



Town of Duxbury Massachusetts Planning Board

TOWN CLERK
14 AUG 27 AM 11:21
DUXBURY, MASS.

Minutes 07/14/14

The Planning Board met on Monday, July 14, 2014 at 7:00 PM at the Duxbury Town Hall, 878 Tremont Street, Small Conference Room.

Present: Brian Glennon, Vice Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Scott Casagrande, Jennifer Turcotte and David Uitti.

Absent: George Wadsworth, Chairman.

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

Ms. Ladd Fiorini called the meeting to order at 7:01 PM.

OPEN FORUM

MBTA Advisory Board: Ms. Turcotte reported that she had been sworn in today by Town Clerk to serve as the Planning Board's representative on the MBTA Advisory Board.

Mullins Avenue Street Acceptance: Mr. Broadrick reported that a resident on Mullins Avenue off of Bay Road has contacted him regarding whether the Planning Board might consider supporting town acceptance of Mullins Avenue as a public way via a citizen petition by residents at Annual Town Meeting. He noted that it is a densely populated area where some of the streets are accepted and some are not, and some of the roads are paved and some are not. Ms. Turcotte stated that the creation of Mullins Avenue may have pre-dated the adoption of zoning regulations in the town. Mr. Broadrick noted that most of the roads are not laid out to a 30-foot right-of-way. Ms. Ladd Fiorini asked if all the roads in that neighborhood are plowed, and Mr. Broadrick replied that some are plowed and some are not. Ms. Ladd Fiorini stated that she would be interested in looking at a proposed layout plan, and Mr. Broadrick offered to discuss the matter with Mr. Peter Buttkus, Director of Public Works.

Mr. Glennon arrived at the meeting at 7:05 PM and assumed chairmanship.

INITIAL PUBLIC HEARING, DEFINITIVE SUBDIVISION: 0 TREMONT STREET / NASS & ALFIERI

Mr. Glennon opened the public hearing at 7:05 PM, and Ms. Ladd Fiorini read the public hearing notice and correspondence list into the record:

- ANR Plan entitled, "Reconfigured Approval Not Required Plan for Loren C. Nass Jr. & Lee P. Alfieri, Esq.," dated 03/27/14 and endorsed by Planning Board on 04/14/14
- Definitive Subdivision application, plans and materials submitted to the Planning Department and Town Clerk on 05/12/14 and 05/27/14
- Letter from L. Alfieri to T. Broadrick dated 05/22/14 re: Corrected application fee
- Email from D. Grant to P. Brennan dated 05/27/14 re: Town consulting engineer assignment

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5476; Fax: 781-934-1137

- Development Team Review notice dated 05/28/14
- Memo from D. Grant to P. Brennan dated 05/28/14 re: Transmittal letter for application materials
- Emails between T. Kelso and L. Alfieri dated 06/02/14 - 06/04/14 re: Town Historian approval of street name
- Letter from P. Brennan dated 06/05/14 re: Initial consulting engineer review
- Emails between P. Brennan to D. Grant dated 06/18/14 re: DRT comments
- Memo from T. Broadrick to L. Alfieri and D. Orwig dated 06/19/14 re: Subdivision plan issues
- Emails between T. Broadrick and L. Alfieri dated 06/19/14 – 06/23/14 re: Subdivision plan issues
- Public hearing notice stamped with Town Clerk and mailed to abutters on 06/24/14, and published in the Duxbury Clipper on 06/25/14 and 07/02/14
- Handwritten note by abutter C. Stein dated 07/08/14 re: Abutter not notified of public hearing
- Emails from T. Broadrick to D. Orwig and L. Alfieri dated 07/08/14 and 07/10/14 re: Planning Board meeting and plans

Present for the discussion was the applicant’s representative, Mr. Daniel Orwig of Orwig Associates. Mr. Broadrick reported that Mr. Orwig has requested to continue the public hearing until Monday, September 22, 2014 at 7:05 PM because revised plans need to be submitted, and also because at least one direct abutter did not receive written notification.

