



Town of Duxbury Massachusetts Planning Board

Approved 04/09/12

TOWN CLERK

12 APR 10 AM 10:04

DUXBURY, MASS.

Minutes 03/26/12

The Planning Board met at the Duxbury Town Hall, Small Conference Room, on Monday, March 26, 2012 at 7:00 PM.

Present: George Wadsworth, Vice-Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Scott Casagrande, Josh Cutler, Brian Glennon and Jennifer Turcotte.

Absent: No one was absent.

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

Before the Planning Board meeting started, Board members attended the first part of the Board of Selectmen meeting in the Mural Room for the swearing-in ceremony of Mr. Scott Casagrande, who was elected to a five-year term on the Planning Board at town elections on March 24, 2012. After Board members had returned to the small conference room, Mr. Wadsworth called the Planning Board meeting to order at 7:10 PM.

OPEN FORUM

Newly Elected Board Member: Mr. Wadsworth and other Board members congratulated Mr. Casagrande and welcomed him to the Planning Board.

ELECTION OF PLANNING BOARD OFFICERS

Chairman: Mr. Wadsworth opened the floor to nominations for Planning Board Chairman.

MOTION: Mr. Cutler made a motion, and Mr. Bear provided a second, to nominate Mr. Wadsworth as Chairman of the Planning Board. Mr. Wadsworth accepted the nomination and no other nominations were made.

VOTE: The motion passed unanimously, 7-0.

Vice-Chairman: Mr. Wadsworth opened the floor to nominations for Planning Board Vice-Chairman.

MOTION: Mr. Bear made a motion, and Mr. Cutler provided a second, to nominate Mr. Glennon as Vice-Chairman of the Planning Board. Mr. Glennon accepted the nomination and no other nominations were made.

VOTE: The motion passed unanimously, 7-0.

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The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

Clerk: Mr. Wadsworth opened the floor to nominations for Planning Board Clerk.

MOTION: Mr. Bear made a motion, and Mr. Casagrande provided a second, to nominate Ms. Ladd Fiorini to continue as Clerk of the Planning Board. Ms. Ladd Fiorini accepted the nomination and no other nominations were made.

VOTE: The motion passed unanimously, 7-0.

PLANNING BOARD APPOINTMENTS

Board members reviewed appointments to committees that have Planning Board representatives. The Board of Selectmen makes the appointments annually, usually in June. Board members proposed no changes to the following appointments for terms that expire beyond 2012:

- Alternative Energy Committee – Mr. Cutler
- Community Preservation Committee – Mr. Bear
- Local Housing Partnership – Mr. Wadsworth
- Open Space Committee – Mr. Glennon.

Duxbury Affordable Housing Trust (DAHT): Ms. Ladd Fiorini, who was appointed to serve on the DAHT through June 30, 2013, stated that she no longer wishes to serve. She stated that the committee meets irregularly and it was difficult for her to be available due to the lack of a routine meeting time. Mr. Wadsworth reported that he had spoken with the DAHT chairman, Mr. Brendan Keohan, who told him that the DAHT does not have a Planning Board designee. Mr. Bear commented that it makes sense for the same Board member to serve on both the DAHT and the Local Housing Partnership because both committees may eventually combine. No nominations were made for a Board member to serve on the DAHT.

Economic Advisory Committee (EAC):

MOTION: Mr. Cutler made a motion, and Mr. Glennon provided a second, to recommend the re-appointment of Mr. Bear to the Economic Advisory Committee.

VOTE: The motion passed unanimously, 7-0.

Massachusetts Bay Transit Authority (MBTA) Advisory Board:

MOTION: Mr. Cutler made a motion, and Mr. Glennon provided a second, to recommend the appointment of Mr. Casagrande to the MBTA Advisory Board.

DISCUSSION: Mr. Casagrande respectfully declined the nomination, deferring to Mr. Broadrick who indicated a willingness to serve.

