



# Town of Duxbury Massachusetts Planning Board

Approved 04/13/16

TOWN CLERK  
2016 APR 21 AM 10:17  
DUXBURY, MASS.

## Minutes 03/23/16

The Planning Board met on Wednesday, March 23, 2016 at 7:00 PM at the Duxbury Town Hall, Mural Room.

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

Absent: 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

No items were brought forward under Open Forum.

## ADMINISTRATIVE NOTES

**MOTION:** Ms. Ladd Fiorini made a motion, and Mr. Casagrande provided a second, to approve Administrative Notes as amended:

- APPROVAL of a "Performance Secured by Deposit of Money" and Release of Lot A and Lot B in the Littleton Way Definitive Subdivision, with no building permits to be issued until the endorsed "Release of Lots Under Covenant" has been recorded at the Plymouth County Registry of Deeds, with proof of recording submitted to the Planning Office.
- APPROVAL to release all unused funds plus interest in the Gudrun Way Definitive Subdivision consulting engineer escrow account.
- Recommendation to DEFER JUDGMENT to the Zoning Board of Appeals regarding special permit #2016-9, 33 Harrison Street / Jensen, to demolish an existing shed and construct a 440 square foot building, encroaching in the side setback, advising the ZBA to take into account the longer length and greater massing due to new height, which are impacts that should be considered while taking in public input.
- APPROVAL of a plan of land entitled, "Plan of Land on Massasoit Road, Sagamore Road, Puritan Road, and Marshall Street in Duxbury, Massachusetts," dated March 16, 2016; drawn by S. Robert Phinney, RPLS, 21 Acorn Street, Middleborough, MA; scale 1" = 30'; one sheet; as not requiring approval under Subdivision Control Law.

**VOTE:** The motion carried unanimously, 6-0.

Planning Board members and the applicants for the Littleton Way Definitive Subdivision, Atty. Lee Alfieri and Mr. Loren Nass, signed the "Performance Secured by Deposit of Money" form and the Town Clerk, Ms. Susan Kelley, notarized the signatures. The Planning Board signed the "Release of Lots Under Covenant" form and Ms. Kelley notarized that form also. Both signed forms were released to Atty. Alfieri with instructions to record the lot release at the Plymouth County Registry of Deeds, with proof of recording to be provided to the Planning Office.

The Planning Board members also signed the ANR mylar and two paper copies. The mylar was released to the applicant, Mr. Freeman Boynton of Duxbury Construction, LLC for recording at the Plymouth County Registry of Deeds.

### DISCUSSION OF ANNUAL TOWN MEETING 2016

Planning Board members discussed the results of Annual Town Meeting 2016. All six proposed zoning articles were indefinitely postponed. Three of the articles were sponsored by the Zoning Bylaw Review Committee and Board of Selectmen. The Duxbury Affordable Housing Trust sponsored a proposed re-write of the Affordable Housing Bylaw; the Historical Commission sponsored a proposed re-write of the Demolition Delay Bylaw, and the Planning Director and Town Manager sponsored an article to amend the Flood Hazard Areas Overlay District bylaw to reflect new Flood Insurance Rate Maps which were not resolved with FEMA.

Ms. Ladd Fiorini stated that she believes that residents would like to see a more transparent process, including a Power Point presentation at Town Meeting and strikethrough language so they can better understand what is being changed. Mr. Casagrande, who serves as vice chairman of the Zoning Bylaw Review Committee (ZBRC), stated that it was unfortunate that the ZBRC consultant could not attend as he was contracted to be there. He agreed that without a presentation the amendments were too technical to be understood easily. Mr. Glennon noted that now that Planning Board meetings are televised, perhaps more people can watch the public hearing discussions and understand the process better. He stated that residents may have been confused by who is proposing the changes. Mr. Casagrande stated that it is unfortunate that some residents did not participate in the process until Annual Town Meeting. Mr. Wadsworth stated that it is possible that some residents may mistakenly believe that the ZBRC is attempting to change policy.

Mr. Uitti stated that he had seen what appeared to be a Facebook campaign to characterize the zoning articles as pro-development although the criticisms were very generalized and lacked specifics. He suggested that the Planning Board consider more outreach and education in addition to the public hearings. He stated that the Planning Board needs to give residents a chance to air their concerns.

Ms. Massard reported that she is working with the ZBRC chairperson, Ms. Judith Barrett, and the ZBRC consultant from Town Counsel's office in order to improve the process for zoning article amendments. One idea is to ask the consultant to do outreach during the summer months. Ms. Massard stated that after reviewing the ZBRC's 2013 report to the Board of Selectmen, the ZBRC is working hard to address many complicated administrative issues. She stated that it is important for the Planning Board and ZBRC to work together in dialogue with the public with a goal of presenting clear, understandable zoning amendments for Annual Town Meeting.

