



Shining a Light on the Plymouth Foundation

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Land Deal at 103 Hedges Pond Road, Plymouth MA.

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DISCLAIMER: Every reasonable effort has been made to ensure the accuracy of the information in this report. This report was compiled by volunteers. Facts are taken from public records, including municipal records of earth removal permits, municipal assessor databases, court records, and state documents. Extensive public records requests were made to municipalities and the state in an effort to obtain complete and accurate information. All drone footage was obtained by a licensed drone pilot in accordance with state and federal laws. CLWC has used its best efforts to verify and corroborate all facts before including them in this report. Any inaccuracies are due to the lack of publicly available information. Any corrections or requests for revisions should be sent to environmentwatchesoutheasternma@gmail.com.

Part I: Executive Summary

How the Foundation and Town Officials Work Behind Closed Doors on Land Deals and More

Foundation given access to information about Hedges Pond Road land, "1000 Acres" and "1600 Acres" while public kept in the dark

What does it mean for Plymouth's future?

The Plymouth Regional Economic Development Foundation ("The Foundation") is a private nonprofit that has, since its founding, operated alongside municipal government—receiving state and municipal funding, using public resources, and guiding land development decisions in the Town of Plymouth, Massachusetts.

Although the Foundation portrays itself as a charitable organization that promotes sustainable economic growth, this paper documents a pattern of behavior that suggests it functions as a proxy for private developers, often with the direct involvement of municipal employees. As land in Plymouth becomes an increasingly valuable and increasingly scarce asset, the Foundation plays a key role in providing developers insider access to information about public land while bypassing typical public oversight. This duality, where select public officials control, support, and benefit the Foundation, raises urgent questions about transparency, conflicts of interest, and whether town government is acting in the public's interest or in service of private gain.

This report presents a detailed timeline of the Foundation's activities between 2016 and 2025, including land transfers, sand and gravel mining projects and revenues and closed-door planning sessions involving Town owned land such as two locations on Hedges Pond Road, the "1000 Acres" in south Plymouth and the "1600" Acres owned by Holtec. Ownership and control of this land and how they are developed, if at all, are critical to shaping Plymouth's future. The findings rely on public records, foundation filings, email correspondence, town records, and the Foundation's own statements and marketing materials.

Key Findings

- The Town Manager, Town Planner and Select Board Chair serve on the Board of Directors of Foundation while also serving in public roles.
- Town officials authorize the use of town staff time and resources to assist the Foundation's private land sales.
- Public land is transferred to the Foundation under questionable circumstances — often at low cost for resale at massive profit.
- Lack of transparency and apparent violations of the Massachusetts Open Meeting Law raise questions. The Foundation promotes sand and gravel mining under the pretense of economic development.
- The Foundation and Town officials strategically exclude the public from their dealings, eliminating community oversight, particularly in Cedarville and the "1,000 Acre" area.

Key Recommendations

The Town should immediately terminate its Memorandum of Understanding ("MOU") with the Plymouth Foundation and halt the \$152,000 annual payment under the MOU. This would eliminate the financial entanglement and remove institutional support for an entity operating with insufficient oversight. All "municipal employees" should resign as Foundation directors and officers, including the Select Board Chair, Town Planner, and Town Manager.

At a minimum, the Town should amend the agreement to suspend public funding and require the Foundation to comply with the Open Meeting Law as a condition for continued support.

Part II: Governance of the Foundation

The Foundation is governed by an 11-member Board of Trustees, who also serve as the corporation's members, Board of Directors, and officers.¹

Under the Foundation's Bylaws, three board positions are assigned to municipal employees: The chair of the Select Board, Town Manager, and Town Planner.

