



Town of Duxbury Massachusetts Planning Board

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DUXBURY, MASS.

Minutes 04/13/16

The Planning Board met on Wednesday, April 13, 2016 at 7:00 PM at the Duxbury Town Hall, Mural Room.

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

Absent: Cynthia Ladd Fiorini, Clerk; and John Bear.

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

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

OPEN FORUM

Duxbury Civic Association: Mr. Casagrande reported that he had reached out independently to Mr. Fernando Guitart, a member of the Duxbury civic group, to tell him that the Planning Board and Zoning Bylaw Review Committee (ZBRC) are willing to work with the group and to urge them to bring their concerns to the Planning Board and ZBRC. Mr. Casagrande stated that he is willing to let someone else designated by the Planning Board to reach out in the future. Mr. Wadsworth stated that the group can also approach any member of the Planning Board or ZBRC, or attend future scheduled meetings.

ELECTION OF PLANNING BOARD OFFICERS AND COMMITTEE ASSIGNMENTS

Mr. Wadsworth noted that this is the Planning Board's annual election of officers following Town Elections. He entertained a motion to nominate the Planning Board chair. Ms. Turcotte recused herself from voting at tonight's meeting because she had been re-elected recently but not yet sworn in to office by the Town Clerk.

MOTION: Mr. Casagrande made a motion, and Mr. Uitti provided a second, to nominate Mr. Glennon as Planning Board chairman.

DISCUSSION: Mr. Wadsworth asked if there were any other nominations, and there were none.

VOTE: The motion carried unanimously, 4-0.

Mr. Wadsworth entertained a motion to nominate the Planning Board vice-chair.

MOTION: Mr. Uitti made a motion, and Mr. Glennon provided a second, to nominate Mr. Casagrande as Planning Board vice-chairman.

DISCUSSION: Mr. Wadsworth asked if there were any other nominations, and there were none.

VOTE: The motion carried unanimously, 4-0.

Mr. Wadsworth entertained a motion to nominate the Planning Board clerk.

MOTION: Mr. Uitti made a motion, to nominate Ms. Turcotte as Planning Board clerk.

DISCUSSION: Mr. Glennon raised a point of order that the current Planning Board clerk, Ms. Ladd Fiorini, was not present at tonight's meeting and it is not known whether she would prefer to continue serving as clerk or not.

MOTION WITHDRAWN: Mr. Uitti withdrew his motion.

Mr. Wadsworth turned the gavel over to Mr. Glennon as new Planning Board chairman. Mr. Glennon thanked Mr. Wadsworth for his many years of service as chairman and vice-chairman of the Planning Board. Mr. Wadsworth pointed out that he has also served as Planning Board clerk. Mr. Glennon lauded Mr. Wadsworth as a terrific volunteer to the Town of Duxbury.

Mr. Glennon addressed committee appointments for Planning Board recommendations to the Board of Selectman for positions that expire on June 30, 2016. Board members reviewed a spreadsheet of Planning Board Committee Appointments dated April 7, 2016.

Community Preservation Committee (CPC): Mr. Glennon noted that the current Planning Board representative to the CPC, Ms. Ladd Fiorini, is not present for tonight's meeting and deferred discussion until a future meeting when she can be present.

MBTA Advisory: Ms. Massard stated that Mr. Richard Prone, the current Duxbury representative to the MBTA Advisory, has been reporting regularly to the Town Manager on MBTA Advisory meetings. Mr. Glennon asked Ms. Massard to invite Mr. Prone to a future Planning Board meeting to discuss the position of MBTA Advisory representative so that the Planning Board can make a recommendation to the Board of Selectmen regarding this appointment.

Open Space Committee: Mr. Glennon stated that he would be delighted to continue serving as Planning Board representative to the Open Space Committee.

MOTION: Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to recommend that the Board of Selectmen re-appoint Mr. Glennon as Planning Board representative to the Open Space Committee upon term expiration on June 30, 2016.

VOTE: The motion carried unanimously, 4-0.

ADMINISTRATIVE NOTES

ANR Plan of Land, 154 High Street: Present for the discussion was the applicant, Mr. Chafik Hamadeh. Also present was an abutter, Mr. John Baldwin of 110 High Street. Ms. Massard reported that just prior to tonight's meeting she received an email from Mr. Baldwin pointing out a discrepancy in the ANR plan because the plan referenced on the ANR plan is not the most recent plan according to a title search. She stated it is not the obligation of the Planning Board to check the work of the surveyor, whose stamp is on the plan, with respect to the accuracy of the information represented on the plan, and noted that the plan before the Board represents no substantial changes to the shape of the lot. It would be the surveyor's error if the interior line in question is not accurate. Mr. Glennon agreed that the Planning Board's primary concern is frontage.

