



Town of Duxbury Massachusetts Planning Board

Approved 11/10/14

TOWN CLERK

15 JAN -5 PM 12:42

DUXBURY, MASS.

Minutes 10/27/14

The Planning Board met on Monday, October 27, 2014 at 7:00 PM at the Duxbury Town Hall, 878 Tremont Street, Small Conference Room.

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

Absent: John Bear.

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

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

OPEN FORUM

Fisher Ridge Cluster Development, off Summer Street: Mr. Glennon reported that he drove by Fisher Ridge last week and noticed that although some of the homes are occupied there is no streetlight as required in the special permit decision. Mr. Broadrick responded that the town's consulting engineer, Mr. Patrick Brennan of Amory Engineers, is working with the applicants to finalize the work yet to be done. He stated that three certificates of occupancy have been issued recently. The Planning Board is holding a performance bond for outstanding work.

Community Preservation Committee: Ms. Ladd Fiorini reported that ten applications were submitted for potential inclusion in the 2015 Annual Town Meeting warrant.

Hall's Corner Study: Mr. Broadrick reported on behalf of Mr. Bear, who is chairman of the Economic Advisory Committee (EAC), that the Old Colony Planning Council (OCPC) has submitted its final Hall's Corner Economic Development and Transportation Study to the EAC. The Metropolitan Area Planning Council is already working on Phase 2 of the study. The OCPC report will be posted on the town's web site.

CONTINUED PUBLIC HEARING, DEFINITIVE SUBDIVISION: 200 FRANKLIN STREET / BARTLETT

Mr. Wadsworth asked Mr. Glennon to serve as chair *pro tem* for this public hearing. Mr. Glennon opened the continued public hearing for this two-lot Definitive Subdivision at 7:05 PM. Present were the applicants, Mr. Richard Bartlett and Ms. Diane Bartlett, and their representative, Mr. Paul Brogna of Seacoast Engineering Company. Ms. Ladd Fiorini read the correspondence list into the record:

- Planning Board draft minutes of 09/22/14
- Email from D. Grant to J. Bear, J. Turcotte and D. Uitti dated 09/24/14 re: Mullin's Rule Affidavit of Service
- Emails between D. Bartlett and T. Broadrick dated 09/30/14 re: Definitive subdivision approval process
- Cover letter and revised plans submitted by P. Brogna on 10/20/14
- Email from P. Brennan dated 10/22/14 re: revised plans address issues raised at 9/22/14 public hearing

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

TOWN CLERK

15 JAN -5 PM 12:43

DUXBURY, MASS.

- Draft Declaration of Covenants and Restrictions submitted by D. Bartlett on 10/20/14
- Draft Private Road Maintenance Agreement submitted by D. Bartlett on 10/20/14
- Draft Certificate of Notification decision
- Email from P. Brogna dated 10/27/14 re: PB agenda timing
- Affidavit of Service completed by D. Uitti for public hearing of 09/22/14
- Affidavit of Service completed by J. Turcotte for public hearing of 09/22/14.

Mr. Brogna presented the revised plans, noting that concrete bounds have been added and the location of accessory structures has been corrected. Mr. Broadrick reported that the town consulting engineer, Mr. Patrick Brennan of Amory Engineers, has stated in an email that he has no issues with the revised plans.

Mr. Glennon reported that he and Mr. Wadsworth had visited the site. Mr. Wadsworth reported that although the sight lines were adequate, he is concerned about a burning bush that may need to be moved in order to improve the sight line onto Franklin Street. Mr. Glennon agreed that it would improve the sight line toward Temple Street to remove the burning bush. He said that looking the other way toward Lincoln Street there is a very good sight line.

Mr. Glennon stated that he is concerned with the width of the driveway, as it will now serve two dwellings. He stated that especially in the winter with snow banks, it may be difficult for vehicles to pass each other on the roadway. His main issue was the possibility of vehicles having to back out onto Franklin Street. He recommended one or two bump-outs along the roadway to avoid this issue, as an alternative to widening the roadway. Mr. Brogna noted that there is already a hammerhead that could be used as a bump out. Mr. Glennon stated that he wants to avoid any issue with future owners. Mr. Brogna agreed to add two bump outs with a size of 9' by 18' gravel. Mr. Glennon said that he would be satisfied with the addition of bump outs, acknowledging that he would like to minimize the impact on the Bartlett's haying operation. Mr. Broadrick recommended that adding bump outs close to the subdivision entrance might be most effective. Ms. Bartlett suggested that it could be located behind the existing stone fence.

