



Town of Duxbury Massachusetts Planning Board

Approved 12/14/15

TOWN CLERK

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DUXBURY, MASS.

Minutes 11/23/15

The Planning Board met on Monday, November 23, 2015 at 7:00 PM at the Duxbury Town Hall, Small Conference Room.

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

Absent: Cynthia Ladd Fiorini, Clerk; and David Uitti.

Staff: Valerie Massard, Planning Director; and Diane Grant, Administrative Assistant.

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

OPEN FORUM

Zoning Bylaw Review Committee (ZBRC): Mr. Casagrande reported that the ZBRC is expected to meet tomorrow night to finalize zoning articles to be submitted for Annual Town Meeting 2016.

Open Space Committee: Mr. Glennon, who serves on the Open Space Committee but could not attend its most recent meeting, asked if the chairperson is planning to submit a proposed Tree Preservation Bylaw. Ms. Massard replied that a placeholder has been set and she is planning to meet with the chair and vice-chair tomorrow. She reported that the Open Space Committee had agreed 5-4 to proceed with submitting the proposed bylaw, but it is her understanding that no changes have been made from last year's article and last year the article was withdrawn due to lack of support. Ms. Massard stated that the concept may be better implemented through Subdivision Rules & Regulations and special permit conditions rather than through a town bylaw. Mr. Wadsworth noted that the discussion could continue under the agenda item later in the meeting.

New FEMA Preliminary Flood Maps: Ms. Massard reported that the Federal Emergency Management Agency (FEMA) has issued new preliminary maps dated November 6, 2015. An informational meeting will be held for residents of Duxbury, Marshfield and Scituate on December 3, 2015 at 7:00 PM in Marshfield to discuss the newly proposed maps. She reported that after reviewing the maps it appears there are changes where the beach meets the mainland compared to the preliminary maps issued in 2013. Ms. Massard stated that FEMA also has recently started reviewing inland floodplains, but so far the preliminary maps issued have mainly concentrated on the coastline. Another new set of preliminary maps will be issued when the inland waterways have been reviewed.

POTENTIAL ARTICLES FOR ANNUAL TOWN MEETING 2016

Residential Conservation Clusters: Mr. Casagrande reported that the Zoning Bylaw Review Committee (ZBRC) is waiting to hear back from the consultant, Atty. George Hall of Anderson & Kreiger, with proposed language. He stated that once it comes back from Atty. Hall it will still need additional work by the ZBRC.

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The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

Mr. Wadsworth, who also serves on the ZBRC, stated that with Annual Town Meeting (ATM) articles due by December 1, 2015, time is running out. Mr. Casagrande stated that last year the ZBRC was allowed to submit a placeholder for articles. Ms. Massard noted that final language should be ready by the time of the initial public hearing notice which will be published in the Duxbury Clipper on December 23, 2015.

Ground-Mounted Solar: Ms. Massard stated that she had spoken with Town Counsel, Atty. Kevin Batt of Anderson & Kreiger, and he does not believe that a moratorium on ground-mounted solar structures would pass muster with the Attorney General because it is not consistent with state mandates. Mr. Casagrande suggested that Ms. Massard speak with Director of Municipal Services, Mr. Scott Lambiase, about how the Building Department is handling building permits for ground-mounted solar structures. Ms. Massard responded that she has spoken with Mr. Lambiase and it is her understanding that he is treating these as part of lot coverage and larger ones will be subject to Site Plan Review. Mr. Wadsworth suggested that this topic be deferred until after Annual Town Meeting.

Affordable Housing Bylaw: Ms. Massard reported that she had met with Ms. Diane Bartlett, chair of the Duxbury Affordable Housing Trust (DAHT), and it appears that the DAHT is proposing the same change to the bylaw that it had proposed and withdrawn at last year's Annual Town Meeting including a change in minimum lot size from 10,000 to 5,000 square feet. Mr. Bear asked why the DAHT is proposing a 5,000 square foot lot size, and Ms. Massard replied that the DAHT is trying to make the bylaw as flexible as possible and 5,000 square feet is the minimize lot size allowed in the Commonwealth of Massachusetts. She noted that no study had been done on the potential impact to the Town of Duxbury of the 5,000 square foot lot size. Mr. Wadsworth, who serves on the DAHT, stated that there appears to be little opportunity for a property owner to make a profit by selling an undersized lot as affordable. He noted that the small lot size limits the dwelling size which in turn limits the number of bedrooms.

Comprehensive Plan Update Funding: Ms. Massard noted that comprehensive plans generally have a lifespan of 20 years. She distributed a draft executive summary. She noted that in the 1999 build-out analysis, density had doubled from 1969, but since 1999 there has been only a five percent growth in housing units. She noted that there has been a change in demographics, with an older population. She stated that very few people have moved in or out, and the new generation has not had the opportunity for input yet.