Mr. Hamadeh stated that he is comfortable with what is on the plan, noting that the surveyor, Mr. Lloyd J. Lowell of J. Lowell Associates in Pembroke, had done a deed search at the Plymouth County Registry of

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Deeds. Mr. Hamadeh stated that there is no discrepancy in the perimeter shown on the ANR plan. The plan shows a property line that was removed in a 1975 plan, and Mr. Hamadeh stated that the former property line will be removed with the recording of this ANR plan because a new lot line is proposed.

Mr. Baldwin, the abutter, stated that the surveyor had made a mistake referencing an earlier plan when a 1975 plan reverted the property to one lot, which is also reflected on the Assessor's property card information as 3.3 acres in area.

Mr. Baldwin also noted that wetlands are not shown on the ANR plan, and according to Zoning Bylaws Section 410.4 wetlands are not included in the definition of lot area. Ms. Massard stated that the original ANR plan had shown wetlands but the Conservation Commission would prefer that wetlands on any plan be approved by the Conservation Commission before showing wetlands on an ANR plan. She noted that the Planning Office does have a plan on file depicting the wetlands as originally filed, and that the supplied GIS maps show consistency with wetlands mapping by MassGIS. Mr. Glennon noted a notation on the plan that "The wetlands delineation previously shown on this plan was removed at the request of Duxbury Conservation Administrator Joe Grady and Town Planning Director Valerie Massard." Ms. Turcotte confirmed with Mr. Hamadeh that the wetlands do not affect the frontage.

Mr. Glennon noted that the proposed plan meets the 200-foot frontage requirement for ANR plans and entertained a motion for approval.

MOTION: Mr. Wadsworth made a motion, and Mr. Uitti provided a second, to endorse a plan of land entitled, "Approval Not Required Plan of Land, 154 High Street, Parcel 005-011-019, Duxbury, MA," dated 03/27/16, latest revision 03/30/16, prepared by J. Lowell Associates, 21 Fish Street, Pembroke, MA 02359, stamped and signed by Lloyd J. Lowell, RPLS on 04/02/16, sheet 1 of 30, one sheet; as not requiring approval under Subdivision Control Law.

VOTE: The motion carried unanimously, 4-0.

Planning Board members signed the ANR mylar and two paper copies.

DISCUSSION OF PLANNING BOARD PRIORITIES

Planning Board members reviewed a document entitled, "Planning Projects – General List (no priorities assigned at this time)" dated March 23, 2016, prepared by the Planning Director. This list had been distributed at a previous Planning Board meeting for the purpose of tonight's discussion. Ms. Massard stated that she had asked for comments from Ms. Ladd Fiorini and Mr. Bear, who could not attend tonight's meeting, and Mr. Bear had provided his comments.

Mr. Glennon suggested that the Planning Board focus on high priority items, both those that are simple and easily addressed and those that would be more complex and might take more time to address.

Ms. Massard reported the priorities recommended by Mr. Bear:

- Ground-Mounted Solar Bylaw
- ZBRC / Residential Conservation Clusters Bylaw
- Subdivision Rules & Regulations Review
- Zoning Maps
- Zoning Bylaw & AGO Review
- Climate Change
- Hazard Mitigation Plan.

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Ms. Massard then reported on her recommendations:

- ZBRC
- Access Standards
- Comprehensive Plan Update
- General Bylaw – Town Meeting
- Outreach to Committees
- Hazard Mitigation Plan
- Zoning Maps

Ms. Turcotte reported on her recommendations in order of priority:

1. Hazard Mitigation Plan and Sea Level Rise
2. Comprehensive Plan Update
3. Green Communities 2017.

Mr. Wadsworth noted that he did not pay attention to work with other committees because they will act at their own pace. He reported on his recommendations in order of priority:

1. Comprehensive Plan Update
2. Density
3. RFP Consulting Engineer
4. Coverage / Parking.

Mr. Casagrande reported on his recommendations in order of priority:

1. Comprehensive Plan Update
2. Hazard Mitigation Plan
3. Zoning
4. Subdivision Rules & Regulations
5. Private vs. Public Roads.

Mr. Casagrande noted that the following zoning items may need to be addressed by the Planning Board rather than the Zoning Bylaw Review Committee because they may reflect a change in policy:

- Residential Conservation Cluster (both ZBRC and Planning Board)
- Zoning Maps
- Density
- Neighborhood Business Zoning
- Coverage / Parking
- Size of Detached Structures (vs. usage)
- WPOD.