Mr. Glennon stated that another issue is discouraging parking in the new hammerhead on the new lot. He stated that might look and feel like a parking area when really it was designed as a vehicle turnaround. Mr. Brogna agreed to add a small 'no parking' sign at the hammerhead.

Board members reviewed and made minor revisions to the proposed Declaration of Covenants and Restrictions and Private Road Maintenance Agreement presented by the applicants.

MOTION: Ms. Turcotte made a motion, and Mr. Wadsworth provided a second, to close the public hearing for Gudrun Way Definitive Subdivision / Bartlett.

VOTE: The motion carried unanimously, 6-0.

Therefore, the public hearing was closed at 7:29 PM. Board members reviewed seven waivers proposed by the applicants as listed on a draft decision.

MOTION: Ms. Turcotte made a motion, and Mr. Wadsworth provided a second, to approve seven waivers for the Gudrun Way Definitive Subdivision / Bartlett as presented in a letter dated August 4, 2014 from Seacoast Engineering.

VOTE: The motion carried unanimously, 6-0.

Board members further reviewed the draft decision.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Wadsworth provided a second, to approve the Certificate of Notification for two-lot Gudrun Way Definitive Subdivision / Bartlett as presented, subject to a plan revision showing two bump outs along the roadway and a 'no parking' sign at the hammerhead.

VOTE: The motion carried unanimously, 6-0.

INITIAL PUBLIC HEARING, SPECIAL PERMIT FOR LAND CLEARING AND GRADING: CREMATORY GARAGE, 774 TREMONT STREET / TOWN OF DUXBURY CEMETERY DEPARTMENT

INITIAL PUBLIC MEETING, ADMINISTRATIVE SITE PLAN REVIEW: CREMATORY GARAGE, 774 TREMONT STREET / TOWN OF DUXBURY CEMETERY DEPARTMENT

Mr. Wadsworth opened the concurrent public hearing and public meeting at 7:35 PM. Ms. Ladd Fiorini read the public hearing notice and correspondence list into the record:

- Cover letter, ASPR application, plans and materials submitted by Environmental Partners on 10/01/14 and stamped with Town Clerk on 10/02/14
- Emails between T. Broadrick and K. Rathbun of Environmental Partners dated 09/26/14 – 10/02/14 re: application process and requirement for special permit
- Land Clearing and Grading special permit application stamped with Town Clerk on 10/03/14
- Public hearing notice for special permit and public meeting notice for ASPR stamped with Town Clerk and mailed to abutters on 10/07/14, abutting towns on 10/14/14, and published in the Duxbury Clipper on 10/08/14 and 10/15/14
- DRT notice distributed on 10/07/14 for Development Review Team meeting on 10/21/14
- Emails between T. Broadrick and Mass Historical Commission dated 10/16/14 re: archaeological or historical resources on site.

Present for the discussion were Mr. Peter Buttkus, Director of the Department of Public Works (DPW); Mr. Robert Hayes, Cemetery trustee; and Mr. Ryan Trahan and Mr. Kevin Rathbun of Environmental Partners, Inc. of Quincy. Mr. Broadrick suggested that both applications be reviewed simultaneously. Mr. Wadsworth asked the applicants to present the plan.

Mr. Trahan presented the plans, noting that approximately 42,000 square feet of land is proposed to be cleared in order to construct a new 2,880 GFA crematory garage to serve the Cemetery Department. Mr. Trahan stated that the crematory garage was originally scheduled to be part of the crematory facility project but was held back for budgetary reasons. Now they would like to move forward and propose to locate the garage at the southwest corner of the cemetery property, closer to Mayflower Street although the official address will be 774 Tremont Street.

Mr. Trahan stated that the entire parcel is approximately 58 acres. Four different catchment areas are proposed for the roadway and garage, all based on providing natural drainage. Wetlands are approximately 450 feet from the proposed site. The proposed plan shows a continuation of the existing driveway beyond the existing crematory heading west.

