

Approved 03/09/15



Town of Duxbury Massachusetts Planning Board

TOWN CLERK
15 MAR 16 AM 8:56
DUXBURY, MASS.

Minutes 01/12/15

The Planning Board met on Monday, January 12, 2015 at 7:00 PM at the Duxbury Middle School / High School Library, 71 Alden Street, 3rd floor.

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

Absent: No one was absent.

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

Mr. Glennon called the meeting to order at 7:02 PM. He thanked the Duxbury School Department for its part in making tonight's meeting at the new DMS/DHS library possible. He noted that the Planning Board will be trying out this new meeting space for the next several weeks.

DISCUSSION, POTENTIAL DEFINITIVE SUBDIVISION: MCLEAN'S WAY, OFF BOW STREET / REINHALTER

Present for the discussion were the property owner, Dr. Emil Reinhalter, and his representatives: Mr. Rick Grady of Grady Consulting in Kingston, and Atty. Peter Freeman. Also present were approximately ten abutters. Mr. Wadsworth noted that there is currently a 40B application before the Zoning Board of Appeals for 24 units on the property. He invited Mr. Grady to present a new concept plan for tonight's discussion.

Mr. Casagrande disclosed that he has a business relationship with Mr. Grady but has no financial interest in this development. No one objected to Mr. Casagrande participating in tonight's discussion.

Mr. Grady stated that the concept plan is similar to the plan presented to the Planning Board during the RCC/Grid Subdivision review in 2010 except that the road has been moved north in order to avoid the need for a retaining wall that would abut the Moriarty property. The existing house lot on Bow Street would be separate from the application. Five residential house lots are proposed on an 899-foot dead-end road. Duxbury Subdivision Rules & Regulations require 18-foot width for minor roads and a four-foot wide sidewalk. Dr. Reinhalter proposes to increase the road width by two feet and possibly request a waiver for sidewalks if a Definitive Subdivision goes forward.

Mr. Grady stated that the drainage is similar to the 2010 plan: runoff would drain into catch basins which would discharge to a lot in the front of the subdivision. A waiver would be required for a 50-foot natural buffer to the drainage lot. Perc tests have been done for the five lots. Mr. Wadsworth asked if Mr. Grady is proposing a drainage easement or a drainage lot, and Mr. Grady responded that they are proposing a drainage lot.

Mr. Casagrande asked if a rain garden is proposed, and Mr. Grady stated that he believes it would be because it would provide better infiltration and less maintenance than grass.

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Mr. Glennon pointed out that the concept plan the Planning Board is reviewing tonight is different than the RCC/grid subdivision plan submitted in 2010, so the Planning Board is not looking at the same thing.

Ms. Turcotte noted that the frontage appears to be on two curves on either side of the right of way. Mr. Grady responded that a 30-foot radius is proposed with a 50-foot layout. They are proposing to abandon the driveway to 70 Bow Street and allow vegetation to grow over it.

Ms. Turcotte asked if other waivers would be requested, and Mr. Grady stated that they may request a waiver for the roadway section. A minor street requires 18-foot width gutter to gutter with sidewalks, and they would propose a 20-foot width with no sidewalk. Ms. Turcotte stated that she does not like the sidewalks in her neighborhood because runoff debris tends to accumulate on them.

Ms. Ladd Fiorini asked what the roadway where the formerly proposed retaining wall would look like, and Mr. Grady replied that the roadway will run in the same direction as the one proposed with the 40B but nothing will need grading and it would save at least twenty mature trees. There would be a gentle slope on the roadway, going from 90 to 84 foot elevation.

Mr. Broadrick noted that the concept plan shows a standard cul-de-sac turnaround and asked if the center island would be needed for drainage. Mr. Grady responded that the cul-de-sac is located at a high point in the area and the drainage will all go to the front.

Mr. Wadsworth invited questions from the public. Mr. Broadrick noted that a letter of support for the newly proposed concept plan was submitted earlier that day by Mr. George Reinhart of 110 Bow Street, listing support from 18 other neighbors. Mr. Wadsworth noted that if a Definitive Subdivision plan application is submitted, direct abutters will be notified of the public hearing.