Mr. Orwig acknowledged that he needs to submit a certified abutter’s list, and offered to provide a brief presentation of the proposed project. Ms. Turcotte stated that she would prefer not to proceed without all the abutters having been notified.

MOTION: Ms. Turcotte made a motion, and Ms. Ladd Fiorini provided a second, to continue the public hearing for a definitive subdivision at 0 Tremont Street / Nass & Alfieri at the applicant’s request until Monday, September 22, 2014 at 7:05 PM.

VOTE: The motion carried unanimously, 5-0.

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ECONOMIC ADVISORY COMMITTEE UPDATE ON HALL’S CORNER STUDY

Present for the discussion was Mr. Eric Arbeene of the Old Colony Planning Council (OCPC). Because Mr. Bear, who serves on the Economic Advisory Committee, had not yet arrived, the Planning Board deferred discussion until his arrival.

Later during the meeting after Mr. Bear had arrived, Mr. Glennon asked Mr. Bear to introduce the project. Mr. Bear stated that Mr. Eric Arbeene from the OCPC has been working on an economic study of the Hall’s Corner business area for the past two months and would like to provide the Planning Board with an interim update. Mr. Bear stated that the Economic Advisory Committee also would like to find out the Planning Board’s vision for Hall’s Corner.

Mr. Glennon invited Mr. Arbeene to present the Hall’s Corner economic study update. Mr. Arbeene stated that the Old Colony Planning Council is a regional planning agency based in Brockton that serves 16 communities. The OCPC is performing the study as part of a District Local Technical Assistance (DLTA) state grant for promoting economic development, affordable housing, or regional services. The Town of Duxbury does not have to provide any additional funding for this project other than its RPA dues.

Mr. Arbeene presented the Hall’s Corner Study to date through a Power Point presentation handout dated July 14, 2014. He stated that the OCPC is performing an assessment and analysis of existing market and traffic conditions and interviewing local stakeholders and residents in order to develop a series of recommendations to remedy any current or potential issues regarding market or traffic conditions at Hall’s Corner. Specifically,

he stated that the study is concentrated on the disjointed combination of three business areas there: Foodie's Plaza, the Marketplace, and the businesses around the Hall's Corner rotary. He stated that the OCPC can help with any potential grant applications that might fund the recommended improvements. He stated that he is interested in the Planning Board's input as part of his information gathering.

Mr. Arbeene stated that the market analysis is based on three market areas: 5-minute drive time from Hall's Corner; 10-minute drive from Hall's Corner; and 15-minute drive time from Hall's Corner. Demographic data is being gathered showing the population within these market areas. So far market data indicate that a majority of households tend to be married couple families with or without children, with a high level of income and education, and employed in professional or managerial positions.

Mr. Arbeene continued that the study will analyze retail trends within the three market areas and will identify potential market opportunities and "sales leakages," where consumers make purchases at establishments outside the area. Market data was gathered through a public participation customer survey, and 348 surveys were completed by residents. The top three reasons for shopping at Hall's Corner were identified as: convenient location, supporting local businesses, and friendly services. The top three disadvantages for shopping at Hall's Corner were high prices, limited hours, and poor selection of goods and services. In addition, two Economic Advisory Committee members are personally interviewing Hall's Corner business owners.

Mr. Arbeene stated that traffic data was collected in May and July 2014. The May analysis shows a preliminary "very good level of service" for all traffic periods studied and no traffic signals are warranted. A parking turnover study is also underway. While results are not available at this time, overall the OCPC has concluded that the area is not particularly pedestrian friendly and the OCPC may recommend a "complete streets" approach to making the business area accessible to all modes of transportation. No parking issues have been identified.

Next steps for the OCPC Hall's Corner study include completing the analysis of market and traffic data; analyzing the customer and business surveys; meeting with local boards and committees; and developing recommendations based on all of the data collected and keeping in mind the character of the community.

Mr. Arbeene asked for Planning Board comments on Hall's Corner. Mr. Casagrande stated that for him it is a convenience area rather than a destination. He stated that there are not many fine dining establishments and a lot of people in town like to go out to eat. He commented that the town seems to do better with professional offices and is not friendly to franchises.

