

TOWN OF IPSWICH
MASSACHUSETTS

Article 20 Committee
Meeting of Thursday, July 7, 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, JULY 7, 2016 at 7 PM in Town Managers Conference Room

Eric Josephson, Chief Paul Nikas, Bob Weatherall, Tammy Howe Psy. D., William Craft, Susan Boreri MD, and Fred Winthrop.

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

Citizens Inquires

Steve Miles 58 North Main Street: Thanked everyone for serving on this committee. He asked if the Committee would consider the following suggestions as it proceeds with its deliberations.

- Training for anyone who would discharge a firearm at a shooting range and specify minimum training requirements.
- Additional requirements/restrictions other than a 500 foot set back from facilities in certain areas in town—perhaps determined by zoning and/or density.
- Similar to a swimming pools owners would be expected to have liability insurance and fencing.
- The more ballistic power to be employed may require additional setbacks, etc.
- Consider restrictions on certain firearms similar to those in force at the Fish and Game Club.

Minutes for 6/30/2016: The Committee postponed vote on the Minutes of the Committee's initial meeting to give members time to review and comment before taking the vote to approve scheduled for the Committee's next meeting.

Electing Chairman of Committee: The Board discussed who would be the Chairman of the Committee. Mr. Craft did not believe it appropriate for him to be both the representative of the BOS and also Article 20 Committee Chairman. Ms. Howe would rather not be chair as she has never been on a town committee such as this before. Ms. Howe felt Bob Weatherall could be a good chair, if Mr. Winthrop was not interested. Mr. Craft encouraged Mr. Winthrop to consider becoming chair. Mr. Winthrop indicated that he would rather provide support to someone else rather than take on the roll himself. Mr. Craft agreed to continue as interim chair for one more meeting. It was agreed to revisit the topic of permanent chair at the next meeting.

VOTE: Mr. Josephson nominated Mr. Craft as interim Chair, Chief Nikas seconded. The motion passed unanimously.

VOTE: Mr. Winthrop moved to close the nomination, Mr. Josephson seconded. The motion passed unanimously. Mr. Craft was elected interim Chair by general consent.

Establishing the Article 20 Committee goals: The Article that established the Committee and was voted on at Town Meeting was discussed at length. The schedule of how this should move forward was discussed because deadlines involving the Special Fall Town Meeting were rapidly approaching. It was agreed that the Committee needed to be clear on where it was going with recommendations, etc. by the first week of September. Initial thoughts regarding the discharge of firearms for sport shooting and target practice within the Town of Ipswich are as follows:

- Dr. Boreri thought we could start with time constraints. Make it half an hour after sunrise to half an hour before sunset.
- Look at the 500 feet buffer from dwellings. Some suggestions were to extend buffer to 1,000 yards
- Ban the discharge of firearms on private property for sport shooting and target practice within certain distances of schools, business districts and churches.
- Ban the discharge of firearms on private property for sport shooting and target practice on Sundays.
- Mr. Winthrop wanted to understand more the issues affecting Dr. Boreri and her neighbors. This was discussed at length. It was agreed that policy recommendation need to address general concerns not just unique situations.
- Chief Nikas noted that he was in favor of certain physical requirements for protection, including berm heights, and bullet collection. Not just for the safety of neighbors but the shooters as well.
- Mr. Weatherall suggested members go around the table and each say “do they support efforts to pursue regulations to govern the discharge of firearms on private property for sport shooting and target practice. He felt it was important to take this step. Mr. Winthrop felt it was too early to make this decision.
- Mr. Weatherall felt law enforcement would benefit from having rules and guidelines and was concerned there were no current rules regulating the discharge of firearms on private property for sport shooting and target practice. Saying all of that, he is sensitive to increasing regulations in town, and would like to tread carefully and deliberately.
- Ms. Howe felt that as they think about these issues, that there is a way the Committee can put forward guidelines that are not punitive but instructive.
- Dr. Boreri wanted to be clear this was not a vendetta but a public safety measure to do something before an issue happens.
- Mr. Josephson wanted to be clear, that no changes to firearms since 1974 and most of Ipswich population density had been established before the most recent state regulations came into play.
- Mr. Craft also felt we could identify at least 20 or so characteristics that would insure safety regarding the discharge of firearms on private property for sport shooting and target practice that the Committee might discuss and prioritize. Recommending some or all would make clear that Ipswich wished to demonstrate prudence and responsible efforts. Once we generate a list and whether or not a majority of the Committee agree or disagree can be discussed with the benefit of more information.
- Ms. Howe said that in the beginning of citizen’s query, there was the question about whether or not we wanted to have minimal training required. How would this work with teenager’s underage who can fire with supervision? If there is a consideration of training in regards to unlicensed teenagers should be on the list.
- Fencing in the area where the discharge of firearms for the purpose of spot shooting and target practice is permitted – should this be considered in a manner similar to a permitted swimming pool?
- Should the kinds of weaponry permitted to be discharged for the purpose of spot shooting and target practice be considered?