Atty. Peter Freeman asked if there are any serious issues from the Planning Board. Mr. Wadsworth stated that there appear to be no obvious issues, noting that Mr. Casagrande had first initiated the idea of this concept plan. Mr. Casagrande stated that the concept plan appears to be a better opportunity overall and there is ample land and much more in keeping with the town's character. He stated that the road is reconfigured in a better position so that no retaining wall would be required.

Mr. Gary Simon of 38 Bow Street stated that he was in favor of this concept plan over the proposed 40B application.

Mr. Grady stated that the applicants would like to continue the original RCC/grid subdivision plan where they left off because there was no Planning Board decision issued. Mr. Broadrick noted that the applicant had withdrawn his application and the Planning Board had accepted the withdrawal without prejudice. Typically a new application would be required but it would be up to the Planning Board to waive application fees. Mr. Wadsworth stated that he does not see any reason to grant a waiver for application fees but would consider it.

Mr. Broadrick asked who the consulting engineer is for the 40B application, and Mr. Grady responded that Merrill Associates is the consulting engineer for the Zoning Board of Appeals. Mr. Broadrick asked if the applicants would agree to the Planning Board continuing to use Merrill Associates as consulting engineer, and Mr. Grady stated that either Merrill or Fay, Spofford & Thorndike, consulting engineer for the RCC/grid subdivision application, would be acceptable to the applicant.

Mr. Glennon stated that the Planning Board would prefer to address all waivers presented with the application rather than responding to them piecemeal. The applicants and abutters departed the meeting.

Mr. Bear arrived at the meeting at 7:28 PM.

ESTABLISHMENT OF PERFORMANCE BOND: GUDRUN WAY, OFF FRANKLIN STREET / BARTLETT

Mr. Wadsworth recused himself from the discussion because he serves on a town committee with the applicant, Ms. Diane Bartlett. Mr. Glennon assumed chairmanship for this topic only and invited the applicant to present her request.

Ms. Bartlett stated that she is requesting a performance bond through a surety company in order to expedite the project and bring heavy equipment all at once.

Mr. Broadrick explained that it is up to the Planning Board to decide on the amount of the security based on advice from the town's consulting engineer, Mr. Patrick Brennan of Amory Engineers. Board members reviewed a letter from Mr. Brennan dated November 26, 2014 recommending a performance bond of \$21,040.00.

Mr. Glennon asked if any applicants had ever posted a performance bond through a surety company, and Mr. Broadrick replied that it has not been done since the late 1990s to his knowledge, although it is acceptable according to Subdivision Rules & Regulations.

Mr. Brennan explained the itemized costs from his letter which included a standard 20 percent contingency that would cover the cost of bidding out the work if needed.

Ms. Bartlett questioned Mr. Brennan's estimate of 530 square yards of topsoil and seeding, which seemed excessive to her. Mr. Broadrick noted that along with the cul-de-sac, there are two gravel pull-off areas and the right of way. Mr. Brennan added that there would also be grading required in the turnaround and the rain garden. Ms. Bartlett agreed to the 530 square yards of topsoil and seeding in the estimate.

Ms. Turcotte noted that the numbers on Mr. Brennan's spreadsheet do not appear to add up. Mr. Brennan recalculated and stated that the subtotal should be \$28,033.00 for a total of \$33,639.00 with the contingency added in.

Mr. Broadrick noted that staff had looked up the proposed surety company, Developers Surety and Indemnity Company, and they are listed with the Massachusetts Division of Insurance and have an "A - Excellent" Best rating.

MOTION: Mr. Uitti made a motion, and Ms. Turcotte provided a second, to approve the establishment of a performance bond through a surety company security in the amount of \$33,640.00 for Gudrun Way Definitive Subdivision / Bartlett.

VOTE: The motion carried unanimously, 7-0.

Mr. Broadrick advised Ms. Bartlett to complete the performance bond form and return to the Planning Office for Planning Board endorsement at a future date.

AS-BUILT PLAN APPROVAL, MINOR MODIFICATION, AND PERFORMANCE BOND REDUCTION REQUESTS: FISHER RIDGE RESIDENTIAL CONSERVATION CLUSTER, OFF SUMMER STREET

No one was present to represent this request, and Mr. Patrick Brennan was present as the town's consulting engineer. Mr. Broadrick explained that the applicants are requesting a minor modification to waive the requirements for a streetlight and for swales to be constructed behind Lots 2, 3 and 4.

TOWN CLERK
MAR 16 8:56
DUXBURY, MASS.

