



# Town of Duxbury Massachusetts Planning Board

Approved 07/27/2016

TOWN CLERK

2016 AUG 11 AM 9:41

DUXBURY, MASS.

## Minutes 08/13/12

The Planning Board met on Monday, August 13, 2012 at the Duxbury Town Hall, Small Conference Room, lower level.

Present: George Wadsworth, Chairman; Brian Glennon, Vice Chairman; Cynthia Ladd Fiorini, Clerk; Scott Casagrande.

Absent: John Bear, Josh Cutler and Jennifer Turcotte; and Diane Grant, Administrative Assistant.

Staff: Thomas Broadrick, Planning Director.

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

### OPEN FORUM

No record of Planning Board discussion or action is available.

### PLAN ENDORSEMENT AND COVENANT APPROVAL: CUSHING'S RETREAT / ELM STREET RT DEFINITIVE SUBDIVISION

This was a two-lot subdivision approved by the Planning Board in 2010. They were ready to begin construction and expected to finish before the deadline; the extension was requested to cover them if construction was delayed. The applicants' main purpose was to take care of administrative items needed to move forward: approval of covenant, HOA, and getting plans signed and everything recorded. A recorded easement had been requested by staff for the water line to cross over the Summer Street lot to access to the new lot. The applicant had assured staff that the easement would be recorded with the conveyance deed to the Summer Street lot.

No record of Planning Board action is available.

### ZBA REFERRAL: 205 POWDER POINT AVENUE / BRENNAN

The applicant proposed to bump out a kitchen an additional 10 feet, which would extend a pre-existing front setback violation. The dwelling's front setback was 10-11 feet and the required setback was 25 feet. ZBA staff had been notified that the Planning Board referral would be submitted after the 35-day due date.

The Planning Board reviewed and discussed the above request for a special permit to construct an addition to a dwelling on a pre-existing nonconforming structure. The Planning Board voted 3-1 to recommend denial as the structure is closer to the street than neighboring properties and therefore the new addition should comply with setback requirements.

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5476; [www.town.duxbury.ma.us/planning](http://www.town.duxbury.ma.us/planning)

**DISTRIBUTION OF MATERIALS FOR ZBA REFERRAL, SPECIAL PERMIT AMENDMENT: VILLAGE AT DUXBURY, 290 KINGSTOWN WAY / VILLAGE AT DUXBURY HOMEOWNERS COOPERATIVE CORPORATION**

Staff distributed binders for this Zoning Board of Appeals (ZBA) referral review which was scheduled to begin at the Planning Board meeting on August 27, 2012. The ZBA was the special permit granting authority, but relied on the Planning Board's site plan review report. Patrick Brennan of Amory Engineers was the consulting engineer for Planning Board review.

No record is available of any Planning Board action on this topic.

**DISCUSSION OF INTERIM TOWN COUNSEL'S OPINION TO ZONING BOARD OF APPEALS RE: VOLUNTARY DEMOLITION / REBUILDING OF NONCONFORMING STRUCTURES**

The discussion was a result of the Planning Board regularly seeing ZBA referrals for projects that propose to raze and rebuild with a different footprint on nonconforming lots/structures. Typically the Planning Board had advised the ZBA to deny the application because it continues the nonconformity rather than correcting it. The ZBA had asked for Town Counsel's opinion.

No record of Planning Board action is available.

**DISCUSSION OF MASTER PLAN SCHEDULE**

No record of Planning Board action is available.

**DISCUSSION OF HORSLEY WITTEN STORMWATER MANAGEMENT PROPOSAL**

No record of Planning Board action is available.

**UPDATE ON ZONING BYLAW REVIEW COMMITTEE**

No record of Planning Board action is available.

**OTHER BUSINESS**

Record is available that the Planning Board approved meeting minutes of June 25, 2012 and July 9, 2012. However the record of the actual votes and discussion of these or any other topics under "Other Business" is not available.

**ADJOURNMENT**

The Planning Board meeting adjourned at 9:17 PM. The next Planning Board meeting will take place on Monday, August 27, 2012 at 7:00 PM at Duxbury Town Hall, 878 Tremont Street, Small Conference Room, Lower Level.

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**MATERIALS REVIEWED:**

**Plan Endorsement, Covenant Approval and Request for Extension of Definitive Subdivision Completion: Cushing's Retreat / Elm Street RT**

- Original decision dated 08/27/10
- Covenant for PB approval
- HOA (Declaration of Restrictions Running with the Land) for PB approval
- Letter from M. Casey dated 07/31/12 re: Request for extension
- Email from T. Broadrick dated 06/28/11 re: Water line easement

**ZBA Referral: 205 Powder Point Avenue / Brennan**

- ZBA referral materials submitted to PB on 07/16/12
- GIS map, Assessor's property card (new!), and Pictometry orthophoto

**Distribution of Materials for ZBA Referral, Special Permit Amendment: Village at Duxbury, 290 Kingstown Way  
Village at Duxbury Homeowners Cooperative Corporation**

- Binders distributed for this ZBA referral review

**Discussion of Interim Town Counsel's Opinion to Zoning Board of Appeals re: Voluntary Demolition / Rebuilding of  
Nonconforming Structures**

- Email from A. Kreiger to J. Barrett dated 07/27/12 (forwarded to T. Broadrick on 07/31/12)

**Discussion of Master Plan Schedule**

- Comprehensive Plan Schedule dated 08/08/12

**Discussion of Horsley Witten Stormwater Management Proposal**

- Letter from HW dated 08/08/12 re: Stormwater Management Services

**Other Business**

- Meeting minutes 06/25/12
- Meeting minutes 07/09/12
- Historical Commission demolition delay decision dated 07/20/12 re: 56 Cove Street / Lizza (FYI)
- Construction Cost Estimates for July 2012
- New business (no materials)

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