MOTION WITHDRAWN: Mr. Cutler withdrew his motion and Mr. Glennon withdrew his second.

MOTION: Mr. Glennon made a motion, and Mr. Cutler provided a second, to recommend the appointment of Mr. Broadrick to the MBTA Advisory Board.

VOTE: The motion passed unanimously, 7-0.

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Old Colony Planning Council (OCPC):

MOTION: Mr. Glennon made a motion, and Ms. Ladd Fiorini provided a second, to recommend the appointment of Mr. Cutler to the Old Colony Planning Council.

VOTE: The motion passed unanimously, 7-0.

Metropolitan Area Planning Council (MAPC):

MOTION: Mr. Cutler made a motion, and Mr. Glennon provided a second, to recommend the appointment of Mr. Casagrande to the Metropolitan Area Planning Council.

VOTE: The motion passed unanimously, 7-0.

Zoning Bylaw Review Committee (ZBRC): Mr. Wadsworth noted that the ZBRC will soon be submitting its report to the Board of Selectmen. Mr. Casagrande reported that he had spoken with the ZBRC chairman who has no issue with both Mr. Wadsworth and Mr. Casagrande serving on the ZBRC.

Staff was directed to send a memorandum to the Board of Selectmen with the committee appointment recommendations.

ANR PLAN OF LAND: 351 & 359 SUMMER STREET / MORTIMER & MIKKOLA

Present for the discussion were the applicants, Mr. William and Mrs. Korreen Mortimer of 351 Summer Street, and their representative, Mr. Douglas Bailey of Robert C. Bailey Land Surveyors in Pembroke. Mr. Bailey explained that a modification of an existing lot line is proposed for a 50/50 land swap. The lot area of 359 Summer Street will remain the same at 9,161 square feet. The Mortimers would like to construct an addition to their dwelling and would need slightly more area in order to meet side setback requirements.

Mr. Broadrick noted that if a land swap other than 50/50 percent was proposed it would not be allowed because 359 Summer Street is nonconforming. He also noted that frontage is not affected by the proposed change in lot line. Mr. Wadsworth recalled that the Board had approved other ANR plans for 50/50 swaps for nonconforming lots. Mr. Glennon noted the applicants' effort in finding a creative way to comply with the Zoning Bylaw as written and avoid a variance.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to endorse a plan of land entitled, "Plan of Land, Summer Street, Duxbury, Mass.," dated February 28, 2012 and signed by Douglas Bailey, PLS as not requiring approval under Subdivision Control Law.

VOTE: The motion carried unanimously, 7-0.

Board members endorsed the ANR mylar and two paper copies. Mr. Mortimer took the mylar for recording at the Registry of Deeds.

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ZBA SPECIAL PERMIT AMENDMENT REFERRAL: 489 WASHINGTON STREET / DUXBURY YACHT CLUB

Mr. Bear disclosed that he is a member of the Duxbury Yacht Club but does not serve on any committees that relate to this application, and he also noted that he participated in the Planning Board's Administrative Site Plan Review of this project last year. He stated his intention to participate in this discussion unless there is any objection. Having heard no objection, Mr. Bear participated in the discussion.

Board members reviewed this application to amend a special permit through the Zoning Board of Appeals to construct two new bathrooms within an existing first-floor porch in order to meet ADA requirements. Mr. Broadrick observed that there are no planning issues related to this amendment.

MOTION: Mr. Bear made a motion, and Mr. Cutler provided a second, to defer judgment to the Zoning Board of Appeals regarding this special permit amendment to construct two new bathrooms within an existing first-floor porch at 489 Washington Street / Duxbury Yacht Club, noting that there are no planning issues.

VOTE: The motion carried unanimously (7-0).

ZBA REFERRAL: 64 SAINT GEORGE STREET / SOUTH SHORE CONSERVATORY OF MUSIC

Board members reviewed this special permit application to construct a 45" x 78" free-standing, single-faced lighted sign for a business that is an exempt use. Mr. Glennon noted that the sign is for Duxbury Art Association, not the South Shore Conservatory. He noted a potential sight line obstruction issue for vehicles at the stop sign at the intersection of Cedar Street and Saint George Street.