Ms. Massard noted that there is now a lot more information on climate change, and the Metropolitan Area Planning Council (MAPC) has done some modelling that shows that there may be major impacts to the coastline in the next 50 years. There are several additional plans available now, also, such as the Hazard Mitigation Plan, the Community Development Plan, and the Open Space Plan. Compared to 1999 there is now much more open space in the town and more town-owned facilities. When the town applies for grants they are sometimes awarded credit when the proposal is consistent with goals outlined in a comprehensive plan.

Ms. Massard reported that her research so far on similar communities indicates that several towns have updated their comprehensive plans in the past five to six years at a cost of \$100,000 - \$120,000. The update typically takes one to three years. She suggested that the Planning Board could phase the process and a steering committee would be needed. Ms. Massard noted that another approach would be to update the numbers with no other major updates. However, since there are a number of changes facing the community, she would not recommend that approach.

Mr. Bear stated that he had been told that the comprehensive plan should be updated every ten years. Ms. Massard noted that Massachusetts General Law uses the loose term "from time to time." She agreed that 20 years is a very long time to go without an updated comprehensive plan. She stated that although there is no legal requirement, updating the comprehensive plan could affect grant funding. Mr. Bear asked if regional

planning agencies could provide any assistance, and Ms. Massard replied that it might be possible for the regional planning agencies to provide technical assistance.

Mr. Casagrande asked about the town's Geographic Information System (GIS), and Ms. Massard stated that the license cost for a new system is approximately \$1,300 and additional equipment may be required. She noted that she had met with the town's GIS committee and they are interested in Arc GIS but no one else is trained on it yet. She stated that she is reviewing the Planning Department budget to determine if funds would be available, and the Conservation Department is willing to contribute funding also. Mr. Casagrande stated that a better GIS system would provide a clearer picture of the town and there are a number of projects that could use a good GIS system.

Mr. Bear noted that demographics appear to have changed little over the years. Mr. Casagrande stated that although the goals may not have changed other things have changed. For example, because people are waiting longer to have children, the number of school-aged children is up. Mr. Wadsworth stated that it has been over 15 years since residents have had a chance for input on the town's master plan. Mr. Casagrande stated that the Planning Board may need to do more research in order to have a better idea of what it is looking for. Mr. Wadsworth noted that even if funding is approved at Annual Town Meeting, the Planning Board would have an opportunity to define its approach before the funding becomes available after July 1, 2016. Obtaining funding would provide flexibility. Mr. Casagrande restated his concern with requesting funding. Ms. Massard offered to provide a breakdown of demographics that may help determine what would be needed for a comprehensive plan.

Mr. Glennon asked if there are new grants available if the town were to produce an updated comprehensive plan, or if there would be any other financial advantage, and Ms. Massard stated that RPAs are currently interested in group projects. She offered to get more information on goals, outcomes and costs. Mr. Bear stated that he would be interested to find out if there is an example where a community got additional grant funding from having an updated master plan, and the Finance Committee may be interested in this information also. Ms. Turcotte noted that it is not an exact science so it may be impossible to pin down specifically. Ms. Massard agreed that grant funding is not a particularly valid assessment tool, noting that the Town of Duxbury is already getting funding for projects on climate change and Hall's Corner revitalization.

Ms. Massard recommended that the Planning Board consider its goals on coastline viability and housing. She noted that implementing a master plan may not involve grants or assistance. Mr. Wadsworth stated that he would not support a piecemeal plan. He recommended moving forward, noting that the public input process alone would be important.

MOTION: Ms. Turcotte made a motion, and Mr. Glennon provided a second, that the Planning Board sponsor a placeholder article for funding an update of the 1999 Comprehensive Plan.

VOTE: The motion carried unanimously, 5-0.

Mr. Wadsworth stated that a Comprehensive Plan Committee is a good idea and forming one may generate support from the Finance Committee.

Hall's Corner Zoning Recommendations: Ms. Massard distributed proposed article language with an explanation. Planning Board members provided input on wording. Mr. Wadsworth stated that he would like to see the Planning Board support moving forward with this proposed article for Annual Town Meeting 2016.

MOTION: Mr. Casagrande made a motion, and Ms. Turcotte provided a second, for the Planning Board to support a proposed warrant article sponsored by the Economic Advisory Committee for funding a consultant to make recommendations on implementation, zoning and design guidelines for Hall's Corner, with an amended explanation as discussed.

VOTE: The motion carried unanimously, 5-0.

Hall's Corner Survey: Ms. Massard stated that she had spoken with Mr. Bear, Economic Advisory Committee chair, and Mr. Thomas Tucker, EAC vice-chair, who reported that the EAC is uncomfortable with sponsoring a survey of Hall's Corner. She stated that the Planning Board could consider sponsoring the article, noting that the DPW and Board of Selectmen would not sponsor it. She reported that she got an estimate from the surveyors who did work for Dunkin' Donuts. She stated that a surveyed plan would provide a clear picture of public layouts, streets, and sidewalks. Mr. Casagrande stated that the proposed cost of up to \$8,000 seems reasonable.