Ms. Massard noted that several groups besides the ZBRC are bringing forward zoning amendments late in the process and making late changes that might lead to confusion over what is being proposed. She suggested that the Planning Board needs time to understand the exact changes and to do outreach so that the public also understands the proposals. Final language from proponents of zoning articles should be given to the Planning Board in October with all of the preparation materials to provide time to review zoning in time for March Town Meeting.

Ms. Massard noted that there were positive outcomes from Annual Town Meeting, including approval of the Planning Board's proposed funding for a Comprehensive Plan consultant and proposed survey of Hall's Corner.

Ms. Massard distributed a spreadsheet to Planning Board members with an overview of a long list of zoning and planning issues that she has been asked to work on by various boards, committees and town groups and additional items that need to be addressed by the town. She reviewed the list with Planning Board members and asked them to consider for the next Planning Board meeting how the topics should be prioritized. She commended the town residents for their willingness to become involved and stated that she is prepared to help respond to the residents' concerns at this year's Annual Town Meeting.

Mr. Wadsworth expressed his support for Ms. Massard's approach and agreed that the Planning Board needs to reach out to residents who have concerns. Mr. Uitti agreed that it is crucial to reach out. Mr. Glennon noted that the \$25,000.00 Comprehensive Plan funding approved by this year's Annual Town Meeting is much lower than the six figures requested in other communities. He stated that Ms. Massard has agreed to manage the process in order to save money for the Town of Duxbury. He thanked Ms. Massard for her efforts to date.

Mr. Uitti suggested that Ms. Massard consider looking into local Facebook groups as a way to get the word out on planning issues. Ms. Turcotte stated that the Duxbury Police Department has a Facebook page where they post safety updates and information, and it is a good way to engage younger members of the community. Ms. Massard offered that she has a Twitter account and could utilize it as a way to update residents. Mr. Wadsworth noted that televised Planning Board meetings may help with public awareness.

## PLANNING DIRECTOR UPDATE

FEMA Maps: Ms. Massard reported that tomorrow she and other town officials will be meeting with state FEMA representatives to find out if FEMA will work with the town to provide accurate floodplain maps.

Annual Town Meeting: Ms. Massard stated that she appreciates the feedback on Annual Town Meeting and the process has given her an opportunity to get to know local residents and committee members.

## OTHER BUSINESS

### Meeting Minutes:

**MOTION:** Mr. Uitti made a motion, and Mr. Casagrande provided a second, to approve minutes of March 9, 2016 as amended.

**VOTE:** The motion carried unanimously, 5-0-1, with Ms. Turcotte abstaining.

Citizen Planner Training Collaborative (CPTC): Mr. Wadsworth reported that he had attended a recent CPTC workshop on "Stormwater Regulations Update—Is Your Community Ready?" He stated that it appears that the state is not taking primary jurisdiction on stormwater management and instead will be leaving it up to the EPA to take primary jurisdiction. The goal is to create as much open space as possible, with the Low Impact Design drainage considered part of the open space. The state is suggesting that towns adopt a stormwater utility which could charge based on lot coverage to cover town maintenance costs related to drainage.

Littleton Way, off Tremont Street: Ms. Massard reported that at a recent pre-construction meeting for this two-lot subdivision, it was noted that there is a steep drop-off from Tremont Street to the development. The Town has agreed to temporarily allow construction vehicles to enter and exit using the existing driveway to bring the access point to sufficient grade with a written understanding that cash funds will not be released in full until the existing driveway is repaired as needed.

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## ADJOURNMENT

Planning Board meeting adjourned at 8:15 PM. The next Planning Board meeting will take place on Wednesday, April 13, 2016 at 7:00 PM at Duxbury Town Hall, Mural Room, 878 Tremont Street.

## MATERIALS REVIEWED

### Planning Board Covenant and Lot Release Request: Littleton Way, off Tremont Street / Nass & Alfieri

- Letter from P. Brennan of Amory Engineers dated 03/15/16 re: estimated cost to complete
- "Performance Secured by Deposit of Money" form
- "Release of Lots Under Covenant" form

### Request for Release of Escrow Account Funds, Definitive Subdivision: Gudrun Way / Bartlett

- Email from D. Bartlett dated 03/08/16 re: request for release of escrow account funds

### ZBA Referral, Special Permit: 33 Harrison Street / Jensen

- ZBA referral materials submitted to Planning Office on 03/10/16
- ARC GIS orthophoto dated 03/16/16 and Vision Assessor's property card
- Staff report

### ANR Plan (land swap) 12 and 14 Massasoit Road / Holmes, Boyd

- ANR application and plans submitted to Planning Office on 03/17/16 (*distributed at meeting*)

### Discussion of Annual Town Meeting 2016

- "Planning Board Articles of Interest" spreadsheet dated 03/16/16

### Planning Director Update

- "Planning Projects – General List (No Priorities Assigned at This Time)" dated 03/23/16 (*distributed at meeting*)

### Other Business

- Meeting minutes of 03/09/16
- ZBA decision: 41 Marginal Road / Burchill & Banks

### Distributed at Meeting

- Updated agenda posted with Town Clerk on 03/17/16
- Planning Board Motions Template for 03/23/16

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