Mr. Brennan stated that the developers never constructed the swales and he believes that swales behind Lots 2 and 3 are not necessary. He stated that it is a naturally low area and the lawns should drain naturally. He stated that behind Lot 4 there is a cart path and he does not believe it should be disturbed.

Mr. Brennan referenced his inspection report dated October 21, 2014, noting that the dwelling structure on Lot 4 is larger than the footprint shown on the approved plan. The slope is very steep and the developers tried to reinforce the slope to try to stabilize it, and in doing so some of the grading did encroach on the cart path.

Mr. Wadsworth asked if the cart path is open to the public and walkable, and Mr. Brennan replied that it is. Mr. Wadsworth asked if the slope drains onto the cart path, and Mr. Brennan responded that a small amount of runoff goes down the slope but it is infiltrated by the slope. Mr. Wadsworth asked about the rain garden and Mr. Brennan explained that the rain garden collects the runoff from the road, and there is an outlet pipe but he has never witnessed water standing in the rain garden and does not believe it would overflow.

Mr. Brennan suggested that the Planning Board members could go inspect the site to view the slope where the swales were approved, and also the cart path.

Mr. Broadrick stated that a silt fence was required along open space boundaries behind the lots.

Mr. Uitti asked if the applicants are requesting to reduce the performance bond, and Mr. Brennan confirmed that the applicants have completed most of the project. He suggested that the Planning Board retain \$2,700,000 to make sure the grass will grow in the spring.

Mr. Glennon stated that he had noticed that the streetlight had not yet been installed. He stated that it is important to have a streetlight at that location because the speed limit on Route 53 (Summer Street) is 45 MPH and it is a dark stretch. Ms. Turcotte noted that Fisher Ridge Circle is located at the top of a ridge. Mr. Brennan stated that he could prepare an estimate for the installation of a streetlight. He also agreed to review the location of the streetlight.

Planning Board members agreed to view the site individually and continue the discussion at the next Planning Board meeting date.

PUBLIC HEARINGS FOR ANNUAL TOWN MEETING ZONING ARTICLES

RE-ZONE OF 0 NORTH STREET (009-010-001) TO MODIFY WETLANDS PROTECTION OVERLAY DISTRICT (CITIZEN PETITION)

Mr. Wadsworth opened the public hearing at 7:58 PM. Ms. Ladd Fiorini read the public hearing notice and correspondence list into the record:

- Citizen petition submitted to Board of Selectmen and filed with Town Clerk on 12/01/14
- Email from R. Read to T. Broadrick and J. Grady dated 12/02/14 re: notification of citizen petition
- Email from R. Read to T. Broadrick dated 12/11/14 re: ATM warrant language for citizen petition
- Draft plan entitled, "Wetlands Protection Overlay District Modification Plan," dated 12/17/14 and submitted to Town Clerk on 12/18/14
- Public hearing notice filed with Town Clerk and mailed to the property owner, abutters, the Department of Housing Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth on 12/19/14; and published in the Duxbury Clipper on December 24, 2014, December 31, 2014, and January 7, 2015
- Letter from P. Ness Crowley dated 12/24/14 re: property owner support for proposed zoning article
- Letter from P. Brogna of Seacoast Engineering Company dated 01/05/15 re: cover letter for document submitted

- Report from Environmental Consulting & Restoration, LLC in Plymouth dated 01/04/15 and submitted to Planning Office on 01/05/15 re: Wetland Delineation Report
- Emails between M. Abplanalp and T. Broadrick dated 01/12/15 re: questions on proposed zoning articles.

Although there are two citizen petitions proposed for adjacent properties on North Street, Mr. Broadrick recommended that the Planning Board consider each one separately.

Mr. Casagrande noted that the Planning Board had reviewed this property for an Approval Not Required of Land in April 2014.

Mr. Wadsworth asked for the petitioners' representatives to present their proposal. Mr. Paul Brogna of Seacoast Engineers introduced Mr. Brad Holmes from Environmental Consulting & Restoration in Plymouth, and Mr. Thomas Sullivan of Millbrook Survey in Marshfield. Mr. Brogna stated that the property owner, Ms. Pamela Ness Crowley, grew up on this property on North Street and now lives in Maine. Mr. Brogna stated that the Wetlands Protection Overlay District (WPOD) was adopted by the Town of Duxbury in 1971 before the state adopted a Wetlands Protection Act and River Protection Act and before the Town of Duxbury adopted a Wetlands Bylaw. He noted that Zoning Bylaw Review Committee meeting minutes reflect that the committee would like to address the WPOD.

