defined in law what formally constitutes a range.

- Mr. Craft asked if it was within the town's prerogative to be able to set standards. It is believed that it is. Material was distributed that contained EPA suggestions on what creates a safe range. Mr. Josephson wanted to make sure we didn't vilify the use of a firearms in general.
- Ms. Howe asked Mr. Josephson how does Fish and Game range is set up and addresses backstop berms and lead from bullets. Mr. Josephson wanted to exempt the discussion of lead out of this committee because it is an environmental issue. ~~Ms. Boreli~~ Dr. Boreli did not want to take lead off the table. Ms. Howe wanted to think about it and what we do now, and how we move forward. Mr. Josephson said it is knowing what your target is, and what is beyond it. They have rules about how they want their members to discharge their firearm. Ms. Howe wanted to know how we think of a range vs. other backyard discharge activities.
- Mr. Craft asked if everyone agreed that the Mission Statement should be: To discuss and recommend on the advisability of creating guidelines relating to the discharge of firearms for the purpose of target practice and/or sport shooting on private property. Mr. Craft suggested to move forward we will need to define a clear purpose/rationale for the committee..
- Mr. Josephson is concerned that legislation to solve someone's neighbor problem. There are no other complaints anywhere in town. He is very concerned that we are leveraging the town political system to solve a problem. Mr. Craft said on the other hand there likely is a good deal of backyard shooting going on all over Ipswich.
- Chief Nikas wanted to make sure possible future recommendations protect the responsible gun owners and force the others to do this properly.
- Mr. Josephson said the Chief has the ability to determine suitability of a gun owner to be licensed and in certain circumstances even without due process lose their license.
- Ms. Boreli said this is a public safety issue, and while there are ways to solve her problems she wants to make sure others are safe as well. Ms. Boreli said one thought is to the 500 foot requirement why it shouldn't be greater—up to a mile. It was explained the 500 feet comes from a hunting requirement. Ms. Howe said there are two firearms we could express concern about and cover in recommendations but we should not be discussing outcomes until we have more information.
- It was suggested that the committee look into environmental as well as public safety issues. Mr. Josephson would like to not have environmental issues as part of the committee's goals.
- Mr. Weatherall said that in other committee's environment concerns are taken into account. If one is to apply those standards for other measures considered in town permitting process, then it may fit in recommendations for the discharge of firearms.
- Ms. Boreli said citizens have asked her to bring up quality of life in the town. Discussion ensued and Ms. Howe said to come up with guidelines without enforceable criteria is doing nothing.
- Mr. Craft asked if recognizing the right to discharge firearms on private property and at the same time describing the physical context in which this permissible could be a goal – i.e do properly licensed individuals have enough room and it is a range set up correctly and in a responsible manner.
- Ms. Howe said the committee should think about the level of enforcement and how in-depth we want the guidelines to be.
- Mr. Craft felt guidelines should be straightforward and not overly onerous.
- Ms. Howe felt that we should work with the presumption that most licensed people in Ipswich are good and cautious, and we just have these guidelines to permit enforcement if someone is not being responsible and exercising appropriate caution.

- Ms. Howe asked the Chief to what extent existing ranges have berms etc., Chief said most would use a hill side or have the acreage behind them.
- Mr. Josephson cautioned that improperly worded bylaws get leveraged and used in ways they are not intended further down the road.
- Ms. Howe said raised the issue of noise and time of day/night discharge would be permitted. It was explained that noise might be covered by a general noise ordinance and discharge related to hunting was permitted from early morning to 10 p.m.
- ~~Ms. Dr.~~ Boreli said her concern is not to restrict ranges but that unlit backyard ranges might require time of day restrictions.
- Mr. Craft felt we need a well-constructed chain of considerations to move forward.
- Mr. Jospheson explained that the one thing that meets the intent, he feels that one opportunities is to simply come up with an acceptable definition for range within the town of Ipswich.
- Ms. Howe said we really need to make sure we all are in agreement in our definitions. Discussion ensued on this.
- Ms. Howe requested that the goal for next week be that everyone gets up to speed on existing documents. Ms. Howe asked that Chief and Jospheson send out the definition of the firearm.

Formatted: Indent: Left: 0.55", No bullets or numbering

Formatted: Bullets and Numbering

Assignments: Ms. Boreli will send out documents. Mr. Weatherall asked the Chief Nikas and Mr. Josephson to provide examples of well-constructed ranges.

#### **Set Schedule for Future Meetings**

The next meeting would be July 7<sup>th</sup> at 7PM.

#### **Adjournment**

*Mr. Jospheson moved to adjourn at 8:55, Ms. Boreli seconded. The motion passed unanimously.*

Respectfully submitted by  
Jennifer Dionne  
7.5.16