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DUXBURY, MASS.
**Town of Duxbury
Massachusetts
Planning Board**

Minutes 11/06/13

The Planning Board met on Wednesday, November 6, 2013 at 12:30 PM at the Duxbury Town Hall, Planning Office, second floor.

Present: George Wadsworth, Chairman; John Bear, Scott Casagrande, and Jennifer Turcotte.

Absent: Brian Glennon, Vice Chairman; Cynthia Ladd Fiorini, Clerk; and David Uitti.

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

Mr. Wadsworth called the meeting to order at 12:30 PM.

OPEN FORUM

There were no items brought forward for Open Forum.

COVENANT AND LOT RELEASE: CAPE VERDE TERRACE, OFF FRANKLIN STREET / DRIVER

Mr. Broadrick reported that the applicants have met nearly all requirements for completion of the roadway and are anxious for Lot Release so the new lot can be sold. He and Mr. Wadsworth had visited the site and found only two outstanding items: the final pavement has not been laid and the grass has not yet begun to grow. The consulting engineer, Mr. Patrick Brennan of Amory Engineers, has prepared an estimate for a performance bond, including \$8,000.00 to cover the final paving and an additional \$3,000.00 for the grass and the final As-Built plan to be submitted once everything is completed. The applicants have submitted an \$11,000.00 bank check to establish a performance bond.

Mr. Casagrande noted that it is not unusual to leave the final paving while the site is under construction for the construction of a dwelling on the new lot. Ms. Turcotte asked if the consulting engineer escrow account is funded sufficiently, and Mr. Broadrick replied that it has been confirmed with Mr. Brennan that his fees will not exceed the amount in the account.

Mr. Wadsworth noted that he has an issue with the size of stones in the dams. He stated that he believes that the stones are too tiny and the dams are too small. Ms. Turcotte asked if the dams were built to specifications, and Mr. Broadrick responded that specifications for the rain garden were not included on the final approved plans. Ms. Turcotte noted that with a one percent slope, there is not much need for a dam. Mr. Broadrick stated that the dams are located within a swale that leads to the rain garden.

Mr. Broadrick noted that he and Mr. Brennan are satisfied with the site work completed and the As-Built plan submitted so far. The amount of the performance bond will cover any work not completed, if needed.

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MOTION: Mr. Bear made a motion, and Ms. Turcotte provided a second, to approve a release of Lots Under Covenant for Cape Verde Terrace Definitive Subdivision / Driver, and to hold a performance bond in the amount of \$11,000.00 to cover any remaining work on this project if left unfinished.

VOTE: The motion carried unanimously, 4-0.

Board members signed three copies of a Release of Lots Under Covenant form and Mr. Broadrick notarized the signatures. Once stamped in with the Town Clerk, the applicants will take the Lot Release for recording at the Registry of Deeds.

OTHER BUSINESS

Mr. Bear requested a future agenda item about the scope of conditions in Planning Board decisions. He expressed a general concern that the Planning Board needs to be careful about exceeding its scope of authority in rendering its decisions. Mr. Wadsworth agreed to add the agenda topic for the next meeting.

ADJOURNMENT

The Planning Board meeting adjourned at 12:44 PM. The next Planning Board meeting will take place on Monday, November 25, 2013 at 7:00 PM at the Duxbury Town Hall.

MATERIALS REVIEWED

Covenant and Lot Release: Cape Verde Terrace, off Franklin Street / Driver

- As-Built plan submitted 11/04/13
- Amory Engineer inspection reports dated 09/13/13; 09/19/13; 10/3/13; 10/23/13 and 10/30/13
- Emails between G. Wadsworth, T. Broadrick and P. Brennan dated 10/30/13 re: drainage question and performance bond itemization
- Emails between P. Brennan and T. Broadrick dated 11/04/13 re: remaining issues

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