Mr. Uitti noted that he had separated out zoning issues separately like Mr. Casagrande had done. Mr. Uitti stated that it is important that residents have time to understand proposed Zoning Bylaw changes. He stated that a lot of work went into producing the proposed changes but the execution was problematic. He stated that it is up to the Planning Board as an elected body to work toward eliminating the false impression of cronyism. Mr. Wadsworth agreed with Mr. Uitti. He suggested that the Planning Board consider appointing a liaison to any committee that is proposing a Zoning Bylaw amendment. That liaison could attend the committee's discussion on the proposed changes and report back to the Planning Board.

Mr. Uitti stated that it is also important to engage in dialogue with critics of the Zoning Bylaw amendment process and suggested that a timeline could be produced and outreach could be assigned.

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Mr. Glennon then reported on his recommendations for Planning Board priorities. Two items that may be easily addressed with a high impact:

- Railroad Avenue sidewalk. He stated that with the new DuxPlex and a large influx of visitors expected for Plymouth 400, this would be a good time to lend support to the Sidewalk & Bikepath Committee's efforts. Ms. Massard invited Planning Board members to attend a public forum that the Sidewalk & Bikepath Committee is hosting next Thursday, April 21 at 7:00 PM at the DuxPlex on Railroad Avenue.
- Municipal aggregation, which could provide utility rate savings to residents.

Mr. Glennon stated that two high impact priorities that might take longer to address would be:

- Sea Level Rise
- Hall's Corner.

Ms. Massard updated the Planning Board on her work with the Economic Advisory Committee (EAC) address Hall's Corner and noted that the EAC has decided to meet more frequently.

Ms. Massard provided her feedback on the list of priorities:

- Ownership of private vs. public roads is a complex issue that she is helping the Board of Selectmen address.
- Stormwater management affects several town departments. She suggested that the Planning Board could address stormwater management by looking at design guidelines to meet EPA requirements and incorporating this into the regulations and zoning rather than by crafting a new stormwater bylaw. Mr. Wadsworth noted that Subdivision Rules & Regulations also address stormwater management for residential subdivisions.
- An RFP for consulting engineers may need to be ranked lower on the priority list because the zoning and comprehensive plan updates need to be addressed first.
- There may be issues with constructing a sidewalk on Railroad Avenue. She is working with the Sidewalk & Bikepath Committee to reach out to business owners and abutters to explore issues with the goal of making the intersection of Railroad Avenue and Saint George Street safer for pedestrians.
- Ms. Massard reported that she is also working with the Zoning Bylaw Review Committee to determine their priorities.

Ms. Turcotte thanked Ms. Massard for leading this useful exercise.

PLANNING DIRECTOR UPDATE

FEMA Maps: Ms. Massard reported that FEMA has not agreed to change the proposed floodplain maps according to the Town of Duxbury's recommendations, and a Special Town Meeting is anticipated in the fall to approve the latest FEMA floodplain maps. She noted that further work is needed, likely a Letter of Map Amendment, to reach agreement with FEMA's maps.

Town Meeting Timeline for Citizen Petitions and Committee-Sponsored Zoning Articles: Ms. Massard distributed a draft policy for the Planning Board's consideration. She suggested that a better understanding is needed regarding zoning amendments. The concept of the draft policy is to provide an opportunity for the Planning Board to vet proposals to help determine which articles would be placed on the Town Meeting warrant based on staffing and priorities, especially with the very high number of zoning amendments being deliberated by the Zoning Bylaw Review Committee and other committees as well as by the Planning Board. Mr. Glennon requested this item to be added to the next Planning Board agenda for discussion.

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OTHER BUSINESS

Meeting Minutes:

MOTION: Mr. Wadsworth made a motion, and Mr. Uitti provided a second, to approve minutes of March 23, 2016 as amended.

VOTE: The motion carried unanimously, 4-0.

ADJOURNMENT

Planning Board meeting adjourned at 8:21 PM. The next Planning Board meeting will take place on Wednesday, April 27, 2016 at 7:00 PM at Duxbury Town Hall, Mural Room, 878 Tremont Street.

MATERIALS REVIEWED

Election of Planning Board Officers and Committee Assignments

- Planning Board Committee Appointments spreadsheet dated 04/07/16 (*distributed at meeting*)

ANR Plan of Land: 154 High Street / Hamadeh & Harris

- ANR application and plan submitted on 04/05/16
- ARC GIS map and Vision Assessor's property card

Discussion of Planning Board Priorities

- Planning Projects – General List (no priorities assigned at this time) dated 03/23/16

Planning Director Update

- DRAFT Policy for Citizen Petitioned or Committee-Introduced Zoning Amendments dated 03/25/16 (*distributed at meeting*)

Other Business

- PB draft minutes of 03/23/16
- Construction Cost Estimates for March 2016

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