¹ [*Excerpt from the Foundation's Articles of Organization showing the Foundation has 11 "trustees," 3 of whom are municipal employees*](#)

Under state law (G.L. c. 268A), six of the Foundation's officers and directors meet the definition of 'municipal employees' based on their current roles in public service.² They are:

- Derek Brindisi, Town Manager
- Lee Hartmann, Director of Planning and Development
- Richard Quintal Jr., Select Board Chair
- Stephen Cole, Executive Director of Economic Development and Tourism
- Kevin O'Reilly, Zoning Board of Appeals Member
- James Kimball, Member, Plymouth Growth and Development Corporation

The remaining four directors are currently a former State Representative Matt Muratore, (who served in the legislature while on the Foundation), developer Rick Vayo, Dee Wallace Spencer a developer and the family member of Zoning Board of Appeals member and Foundation founder Tom Wallace, and William Hallisey, business owner.

Part III: Timeline of Key Events

2001 - The Foundation is incorporated.

2002 - The Foundation obtains IRS 501(c)(3) status.

2005 - Town of Plymouth sells 23 acres at 103 Hedges Pond Road to the Foundation.

2008 - Plymouth Zoning Board of Appeals (ZBA) gives permit to Foundation to mine 400,000 cubic yards of sand and gravel at 103 Hedges Pond Road.

2011 - Plymouth ZBA increases permit for 570,000 cubic yards of sand and gravel.

² Under Massachusetts law, a "public employee" includes anyone working or volunteering for state, county, or municipal government—elected, appointed, paid or unpaid, full-time or part-time. This includes board and committee members, and in some cases, consultants acting on the government's behalf.

2014 - The Town and Foundation enter into the first MOU.³ Under the MOU the Town supervises the executive director and pays the Foundation \$125,000 annually. This was renewed in 2025 (see below).⁴

2014-2024 - The Town of Plymouth pays the Foundation over \$1.8 million for "services" under the MOU

July, 2022 - The Plymouth Select Board sells 33 acres at 71 Hedges Pond Road to the Foundation for \$1.00.

Feb. 7, 2025 - The Foundation sells 71 Hedges Pond Road to Standish Investment Group LLC for about \$3.4 million and issues a mortgage to Standish for about \$344,000.00

Feb. 11, 2025 - The Plymouth Select Board votes unanimously to renew the MOU with the Foundation increasing the annual payment from \$125,000 to \$152,298.⁵

Part IV: The Foundation's Operations, Activities, and Land Deals

The Foundation's stated mission is to "foster a thriving economy that supports smart growth, job creation, and a vibrant commercial base" in Plymouth. Plymouth is one of the fastest growing towns in the state. Buildable land is increasingly limited, valuable, and sought after. An examination of the Foundation's activities and land dealings reveals a pattern of close collaboration with the Town Planning Department and Town Manager about access to publicly owned land out of public view, raising concerns about conflicts of interest and potential misuse of public resources.

Core Functions and Financial Activities: Commercial Development

The Foundation's IRS filings and public statements show that the Foundation focuses on identifying land parcels suitable for commercial development. The

³ [2014 MOU between the Town and the Foundation](#)

⁴ Mr. Hartmann, the Director of Planning and Development, supervises the Foundation's Executive Director. This Executive Director is also identified as a town staff member on the town website, indicating a dual role.

⁵ [2025 MOU between the Town of Plymouth and the Plymouth Foundation – 21.8% increase from the 2014 MOU](#)

Foundation and the municipal employees who make up its board base this purpose on the rationale that commercial ventures place less strain on essential town services than residential development.

In a 2023 issue of *Invest: Boston* magazine, the Foundation's President William Hallisey states specifically how the Foundation helps developers find land:

"The Foundation's primary focus revolves around identifying land parcels suitable for commercial development. The reason behind this emphasis is that commercial ventures typically impose minimal strain on essential services like schools, fire departments and the police force. Therefore, the Foundation actively seeks out parcels of land that could potentially undergo rezoning."

Over the past 20 years, the Foundation's financial activity, including its current \$2.5 million in assets, appears to be significantly driven by land sales and sand and gravel mining on Plymouth's increasingly valuable and scarce public lands.⁶ This income is evident in past IRS filings, which report income from "Industrial Park Development & Preparation Gravel Sales."⁷ This aligns with permits granted by the town's Zoning Board of Appeals (ZBA) for sand and gravel removal around that time.

