



Approved 08/26/13

Town of Duxbury Massachusetts Planning Board

TOWN CLERK
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DUXBURY, MASS.

Minutes 07/29/13

The Planning Board met on Monday, July 29, 2013 at 7:00 PM at the Duxbury Senior Center, Ellison Room.

Present: George Wadsworth, Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Scott Casagrande, and David Uitti.

Absent: Brian Glennon, Vice Chairman; and Jennifer Turcotte.

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

Mr. Wadsworth called the meeting to order at 7:00 PM.

OPEN FORUM

Community Preservation Committee (CPC): Ms. Ladd Fiorini reported that the CPC is planning its annual public forum on Wednesday, September 11, 2013 at 7:00 PM at Town Hall, Mural Room. This year the CPC is actively seeking input from various boards and committees regarding their vision of future needs for CPC funding. The Planning Board will be invited.

Open Meeting Law Workshop: Mr. Broadrick reported that he and Mr. Wadsworth attended a recent training session on the Open Meeting Law that was conducted by Atty. Nina Pickering-Cook of Town Counsel's office.

Joint Meeting with Zoning Board of Appeals: Ms. Grant reported that a date of Thursday, September 26, 2013 has been set for the joint meeting of the Planning Board and the Zoning Board of Appeals (ZBA). The ZBA has tabled other business for that night so the entire meeting will be devoted to the discussion. Mr. Bear asked Mr. Broadrick to prepare a simple, generic nonconforming lot with structural nonconformities that the boards can use for their discussion.

Sea Level Rise Workshop: Mr. Broadrick reported that the tri-town group that was awarded a Gulf of Maine grant to study sea level rise is presenting its findings in Marshfield tonight. Scituate will be scheduled next, and the Duxbury workshop will be held after Labor Day. The study will be posted on the town web site.

ISLAND CREEK ROAD EXTENSION LOT RELEASE / ZAVERUCHA

Board members reviewed a letter dated June 24, 2013 submitted by the applicants' representative, Atty. Robert C. Betters of Withington and Betters in Plymouth. Mr. Broadrick explained that Mr. Walter Zaverucha and Ms. Susan Zaverucha, the owners of 170 Island Creek Road, are requesting a lot release for their property, Lot 1, on an extension of Island Creek Road. The road extension was approved by the Planning Board in 1988 and created two lots. Lot 2, a vacant parcel at the time, was released in 1992. Lot 1 was never released, possibly because it already contained a dwelling. The owners of Lot 1 are requesting the lot release in order to make sure there are no title issues.

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

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.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to approve the release of restrictions as to sale and building of Lot 1 as shown on a plan entitled, "Subdivision Plan of Land in Duxbury, Plymouth County, MA, prepared for William P. Sawyer," dated November 12, 1987, prepared by Associated Engineers of Plymouth, Inc., Plymouth, MA, and to approve a Confirmatory Instrument of Release of Restrictions prepared by the attorney's office for the same property.

VOTE: The motion carried unanimously, 5-0.

Board members then signed both the Release of Restrictions form and the Confirmatory Instrument of Release of Restrictions and Mr. Broadrick notarized both signature pages.

ADMINISTRATIVE REVIEW OF CURB CUT FOR BREWSTER COMMONS 40B DEVELOPMENT, OFF TREMONT STREET & WOODRIDGE ROAD / WALSH

Board members reviewed a computer-generated drawing that had been submitted to the Planning Office by Mr. Scott Lambiase, Director of Municipal Services, on behalf of the developers. Mr. Lambiase has requested that the Board review this proposed change in access to the two affordable units for this 40B development. No one was present to represent the proposal. Ms. Grant noted that the development is now called "Duxbury Woods" not "Brewster Commons." Mr. Broadrick showed board members the current and proposed access roads on plans.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, that the Planning Board recommend approval of proposed changes in curb cuts for Duxbury Woods / Brewster Commons, as proposed in an undated sketch plan.

