



Town of Duxbury Massachusetts Planning Board

Approved 10/25/10

TOWN CLERK
10 NOV 23 AM 11:30
DUXBURY, MASS.

Minutes 09/13/10

The Planning Board met at Town Hall, Small Conference Room, on Monday, September 13, 2010 at 7:00 PM.

Present: George Wadsworth, Vice-Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Josh Cutler and Brendan Halligan.

Absent: Amy MacNab, Chairman.

Staff: Thomas Broadrick, Planning Director; and Diane Grant, Administrative Assistant.

Mr. Wadsworth called the meeting to order at 7:04 PM.

OPEN FORUM

No items were brought forward for Open Forum.

AS-BUILT REVIEW: 95 TREMONT STREET / OLIVER

Present for the discussion were Mr. Paul Brogna of Seacoast Engineering Company, representing the applicant; and Mr. Peter Williams of Vine Associates, the town's consulting engineer. Mr. Broadrick noted that the As-Built plans show dimensions that meet the Zoning Bylaw requirements. Mr. Williams agreed noting that the only remaining issue is that vegetation needs to be planted in parking islands. Mr. Broadrick reported that he has not found any recent instances of vehicles parking on grass.

Mr. Wadsworth asked why the plans changed, and Mr. Brogna noted that it was a CAD issue. He agrees with the validity of Mr. Williams' observations. Mr. Halligan asked about the landscaping plans for the islands, and Mr. Brogna responded that the summertime was not ideal for planting so they will now go ahead with it.

Mr. Bear noted that the ability to park outside of the designated parking spaces still exists. Mr. Broadrick noted that the new layout appears to be helping to alleviate illegal parking.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Cutler provided a second, to approve an As-Built plan for Administrative Site Plan Review entitled, "As-Built' Plan, Parking Expansion and Related Work for Standish, L.L.C., 95 Tremont Street, Duxbury, MA," dated August 12, 2010, latest revision date September 10, 2010, stamped and signed by Paul A. Brogna, RPE of Seacoast Engineering Company, P.O. Box 155, Duxbury, MA 02331, one sheet, with Conditions # 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 of the original Administrative Site Plan Review decision to survive with the title of the property.

VOTE: The motion carried unanimously, 5-0.

An As-Built certificate will be prepared for recording at the Registry of Deeds.

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 148; Fax: 781-934-1137

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DISCUSSION OF APPLICANT'S REQUEST FOR AMENDMENT OF ADMINISTRATIVE SITE PLAN REVIEW: 454 FRANKLIN STREET / INDUSTRIAL TOWER AND WIRELESS

Board members reviewed a letter from Mr. Rick Voci of Industrial Tower dated July 13, 2010. Mr. Broadrick noted that the applicants had installed temporary steel plates across a culvert bridge during construction, and now would prefer to keep those steel plates permanently. Mr. Broadrick reported that according to Mr. Joseph Grady, Conservation Agent, the installation of the steel plates has raised the level of sandy soil around them, which could have a negative impact to the flow of water across the bridge. However, Mr. Voci raises a valid point that it may be better to leave the culverts alone as long as they are not failing. Mr. Broadrick recommended that the applicants provide a study for the following purposes:

- to provide evidence that the steel plates are properly installed
- to determine if the soils have been raised due to the installation of the steel plates
- to examine the anticipated impact of the steel plates on water flow. He noted that this may be a concern during a major storm.

Mr. Wadsworth agreed that there may be unintended consequences of keeping the steel plates permanent. Mr. Cutler confirmed with Mr. Broadrick that the Board would then review the study to determine if a modification would be required, and Mr. Halligan confirmed that if required, the applicants would need to file an Administrative Site Plan Review modification. Mr. Bear noted that the primary concern is the impact to the abutting wetlands.

Mr. Broadrick then departed to attend a portion of a Board of Selectmen's meeting regarding a Pre-Disaster Mitigation Plan.

ANR PLAN OF LAND: 0 TEMPLE STREET AND 45 HIGHLAND TRAIL

Mr. Richard Servant of Stenbeck & Taylor was present as the surveyor for this proposed ANR plan. Board members decided not to review the application because it was not posted on the Board's agenda. Staff noted that because the application was submitted on September 10, 2010 it would meet the 21-day limit to review it at the next Board meeting on September 27, 2010.

OTHER BUSINESS

Meeting Minutes:

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Halligan provided a second, to approve the following meeting minutes:

- May 10, 2010 as written
- June 14, 2010 as written
- July 12, 2010 as amended.

DISCUSSION: Mr. Wadsworth recommended that the Board consider eliminating multiple motions from minutes for the sake of clarity. Mr. Halligan noted that if a motion is made it should be recorded as a fair representation of what took place. After brief discussion Board members decided to allow multiple motions to be included in future meeting minutes.

VOTE: The motion carried unanimously, 5-0.

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Engineering Invoice:

MOTION: Mr. Bear made a motion, and Ms. Ladd Fiorini provided a second, to approve payment of Horsley Witten Group invoice #28338 dated June 30, 2010 in the amount of \$2,377.50 for services related to MacFarlane Farms.

DISCUSSION: Board members discussed their preference for more detail on invoices regarding the work performed. Mr. Halligan noted that this invoice indicates that an engineer worked on the project on July 4, 2010 which is a holiday. Board members requested a copy of the current contract to review exactly what is currently required on an invoice, and directed staff to advise all consulting engineers that more detail would be appreciated on future invoices.

VOTE: The motion carried unanimously, 5-0.

Annual Town Report: Mr. Bear stated that he felt that the Board's annual report appeared to have overemphasized the economic revitalization of the Millbrook area on Railroad Avenue.

Mr. Broadrick returned to the Board meeting. Mr. Wadsworth alerted the audience that the Board would be going into Executive Session soon and would be adjourning the Open Session concurrently with the adjournment of Executive Session.

EXECUTIVE SESSION

MOTION: Ms. Ladd Fiorini made a motion to adjourn Open Session for the evening and to go into Executive Session in order to discuss matters related to pending litigation.

VOTE: A roll call vote was taken. The motion carried unanimously, 6-0.

The meeting went into Executive Session at 7:55 PM.

ADJOURNMENT

The Open Session of the Planning Board meeting adjourned at 7:55 PM. The next meeting of the Planning Board will take place on Monday, September 27, 2010 at 7:00 PM at Duxbury Town Hall, Small Conference Room, lower level.

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