Grading will be done to maintain the existing LID design which snakes off on the side of the road. The drainage was designed for a 500-year storm. The site has steep slopes but from the one-acre portion where the work is proposed, only .3 will become impervious and .7 will be restored with loam and seed with the goal of returning it to its natural state of vegetation. Proposed swales are on a 3:1 slope as the driveway widens and approaches the proposed new parking area. Mr. Trahan stated that a traffic report is available.

The vegetated swale on the side of the road is designed to provide "country drainage," with rip rap on the flared ends.

Mr. Trahan stated that the proposed catchment areas are designed to handle the increase in peak runoff on the site. He noted that catchment #3 on the plan is on a particularly low spot near the crematory.

Two parking spaces are proposed, each 9' x 18.5' in size. The garage openings have been designed to handle town pick-up trucks, a backhoe, and other smaller equipment. The grading has been designed away from the building. The soils are coarse sand which is good for drainage.

Mr. Wadsworth asked if Mr. Trahan expects water to stand at the basin at the bottom of the hill, and Mr. Trahan said no. Mr. Wadsworth asked if water will be treated underneath, and Mr. Trahan replied that water will naturally drain through the loam, just at a slower rate than usual.

Mr. Wadsworth asked about a maintenance plan, and Mr. Trahan responded that the swales will be mowed 3-4 times in the summer and once or twice during the remainder of the year. Mr. Wadsworth cautioned that if the grass is not cut, then trees may grow. Mr. Broadrick assured the board members that DPW Director, Mr. Peter Buttkus, is aware of what maintenance is required because he maintains the entire town-owned land.

Mr. Casagrande asked about the Mayflower Street entrance and if the building will be screened to discourage public entrance. Mr. Buttkus showed board members a photograph example of the crematory garage to be constructed, noting it will be 48' x 60' in area. He stated that the building will be tucked into the trees as much as possible and the entrance will be gated and will not be open to the general public. Mr. Casagrande confirmed that the main use for the Mayflower Street entrance will be for emergency vehicles, and that the Fire Department and Police Department have keys to unlock the gate. Mr. Trahan noted that the design was constrained because a monitoring well for the landfill is located at the facility entrance. Mr. Casagrande confirmed with Mr. Buttkus that the goal is for there to be no straight-on view of the crematory garage.

Mr. Wadsworth noted that there is no landscaping plan submitted, and Mr. Trahan responded that it is intended to leave the area as natural as possible.

Mr. Utti asked if there is a survey of the existing vegetation noting specimen trees, according to requirements of the Land Clearing and Grading Bylaw. Mr. Trahan responded that the area is depicted as wooded. Mr. Buttkus added that those woods are heavily populated with white pine and oak, along with low-bush blueberries; basically it is a natural forest. Mr. Broadrick noted that the edge of trees is depicted on the plan.

Ms. Turcotte asked if no infiltration is expected according to drainage calculations, and Mr. Trahan stated that the calculations were designed to be conservative in nature.

Mr. Glennon reported that he had walked the site over the weekend and found the stakes to determine the proposed layout. He noted that there is a beautiful walking trail that is near the site. He expressed concern with losing a large swath of forest, considering that the crematory garage will be larger than the existing crematory building. He asked why the garage cannot be located at the DPW yard further north on Tremont Street, behind Town Hall. Mr. Buttkus responded that there is no current storage area available. Equipment cannot be stored in the existing cemetery garage, and a new DPW facility is being considered but not in the foreseeable future.

Mr. Glennon asked about the elevation of the proposed crematory garage and the adjacent hilltop which is to be cleared. He expressed concern with screening the building from the walking trail. Mr. Buttkus responded that the goal is for nobody to be able to view the crematory garage because they want to discourage public access to it. Mr. Hayes added that it has been designed to be hidden on the hillside to be inconspicuous from

Mayflower Street. The current garage is inadequate and is located in the middle of the cemetery. Other areas of the cemetery property are intended to be used as cemetery plots. Mr. Buttkus noted that signs already exist stating "no parking for trail access." Ms. Ladd Fiorini said that she walks those trails often and she does not see any issue with continuing the driveway for the new crematory garage.