Mr. Brogna stated that the petitioner proposes to modify the WPOD line to remove approximately 23,302 square feet from the WPOD on the 2.27 acre parcel. He stated that the property owner would still go to the Conservation Commission to delineate wetlands but this proposal would provide enough square footage to construct a single-family dwelling.

Mr. Glennon asked if Mr. Brogna feels that the WPOD line was incorrectly drawn, and Mr. Brogna replied, "Yes." Mr. Brogna explained that the WPOD was drawn using 40-foot contours that include uplands. The proposal is to set the WPOD boundary at least 50 feet from wetlands and 100 feet from the stream bank on the property.

Mr. Wadsworth invited Mr. Holmes to make a presentation. Mr. Holmes stated that he is a professional wetlands scientist. He stated that the 1971 Wetlands Protection Overlay District was ahead of its time but now there are other restrictions on wetlands in place. He stated that based on his scientific study of the property, the WPOD is unnecessary on this lot.

Mr. Uitti asked if Mr. Holmes as an expert feels that the 1971 WPOD is needed at this point, and Mr. Holmes responded that it is a zoning line and not based on current wetland determinations.

Mr. Wadsworth invited public input.

Ms. Marianne Abplanalp of 120 Myrtle Street stated that current FEMA flood maps show that the area is in a 100-year flood zone with a velocity hazard.

Mr. Kim Abplanalp of 120 Myrtle Street asked if there were other considerations for the WPOD. Ms. Turcotte responded that the WPOD is a zoning district and the FEMA zones show elevation lines for flood insurance. Mr. Abplanalp asked if relief could be granted through the Zoning Board of Appeals rather than going to Town Meeting. Mr. Brogna stated that Mr. Holmes had inspected the wetlands line and the flags placed in 2013 are accurate. Mr. Holmes added that the site does contain wetlands surrounding a river, but the area in question does not. The wetlands buffer would still apply.

Mr. Glennon noted that the plan submitted shows a cross-hatched area where the WPOD is proposed to be removed and it does show wetlands but it does not show a river.

TOWN CLERK
MAR 16 AM 8:56
DUXBURY, MASS.

Ms. Turcotte asked if the portion to be removed from the WPOD is higher than a 40-foot contour, and Mr. Brogna stated that the elevation is less than 40 feet. Ms. Turcotte asked what applicants can do to amend the WPOD boundary on a property that would not require a 2/3 vote at Town Meeting.

Mr. Mark Casey of 225 Lincoln Street agreed that the 1971 Wetlands Protection Overlay District map was ahead of its time, noting that regulations exist now that render the WPOD antiquated because protection exists through state and local wetlands regulations.

Mr. Wadsworth stated that the issue at hand is whether the Planning Board should support the citizen petition for this particular property.

Ms. Deborah Frangesh of 399 North Street stated that if there is a study or report, the public has not been given a copy. Mr. Casagrande noted that there is no proposal to change more than just this one parcel of land.

Ms. Angela Scieszka of 1 Summer Street stated that there is a distinction between the WPOD map which is based on topography and wetlands delineations which are based on wetlands soils, and there is not any detriment to pull away the WPOD line from this property.

Because there was no other public input, Mr. Wadsworth entertained a motion to close the public hearing.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to close the public hearing for a citizen petition to modify the Wetlands Protection Overlay District on 0 North Street (009-010-001).

DISCUSSION: Mr. Wadsworth stated that the Planning Board would discuss its recommendation at a future Planning Board meeting.

VOTE: The motion carried unanimously, 7-0.

Therefore the public hearing was closed at 8:38 PM.

