

Approved 03/08/2017



# Town of Duxbury Massachusetts Planning Board

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2017 APR 18 PM 1:25  
DUXBURY, MASS.

## Minutes 01/25/2017

The Planning Board met on Wednesday, January 25, 2017 at 7:00 PM at the Duxbury Town Hall, Mural Room.

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

Absent: Cynthia Ladd Fiorini, Clerk; and Jennifer Turcotte.

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

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

### OPEN FORUM

Planning Board Meeting Schedule: Mr. Glennon announced that the next Planning Board meeting will take place on Wednesday, February 8, 2017 at the Duxbury Middle School / High School at 71 Alden Street for the public hearing for the citizen petition regarding the Battelle property.

### OTHER BUSINESS

Because it was not yet time for the public hearing, the board addressed Other Business.

**MOTION:** Mr. Bear made a motion, and Mr. Casagrande provided a second, to approve Planning Board minutes of December 14, 2016 as amended.

**VOTE:** The motion carried unanimously, 4-0.

### PLANNING DIRECTOR REPORT

Ms. Massard reported that she is involved with 14 articles for Annual Town Meeting 2017. She reviewed the list of articles. She noted that the Finance Committee will be meeting tomorrow and next Tuesday, and she is also invited to attend the Board of Selectmen meeting on Monday.

Mr. Uitti arrived at the meeting at 7:15 PM.

### PUBLIC HEARING, PROPOSED ZONING AMENDMENTS FOR ANNUAL TOWN MEETING 2017

Mr. Glennon opened the public hearings for four proposed zoning articles and one continued public hearing for a zoning article at 7:16 PM.

**MOTION:** Mr. Casagrande made a motion, and Mr. Bear provided a second, to waive the reading of the public hearing notice and correspondence lists for tonight's public hearings on proposed zoning amendments for Annual Town Meeting 2017.

**VOTE:** The motion carried unanimously, 5-0.

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5476; [www.town.duxbury.ma.us/planning](http://www.town.duxbury.ma.us/planning)

Stormwater Containment:

Correspondence list for the record:

- PB minutes of 06/08/16, 08/10/16, 08/24/16, 10/26/16, and 11/16/16
- Proposed ATM warrant article submitted to BOS on 12/27/16
- Public hearing notice stamped with Town Clerk on 01/10/17; published in the Duxbury Clipper on two successive weeks: 01/11/17 and 01/18/17; and mailed to the Department of Housing and Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth
- Emails between M. Casey and V. Massard dated 01/24/17 re: Comments on the proposed 401.11 language.

Ms. Massard noted that the proposed language would take the place of a separate stormwater bylaw. She noted that there has been some confusion over stormwater containment on site during construction. The proposed language makes it clear that there should be no net increase from pre- to post-runoff. The new language would also be referenced in determining parking and/or Administrative Site Plan Review for commercial proposals. She noted that engineering review may be required in certain instances. It would not apply to most residential construction.

Mr. Bear pointed out that "Best Management Principles" in the public hearing notice should have read, "Best Management Practices."

Mr. Glennon opened the discussion to the public.

Mr. Shawn Dahlen of 60 Long Point Lane, who is a builder, noted that for commercial projects a developer expects to assume costs for an engineer to determine drainage calculations and to make sure that drainage is handled on site. His concern was for residential projects, asking what would trigger the bylaw and what exactly would be required when it comes to evaluating pre- and post- construction runoff. He stated that while it is a good idea to say that there will be no net increase in runoff pre- and post-construction, if you live at the bottom of the hill you'll always get runoff from above. He stated that he would feel more comfortable with specific trigger points for residential construction.

Ms. Massard stated that she could recommend removing residential requirements in the bylaw until standards are in place and asked if Mr. Dahlen would offer some amendment. Mr. Wadsworth asked if a homeowner puts in a gravel driveway and then decides to pave it, does the town have any knowledge that you're paving it? Mr. Dahlen stated that there is no permit required for paving a driveway. Ms. Massard acknowledged that stormwater can become an incremental issue over time, such as when a newly paved driveway directs water into public or private roadways. So long as they contain the water on their property no new permit is envisioned, but a violation might be addressed more clearly by stating that stormwater is to be contained from new work.

Mr. Bear asked if adjustments could be done if guidelines are in place, and Ms. Massard responded that guidelines will be written through a public process. With a change in grading, the property owner must address stormwater drainage. An example might be the recent change allowing mounded septic that may create unintended drainage issues, or building up a site for better views of the bay.