- Should liability Insurance similar to what is required to have a swimming pool be required? Mr. Weatherall asked what this insurance would cover. Mr. Miles (citizen from the audience) did not know the specifics or extent of coverage.
- Mr. Craft said that if hitting a tin can cause a ricochet should targets be required that do not cause ricochets or at least lessen the possibility.
- Craft said that imposing requirements to ensure safety during the discharge of firearms on private property for the purpose of spot shooting and target practice would require an addition investment and should be seen as part of the cost of these activities on private property.
- Mr. Josephson wanted not to add noise to the list. Dr. Boreri wanted to add noise to the list - no consensus emerged. Mr. Josephson also wanted to be careful using fish and game club regulations.
- Ms. Howe said the word established would be very important, people legally would need to be able to prove their range was established (or preexisting) with specific paperwork.
- Mr. Craft added language to the draft minutes of the Committee's first meeting on page 2, saying "Mr. Josephson is concerned that legislation not be created only to solve someone's neighbor problem".
- Mr. Josephson wanted to also to be careful about saying established a range, because someone may want to take their children out and teach them how to shoot but wouldn't discharge a firearm on a regular basis.
- Mr. Winthrop still has concerns about people who go into their backyard with a berm not being able to shoot.
- Mr. Craft said by general consensus at the Committee's first meeting members thought it is neither irresponsible nor unreasonable to establish parameters to have on table when considering the discharge of firearms on private property for the purpose of spot shooting and target practice.
- Mr. Josephson said he wanted to make sure this was not taking action on a problem child, he visited this lot and the location being used. There is a 50-foot elevation, so anything they would come up with the existing berm height would be satisfied.
- Ms. Howe said when you have a 500-yard distance, can you shoot in the direction of a residence. It was confirmed this was allowed. She felt there was a difference between standing 500 feet and shooting in opposite direction but standing 500 feet and shooting in the direction of a dwelling might pose a problem.
- Mr. Weatherall felt in the interest of time, that they cannot legislate someone shooting into the sky, etc. Mr. Craft felt it was appropriate to discuss potential guidelines but not make them so onerous so they are difficult to enforce.
- Mr. Weatherall wanted to add to list, would committee considering lot area and size and/or zoning districts.
- Mr. Josephson said if we are talking about a flat piece of land and they shoot directly in the direction of a house, they would get arrested but on what grounds?. The Chief said on many different charges.
- Chief Nikas said in essence we want to try to enact best practices.
- Ms. Howe said this is where it would be helpful to see how other people are currently doing this.
- Mr. Winthrop added to him it seems that depending on the type of gun you have very different kinds of ranges may be required.
- Lead issues would also be added to the list. Mr. Josephson said the EPA has specific regulations already. Ms. Howe said we are not inventing these, but just drawing attention to them.

Assignments: Dr. Boreri offered to come up with different options on berms and cost factors included. Mr. Craft felt the cost would be extremely important and Dr. Boreri committed to investigate costs associated with complying with safe structures etc. Mr. Weatherall would also investigate costs for compliance.

Set Schedule for Future Meetings

The next meeting would be July 28th at 7PM.

Adjournment

Mr. Jospheson moved to adjourn at 8:50, Ms. Howe seconded. The motion passed unanimously.

Respectfully submitted by

Jennifer Dionne

7.14.16

Attachment to Minutes 7-7-16—Article 20 Committee

Possible Recommendations to Guide the Discharge of Firearms for the Purposes of Sport Shooting and Target Practice on Private Property

1. Training required for unlicensed children/teenagers and all others participating in Sport Shooting and Target Practice on Private Property.
2. Fencing around the area used for Sport Shooting and Target Practice on Private Property (similar to a pool).
3. Delineation of the kinds of firearms permitted for Sport Shooting and Target Practice on private property.
4. Liability Insurance required (similar to a pool).
5. Types of Targets used to minimize ricochets, etc.
6. Best Practices for building berms and safety fencing, etc. for target and sport shooting ranges on private property.
7. Noise limits and abatement.
8. Restriction specific to lot size/zoning districts
9. Types of weapons and their appropriateness to various designs for sport and target shooting facilities on private property.
10. Lead Issues.
11. Collaboration with other town committees prior to final Article 20 Committee recommendations to Town Meeting including such committees as Planning and Conservation.