Mr. Glennon asked if there is any traffic conflict expected between the proposed crematory garage and the existing crematory facility. Mr. Buttkus replied that he does not expect any traffic issues because all cemetery crew is on hand during a burial ceremony, and there are never more than a few vehicles at either facility. Mr. Hayes noted that people generally park in the cemetery for cremation viewing ceremonies, and the audience is limited anyway.

Mr. Wadsworth asked about the expected parking at the new crematory garage, and Mr. Buttkus replied that they only expect two vehicles at a time for cemetery staff.

Mr. Uitti asked about how the size of the new crematory garage was determined. Mr. Buttkus responded that they took an inventory of all of the equipment that will need to be stored there to determine the required size. Mr. Hayes noted that the size of the new crematory garage was determined at the time of the crematory design.

Mr. Wadsworth asked if re-planting is expected within the limit of clearing, and Mr. Trahan responded that for areas outside of the swales, they expect a natural restoration of vegetation but will add planting if that regrowth does not happen quickly enough.

Mr. Wadsworth confirmed that there is one detention basin proposed.

Mr. Glennon asked if any equipment maintenance will take place in the new crematory garage, and Mr. Buttkus responded that only light maintenance is expected, with major maintenance to be done at the maintenance facility offsite.

Mr. Glennon asked about lighting, and Mr. Buttkus replied that the facility is a good distance from the nearest residential lots, and no roadway lighting is proposed.

Mr. Wadsworth invited public comment. Mr. William Mark of 705 Tremont Street asked how far the clearing will be from existing gravestones. Mr. Trahan showed on the site plan where the nearest gravestones are. Mr. Mark asked if the new crematory garage could be seen from the site of the gravestones, and Mr. Hayes responded that it would not be seen very well if at all. Mr. Trahan noted that eventually it is expected that the regrowth would block the view.

Ms. Lorrie Hall of 175 Abrams Hill stated her concern with providing a buffer to the North Hill Marsh walking trails.

Mr. Wadsworth asked if there was any further public comment and there was no response. He then asked for any concluding comments from the Planning Board.

Mr. Uitti asked if the applicants felt that the best minimalist approach had been taken regarding the clearing. Mr. Trahan replied that given the location next to the cemetery, the site is challenging due to topography but there is no alternative location. He reminded the board members that only .3 of the acre site is to remain impervious, and .7 to go back to vegetation.

Mr. Wadsworth asked if a generator will be on site, and Mr. Hayes replied that a generator will not be needed there.

Mr. Wadsworth entertained a motion to close the public hearing.

MOTION: Mr. Glennon made a motion, and Ms. Ladd Fiorini provided a second, to close the public hearing for a special permit for land clearing and grading for the Crematory Garage at 774 Tremont Street / Town of Duxbury Cemetery Department.

VOTE: The motion carried unanimously, 6-0.

Therefore the public hearing closed at 8:26 PM. Board members reviewed a draft special permit decision.

MOTION: Ms. Turcotte made a motion, and Mr. Casagrande provided a second, to approve one waiver as presented in a draft special permit decision for land clearing and grading for the Crematory Garage at 774 Tremont Street / Town of Duxbury Cemetery Department.

VOTE: The motion carried unanimously, 6-0.

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to approve a special permit decision for land clearing and grading as written for the Crematory Garage at 774 Tremont Street / Town of Duxbury Cemetery Department.

VOTE: The motion carried unanimously, 6-0.

Board members then reviewed the Administrative Site Plan Review decision.

MOTION: Ms. Ladd Fiorini made a motion, and Ms. Turcotte provided a second, to approve an Administrative Site Plan Review decision as written for the Crematory Garage at 774 Tremont Street / Town of Duxbury Cemetery Department.

VOTE: The motion carried unanimously, 6-0.

ENDORSEMENT OF ANR PLAN OF LAND: 180 TREMONT STREET / NORTON

Mr. Broadrick explained that the applicant's representative, Ms. Tara Calabrese, had notified him by email today that they are not ready to go forward with the ANR discussion tonight. He stated that the applicant's representative had already signed an extension form with a decision deadline of January 30, 2015. Board members turned in their packet materials for a future Planning Board meeting when the applicant is ready.