Mr. Casagrande asked if the Building Department reviews building permit applications for best management practices using the stormwater handbook, and Ms. Massard replied that they do for commercial building permits; however, there is no clear statement in the bylaws requiring containment on residential lots when new grading or construction takes place, so the issue of stormwater on residential construction needs to be stated. The reference to the state best management practices is there to provide best practices, which are in the book for smaller single lot construction as well as commercial construction. She noted that the intent is not to drive up costs to a property owner. She stated that how to enforce it should be left up to the Building Inspector's discretion as it is with other zoning. Mr. Glennon agreed that you have to start somewhere.

Ms. Massard stated that there is no change proposed to what is already done for residential building permits. Mr. Dahlen stated that he has no issue with how the Building Inspector, Mr. Scott Lambiase, follows up on residential complaints. Ms. Massard noted that in some cases now, an engineer is consulted. She stated that the town will be better off with design guidelines, and a separate article requesting funding for the development of guidelines is on

TOWN CLERK  
 JAN 18 PM 1:25  
 DUXBURY, MASS

the warrant and supported by Department Heads. The proposed bylaw would provide something for the Building Inspector to enforce when those complaints come in about stormwater being directed onto an abutting property from new construction.

Mr. Casagrande asked if this is the first step toward the goal, and Ms. Massard offered to work on the bylaw further if the Planning Board wanted to continue the public hearing and if Mr. Dahlen could offer some proposed edits. She noted that there is no mention of standards now because it is the intention for the Building Department to handle issues. No change in practices is intended.

Mr. James Lampert of 148 Washington Street asked when the Town Meeting warrant would be circulated, and Ms. Massard responded that the Town Manager's office has not announced that date. Mr. Lampert asked if changes are permitted, and Ms. Massard replied that they could be made before the warrant is printed

**MOTION:** Mr. Wadsworth made a motion, and Mr. Uitti provided a second, to continue the public hearing for a proposed zoning amendment to the Duxbury Protective Bylaw Article 400 regarding Stormwater Bylaw to February 8, 2017 at 7:30 PM.

**VOTE:** The motion carried unanimously, 5-0.

Landowner Petition, ZBL Section 400: Present for the discussion was the landowner petitioner, Mr. Matthew Tedeschi of 1065 Summer Street.

The correspondence list for the public record:

- Proposed ATM warrant article submitted to Town Clerk on 12/02/16
- Email from V. Massard to M. Tedeschi dated 12/29/16 re: public hearing date
- Public hearing notice stamped with Town Clerk on 01/10/17; published in the Duxbury Clipper on two successive weeks: 01/11/17 and 01/18/17; and mailed to the landowner; the Department of Housing and Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth.

Mr. Glennon invited Mr. Tedeschi to present his proposed article. Mr. Tedeschi stated that he submitted the article in order to protect himself. He stated that he applied to the Building Department in July 2016 and waited for Town Counsel to provide direction to the Town on how to file a special permit. He stated that he had expected to work with the Planning Board on design standards. He stated that he continued to move forward until just before the public hearing on the special permit when he heard about proposed bylaw amendments regarding dwellings per lot, so he withdrew his special permit.

Mr. Tedeschi continued, stating that his counsel reached out to the Town Manager about the proposed warrant language, and at the time only Section 400 was available; the edits to Section 530 were not yet available and the deadline for the warrant was near. His counsel advised him to submit this landowner petition to protect the time and money that he has put into the project so far. He stated that the proposed bylaw would pertain only to his own application and would not keep the door open for anyone else. His article refers to Section 400 because it was not clear which other section of the bylaw might be affected by the warrant at the time of the warrant deadline.

Ms. Massard provided some further background. She noted that Mr. Tedeschi filed a special permit for 20 dwelling units at 1065 Summer Street after a lot of discussion with Town Hall staff which resulted in Town Counsel providing direction on how a special permit for the application could be processed. She noted that ZBL Section 400 applies to 5 or fewer dwelling units, and this article actually relates to ZBL Section 530.2, and a separate warrant article proposing amendments to this section, which was not available when the warrant deadline arrived. She noted that Mr. Tedeschi withdrew his first special permit but has now filed for an identical special permit concurrently with the landowner petition for the warrant article. Once the public hearing was advertised for the Town Meeting proposed zoning amendment it froze the zoning so no other applications can be filed. She noted that if Town

TOWN CLERK  
APR 18 PM 1:26  
DUXBURY, MASS.