VOTE: The motion carried unanimously, 5-0.

JOINT TREE HEARING WITH TREE WARDEN: NSTAR TREE CLEARING

Mr. Wadsworth opened the public hearing at 7:20 PM. Present for the hearing were Mr. William Hayes, Senior Transmission Arborist for NSTAR; Mr. Peter Buttkus, Duxbury DPW Director and Tree Warden; Mr. James Savonen, Duxbury Director of Lands and Natural Resources and Deputy Tree Warden; and approximately twenty members of the public. Ms. Ladd Fiorini read the public hearing notice and correspondence list into the public record:

- Letter from W. Hayes of NSTAR to R. MacDonald, Duxbury Town Manager, dated 03/14/13 re: notice of scheduled mechanical vegetation maintenance activities
- Public notice dated 05/21/13 and posted on town web site re: NSTAR Electric Company Vegetation Management Plan
- Letter from W. Hayes of NSTAR to P. Buttkus, Duxbury Tree Warden, dated 06/14/13 re: NSTAR Vegetation Management Program, Utility Tree Removals, town layout trees, Electric Transmission ROW 243 (2, 115kV lines), with attached list of street names for proposed clearings
- Email from D. Grant to P. Buttkus dated 06/27/13 re: scheduling administrative meeting
- Emails between T. Broadrick, P. Buttkus and N. Pickering Cook of Anderson Kreiger dated 06/26/13 - 07/03/13 re: town counsel review of public hearing notice
- Emails between D. Grant, P. Buttkus, W. Hayes of NSTAR, and T. Broadrick dated 06/27/13 - 07/02/13 re: planting plans and public hearing notice
- Public hearing notice stamped with Town Clerk on 07/03/13, published in the Duxbury Clipper on 07/10/13 and 07/17/13, and transmitted to D. Murphy of the Duxbury Free Library on 07/03/13
- Planting plans submitted to Planning Office on 07/19/13 and distributed to D. Murphy on 07/19/13
- Emails between L. Wagner of Weston Nurseries, Peter Buttkus and D. Grant dated 07/18/13 - 07/19/13 re: planting plans.

Mr. Wadsworth asked Mr. Hayes to present NSTAR's plan for clearing trees along scenic ways which intersect with NSTAR transmission lines. Mr. Hayes stated that the 172 trees selected for clearing have been determined to be incompatible, unsustainable, dead, in decline, growing in close proximity to electric transmission power lines, or otherwise considered hazardous. A list of locations has been provided and the trees to be cleared were marked with orange paint and a tree hearing notice.

Board members reviewed a replanting plan that was submitted to the Tree Warden with proposed plants that are more compatible with scenic roadways and transmission lines. Mr. Hayes noted that a planting plan has been submitted for the Lincoln Street substation, an area that is not proposed for clearing but does not have trees currently and NSTAR proposes planting 25 trees or shrubs to provide vegetation in the spirit of offering a buffer. All plantings will be mulched but can easily be mowed around. Mr. Wadsworth asked if any evergreens are proposed, and Mr. Hayes responded that there are, and they will be located far enough from the road to avoid salt exposure.

Mr. Hayes then described proposed clearing and planting plans by street name.

LEDGEWOOD DRIVE (off Chandler Street): Ten trees have been slated for removal and a total of 12 plants are proposed for replanting, including low-growing arborvitae that will help improve the view from neighboring properties that look onto the cleared site.

MALLARD'S COVE LANE: Seven trees have been identified for removal and a total of 27 plants are proposed for replanting, including pines that grow to 15-20 feet at maturity. They will fit in with the existing white pines. Ms. Ladd Fiorini noted that the island currently has plantings and asked why they are being replaced. Mr. Hayes responded that up to two-thirds of the trees in the right-of-way easement block an existing structure. The existing trees are growing on top of a giant planter and root systems are being compromised.