Land Deal at 71 Hedges Pond Road Between the Town and the Foundation

This land deal involving the Town, the Foundation, and a private commercial developer that is now sand mining the site, has raised significant community concern. Public investigation has revealed violations of laws protecting conservation land. This has resulted in [legal action](#) against the Town and the Foundation.

⁶ [Fiscal year 2023 Plymouth Regional Economic Development Foundation Tax Filing showing 2.5 million in assets](#)

⁷ [Excerpt from Foundation's 2011 IRS 990s](#)



Figure 1: April 2025, 71 Hedges Pond Road, Plymouth MA.

Timeline of the 71 Hedges Pond Road Land Deal

- **1977** – Town acquires the property (Lots 22B, 23, and 24 on Assessor's Map 55) by tax taking to build a landfill. The landfill was never constructed.
- **1993** – At the April 3 Town Meeting, voters unanimously approve Article 34, changing the land's use from "municipal purposes" to "open space/conservation purposes". Control is placed under the Conservation Commission.
- **1993 to 2025** - Town designates the land as the "Cedarville Conservation Area" and the area is used for walking, hiking, photography and nature observation.
- **1996** – The Town Open Space Committee, Planning Board included the Conservation Area in their plans. The 1996 plan described the area as dedicated for conservation purposes. Plans in 2003, 2010, and 2017 continued to list the Cedarville Conservation Area as open space managed by the Conservation Commission.
- **2018** - Town Meeting votes on Articles 26 and 27 to transfer portions of the land from the Conservation Commission to the Board of Selectmen for general municipal purposes. Article 27 aimed to transfer remaining portions back to the Conservation Commission for conservation purposes. Because the land was protected, the Town had to comply with Article 97 of the

Massachusetts Constitution which requires a two-thirds vote of the Legislature to dispose of or change the use of certain land or easements taken or acquired for natural resource purposes. This was never done.

- **2018** - Director of Planning and Development facilitated rezoning of parcels from residential to commercial and its subsequent transfer of control to the Select Board from the Conservation Commission⁸. Municipal employees then assisted the Foundation in marketing the property, using town resources to create maps and conduct necessary surveys. This activity is documented through emails, Foundation meeting minutes, and public documents.^{9,10}
- **July 2022** – The Select Board sells 33 acres to the Plymouth Foundation for \$1.00. The Town and Foundation fail to follow Article 97, and do not place the required 135 acres into conservation.

February 7, 2025 – The Plymouth Foundation sells the land to Standish Investment Group, LLC/Eric Pontiff for \$3.4 million. The Foundation assisted Standish with the financing by giving a mortgage for about \$344,000.00.

Foundation and town employee emails indicate specific instructions from the Foundation's Executive Director, Stephen Cole (also a town employee), to Lee Hartmann, the Director of Planning and Development, to create maps and obtain necessary information about the parcel for marketing purposes. This included a request to "Create a PDF ... plot and aerial ... for LoopNet" and assistance in getting a drone video produced.¹¹

Foundation meeting minutes reveal discussions about executing a purchase and sale agreement, navigating zoning approvals, and managing community inquiries, notably from the Cedarville Steering Committee. ***In one instance, Hartmann suggested not sharing information with the Committee during the purchase and sale process.***¹² The Foundation had an appraisal done on the property but has not made this public. Given the appreciating value of land in Plymouth, withholding this information is particularly troubling.

⁸ [Town Meeting votes to amend Zoning Bylaws to create Cedarville Village Enterprise District and votes to transfer lots 22B, 23, 24 Map 55 from Conservation Commission to the Select Board](#)

⁹ [Dec. 8, 2022 Email from Consultant to Cole and Hartmann asking permission for a survey\).](#)

¹⁰ [Foundation Meeting Minutes: Jan. 10, 2023, showing how the Foundation used Town resources to carry out its activities](#)

¹¹ [Discussion of 71 Hedges Pond Road Maps](#)

¹² [Excerpt from December 2022 Foundation minutes](#)