Meeting approves this change to the Zoning Bylaw and grants this petitioned article, then he would be able to move forward with his second special permit application.

Mr. Tedeschi stated that he was not looking to confuse the situation but he was waiting for advice from the Town Manager's office. Ms. Massard noted that Town Council had not yet provided the language for ZBL Section 530.2 when Mr. Tedeschi placed his inquiry. She noted that she has asked Mr. Tedeschi to hold off on the public hearing for the second special permit application pending before the Planning Board until after Town Meeting.

Mr. Shawn Dahlen, a member of the Board of Selectmen, provided further background. He noted that within the past year building permits were being issued for more than one dwelling per lot. There was pushback saying it is not allowed, and so Town Council issued a September memorandum which advised that building permits could be issued for multiple dwellings on a lot (up to five) by right per his interpretation of the Zoning Bylaw as written. Now Town Council says he would have done it differently. Mr. Dahlen stated that he asked Town Council to fix the language and Town Council first fixed the language for five or fewer dwellings per lot according to ZBL Section 400. He then asked Town Council to fix the language for six or more dwellings on a lot according to ZBL Section 530 to eliminate the special permit option as contemplated in the September memorandum as well.

Mr. Dahlen noted that historically the only way to develop land was through a standard subdivision, a 40B, an ANR (Approval Not Required), an RCC (Residential Conservation Cluster) or a PD (Planned Development). There have never been multiple units allowed on a single lot otherwise. He noted that it has taken multiple articles to fix what was already perceived to be allowed or prohibited. He stated that he believes that residents will approve both articles unanimously. He noted that it is unfortunate that Mr. Tedeschi was given the advice he was given at the time, and it is his right to try to address it.

Mr. Glennon noted that it appears that the intention is to provide a special exception. If Town Meeting votes to approve changes to ZBL Sections 400 and 530, the only way Mr. Tedeschi could develop the land through a special permit is with this landowner petition being approved at Town Meeting. Mr. Uitti asked Mr. Tedeschi why he had not considered filing a standard subdivision and instead gone to all this effort. Mr. Tedeschi replied that the special permit seemed to have the least impact and be the most marketable way to develop the land. He stated that it would affect a fewer number of trees to be cleared and would provide fewer units than a Planned Development and less impact than a 40B. He stated that at a public meeting Ms. Massard had shown the Planning Board a chart that showed that most large lots have been developed under Chapter 40B or PD and only one has been developed as an RCC in the past ten years.

Ms. Massard noted that the way the RCC bylaw as written is prohibitive because it requires subdivision layout density (which excludes the roads) which is not proposed under this plan, as well as other exclusions, making the condo format less financially viable under an RCC application. Mr. Tedeschi has enough land to get to 20 units at 1:40,000 square feet of upland using ZBL Section 530 as Town Council interpreted it.

Mr. Casagrande noted that the Planning Board had never seen a standard subdivision concept plan, and asked if Mr. Tedeschi had looked into that. He noted that the Planning Board might be flexible in its requirements for an RCC if Mr. Tedeschi wishes to pursue that.

Mr. Glennon invited public comment.

Mr. Richard Jeffers of 1047 Summer Street stated that he understands that Mr. Tedeschi has put a great deal of effort into developing the land. He stated that he has concerns and he is a direct abutter to the property. He stated that he would like to see Mr. Tedeschi treated the same as every other resident.

Ms. Sara Wilson of 120 Bay Road stated that in her past experience with the Planning Board 12-14 subdivisions were permitted per year along with clusters. Mr. Glennon asked if the town has ever done anything like what is proposed with this zoning amendment, and Ms. Wilson stated that to her knowledge relief has never been granted to an individual under MGL Chapter 40A, Section 6 because it is diametrically opposed to state statute. She noted that

ZBL Section 530.2.3 refers to RCCs and PDs and nothing else and it does not mean you can construct multiple dwellings on a lot. The intent of that bylaw is to introduce the RCC bylaw and to encourage inclusionary housing with RCCs or PDs. No standards are provided for submittal or design standards for a special permit under ZBL Section 900 as provided for every other type of application. She stated that this is an unfortunate interpretation and the town never intended this type of permit.

Mr. James Lampert of 148 Washington Street noted that the Zoning Board of Appeals (ZBA) voted a couple of weeks ago to not allow multiple dwellings on a lot by right. He asked how the Planning Board would recommend on the construction of more than one dwelling per lot as of right.