DISCUSSION RE: ZBA SUMMERHOUSE LANE APPEAL OF A BUILDING INSPECTOR'S DETERMINATION

Mr. Wadsworth reported that he had attended the latest public hearing for this application and the Zoning Board of Appeals (ZBA) voted to overturn the decision of the Director of Inspectional Services denying a building permit application, which would create a new building lot. Mr. Wadsworth noted that he had not yet seen a written decision. He asked Planning Board members whether they should consider appealing the ZBA decision. Mr. Glennon noted that it is not unusual for boards to appeal decisions in other towns.

Mr. Casagrande said that the ZBA had done a lot of research and had reviewed the application in more detail and he did not see the point in appealing their decision. Mr. Wadsworth noted that it depends on whether the Planning Board agrees with Town Counsel or not. He stated that Town Counsel had concluded that the

TOWN CLERK
15 JAN 15 PM 12:43
DUXBURY, MASS.

Building Inspector was correct in denying the building permit because the lot is marked "unbuildable" on the plan of record endorsed by the Planning Board in 2007.

Ms. Turcotte said that this is a complex land use legal case and the ZBA does a good job of ensuring that they are protecting the town's interest. She said that the Zoning Bylaws do not support an appeal.

Mr. Uitti asked about the timing of the appeal, and Mr. Broadrick noting that the decision has not been issued yet to his knowledge, but once it is stamped with Town Clerk there is a 20-day appeal period.

Mr. Uitti stated that he agreed with Ms. Turcotte and is inclined not to want to pursue an appeal but he would at least want to read the decision first. Mr. Glennon agreed that he would prefer to read the decision first.

Atty. Paul Driscoll stated that he represents Ms. Susan Curtis, the applicant, who was also present. He presented some details about the ZBA appeal. He stated that there is a young couple waiting to close on the property, and if the Planning Board were to appeal it would delay their plans to build on the lot.

Mr. Wadsworth stated that his issue is that the Town Counsel, the Planning Director and the prior Planning Board all said that the lot is not buildable, but the ZBA says that it is buildable. Mr. Driscoll argued some points regarding the merit of the case.

Mr. Robert Lancelot said that he and his wife, who was also present, would like to purchase the property. He stated that there has been a 7 ½ month delay and a lengthy process through the town. He asked what the Planning Board's intention is. Mr. Wadsworth stated that any litigation would not be against an individual. He said that the ZBA went against the advice of Town Counsel and he believes that the court would agree. Mr. Broadrick stated that the Planning Board's job is to create lot lines and to make sure lots are buildable. Atty. Driscoll stated that the Planning Board does not determine zoning. Mr. Broadrick agreed that while an ANR plan does not have to comply with zoning, a subdivision plan does.

Mr. Lancelot asked if the Planning Board had made a recommendation to the ZBA regarding this application already, and Mr. Wadsworth replied that the Planning Board had deferred judgment to the ZBA regarding this application.

Mr. Uitti stated that he understands the level of frustration from the potential buyers, noting that this issue is not personal. Ms. Curtis stated that it is personal to her, and that she believes that it is a zoning issue.

The topic was deferred until a decision has been issued and reviewed by the Planning Board members.

DISCUSSION REGARDING POTENTIAL ANNUAL TOWN MEETING ARTICLES

New Tree Bylaw (Open Space Committee): Present for the discussion were Ms. Lorrie Hall of the Open Space Committee and Ms. Kathy Cross, chairman of the Open Space Committee. Mr. Wadsworth asked Ms. Hall to present the proposed bylaw. Ms. Hall stated that the overall goal of the Tree Bylaw would be to protect the rural and historical character of the town. She said that it is a narrowly constructed bylaw that would pertain only to trees that are 8" or wider caliper under three narrow conditions:

1. On a vacant lot
2. Demolitions larger than a shed
3. Renovations with a footprint increase of 40 percent or more.

Ms. Hall stated that if, for example, you were to cut down a 10-inch tree you would have to replace it with a 2.5-inch tree, or you could pay a fee to a 'tree bank' to be established. She said that she is not sure who would

oversee the tree fund. She said that this bylaw may provide an incentive for people not to cut trees in the first place. The replacement tree would need to remain in good health for two years after planting.