Mr. Wadsworth stated that he would like to see the Planning Board sponsor this article. Ms. Turcotte asked if the EAC would be willing to reconsider and sponsor the article. Mr. Bear responded that the EAC's position is that this is the Town's responsibility. He stated that the Town of Duxbury should know where the boundaries are. Mr. Glennon noted that a survey would be important for liability issues alone.

MOTION: Ms. Turcotte made a motion, and Mr. Casagrande provided a second, for the Planning Board to sponsor a proposed warrant article for Annual Town Meeting 2016 for a surveyed plan of Hall's Corner.

VOTE: The motion carried unanimously, 5-0.

Tree Bylaw: Ms. Massard stated that she would discourage the Open Space Committee from bringing this proposed article forward for Annual Town Meeting 2016, noting that there may be other ways to accomplish their goals at least as a starting point. Mr. Casagrande agreed that the bylaw as proposed may double a property's setback.

PLANNING STAFF UPDATE

Ms. Massard stated that there are no additional updates besides the Annual Town Meeting articles updates she had just provided.

OTHER BUSINESS

Engineering Invoices: Planning Board members reviewed eight invoices from Amory Engineers.

MOTION: Ms. Turcotte made a motion, and Mr. Glennon provided a second, for the Planning Board to approve payment for the following consulting engineer invoices from Amory Engineers, subject to replenishment of funding in escrow accounts as needed:

- Invoice #14362B dated August 17, 2015 and issued November 9, 2015 in the amount of 292.50 for services related to Fisher Ridge
- Invoice #14378A dated September 11, 2015 and issued November 10, 2015 in the amount of \$325.00 for services related to Shantum Lane

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- Invoice #14400A dated October 9, 2015 and issued November 10, 2015 in the amount of \$479.00 for services related to Shantum Lane
- Invoice #14362A dated August 17, 2015 and issued on November 9, 2015 in the amount of \$97.50 for services related to Littleton Way
- Invoice #14378B dated September 11, 2015 and issued on November 10, 2015 in the amount of \$195.00 for services related to Littleton Way
- Invoice #14378C dated September 11, 2015 and issued on November 10, 2015 in the amount of \$130.00 for services related to Cape Verde Terrace
- Invoice #14400B dated October 9, 2015 and issued on November 10, 2015 in the amount of \$195.00 for services related to Cape Verde Terrace
- Invoice #14426 dated November 12, 2015 and issued on November 12, 2015 in the amount of \$97.50 for services related to Cape Verde Terrace.

VOTE: The motion carried unanimously, 5-0.

Mr. Glennon noted that it was helpful for the consulting engineer to provide back-up information for the invoices.

Meeting Minutes:

MOTION: Ms. Turcotte made a motion, and Mr. Casagrande provided a second, to approve meeting minutes of September 28, 2015 as amended.

VOTE: The motion carried 3-0-2, with Mr. Bear and Mr. Wadsworth abstaining.

MOTION: Mr. Glennon made a motion, and Mr. Bear provided a second, to approve meeting minutes of October 26, 2015 as amended.

VOTE: The motion carried 4-0-1, with Ms. Turcotte abstaining.

Discussion of Planning Board Meeting Schedule for 2016: Mr. Wadsworth deferred discussion until the next Planning Board meeting because a full board was not present for the discussion. Both Ms. Turcotte and Mr. Casagrande stated that meeting on Wednesdays would work better for them.

ADJOURNMENT

Planning Board meeting adjourned at 8:55 PM. The next Planning Board meeting will take place on Monday, December 14, 2015 at 7:00 PM at Duxbury Town Hall, Small Conference Room, 878 Tremont Street.

MATERIALS REVIEWED

Potential Articles for Annual Town Meeting 2016

- Memo from V. Massard dated 11/17/15 re: Solar
- Memo from V. Massard dated 11/17/15 re: Affordable Housing Bylaw
- Memo from V. Massard dated 11/17/15 re: other articles, Comprehensive Plan update funding
- Hall's Corner zoning recommendations funding – *language distributed*
- Hall's Corner Survey – *language distributed*
- Untitled executive summary by V. Massard re: Comprehensive Plan (*distributed*)

PLANNING BOARD MINUTES

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Other Business

AMORY ENGINEERS CONSULTING ENGINEER INVOICES

- #14362B dated 08/17/15 (292.50) re: Fisher Ridge
- #14378A dated 09/11/15 (\$325.00) re: Shantum Lane
- #14400A dated 10/09/15 (\$479.00) re: Shantum Lane
- #14362A dated 08/17/15 (97.50) re: Littletown Way
- #14378B dated 09/11/15 (\$195.00) re: Littletown Way
- #14378C dated 09/11/15 (\$130.00) re: Cape Verde Terrace
- #14400B dated 10/09/15 (\$195.00) re: Cape Verde Terrace
- #14426 dated 11/12/15 (\$97.50) re: Cape Verde Terrace

PB MINUTES

- 09/28/15
- 10/26/15

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