Mr. Bear asked the Planning Board members for comments regarding the desirability of linking the three business nodes at Hall's Corner. Mr. Uitti questioned how that could be done: using sidewalks and crosswalks? Ms. Ladd Fiorini stated that the large building with Dunkin' Donuts is unattractive and appears to be empty other than the Dunkin' Donuts. Mr. Bear noted that the gas station appears to isolate retail establishments.

Mr. Uitti asked what is the purpose of the Hall's Corner study, and Mr. Bear responded that the goal is to better serve residents and to sustain existing and future businesses. Mr. Uitti commented that his family only goes to Hall's Corner for things they need. He suggested that businesses such as artisanal cheese shop might attract customers. He commented that some businesses "look tired."

Mr. Glennon thanked Mr. Arbeene for his presentation, and Mr. Arbeene thanked the Planning Board members for their input. He offered to come back to the Planning Board when the final report has been drafted.

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ZBA REFERRAL, APPEAL OF A BUILDING INSPECTOR'S DETERMINATION AND/OR VARIANCE: 0 SUMMERHOUSE LANE / CURTIS

Present for the discussion were the applicants, Ms. Susan Curtis and Mr. John Baldwin. Mr. Glennon asked Mr. Broadrick to provide background on this ZBA application. Mr. Broadrick stated that during the course of routinely reviewing a building permit for new construction on this parcel, he found the 81X perimeter plan and subsequent ANR plan endorsed by the Planning Board in 2007 which shows the parcel as "non-buildable." Mr. Broadrick stated that he sent a memorandum to Mr. Scott Lambiase, Director of Municipal Services, on May 1, 2014 outlining his concerns. Mr. Lambiase then apparently contacted Town Counsel for an opinion and then wrote a letter to the property owner, Ms. Curtis, dated May 28, 2014 denying the building permit because the property did not contain enough upland area.

Mr. Broadrick stated that with the Zoning Board of Appeals (ZBA) application, the applicant is appealing the Building Inspector's determination that a building permit cannot be issued due to lack of area. The applicants are also requesting a variance from lot area and frontage requirements so that a building permit can be issued. Mr. Broadrick noted that if the ZBA upholds the Building Inspector's determination, the ZBA can still grant a variance for lot area and frontage; however, there may be a requirement for the applicants to seek a "Lot Frontage Waiver" with the Planning Board, similar to an ANR plan.

Mr. Casagrande asked how "Lot C" on the 2007 ANR plan was created. Lot C is shown as 2.95 acres and 143.88 feet of frontage. Mr. Broadrick stated that some people believe that Summerhouse Lane goes all the way from Soule Avenue to Torrey Lane. However, he noted that in 2007 the Planning Board endorsed a plan showing Summerhouse Lane ending at 27 Summerhouse Lane. Mr. Casagrande stated that he thought the 2007 ANR plan shows Summerhouse Lane going all the way through to Torrey Lane. Mr. Broadrick stated that a 1944 Assessor's map shows Summerhouse Lane going from Soule Avenue to Torrey Lane. Ms. Turcotte noted that an Assessor's map is not a recorded instrument.

Mr. Baldwin stated that the ANR Handbook published by the Department of Housing and Community Development guides the creation of lots. He stated that according to the ANR Handbook the Planning Board cannot create roads. He stated that he has Planning Board minutes that show that the Planning Board said that the road existed prior to Subdivision Control Law, and he also has deeds that indicate the same. He stated that two lots on the corner of Summerhouse Lane and Soule Avenue were created in 1925 and the lots came out of an original 40+ acre parcel.

Mr. Baldwin stated that the 81X plan is not in question. He stated that the 1944 Assessor's Map notes that it is "to be used in conjunction with the Protective Bylaw." Ms. Turcotte stated that she did not see that map in the ZBA submittal, and Ms. Curtis showed board members her copy of the 1944 Assessor's map.