RE-ZONE OF 0 NORTH STREET (023-010-001) TO MODIFY WETLANDS PROTECTION OVERLAY DISTRICT (CITIZEN PETITION)

Mr. Wadsworth opened the public hearing at 8:38 PM. Ms. Ladd Fiorini read the public hearing notice and correspondence list into the record:

- Citizen petition submitted to Board of Selectmen and filed with Town Clerk on 12/01/14
- Email from R. Read to T. Broadrick and J. Grady dated 12/02/14 re: notification of citizen petition
- Email from R. Read to T. Broadrick dated 12/11/14 re: ATM warrant language for citizen petition
- Draft plan entitled, "Conceptual Subdivision Plan for 0 North Street, Duxbury, MA," dated 05/20/14 and submitted to Town Clerk on 12/18/14
- Public hearing notice filed with Town Clerk and mailed to the property owner, abutters, the Department of Housing Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth on 12/19/14; and published in the Duxbury Clipper on December 24, 2014, December 31, 2014, and January 7, 2015
- Letter from P. Ness Crowley dated 12/24/14 re: property owner support for proposed zoning article
- Letter from P. Brogna of Seacoast Engineering Company dated 01/05/15 re: cover letter for document submitted
- Report from Environmental Consulting & Restoration, LLC in Plymouth dated 01/04/15 and submitted to Planning Office on 01/05/15 re: Wetland Delineation Report
- Emails between M. Abplanalp and T. Broadrick dated 01/12/15 re: questions on proposed zoning articles.

TOWN CLERK
15 MAR 16 AM 8:58
DUXBURY, MASS.

Present to represent the petition were Mr. Paul Brogna of Seacoast Engineers, Mr. Brad Holmes of Environmental Consulting & Restoration in Plymouth, and Mr. Thomas Sullivan of Millbrook Survey in Marshfield. Mr. Wadsworth invited the representative to present the proposal.

Mr. Brogna stated that this citizen petition does not have much level of detail because they have not depicted where they would like to modify the WPOD line. He stated that they need to go onto the site to survey the land in order to determine where they propose to move the WPOD line. After the field work has been done they will return to the Planning Board if they need to.

Mr. Glennon stated that this petition appears to be a place holder at the moment. Mr. Wadsworth stated that there is a fair amount of information still needed. Mr. Brogna asked for the Planning Board to continue the public hearing to the second week in February. There was a question of where the Planning Board meeting would be held in February, and so the Planning Board decided to announce the location of the continued public hearing at its next meeting on January 26, 2015.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to continue the public hearing for a citizen petition to modify the Wetlands Protection Overlay District on 0 North Street (023-010-001) to January 26, 2015 at 7:20 PM at the Duxbury Middle School / High School Library in order to determine the location of a continued public hearing on February 9, 2015..

VOTE: The motion carried unanimously, 7-0.

PROPOSED ZONING BYLAW FOR GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS

Mr. Wadsworth opened the public hearing at 8:47 PM. Ms. Ladd Fiorini read the public hearing notice and correspondence list into the record:

- Planning Board meeting minutes of 07/14/14 and 08/25/14
- Emails between T. Broadrick and S. Lambiase dated 08/26/14 – 08/27/14 re: building permit requirements
- PB minutes of 09/22/14; 10/27/14; and draft PB minutes of 11/10/14
- Article language submitted by T. Broadrick to Board of Selectmen on 12/01/14
- Public hearing notice filed with Town Clerk and mailed to DHCD, MAPC, OCPC, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth on 12/19/14; and published in the Duxbury Clipper on 12/24/14, 12/31/14, and 01/07/15
- Article language with T. Counsel comments dated 12/31/14 and submitted to T. Broadrick on 01/05/15.

Mr. Wadsworth invited Mr. Glennon to speak on behalf of the proposed Zoning Bylaw. Mr. Glennon stated that for the past several months the town has seen more and more roof solar panel building permits, and now there has been a building permit for a ground-mounted solar array. He stated that the Planning Board is proposing a Zoning Bylaw for ground-mounted structures, not rooftop ones.

Mr. Broadrick stated that solar structure building permits are not reviewed by the Planning Director like other building permits are. Currently they are regulated by setback requirements or by-right on rooftops with no regulations. The proposed bylaw would apply only to solar installations mounted on the ground to make sure that they comply with yard setbacks. The purpose is not to discourage solar power but to regulate it.

Mr. Bear asked if ground-mounted solar panels count toward site coverage, and Mr. Broadrick responded that they do because they are impervious.

Mr. Glennon stated that a 250 kilowatt (kWh) site design would be enormous, and suggested that the maximum output be lowered. He stated that the number of panels could also be used as a determinant. He noted that on Tinker Town Way there are 26 panels.

Mr. Wadsworth stated that panels in the future may become more efficient. Ms. Turcotte stated that the amount of power is not a concern; the amount of land it takes is more important for a zoning bylaw.