Ms. Terri Clark of 46 Mallard's Cove Lane asked if proposed bushes in the island are all evergreen and if the existing tall pines will stay. Mr. Hayes responded that proposed trees to be planted will grow to about six feet tall. Ms. Clark asked if the new plantings will be similar to the existing ones and Mr. Hayes responded that they would fit in with existing plants that will remain.

HEADWATERS LANE (off Mallard's Cove Lane): A total of 60 trees are proposed to be removed. Mr. Hayes explained that the existing plantings are in a depressed area and pine trees in the right-of-way keep getting topped. On the west side of Headwaters Lane, a privately owned area, all trees will be removed. The proposed planting plan applies to the east side of the road, and there is also a plan for the road crossing to replace existing pines with 11 upright junipers. A total of 32 plantings are proposed in total.

Mr. Erik Sveden of 20 Headwaters Lane stated that 60 trees are proposed to be removed on Headwaters Lane, and the proposed planting plan would not replace all of those lost trees. He stated that they already lost approximately 200 trees in their yard. They would like to balance the losses with an equal number of plantings for more of a buffer. Mr. Buttkus noted that all the proposed plantings are on town property so they could not be removed at a future date without another tree hearing. Mr. Hayes added that all proposed trees should not need to be replaced at a later date. He offered to plant as close to the edge of the roadway as possible but they cannot plant where the snow will be plowed. Mr. Sveden asked if the plantings will be a blend of evergreens and deciduous plants, and Mr. Hayes replied that half of the new plantings will be evergreens. Mr. Sveden asked if real mulch will be used or wood chips, and Mr. Hayes responded that real mulch will be used. Mr. Casagrande asked how tall the plantings will be initially, and Mr. Hayes replied that they are delivered in one-gallon pots and are fast-growing.

Mr. David Walsh of 25 Headwaters Lane commented that the density of trees proposed in the planting plan is not to his satisfaction. He stated that NSTAR has removed 25-30 trees from his property and only 18 will be replanted. He stated that he is looking for plants with height to block two 90-foot poles that are currently not visible but will be once the clearing is done. Mr. Hayes stated that property owners from this neighborhood will see most of the NSTAR right-of-way easement from their houses. The re-planting will provide a scattered buffer but will not provide a wall of buffer.

Mr. Broadrick asked how many trees are being cut on Mr. Sveden's property and Mr. Hayes replied that approximately 100 trees are slated for removal within the right-of-way easement that is outside the town layout. He admitted that the clearing on Headwaters Lane will be significant events for property owners. The chairman allowed Mr. Walsh to ask Mr. Buttkus if he is satisfied with the planting plans on Headwaters Lane, and Mr. Buttkus responded that on some crossings there and on Vine Street he would like to see more plantings. He noted that the purpose of this public hearing is to get input from residents. Mr. Sveden stated that he is working closely with Mr. Hayes in order to come up with a reasonable plan.

Mr. Hayes agreed that on Ledgewood Drive, Headwaters Lane, and Mallard's Cove there is a greater impact of the tree clearing on neighborhoods. He stated that NSTAR understands the impact and is trying to address concerns while trying to do their jobs. He noted that NSTAR wants to invest replanting funds in areas closer to people's homes. Mr. Buttkus added that he and Mr. Hayes are meeting with individual property owners by appointment to discuss clearings within the NSTAR easement right-of-ways.

Mr. Craig Lovett of 608 Chandler Street stated that he also has 200 trees slated for removal. He stated that he has not seen a plan yet for Chandler Street, noting that they were never able to see Route 3 before the clearing. Mr. Buttkus stated that he and Mr. Hayes had met with the property owners and NSTAR is willing to plant inside and outside the town layout in attempt to help mitigate the effects of the clearing.