Mr. Baldwin stated that an ANR requires 200 feet of frontage and a safe and adequate way. He stated that the Planning Board has no jurisdiction over zoning matters. He stated that the lot has existed since 1925 and roads cannot be created through an ANR, nor can ANR plans be rescinded or amended.

Ms. Turcotte stated that this appears to be a highly complex legal issue, and suggested that the Planning Board leave it to the ZBA to decide. Mr. Baldwin noted that he currently serves on the ZBA and is the applicant, and Ms. Curtis is the owner.

Mr. Casagrande noted that Mr. Lambiase wrote a letter to Mr. Baldwin on June 12, 2013 determining that a building permit could be issued for this property. Mr. Casagrande stated that this is the type of letter a potential property owner might base a purchase upon. Ms. Ladd Fiorini stated that at the time Mr. Lambiase wrote the letter in 2013 he may not have had access to the 81X plan and subsequent ANR plan because he may not have been given those documents to review. Mr. Baldwin stated that the 81X plan does not extinguish the road.

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Ms. Ladd Fiorini stated that she is curious why the Planning Board endorsed the ANR plan in this manner back in 2007.

Mr. Bear arrived at the meeting at 7:37 PM.

MOTION: Ms. Ladd Fiorini made a motion, and Ms. Turcotte provided a second, to defer judgment to the Zoning Board of Appeals regarding 0 /29 Summerhouse Lane, Curtis & Baldwin, an appeal of the Building Inspector's determination that a building permit cannot be issued for the property because it does not meet area requirements, and/or a request for a variance from lot frontage and area requirements of ZBL Section 410.4.

DISCUSSION: Mr. Glennon confirmed that the motion covered both the appeal and the variance.

VOTE: The motion carried, 5-0-1, with Mr. Bear abstaining.

ZBA REFERRAL, SPECIAL PERMIT: 207 KING CAESAR ROAD / DENNISTON

Board members reviewed the special permit application and materials submitted for this special permit to reconstruct a 21.5' x 23' garage and breezeway, extending a pre-existing nonconforming structure to add a finished second floor to include a bedroom and bathroom. Mr. Broadrick provided background, stating that in February 2014 two abutters had filed an appeal of a building permit and the property owner was directed to file this special permit.

Mr. Bear stated that the applicants appear to be attempting to show a reduced nonconformity. Mr. Casagrande stated that the nonconformity remains. Mr. Glennon stated that the nonconformity appears to be increasing. He noted that the Deadrick v. ZBA Chatham case law included in the Planning Board packet appears to be applicable for the second extension of the front, but not the height. He stated that the green shaded area on the applicant's sketch plan entitled, "Plan, Non Conf. Diagram, 207 King Caesar Rd" appears to require a variance.

MOTION: Ms. Turcotte made a motion, and Mr. Casagrande provided a second, to defer judgment to the Zoning Board of Appeals regarding a special permit for 207 King Caesar Road / Denniston, a proposal to reconstruct a 21.5' x 23' garage and breezeway, extending a pre-existing nonconforming structure horizontally and vertically to add a finished second floor to include a bedroom and bathroom.

VOTE: The motion carried, 5-1, with Mr. Glennon voting against.

REVIEW OF OPEN SPACE PLAN GOALS AND OBJECTIVES

Mr. Glennon asked Ms. Ladd Fiorini to introduce this agenda topic. Ms. Ladd Fiorini stated that the chairman of the Community Preservation Committee asked her to obtain feedback from the Planning Board regarding the Five-Year Action Plan for Goals and Objectives from the 2008 Open Space Plan that will be updated this fall. Mr. Glennon confirmed with Planning Board members that they agreed with the four overall goals:

- Protection of Duxbury's aquifer and groundwater
- Protection of Duxbury's natural areas and environment
- Preservation of the unique character of Duxbury
- Management of the town's recreational opportunities with minimum impact to the environment.

Planning Board members reviewed the 2008 Goals and Objectives, providing any updated comments.