- **2024** - The Foundation applies to the Conservation Commission for a permit. At the July 16, 2024 public hearing, members of the Plymouth Foundation, Kimball (municipal employee of the Economic Development Board of the Town) and Foundation board member Hallisey, spoke about the Foundation's role in "cutting a roadway" and the town's economic needs.¹³
- **Sept. 11, 2024** - The Planning Board held an "informational" meeting on the permit application from the potential buyer of 71 Hedges Pond Road (EJ Pontiff/Standish Investments, LLC) for a commercial development. During the meeting, the Attorney for the potential buyer (Pontiff) calls the Foundation a "quasi-government" body.¹⁴

To see the escrow agreement and mortgage between the Foundation and the Town for 71 Hedges Pond Road, [click here.](#)

- **Dec. 4, 2024** - Despite wide community opposition and against the recommendation of the Cedarville Steering Committee, the Plymouth Planning board voted to recommend the project for approval to the Building Inspector.¹⁵
- **Jan. 16, 2025** - Building Inspector Jason Silva, issued the building permit for 71 Hedges Pond Road to Standish Investments.
- **Feb. 14, 2025** - Appeal to the Zoning Board of Appeals on the building permit. The appeal states that no earth removal should be approved in the Cedarville Village Enterprise District unless the removal is "necessary and incidental to a lawful end use which has received all required local and state permits for the use and which end use has been fully designed." Zoning Bylaw, Section 203-2(C) (3)(ii). The appeal also noted that an archaeological study should be conducted, and approval from the Massachusetts Historical Commission has not been given to proceed with work in an archaeologically significant area, as required by state and federal laws.

[See the appeal notice here.](#)

- **Feb. 14 2025** - A request for immediate enforcement of the Zoning Bylaw, including a cease-and-desist order, was sent to the building inspector. [You can see the request here.](#)

¹³ [Excerpt from July 16, 2024 Conservation Commission minutes](#)

¹⁴ [Recording of Plymouth Planning Board September 11, 2024](#)

¹⁵ [December 4, 2024 Cedarville Steering Committee Recommendation](#)

- **Feb., 2025** - The Foundation "donated" \$2 million to the Town, ostensibly the proceeds from the sale of 71 Hedges Pond Road to Standish. Some suggest this is a sleight of hand.¹⁶

The 71 Hedges Pond Road land is estimated to have \$15 million in sand and gravel. The mining operation began in January 2025, before the Foundation sold it to Standish.

Since the Town has paid the Foundation about \$2 million under the MOU, is this a wash? While the Select Board and Foundation portray this payment as a new, charitable contribution, it could be construed as merely reimbursing the taxpayers.

Land deal at 103 Hedges Pond Road Between the Town and the Foundation



Figure 2: December 2024, 103 Hedges Pond Road, Plymouth MA.

As with the 71 Hedges Pond Road deal, town staff initiated a rezoning proposal for Lot 25, claiming it would provide economic benefits. At the Fall Town Meeting, voters approved the rezoning from residential to General Commercial and authorized the transfer of the property to the Plymouth Foundation. In 2005, the

¹⁶ ["Town Hall Gives Special Treatment to Plymouth Foundation," Your View, Plymouth Independent, February 15, 2025](#)

Select Board sold the lot to the Foundation for \$500,000, financed through a mortgage from the Plymouth Industrial Development Corp. The property also contained significant sand and gravel deposits. In a town with limited available land, the exploitation of these resources by a quasi-private entity raises serious concerns and reveals a troubling pattern.

In 2008, the ZBA **granted the Foundation a permit to excavate approximately 400,000 cubic yards of material, which was later expanded.** In 2017, the Foundation sold the lot to Tonka Truck for \$1.3 million.

This transaction again illustrates the Foundation's involvement in acquiring town land and then engaging in sand and gravel mining. The actual economic benefit to the Town has never been documented by the Foundation. The Foundation has never disclosed the full value of its revenue from sand and gravel sales.