Mr. Glennon, who also serves on the Open Space Committee, commended Ms. Hall for taking the lead on this proposed bylaw. He also recognized Ms. Cross and Mr. Broadrick for their valuable input. Mr. Glennon said that the issue is how to protect trees in a setback. He said that it may not be accepted by voters at Annual Town Meeting. The proposed bylaw protects larger trees because it is noticeable when they are removed. He said that the intent is to take the bylaw to Annual Town Meeting as a Zoning Bylaw amendment, but it could also be considered as a General Town Bylaw. He asked if the Planning Board agrees whether this is a laudable goal and a good way to achieve it.

Mr. Casagrande noted that other towns with tree bylaws tend to be towns with not many trees left while Duxbury has a lot of trees. He asked why a homeowner would go through such an extensive application process just to get rid of a shed. Ms. Hall replied that the shed would have to be greater than 250 square feet for the bylaw to apply.

Mr. Casagrande said that another consideration is the dripline, noting that if you cannot touch a tree that is within the setback, it effectively increases the setbacks beyond zoning regulations. He said that any new dwelling structure to be built could not build a circular driveway. He stated that beautiful homes are a part of Duxbury's rural and historic character too. He said that he had spoken with a couple of builders who told him that they need up to 20 feet to move equipment. He said that houses need light and air also. He suggested that instead of the full setback, the Open Space Committee should consider 50 percent of the setback. He stated that on a smaller lot you would not be able to build without taking down trees or else paying a fee. He stated that he believes it would be an "uphill battle" at Annual Town Meeting.

Mr. Uitti said that he runs throughout the town and sees a lot of neighborhoods. He stated that in a vacuum the bylaw appears to be fine. He asked if there was a count of a large number of trees being cut down that led to the perceived need for a bylaw. Ms. Hall said that a lot of trees have been lost on Washington Street and Cove Street, clearing for no apparent reason in the oldest historic area in town. She said that she does not see such clearing in west Duxbury.

Mr. Broadrick asked how this bylaw would be enforced if no one reports a tree cutting, and Ms. Hall responded that an arborist would see stumps.

Mr. Wadsworth suggested that the Open Space Committee consider adding tree names to the bylaw, and Ms. Hall responded that they were advised against naming specimen's names. She said that the bylaw would not affect many residents.

Ms. Ladd Fiorini said that it appears that the Open Space Committee has done a lot of work for a bylaw that would cover very few trees. She noted that the bylaw does not appear to have a lot of "teeth" in terms of enforcement. She noted that there are very few buildable lots remaining in the town. Ms. Hall stated that the town Wellesley narrowed their tree bylaw to cover the biggest tree losses, and added that hiring an arborist is a fraction of the cost of most building projects of this scope.

Mr. Broadrick asked that the Open Space Committee consider exactly what they are trying to protect, suggesting that they concentrate on setbacks. He noted that the Planning Board would need to decide by December 3, 2014 if they want to support the Tree Bylaw. He said that the Open Space Committee is looking for Planning Board guidance. He recommended that the Open Space Committee could consider educating the public on the benefits of saving trees.

Mr. Wadsworth stated that he is not ready to support or not support the bylaw because he needs more time. Ms. Hall asked if the Planning Board members thought such a bylaw would pass if some leeway were given on the front setback, and Mr. Wadsworth responded that it would be a tough sell. Ms. Hall said that front setbacks should not be exempted because they make up the streetscape.

Mr. Uitti asked what the Tree Bank funds would be used for, and Ms. Hall replied that it would be used for planting and maintaining trees on public areas in the town.

Ms. Turcotte stated that her issue is with enforceability.

Mr. Broadrick stated that some residents in town may not share the same values that the Open Space Committee members have. He recommended that the committee consider submitting the bylaw as a General Bylaw rather than a Zoning Bylaw.

Mr. Uitti stated that he would like one more meeting to think about it. Ms. Cross mentioned that the Open Space Committee is requesting Planning Board feedback. Mr. Uitti said that he had previously served on the Historic Commission and their demolition delay passed as a General Bylaw.

Mr. Wadsworth agreed that enforcement would be an issue.