VINE STREET: Nine trees are proposed for removal and a total of 44 plants are proposed for re-planting. Mr. Hayes reported that there will be a lot of activity on Vine Street with plantings on the northwest corner, the southwest side, and the islands. Mr. Wadsworth noted that crabapple trees that are proposed require maintenance, and Mr. Hayes responded that they do well if left alone. Pruning stimulates growth, so these trees will not be pruned but will grow wild.

Mr. Uitti asked if the planting plans submitted represent a bare minimum number of plants, and Mr. Hayes responded that this is the plan for replanting within the town layouts and road crossings.

Ms. Sara Walsh of 25 Headwaters Lane stated that when they bought their home they were not aware that NSTAR was going to cut trees and they had spent a good amount of money on landscaping. She urged Board members to go and look at what has happened to these neighborhoods. She stated that after earlier clearings NSTAR had planted some low-lying blueberry bushes that were not very big or tall. She requested an arborist or landscape architect to come and help recoup their property losses. Mr. Wadsworth reminded her that this public hearing is specifically for the removal of trees within the town layout on public ways.

Ms. Walsh responded that her property looks like a war zone and again invited Board members to view it. She stated that there will never be enough done to mitigate what was there before. She expressed concern that property values in her neighborhood are going down. Mr. Wadsworth stated that the right-of-ways have not changed and NSTAR has rights to the edge of the right-of-way and they paid for those rights. Ms. Ladd Fiorini noted that although she may agree with Ms. Walsh that it does look devastating, the Board is only able to address clearing within town layouts on public roads.

PENNY LANE (off Vine Street): A total of four trees are slated for removal and a total of 24 re-plantings are proposed, including dogwoods, evergreens, shad bush and witch hazel. Mr. Hayes noted that there are gates with barriers at this location.

UNION BRIDGE ROAD: Four trees are proposed for removal and 19 plantings are proposed, including crabapples, inkberry, cousa dogwood, azaleas, and maiden grass. Mr. Bear asked if the 6 or 8 pine stumps on the southeast side would be removed, and Mr. Hayes responded that they would look into it.

Mr. Bear asked about the history of clearing along transmission lines, and Mr. Hayes reviewed the history, noting that the last major clearing was in the 1950s, although some clearing was done approximately ten years ago. A major blackout on the East Coast in 2001 involved a tree and all grid systems were affected. In response Congress created laws mandating clearing of major transmission lines. He stated that he is into year three of clearing NSTAR right-of-ways, just as utility companies across the country are in the process.

TEMPLE STREET: Mr. Hayes noted that at this location the right-of-way cuts at an angle. Eleven trees are proposed for removal. A total of 32 new plants are proposed. Near wetlands on the northeast corner, hollies, shadbush and pink dogwood are proposed. Across the street on the southwest corner there is a slope, and juniper, lilac, witch hazel and rhododendrons are proposed. The ornamentals are expected to grow up to 15-20 feet and the shrubs 6-10 feet tall. Mr. Buttkus noted that there is not a lot of impact to nearby homes.

WALKER ROAD: Mr. Hayes noted that this is a neighborhood of about eight homes. A total of nine trees are proposed to be removed, mostly white pines, and 15 lower-lying evergreens are proposed in their place.

WEST STREET: Mr. Hayes noted that the transmission lines cross over this area near Route 139 at a hard angle. Six trees are proposed to be removed, to be replaced by six lower-growing plants (witch hazel and arborvitae) that will provide screening for a house across the street that is in sight of a structure.

PINE STREET: Mr. Buttkus noted that 17 trees are slated for removal. Owners of active cranberry bogs across the street have requested no re-plantings so no plantings are proposed at this clearing area.

Mr. Wadsworth asked for general comments from Mr. Buttkus. Mr. Buttkus stated that if the clearing is denied there would be no mitigation. Most of the easement clearing has been done and this hearing is only for the remaining trees that are within the public layout. He noted that NSTAR has attempted to soften aesthetics for homeowners who live near the clearings.