MOTION: Ms. Turcotte made a motion, and Mr. Glennon provided a second, to DEFER JUDGMENT of this special permit application to construct a free-standing, single-faced lighted sign at 64 Saint George Street / South Shore Conservatory of Music, noting a potential planning issue of the sight line from the stop sign at the intersection of Cedar Street and Saint George Street.

VOTE: The motion carried unanimously, 7-0.

FOLLOW-UP TO ANNUAL TOWN MEETING 2012

Mr. Wadsworth noted that a major disconcerting vote was the reduction of Community Preservation Act (CPA) surcharge. Both CPA reduction proposals passed at Town Meeting. Mr. Bear noted that the Community Preservation Committee (CPC) hoped that its proposal to eliminate the first \$100,000 of the CPA surcharge would spread the reduction more fairly to all income levels and therefore be more attractive to residents than the citizen petition to reduce the CPA surcharge from 3% to 1%. However, voters approved both proposals.

Mr. Wadsworth stated that he would like to discuss this issue with the CPC at its next meeting. Mr. Bear noted that the Friends of the CPA may take the lead on future strategies. Mr. Wadsworth stated that he would still like to speak to the CPC as an agenda item.

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OTHER BUSINESS

Meeting Minutes:

MOTION: Mr. Glennon made a motion, and Mr. Cutler provided a second, to approve meeting minutes of February 27, 2012 as amended.

VOTE: The motion carried unanimously, 4-0-3, with Mr. Bear, Mr. Casagrande and Ms. Turcotte abstaining.

New Business: Mr. Cutler recommended an agenda item for the next Board meeting to brainstorm items to be accomplished in the next year. Mr. Wadsworth stated that he would like to discuss whether Board members prefer to set the meeting time at 7:30 PM rather than 7:00 PM.

School Building Project: Mr. Glennon asked if the School Building Committee had been invited to present to the Planning Board, and Mr. Broadrick responded that the presentation is scheduled for Monday, April 23, 2012 at 7:00 PM at the Senior Center. Mr. Wadsworth noted that he requested that the School Building Committee chair, Ms. Elizabeth Lewis, bring a representative from Horsley Witten to discuss stormwater management on the site.

ADJOURNMENT

The Planning Board meeting adjourned at 8:38 PM. The next Planning Board meeting will take place on Monday, April 9, 2012 at 7:00 PM at Duxbury Town Hall, lower level.

MATERIALS REVIEWED

PLANNING BOARD ELECTION OF OFFICERS AND APPOINTMENTS

- Planning Board Committee Appointments spreadsheet

ANR PLAN OF LAND: 351 & 359 SUMMER STREET / MORTIMER & MIKKOLA

- ANR application and plan submitted 02/28/12
- GIS map, Assessor's property card and Pictometry orthophoto

ZBA SPECIAL PERMIT AMENDMENT REFERRAL: 489 WASHINGTON STREET / DUXBURY YACHT CLUB

- Special permit application and materials submitted on 02/29/12
- GIS map, Assessor's property card, and Pictometry orthophoto
- ASPR dated 06/16/11
- Special permit dated 07/15/11

ZBA SPECIAL PERMIT REFERRAL: 64 SAINT GEORGE STREET / SOUTH SHORE CONSERVATORY OF MUSIC

- Special permit application and materials submitted on 03/16/12
- GIS map, Assessor's property card, and Pictometry orthophoto

FOLLOW-UP TO ANNUAL TOWN MEETING 2012

- Planning Board Votes, ATM 2012

OTHER BUSINESS

- Minutes of 02/27/12
- Construction Cost Estimates 02/12
- ZBA Special Permit Decision: 1 Standish Road / Mehegan
- Real estate ad for 1053 Tremont Street from Duxbury Clipper 02/15/12

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