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GOAL 1 – PROTECTION OF DUXBURY’S AQUIFER AND GROUNDWATER

Objective: Water Quality Protection

- Amend the Planning Board Rules and Regulations to include a policy of Right of First Refusal for proposed subdivision plans of 12 acres or more: Mr. Broadrick agreed to draft a statement to insert at the beginning of the Subdivision Rules & Regulations with appropriate language.
- Retain all Planned Development Districts currently in the Zoning Bylaws: This is an ongoing action plan.
- Develop a town-wide Drainage Bylaw: Mr. Bear commented that this appears to be a heavy fix for a non-problem. Mr. Broadrick suggested that the Planning Board could continue its existing programs:
 - NPDES (National Pollutant Discharge Elimination System) federal permit program
 - Administrative Site Plan Review for commercial projects
 - Special permits for commercial projects, including Planned Development Projects
 - Subdivision approvals for residential projects.

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GOAL 2 – PROTECTION OF DUXBURY’S NATURAL AREAS AND ENVIRONMENT

Objective: Resource Protection

- Strengthen environmental protection provisions of bylaws and local rules and regulations: Board members recommended that the Conservation Commission should be listed as the primary source for this ongoing goal, and the Planning Board should be eliminated. Currently the Planning Board is listed as the primary source.
- Protect wetlands through regulatory changes: This is an ongoing action plan with the Planning Board listed as a secondary source. Mr. Broadrick noted that currently property owners are required to file a special permit in order to build within the Wetlands Protection Overlay District (WPOD). Mr. Casagrande suggested that the Planning Board could consider a provision to remove the Wetlands Protection Overlay District by special permit rather than by citizen petition at Town Meeting.
- Develop a Duxbury Bay Overlay District / Waterfront Development District for maritime, business, and other uses of the bay that provides appropriate public access to waterfront and bay: Mr. Broadrick noted that all commercial uses, including those on the waterfront, are regulated by Administrative Site Plan Review.

Objective: Water Quality Protection

- Revise Stormwater Model Bylaw for Duxbury specifics, and bring to town meeting for approval: Board members felt this goal has been covered in the goal of developing a town-wide drainage bylaw listed above (see Goal 1).

Objective: Floodplain Management

- Develop and implement a Hazard Mitigation Plan: Mr. Broadrick noted that he is awaiting approval on a plan submitted to FEMA
- Participate in the Community Rating System (CRS), using preventative measures to reduce stormwater risks for flood-prone areas to reduce flood insurance rates for homeowners: Mr. Broadrick agreed that it would make sense for the town to pursue this and commented that the Coastal Zone Management has funding available. Mr. Glennon asked staff to pursue any potential grants that might be available for property owners.

Objective: Regional Planning

- Develop a cooperative Watershed Protection Plan with neighboring communities: The Planning Board is listed as a secondary source for this goal and it is ongoing. Mr. Broadrick suggested changing “develop” to “continue” because the Town of Duxbury has recently undertaken joint projects with town planners and conservation administrators in the towns of Scituate, Marshfield, Kingston and Plymouth.

Objective: Education and Outreach

- Promote partnerships among town government and nonprofit organizations: The Planning Board is listed as a secondary source for this goal and it is ongoing. Mr. Broadrick noted that Planning Board members also serve on the Duxbury Affordable Housing Trust, Open Space Committee, Community Preservation Committee, Economic Advisory Committee, South Shore Coalition of MAPC, MBTA Advisory Board, and Alternate Energy Committee.

GOAL 3 – PRESERVATION OF THE UNIQUE CHARACTER OF DUXBURY

Objective: Land Protection

- Amend the Subdivision Rules and Regulations to include provisions for negotiating Conservation Restriction: The Planning Board is listed as a primary source for this goal which was to be completed by 2009. The Planning Board members commented that conservation restrictions with subdivisions can only be done on a case-by-case basis and are being done currently through the Residential Conservation Cluster zoning bylaw which was adopted by the town in 2003. Board members wondered if more clarification is needed from the Open Space Committee regarding this action plan.
- Explore ways to protect scenic vistas through zoning changes, Conservation Restrictions, easements, and other mechanisms: The Planning Board is listed as the primary source for this goal and it is ongoing. Board members commented that the Residential Conservation Cluster bylaw (adopted in 2003) and Waterfront Scenic Overlay District (adopted in 2004) address this goal.