Mr. Casagrande commented that he had seen pine trees topped at Headwaters Lane. Mr. Buttkus responded that those trees were starting to die from the bottom up, and eventually would have been lost and the screening would be lost too. Mr. Hayes added that they attempted to choose the right tree for each location in order to help provide screening for the community.

Mr. Casagrande asked Mr. Buttkus about the Vine Street clearing, and Mr. Buttkus responded that he is mainly concerned about neighborhoods such as Headwaters Lane, Mallards Cove, and Ledgewood Drive. Mr. Hayes stated that he could see adding a few more plantings at those locations. He lauded the work done so far by Mr. Buttkus and Mr. Joseph Grady, Conservation Administrator, who have met with concerned residents about their properties. Mr. Casagrande noted that the town wants roadways to remain scenic overall, and Mr. Hayes agreed, noting that the proposed plans provide a better mix of form and function. Mr. Uitti asked when the clearing will begin and Mr. Hayes replied that they expect to begin within the next two weeks.

Mr. Buttkus asked if there were any objections to the proposed clearings, and Mr. Wadsworth in turn asked if there were any public concerns. There was no response. Mr. Wadsworth called for a motion from the board.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Bear provided a second, to close the public hearing for the proposed NSTAR clearing of 172 shade trees within the town layout.

VOTE: The motion carried unanimously, 5-0.

Therefore the public hearing was closed.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to approve an NSTAR clearing plan as submitted to the Planning Department on June 21, 2013, and to approve a planting plan as submitted to the Planning Department on July 19, 2013.

VOTE: The motion carried unanimously, 5-0.

ZBA REFERRAL: APPEAL OF ZONING ENFORCEMENT OFFICER'S NOTICE OF VIOLATION AND CITATION: KENNEL IN THE PINES, 500 FRANKLIN STREET / OLEKSIK

Board members reviewed the application materials for this appeal of the Director of Municipal Services' determination letter dated June 24, 2013 regarding use and a citation for violation of use other than what has been permitted. Mr. Broadrick noted that in the letter from Mr. Scott Lambiase, Director of Municipal Services, to the owner's attorney, an opinion was expressed in consultation with Town Counsel that any building use or structure not expressly permitted is prohibited. Mr. Broadrick noted that nowhere in the original 1973 variance permit does it allow a dog day care. He recommended that the board uphold the Zoning Enforcement Officer's determination. He noted that it appears that the kennel owners need to modify a variance.

Ms. Pam Webster Walsh of 517 Franklin Street stated that this letter represents the same basic appeal that was filed by the applicants in September 2012. Mr. Wadsworth noted that now the Zoning Enforcement Officer has issued a cease and desist order and has fined the owners \$200 per day for every day the violation continues. Ms. Walsh noted that Mr. Lambiase has recommended that the owner apply for a use variance. Mr. Wadsworth responded that the Planning Board provides recommendations to the Zoning Board of Appeals and the Planning Board does not like to recommend granting variances.

Ms. Walsh stated that the owners never complied with the 1973 variance. Mr. Wadsworth noted that the variance did allow the owner at the time to operate a kennel. Town Counsel has now advised that the variance does not allow for the current use as a dog day care. Mr. Casagrande noted that it will all be worked out through the Zoning Board of Appeals.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to uphold the zoning enforcement as issued in a letter from the Director of Municipal Services dated June 24, 2013.

DISCUSSION: Mr. Uitti noted that although the 1973 variance is sparsely written, it appears that Zoning Board of Appeals members voted in favor of it because it moved the operations further away from abutters. The current dog day care appears to move the operations closer to abutters.

VOTE: The motion carried unanimously, 5-0.