Mr. Casagrande stated that he is concerned with the potential to become a business, noting that at 15 percent lot coverage, a ground-mounted system could produce a high output of energy on a large lot. He stated that he could understand a roof-mounted solar system that a homeowner would add in order to limit energy costs.

Mr. Wadsworth noted that in Town Counsel's comments on the proposed bylaw, it was suggested that the bylaw needs more work before going for Town Meeting approval. Mr. Wadsworth stated that it may be an issue proposing an amended version at Town Meeting. He stated that he is supportive of the concept but that it may not be ready for this year's Annual Town Meeting.

Ms. Elizabeth Sheldon of 98 Union Bridge Road stated that she has rooftop solar panels that produce 6.552 kWh, and 13 kWh puts her at \$0 energy cost for her home. She stated that she concurs that the 250 kWh capacity is "over the top." She also disagreed with setting the same setbacks as a garden shed. She stated that the bylaw should address household use so that the panels would not become a business or moneymaking venture.

Ms. Angela Scieszka of 1 Summer Street asked how this proposed zoning bylaw was modeled, and Mr. Broadrick responded that he had used model bylaws from Horsley Witten, the Department of Energy Resources, and the Town of Kingston Zoning Bylaw. Ms. Scieszka asked if all those model bylaws were residential because the proposed bylaw feels commercial. Mr. Broadrick stated that the town has Administrative Site Plan Review for commercial projects but the Planning Board was also interested in regulating residential ground-mounted solar systems.

Mr. Bear noted that the proposed bylaw uses output as a guide, and the idea is to prevent solar arrays from taking over neighborhoods. He agreed that systems will become smaller as they become more efficient. Ms. Ladd Fiorini stated that more discussion is needed before the bylaw is ready for Town Meeting.

Mr. Mark Casey of 20 Lincoln Street stated that 15 percent building coverage would not apply to solar, and Mr. Wadsworth stated that the bylaw could be written so it would apply.

Mr. James Savicki of 80 Union Bridge Road stated that the Planning Board should not be too critical of ground-mounted solar systems. He agreed that homeowners should not be allowed to install more than needed for coverage of household energy costs and stated that not many homeowners would choose to install them. Mr. Glennon stated that glare could be an issue for abutters.

MOTION: Ms. Turcotte made a motion, and Mr. Glennon provided a second, to continue the public hearing for a proposed zoning bylaw for ground-mounted solar photovoltaic installations to Monday, January 26, 2015 at 7:20 PM.

DISCUSSION: Ms. Ladd Fiorini asked if the Planning Board was still expecting to bring a proposed bylaw to Annual Town Meeting 2015, and Mr. Glennon responded that the Planning Board could bring a new, amended bylaw to Town Meeting.

VOTE: The motion carried unanimously, 7-0.

DISCUSSION: POTENTIAL REORGANIZATION OF THE PLANNING BOARD, ZONING BOARD OF APPEALS, AND CONSERVATION COMMISSION INTO A DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to continue the Discussion of a potential reorganization of the Planning Board, Zoning Board Of Appeals, and Conservation Commission into a Department of Planning and Community Development to the next available Planning Board meeting.

VOTE: The motion carried unanimously, 7-0.

OTHER BUSINESS

Consulting Engineer Invoices:

MOTION: Ms. Ladd Fiorini made a motion, and Ms. Turcotte provided a second, to approve payment of Horsley Witten invoice #35774 dated December 1, 2014 in the amount of \$262.50 for services related to MacFarlane Farms.

VOTE: The motion carried unanimously, 7-0.

MOTION: Ms. Ladd Fiorini made a motion, and Ms. Turcotte provided a second, to approve payment of the following Amory Engineers consulting engineer invoices dated November 29, 2014:

- Invoice #14180A in the amount of \$625.00 for services related to Fisher Ridge
- Invoice #14180B in the amount of \$1,596.25 for services related to Littletown Way
- Invoice #14180C in the amount of 718.75 for services related to Gudrun Way.

VOTE: The motion carried unanimously, 7-0.

Planning Board Minutes:

MOTION: Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to approve Planning Board minutes of November 10, 2014 as amended.

VOTE: The motion carried 5-0-2, with Mr. Bear and Ms. Turcotte abstaining.