Objective: Community Preservation

- Explore and adopt options for control of “mansionization” within existing neighborhoods and viewsheds: Board members commented that the floor-to-area ratio and height restrictions in the Protective Bylaw address this goal.
- Establish new Neighborhood Business District regulations for each of the village business areas: Mr. Broadrick noted that this spring he secured a District Local Technical Assistance (DLTA) grant through the Old Colony Planning Council (OCPC) for a Hall’s Corner Study under the guidance of the Economic Advisory Committee, and the study is currently underway.
- Improve Duxbury’s sign bylaw to enhance the visual streetscape, particularly in the neighborhood business districts: Mr. Broadrick noted that current sign regulations in the Protective Bylaws address this goal.
- Improve communication and coordinate between town boards and committees to improve environmental and land protection: This is an ongoing project and the Planning Board is listed as a secondary source. Mr. Broadrick noted that this goal is addressed by the Development Review Team process that allows land use department heads to review large project applications.

Objective: Historic Preservation

- Seek grants and private funding for historic preservation of structures and landscapes: This is an ongoing project and the Planning Board is listed as a secondary source. Mr. Broadrick noted that two

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Local Historic Districts have been established and a Local Historic District Committee has been appointed by the Board of Selectmen.

- Promote the development of Local Historic Districts to further protect the historic character of the town: See previous goal. Mr. Uitti, who served on the Historic Commission, asked for the Planning Board's support for amending Zoning Bylaws to add the Historic Commission's ability to impose fines.

Objective: Affordable Housing

- Pursue options for adaptive reuse of existing residential and municipal buildings for affordable housing while maintaining historic character: Mr. Broadrick pointed out that the primary source listed in the 2008 goals, the Local Housing Partnership, has been disbanded and the primary source should instead be listed as "Duxbury Affordable Housing Trust" (DAHT). He noted that the DAHT intends to propose an article at the 2015 Annual Town Meeting to clarify its powers.

GOAL 4 – MANAGEMENT OF TOWN'S RECREATIONAL OPPORTUNITIES WITH MINIMUM IMPACT TO ENVIRONMENT

Objective: Recreational Opportunities

- Encourage developers to include small passive recreational opportunities, such as playgrounds or woodland paths, in private developments: This is an ongoing project and the Planning Board is listed as the primary source. Mr. Broadrick noted that the Residential Conservation Cluster bylaw addresses this goal by setting aside open space in subdivisions of six lots or more.

PLANNING BOARD FEE REVIEW

Board members reviewed a list of proposed fee hearings prepared by staff, including Land Clearing, Scenic Tree Removal, Private Way Name Change, Citizen Petition Advertising Cost, Residential Conservation Cluster, Inclusionary Housing, and Affordable Housing. These are all applications for which there is currently no application fee.

Mr. Uitti asked why the Planning Board would charge fees to private citizens who already pay property taxes. Mr. Broadrick responded that the Planning Board is proposing fees for applications that would benefit an individual. Mr. Glennon stated that although he agrees with Mr. Uitti's point of view, charging fees to those who are using the resources of the town without passing on those expenses to the town at large may help maintain the tax rate. Ms. Ladd Fiorini stated that the Planning Board should consider the public good versus the individual benefit, noting that charging fees may free up funds to go to other needs of the town.

After further discussion, the Planning Board members agreed that the applicant should be charged at least advertising cost for Land Clearing, Scenic Tree Removal, and Private Way Name Change. In addition, they discussed the possibility of charging an application fee for Land Clearing at the same rate that the Zoning Board of Appeals charges for its special permit application fee.

MOTION: Ms. Turcotte made a motion, and Ms. Ladd Fiorini provided a second, that the Planning Board charge an application fee for Land Clearing and Grading to align with the special permit application fee charged by the Zoning Board of Appeals.