Mr. Glennon asked if it would be necessary to have the Tree Bank, and Mr. Uitti commented that he would rather pay into the bank to have his tree cut down rather than go through the application process. Mr. Broadrick noted that some other towns have a greenhouse and money from fines goes toward the greenhouse.

Mr. Glennon again commended Ms. Hall's extensive work. Mr. Broadrick invited Ms. Hall and Ms. Cross to work with him on how to put in a Town Meeting article for a General Bylaw.

New Residential Solar Energy Systems Zoning Bylaw: Mr. Glennon, who had requested this agenda topic, asked that it be continued to the next Planning Board meeting due to the late hour.

Street Acceptances: Myles Standish Park (Alden Avenue, Bradford Street, Brewster Street, Mullins Avenue, Pilgrim Road, Priscilla Avenue, Puritan Way, White Street, Winslow Street): Board members reviewed a recorded plan from 1897 showing the development titled "Myles Standish Park." Mr. Broadrick explained that it is complicated because it appears that some portions of roads have been accepted by the Town of Duxbury and some have not. He said that the Department of Public Works (DPW) plows the public portions but must go over some private roads.

Mr. Wadsworth directed Mr. Broadrick to speak with Mr. Peter Butkus, DPW Director. Mr. Broadrick said that metes and bounds need to be identified.

Funding for Consultant to Update Comprehensive Plan: Mr. Wadsworth reported that he had spoken with Mr. Broadrick and they both agree that an outside consultant should be hired to update the 1999 Comprehensive Plan. Mr. Broadrick noted that there may be funding available from the Old Colony Planning Council or the Metropolitan Area Planning Council.

OTHER BUSINESS

Planning Board Minutes:

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Glennon provided a second, to approve meeting minutes of September 22, 2014 as amended.

VOTE: The motion carried 4-0-2 with Ms. Turcotte and Mr. Uitti abstaining.

Planning Board Meeting Space: Mr. Glennon stated that he would like to pursue finding another meeting space for the Planning Board that is more suitable. Mr. Wadsworth stated that another option would be changing the meeting night. Ms. Grant suggested that from her prior research, Wednesday night would be the best alternative to meeting in the Mural Room. Mr. Uitti said that he has a commitment on Wednesdays for the next 20 weeks.

ADJOURNMENT

The Planning Board meeting adjourned at 10:01 PM. The next Planning Board meeting will take place on Monday, November 5, 2014 at 7:00 PM at the Duxbury Town Hall.

MATERIALS REVIEWED

Continued Public Hearing, Definitive Subdivision: 200 Franklin Street / Bartlett

- PB draft minutes of 09/22/14
- Cover letter and revised plans submitted 10/20/14
- Draft Declaration of Covenants and Restrictions submitted by the applicant on 10/20/14
- Draft Private Road Maintenance Agreement submitted by the applicant on 10/20/14
- Draft Certificate of Notification decision

Initial Public Hearing, Special Permit for Land Clearing and Grading, and Initial Public Meeting, Administrative Site Plan Review: Crematory Garage, 774 Tremont Street / Town of Duxbury Cemetery Department

- Public hearing notice stamped with Town Clerk on 10/07/14
- Special Permit and ASPR application and materials submitted 10/01/14
- Vision GIS map, aerial photo, Assessor's property card, and Pictometry orthophoto
- Draft special permit decision
- Draft ASPR decision

Endorsement of ANR Plan of Land: 180 Tremont Street / Norton

- ANR application, plans and cover letter submitted 10/15/14
- Land Court Norton v. Town of Duxbury decision dated 2004
- Memo from T. Broadrick to PB dated 01/23/02
- Vision GIS map, aerial photo, Assessor's property card, and Pictometry orthophoto

Discussion Regarding Potential Annual Town Meeting Articles

- Proposed Tree Bylaw submitted by L. Hall
- "Tree Protection Check Off Sheet" submitted by L. Hall
- Model Residential Solar Systems Zoning Bylaw drafted by Horsley Witten Group
- Town of Kingston Ground-Mounted Solar PV Overlay District bylaw adopted in 2010
- Recorded Plan for Myles Standish Park
- Vision GIS map

Other Business

- Minutes of 09/22/14
- Construction Cost Estimates for September 2014

TOWN CLERK
15 JAN -5 PM 2:43
DUXBURY, MASS.