ADJOURNMENT

The Planning Board meeting adjourned at 9:20 PM. The next Planning Board meeting will take place on Monday, January 26, 2015 at 7:00 PM at the Duxbury Middle School / High School Library, 71 Alden Street.

MATERIALS REVIEWED

Discussion, Potential Definitive Subdivision: McLean's Way, off Bow Street / Reinhalter

- Email from P. Freeman to T. Broadrick dated 12/12/14
- Concept Plan dated 10/31/14 and submitted 12/31/14

Establishment of Performance Bond: Gudrun Way, off Franklin Street / Bartlett

- Letter from P. Brennan of Amory Engineers dated 11/26/14
- Email thread dated 11/03/14 – 12/19/14

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TOWN CLERK
15 MAR 16 AM 8:57
DUXBURY, MASS

As-Built Plan Approval, Minor Modification, and Performance Bond Reduction Requests: Fisher Ridge Residential Conservation Cluster, off Summer Street

- Cover letter and As-Built plans submitted by S. Vazza on 12/11/14
- Email from P. Brennan dated 12/15/14
- Email thread from P. Brennan dated 12/24/14 – 12/30/14
- Letter from S. Vazza dated 01/02/15

Public Hearing for Annual Town Meeting Zoning Article: Re-Zone of 0 North Street (009-010-001) to Modify Wetlands Protection Overlay District (Citizen Petition)

- Citizen petition filed with Town Clerk on 12/01/14 and map of proposed amendment submitted on 12/18/14
- Vision GIS map, Assessor's property card and Pictometry orthophoto
- Email from R. Read to T. Broadrick dated 12/11/14
- Letter from P. Crowley dated 12/24/14
- Letter from B. Holmes of Environmental Consulting & Restoration in Plymouth

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- Email from R. Read to T. Broadrick dated 12/11/14
- Letter from B. Holmes of Environmental Consulting & Restoration in Plymouth

Proposed Zoning Bylaw for Ground-Mounted Solar Photovoltaic Installations

- Zoning article submitted to the BOS on 12/01/14
- PB minutes history dated July – November 2014
- Zoning article with Town Counsel comments received 01/05/14

Discussion: Potential Reorganization of the Planning Board, Zoning Board of Appeals and Conservation Commission into a Department of Planning and Community Development

- Emails between J. Turcotte, T. Broadrick and D. Grant dated 11/26/14 – 12/03/14

Other Business

- Horsley Witten Invoice #35774 dated 12/01/14 re: MacFarlane Farms
- Amory Engineers Invoice #14180A dated 11/29/14 re: Fisher Ridge
- Amory Engineers Invoice #14180B dated 11/29/14 re: Littletown Way
- Amory Engineers Invoice #14180C dated 11/29/14 re: Gudrun Way
- Minutes of 11/10/14
- ZBA Decision: 41 Marginal Road / Banks (Burchill)
- ZBA Decision: 247 Gurnet Road / Fitzgerald
- ZBA Decision: 94 Prior Farm Road / Cowen
- Construction Cost Estimates for December 2014

TOWN CLERK
15 MAR 16 AM 8:57
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SIGN IN SHEET

Duxbury Planning Board
January 12, 2015

TOWN CLERK
15 MAR 16 AM 8:57
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Public Hearings for Annual Town Meeting Zoning Articles:

- Re-Zone of 0 North Street (090-010-001)
- Re-Zone of 0 North Street (023-010-001)
- Proposed Zoning Bylaw for Ground-Mounted Solar Photovoltaic Installations

Please print your name and address for our records:

Name	Address:
<u>Amy + Gary Simon</u>	<u>38 Bow Street</u>
<u>BOB DOYLE</u>	<u>39 OLD COVE RD</u>
<u>SUSAN CURTIS</u>	<u>110 High Street</u>
<u>TOM SULLIVAN</u> ^{MILLBROOK SURVEY}	<u>401 PARSONAGE ST. MARSHFIELD</u>
<u>Tom Burton (Heslie)</u>	<u>54 West St Dux</u>
<u>Mary Alpland</u>	<u>120 Myrtle St</u>
<u>Kim Alpland</u>	<u>120 Myrtle St</u>
<u>David Bitters</u>	<u>62 Teakettle Lane</u>
<u>Nisa Seldan</u>	<u>98 Union Bridge Rd</u>
<u>PAUL BROGNA</u>	<u>21 VILLAGE WAY</u>