VOTE: The motion passed, 4-2, with Mr. Bear and Mr. Uitti voting against.

Mr. Bear asked what fee the Zoning Board charges for special permits, and staff was not aware of the ZBA fee structure. Mr. Bear stated that it does not make sense for the Planning Board to pass a motion setting a fee with an unknown amount.

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MOTION: Mr. Bear made a motion, and Ms. Turcotte provided a second, to reconsider the motion that the Planning Board charge an application fee for Land Clearing and Grading to align with the special permit application fee charged by the Zoning Board of Appeals

VOTE: The motion passed unanimously, 6-0.

MOTION: Ms. Turcotte made a motion, and Mr. Bear provided a second, to continue the discussion of Planning Board fees to the next scheduled Planning Board meeting to allow staff time to research Zoning Board of Appeals application fees.

VOTE: The motion passed 5-1, with Mr. Uitti voting against.

OTHER BUSINESS

New Business – Solar Panels: Mr. Glennon noted that on the Construction Cost Estimates for May 2014 produced by the Municipal Services Department, there were several solar panels permitted. He asked if there were any restrictions in place to constructing a freestanding, non-roof mounted solar panel in the Residential Compatibility (RC) zoning district. Mr. Broadrick replied that the only requirements that would apply would be setbacks because they would be considered an accessory structure. If a structure is over 100 square feet in size it would require a building permit.

Ms. Ladd Fiorini stated that she does not believe freestanding solar structures are an issue. Mr. Bear stated that he believes the town would not want yards with solar panels. Mr. Casagrande asked if property owners could install solar towers, and Ms. Turcotte noted that the Zoning Bylaws do have height restrictions. Mr. Broadrick stated that he does not review building permits for solar panels. He offered to see what type of building permit is required for installing solar panels in the RC District.

ADJOURNMENT

The Planning Board meeting adjourned at 10:01 PM. The next Planning Board meeting will take place on Monday, July 28, 2014 at 7:00 PM at the Duxbury Town Hall.

MATERIALS REVIEWED

Initial Public Hearing, Definitive Subdivision: 0 Tremont Street / Nass & Alfieri

- Definitive Subdivision application and plans submitted on 05/24/14
- Vision GIS map, aerial photo, Assessor’s property card, and Pictometry orthophoto
- Plan of record endorsed by PB on 04/14/14
- Memorandum from T. Broadrick to applicants dated 06/19/14 re: explanation of issue and attachments
- Letter from P. Brennan dated 06/05/14 re: consulting engineer initial review
- Email from P. Brennan dated 06/18/14 re: DRT summary
- Email thread dated 06/02 – 06/04/14 re: Town Historian approval of proposed street name
- Email thread dated 06/20/14 – 07/01/14 re: plan revision needed

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Economic Advisory Committee Update on Hall’s Corner Study

- Power Point slide presentation submitted by E. Arbeene/OCPC

ZBA Referral, Appeal of a Building Inspector’s Determination: 0 Summerhouse Lane / Curtis

- ZBA application and materials submitted on 06/19/14
- Vision GIS map, aerial photo, Assessor’s property card, and Pictometry orthophoto
- Memorandum from T. Broadrick to S. Lambiase dated 05/01/14 re: Building permit review for 29 Summerhouse Lane
- 81X plan dated 03/05/06
- ANR plan dated 11/26/07 and endorsed by PB on 12/03/07

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ZBA Referral, Special Permit: 207 King Caesar Road / Denniston

- ZBA special permit application and materials submitted 06/23/14
- Vision GIS map, aerial photo, Assessor's property card, and Pictometry orthophoto
- PB minutes of 02/24/14
- PB referral memo to ZBA dated 02/27/14
- Case law: Deadrick v ZBA Chatham

Review of Open Space Plan Goals and Objectives

- Open Space Plan Goals & Objectives (2008)

Planning Board Fee Review

- Planning Board Fee Research, Selected Towns as of June 2014
- List of Potential Fee Hearings with notes from Duxbury and other towns

Other Business

- Construction Cost Estimates for May 2014

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