Figure 3: Timeline of 103 Hedges Pond Road Land Deal

Current Involvement in the Future Development of Town-Owned Land ("1,000 Acres")

The Town of Plymouth possesses a significant tract of land, estimated to be between 1,000 and 3,000 acres, commonly referred to as "The One Thousand Acres". This is a major public asset in an increasingly land-constrained

community. Over time, various proposals for the development or conservation of this One Thousand Acres have been considered. The 2014 MOU between the Town and the Foundation explicitly outlines that the Foundation will collaborate with the Town on the disposition of this land. Specifically, the MOU tasks the Foundation's Executive Director (operating under the supervision of Director of Planning and Development Lee Hartmann) with creating a long-term plan for the One Thousand Acres, addressing finances, infrastructure, title research, and other development-related needs.¹⁷

The Town's handling of the One Thousand Acres has been marked by a lack of transparency and potential violations of the Massachusetts Open Meeting Law (OML). The Select Board and Town Manager Derek Brindisi have frequently discussed the One Thousand Acres in Executive Session, citing Purpose 6 of the OML (regarding real estate matters), even when discussing conservation with state agencies. In April 2024, the Attorney General ruled that the Select Board violated the OML in this regard.^{18, 19}

Nevertheless the Select Board most recently held an Executive Session on this topic on December 4, 2024.

Despite the Select Board claims that discussing the One Thousand Acres in public will jeopardize "negotiations" and warrants executive session, evidence suggests that information regarding the One Thousand Acres has been shared with Foundation members and staff. This raises concerns about potential breaches of G.L. c. 268, Section 23(c), which pertains to conflicts of interest for public officials. Specifically, in January 2023, after an Executive Session on the One Thousand Acres, Lee Hartmann and possibly Derek Brindisi, disclosed information to Foundation members during a Foundation meeting.

Insider Information

Foundation meeting minutes from January 10, 2023, reveal further concerns. Foundation President Bill Hallisey inquired about parcels of land within the One Thousand Acres for potential Foundation development. Hartmann responded by

¹⁷ [2014 MOU between the Town and the Foundation](#)

¹⁸ [Massachusetts Attorney General's Office \(AGO\), Determination – 4/17/2024 – OML 2024-67 – Plymouth Board of Selectmen](#)

¹⁹ [Andrea Estes, "AG Says Plymouth's Select Board Violated State's Open Meeting Law Several Times," Plymouth Independent, April 18, 2024](#)

discussing how a deal with Fisheries and Wildlife for all or part of the One Thousand Acres could be structured to allow for acreage mitigation, essentially suggesting a strategy for the Foundation to acquire and develop the land.

Hartmann's detailed knowledge of town planning strategies and processes, combined with his sharing of information deemed "confidential" by the Select Board, raises questions about whether the Foundation benefits from insider information not available to the public, which the Foundation then passes on to developers.

Many developers like Rick Vayo and Tom Wallace have a seat at the table whether the insider information is being discussed, since they are Foundation directors. They have access to information that is kept from the public and the town's committees, such as the Land Use and Disposition Committee, the Open Space Committee, and others. Plymouth's valuable land resources are being selectively distributed.

The minutes also record discussions about meetings between Executive Director Stephen Cole and Town Manager Derek Brindisi, in which Brindisi suggested presentations to the Select Board on development options for 1,000 Acres. These interactions suggest potential access to inside information and preferential treatment for the Foundation.

Throughout mid to late 2023, further instances of information sharing emerged. Executive Sessions held by the Select Board in June 2023 included the presence of Derek Brindisi, who also serves on the Foundation. Subsequently, minutes from these sessions, released in August 2023, indicated that Hartmann and other Foundation members participated in discussions about the purchase and exchange of One Thousand Acres land. Foundation meetings in September 2023 showed continued discussion of the One Thousand Acres, with municipal employees like Kimball, O'Reilly, Quintal, Brindisi, and Hartmann present, focusing on potential Foundation advantages and involvement.

Hartmann's suggestion of "land banking" and potential land swaps for municipal purposes, as documented in September 2023 Foundation minutes, further demonstrate his active role in shaping the future of the One Thousand Acres with potential benefits for the Foundation and the developers on the Foundation, and those they serve.