ZBA SPECIAL PERMIT REFERRAL: 15 PINE POINT ROAD / WOODALL

Board members reviewed special permit application materials for this proposal to construct dormers on a pre-existing nonconforming structure that encroaches on side setbacks on a lot of 8,712 square feet. Mr. Casagrande noted that it appears that only about 85 square feet of additional living space is proposed within the setbacks. The proposed dormers on the attic floor do not appear to encroach the setback, and a majority of the rear dormer does not appear to encroach. He noted that the upstairs already has a roof that encroaches on the setback, so he stated that he does not see this proposal as an issue.

MOTION: Mr. Casagrande made a motion, and Ms. Ladd Fiorini provided a second, to defer judgment to the Zoning Board of Appeals regarding a special permit to construct dormers on a pre-existing nonconforming structure at 15 Pine Point Road / Woodall.

DISCUSSION: Mr. Bear noted that it should be pointed out that construction is proposed within the setback. Mr. Wadsworth noted that Zoning Bylaws do not address volume. Ms. Ladd Fiorini stated that she would agree to an amendment for discussion purposes. Mr. Casagrande stated that he would not agree to this amendment.

VOTE: The motion carried 3-2, with Mr. Wadsworth, Ms. Ladd Fiorini, and Mr. Casagrande voting for, and Mr. Bear and Mr. Uitti voting against.

BOSTON GLOBE ARTICLE ON STORMWATER RUNOFF

Board members reviewed a July 11, 2013 *Boston Globe* article, "Environmentalists ask EPA to regulate runoff." Mr. Wadsworth noted that the Conservation Law Foundation (CLF) has petitioned the Environmental Protection Agency (EPA) to regulate stormwater runoff on private properties. Under the Clean Water Act, new buildings must comply with stormwater regulations, but runoff from existing buildings is exempt except at the EPA's discretion. Mr. Wadsworth noted that the CLF is asking the EPA to bring existing businesses into compliance with stormwater regulations.

ECONOMIC ADVISORY COMMITTEE UPDATE: POTENTIAL REZONING OF BATTELLE PROPERTIES, WASHINGTON STREET

Mr. Bear reported on behalf of the Economic Advisory Committee (EAC) which he chairs, that they do not know if Battelle has a buyer although the property is for sale. Mr. Broadrick noted that it has been determined that the property could potentially yield eight residential dwelling lots.

Mr. Bear stated that the EAC decided to look at the potential for the property. Current zoning is Residential Compatibility so any change would require Town Meeting approval. The EAC prioritized its recommendations based on benefitting the abutting Neighborhood Business District:

- High-end condominiums
- Lodging, such as a bed-and-breakfast or small inn
- Retention of the two existing historic homes on Washington Street
- Deep water boat launch on the north side of the property utilizing an existing deep water channel, although there may be an issue of where to park boat trailers.

Mr. Bear noted that Mr. J.R. Kent of Bayside Marine, an abutting business, supported the idea of another boat launch. Mr. Bear noted that deep water channels next to land are unusual in Duxbury Bay.

Mr. Bear summarized that hopefully potential buyers of this property would consider the EAC's recommendations. He asked for board comments.

Mr. Wadsworth noted that at an asking price of \$8 million no church or nonprofit could afford to purchase the land. Mr. Bear noted that some colleges may be able to afford it.

Mr. Casagrande asked if the EAC discussed mixed use, and Mr. Bear responded that they discussed some retail but concluded that it would not be compatible with high-end condos. It would be undesirable to have the additional traffic, dumpster, cooking smells, and late night activities associated with a restaurant.

Mr. Wadsworth thanked Mr. Bear for the update.

AGREEMENT FOR JUDGMENT, SPECIAL PERMIT APPEAL: 16 HOUNDS DITCH LANE / LILIENTHAL

Board members reviewed letters from Town Counsel dated July 10, 2013 and the plaintiff's attorney dated July 17, 2013. Mr. Wadsworth noted that the Land Court has signed off on the agreement for judgment that was made as a result of the town not being able to defend an appeal. Mr. Wadsworth stated that he hopes to discuss the matter with the Board of Selectmen. He stated that a member of the Board of Selectmen told him in passing that there was no funding available for an appeal of this case. Mr. Bear recalled that the Board of Selectmen said that the town was spending too much on defending appeals in general, not on a case-by-case basis.