Additionally, a July 2023 request from Hartmann to Assistant Town Manager Brad Brothers regarding transferring control of parcels to the Conservation Commission for potential "land swapping" highlights his continued involvement in the disposition of this land and alignment with the Foundation's interests.

These repeated instances of Select Board Executive Sessions followed by discussions at Foundation meetings, coupled with municipal employees actively assisting the Foundation in land-related matters, create concerns about potential conflicts of interest, self dealing, and providing the Foundation's directors and developer constituents access to insider information about town owned land for private development.

"Project 1600" (Holtec Land)

The 1,600-acre Holtec land, owned by the Pilgrim Nuclear Power Station (now Holtec), represents a substantial and highly desirable parcel in Plymouth's constrained land market. It has generated significant interest from both the community and developers in Plymouth.

The Select Board's consistent use of Executive Sessions to discuss the land's future has restricted public access to information regarding its potential disposition. During these closed sessions, key municipal employees who also hold positions within the Foundation (Hartmann, Cole, and Brindisi) have been involved in discussions and obtained information about the Holtec land that is not available to the public. **This has fueled concerns that the Foundation has privileged access to municipal planning.**

The Foundation's members and directors have been actively involved in shaping the Town's "1600 Team" planning process for the Holtec land, leading to the formation of a Master Plan Committee in 2024. Emails show the Foundation's influence on this process, including instances where **Cole directed the drafting of communications between Holtec and the Select Board Chair.**²⁰ This gives rise to concerns about conflicts of interest and inside dealings.

Furthermore, Cole's proposal for the Foundation to contribute financially to the Holtec Master Plan has raised ethical questions regarding divided loyalties. The

²⁰ [Email from Cole to Foundation regarding Master Plan on 1,500 acre site](#)

resulting 2025 planning process, which includes public surveys and vision sessions, is viewed by some as biased and developer-led, with the Foundation heavily involved and partially funding the consultants. These factors contribute to perceptions of a lack of transparency and raise concerns about fairness in the decision-making process regarding a pivotal piece of Plymouth's land inventory.