Mr. Uitti asked if Town Counsel provided any input on the Board of Selectmen comments, and Mr. Wadsworth replied that at that time boards and committees were not allowed to contact Town Counsel directly. At the time the Town Counsel's office said that they would defend any board decision. Currently boards are able to contact Town Counsel for consultation at any time. At the time of this appeal, Town Counsel spoke to the Board of Selectmen, not the Planning Board, and told them that the case was "dicey." Mr. Uitti stated that it sets a bad precedent for the town to not offer to defend a board's decision, as it may encourage more lawsuits. Mr. Wadsworth stated that the plaintiff's attorney knew at some point that the town would not defend this particular case.

Atty. Paul Driscoll, who represents the Lilienthals, was present and stated that he came to tonight's meeting because he was not sure why it was on the Planning Board's agenda. He stated that the Land Court has entered the judgment and it has been recorded at the Registry of Deeds. He stated that he does not want to get into who knew what and when without Town Counsel present. He noted that he read in publicly available meeting minutes that it was recommended that the case not be funded.

OTHER BUSINESS

FEMA Letter: Board members reviewed a letter from FEMA dated July 3, 2013 regarding a preliminary revision of Flood Insurance Rate Maps (FIRM) for Plymouth County including the town of Duxbury. The proposed FIRM maps are available for viewing at the FEMA web site and are available at Town Hall. Mr. Broadrick noted that a workshop will be held in September for public comment.

Taunton Casino: Board members reviewed a draft environmental impact report from the Old Colony Planning Council to the Massachusetts Executive Office of Energy and Environmental Affairs offering comments on a proposed casino in Taunton. Mr. Wadsworth asked how low-impact design best management practices are fitting into this proposal, and Mr. Broadrick responded that the proponent has committed to LID stormwater management although it is not required.

ADJOURNMENT

The Planning Board meeting adjourned at 9:38 PM. The next Planning Board meeting will take place on Monday, August 26, 2013 at 7:00 PM at the Duxbury Town Hall.

MATERIALS REVIEWED

Island Creek Road Extension Lot Release

- Letter from applicant's attorney, R. Betters, dated 06/24/13
- Vision GIS map and aerial photo

Joint Tree Hearing with Tree Warden: NSTAR Tree Clearing

- Public hearing notice posted with Town Clerk on 07/03/13
- Planting plans submitted by NSTAR 07/19/13
- MGL Ch. 40 Sec. 15C (Scenic Roads) and MGL Ch. 87, Sec. 3 (Public Shade Trees)

Administrative Review of Curb Cut for Brewster Commons 40B Development

- Proposed curb cut drawing submitted to Planning Office on 07/03/13
- Originally approved curb cut dated 02/24/03

ZBA Referral, Kennel in the Pines, 500 Franklin Street

- ZBA materials submitted on 07/15/13
- Vision GIS map, aerial photo and Pictometry orthophoto

ZBA Referral: 15 Pine Point Road

- ZBA materials submitted on 07/17/13
- Vision GIS map, aerial photo and Pictometry orthophoto

Boston Globe Article on Stormwater Runoff

- Boston Globe article, "Environmentalists ask EPA to regulate runoff" dated 07/11/13

Economic Advisory Committee Update: Potential Re-Zoning of Battelle Properties

- Letter submitted by J. Bear on 07/18/13

Agreement for Judgment, Special Permit Appeal: 16 Hounds Ditch Lane

- Letter from Town Counsel dated 07/10/13
- Letter from P. Driscoll dated 07/17/13

Other Business

- FEMA letter dated 07/03/13
- Old Colony Planning Council letter dated 07/12/13 re: Taunton casino
- Construction Cost Estimates for June 2013

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