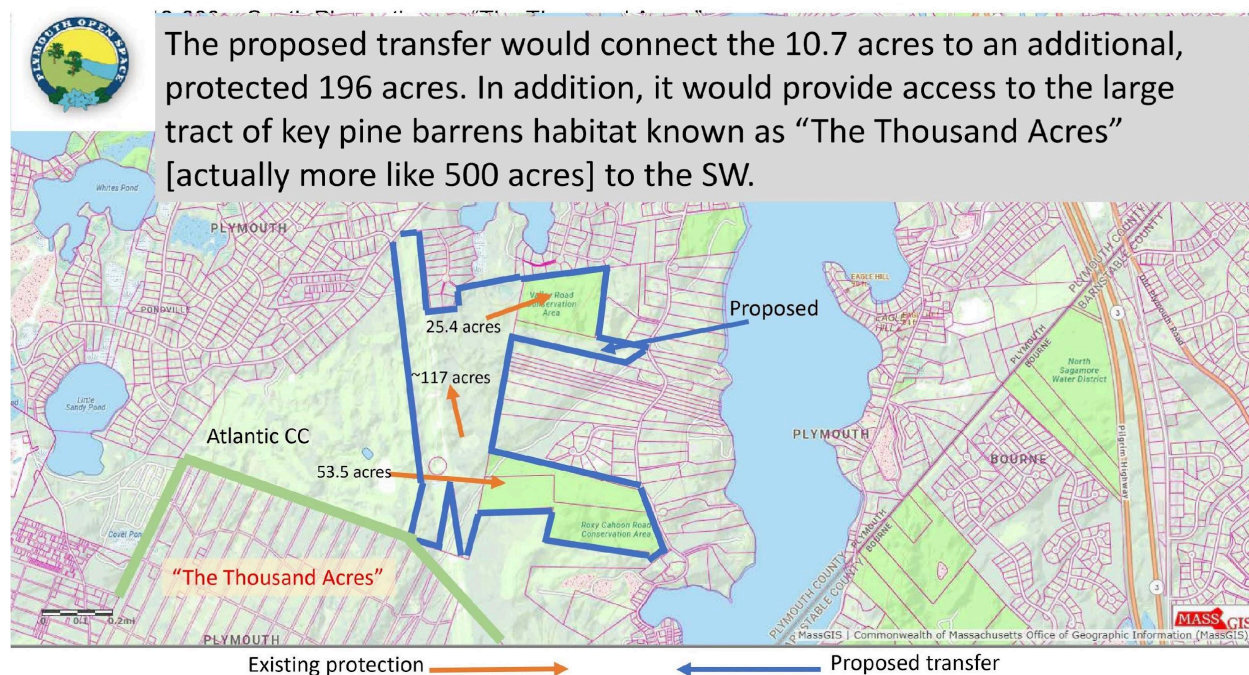


Figure 4: Open Space Committee Map of Proposed Transfer of Land to Connect Other Areas to the 1,000 Acres

This map is from an Open Space Committee presentation on their recommendations for tax-title properties to be transferred to the care and custody of the Plymouth Conservation Commission at the 2023 fall Town meeting. It appears to have been used by the Foundation to discuss the 1,000 Acres at a meeting.

Despite claims of confidentiality, Foundation records show One Thousand Acres information was shared with its members and staff. Specifically, information from a January 2023 Select Board Executive Session was disclosed at a Foundation meeting attended by Hartmann and possibly Brindisi, where land acquisition and development were discussed.

Foundation minutes from January 2023 further indicate Hartmann and Brindisi shared Executive Session information with the Foundation, discussing leveraging the land with municipal employees present.²¹

Foundation Provides Access to Information for Private Developers

As shown above, Foundation records show its core function of connecting private developers with land opportunities in Plymouth. In a competitive real estate market with dwindling available land, emails demonstrate requests from real estate firms to the Foundation (and then forwarded to town officials) inquiring about available land for commercial development.

This raises questions about whether the Foundation has privileged access to information and processes not equally available to all stakeholders seeking access to Plymouth's valuable land. Below are more examples of this.

Example:

- **Dec. 19, 2023** - Email from Atlantic Properties to Stephen Cole at his .biz address states:

"I have a client looking for about 20 acres to put a 150,000 SF boat storage facility near Plymouth Center. Would the town be willing to sell land for this service? Perhaps around Camelot Park?"

On Dec. 20, 2023, the next day, Cole, the Executive Director of the Foundation forwarded the request to Mr. Hartmann to inquire whether such land might be available. Given Mr. Hartmann's dual role in municipal planning and the Foundation, this interaction raises questions about who has access to public land for development and whether municipal staff involvement with the Foundation may provide indirect support to private development interests.²²

- **Feb. 8, 2023** - Email from Cole, Foundation Director, to Mr. Hartmann requesting land maps specially color coded showing developed and undeveloped areas. Mr. Hartmann responded, using public resources (his staff time, during work hours, using town equipment) to help the Foundation and private developers.

²¹[January 10, 2023 Foundation Minutes](#)

²²[Emails to Foundation from Atlantic Properties. Plymouth Land discussion](#)

- **Dec. 4, 2023** - The Planning Board, which Hartmann supports in an administrative capacity, issued a memo inviting the Foundation, the School Committee, and the Committee of (Town Meeting) Precinct Chairs to designate a member to serve on the Plymouth Master Plan Committee ("MPC"). The Memo states the MPC will work in conjunction with the Planning Board to "assist in the drafting of the Master Plan." The plan is intended to "set forth a policy framework to guide town decision makers in the future." **The Foundation was the only private, non-municipal organization included in this invitation. Other private entities, such as conservation groups, were not invited.** This raises questions about whether Foundation obtains preferential positions when it comes to dealing with Town land and land use planning.²³
- **Dec. 8, 2023** - Foundation discusses upcoming meeting to discuss Master Plan Committee.²⁴
- **April 16, 2024** - Town Planner Lee Hartmann, as Town Director of Planning and Development, sent an email copied to Stephen Cole, Executive Director of the Foundation, about food and beverage for the APA-MA Board meeting. The email demonstrates the blurred lines between the town and the Foundation:

"We [the town] would only need to cover the cost of the beer & oysters. Plan \$500, if it is over that the Economic Development Foundation (thank you Stephen) will cover the difference."

Part V: Governance and Transparency

The Plymouth Foundation claims it is exempt from the Massachusetts Open Meeting Law. However, a review of its operations raises questions about this claim. These factors are discussed above and further here. The Foundation's stated purpose, detailed in its Bylaws and Articles and confirmed by its IRS 990 filings (including 2011 and 2022 forms), includes providing "economic development services" to the Town of Plymouth, overseeing industrial park development, and conducting land use planning. These activities align closely with typical municipal functions.

The Foundation's President, Mr. Hallisey has publicly stated that its strength lies in its "connections inside Town Hall," emphasizing the "close working relationship"

²³ [*Memo to Selectboard and Foundation seeking Master Plan Committee designee*](#)

²⁴ [*Dec. 8, 2023 Email from Cole to others*](#)

and suggesting that the Foundation and the Town have "a seat at [each other's] table."

The Town Planner's emails from 2011 further illustrate the integration of town staff (including the Director of Planning and Development, who also served on the Foundation) with the Foundation's operations. The Department of Planning and Economic Development has also served as the administrative body processing the Foundation's applications for sand/gravel mining permits.

Public records consistently demonstrate a close collaboration between the Foundation and the Town. The Director of Planning and Development directly oversees the Foundation's Executive Director and this is explicitly set out in the MOU. The town also provides municipal resources to support the Foundation's activities: the annual payment (totalling \$2 million to date) and direct access to town staff and town resources, including the Town Planner and Town Manager and their staff.

For instance, in 2023, the Town Manager (who also serves on the Foundation) participated in meetings to promote the Town through articles in "Invest Plymouth Magazine," funded jointly by the Foundation and SeePlymouth (the official tourism site for Plymouth).²⁵

The Massachusetts OML requires deliberations and decisions of "public bodies" to be conducted openly to ensure transparency. A "public body" includes any multi-member group created by the government for a public purpose. Community Land and Water Coalition (CLWC) filed an Open Meeting Law (OML) appeal in December 2024, arguing that the Foundation qualifies as a "public body" and should comply with the law. **As of now, a decision from the Attorney General is pending.**

Part VI: Conclusion and Recommendations for Transparency and Accountability

In Plymouth, land is a finite and increasingly scarce resource. The manner in which these resources are managed and distributed should be subject to the highest levels of public scrutiny and accountability. The evidence presented in this report suggests a pattern where the Plymouth Foundation is operating in a manner

²⁵ [Email June 29, 2023, from Executive Director of the Foundation to the Foundation Board.](#)

that benefits private developers by providing them with preferential access to valuable town-owned land.

The lack of transparency, potential violations of the Open Meeting Law, and conflicts of interest stemming from the intertwined relationships between the Foundation and municipal officials are deeply troubling. The current system appears to facilitate the funneling of public land into private hands behind closed-doors, undermining the public's trust and potentially jeopardizing the long-term interests of the community.

Implement these Recommendations:

- The Foundation should immediately comply with the Open Meeting Law.
- All municipal employees should resign from the Foundation.
- The Foundation's funds should be put into an escrow account with the Attorney General's Office, Division of Public Charities.
- Town should immediately revoke the Memorandum of Understanding with the Foundation and stop all payments to the Foundation.
- The Foundation should immediately cancel the mortgage with Standish Development.

These actions are necessary to restore public confidence, ensure fairness in land dealings, and protect Plymouth's valuable land assets for the benefit of all its residents, not just a select few developers.

Sources of Information for this Report

The information in this report is derived from publicly available sources, including the Secretary of State Corporations Division, IRS filings from the Massachusetts Attorney General's Public Charities Division, and Public Records Requests.