Mr. Tedeschi stated that he never intended to develop the land by right. He noted that the language he proposed was based on information provided by the Town Manager. He stated that he is not looking for special treatment, and it just so happens that he is the only one that this petition applies to.

Mr. Dahlen advised that individuals should always retain an attorney to craft landowner petitions because those petitions are the responsibility of the petitioner and not the Town of Duxbury. Ms. Massard stated that Mr. Tedeschi filed the petition using his attorney.

Ms. Deborah Frangesh of 399 North Street asked if the proposed development is allowed under Chapter 40A, Section 6, and Ms. Massard replied that we do not have the answer on this yet because we are waiting on advice from Town Counsel. Mr. Glennon stated that the Zoning Bylaw cannot change something that is allowed by state statute.

**MOTION:** Mr. Bear made a motion, and Mr. Wadsworth provided a second, to close the public hearing for a zoning amendment submitted by landowner petition to see if the town will vote to amend the Duxbury Protective Bylaw Article 400 – USE, INTENSITY, DIMENSIONAL AND COVERAGE REGULATIONS FOR ALL DISTRICTS, Section 401.4 “Permitted Uses,” in order to add a new subsection 401.4.4 that would allow an applicant to obtain a special permit from the Planning Board under Article 500 – Requirements for Certain Land Divisions, Land Developments, and Inclusionary Housing, Section 530.2.3 “Applicability,” for an application filed on or before December 2, 2016.

**VOTE:** The motion carried unanimously, 5-0.

Therefore, the public hearing closed at 8:19 PM.

Mr. Bear suggested that the Planning Board should vote down the proposed amendment because it does not serve the town at all. Mr. Casagrande stated that he has the same feelings, and the petitioner has been given some direction on what to do to amend the article.

Mr. Glennon noted that Mr. Tedeschi is finding out how difficult the process is, and voting against the article is not a vote against him personally or the project. However there is no precedent for doing this, and it is not in the spirit of the intent of the Zoning Bylaws. He stated that he does not want to discourage the applicant and the Planning Board would like to work with him to provide an opportunity to do what is allowed. He noted that the Planning Board will make a recommendation but Town Meeting will make the decision.

**MOTION:** Mr. Bear made a motion, and Mr. Casagrande provided a second, to not support a zoning amendment submitted by landowner petition to see if the town will vote to amend the Duxbury Protective Bylaw Article 400 – USE, INTENSITY, DIMENSIONAL AND COVERAGE REGULATIONS FOR ALL DISTRICTS, Section 401.4 “Permitted Uses,” in order to add a new subsection 401.4.4 that would allow an applicant to obtain a special permit from the Planning Board under Article 500 – Requirements for Certain Land Divisions, Land Developments, and Inclusionary Housing, Section 530.2.3 “Applicability,” for an application filed on or before December 2, 2016.

**VOTE:** The motion carried unanimously, 5-0.

TOWN CLERK  
2017 FEB 18 AM 11:26  
DUXBURY, MASS

Multiple Dwellings per Lot, ZBL Section 530:

Correspondence list for the record:

- PB minutes of 07/27/16, 10/26/16, and 11/16/16
- Memorandum from A. Kreiger to R. Read et. al dated 09/26/16 re: Zoning Bylaw – RCCs, Special Permit and Inclusionary Housing
- Proposed ATM warrant article submitted to BOS on 12/27/16
- Public hearing notice stamped with Town Clerk on 01/10/17; published in the Duxbury Clipper on two successive weeks: 01/11/17 and 01/18/17; and mailed to the Department of Housing and Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth.

APR 18 PM 1:50  
 DUXBURY, MA  
 TOWN CLERK

Ms. Massard stated that the goal of this zoning amendment is to make as clear as possible to say what many have said that the town wants. For the construction of six or more dwelling units on land or on more than 10 acres of land, an applicant is directed to file either a Planned Development (PD) or Residential Conservation Cluster (RCC), or else go through Subdivision Control Law. She noted that other issues are not addressed in this proposed amendment.

Mr. Wadsworth asked if ZBL Section 530.1 would go away, and Ms. Massard replied that all language remains unchanged other than Section 530.2.

Mr. James Lampert of 148 Washington Street noted that the explanation in the draft Town Meeting warrant says that the amendment is for simplification and that scares him. He stated that the amendment is presented for a substantive reason, and that section of the Zoning Bylaws desperately needs to be addressed. He questioned specific language and Ms. Massard noted that there is a typographical error in the draft warrant language, and Mr. Lampert said that would address his concern.

Mr. Glennon invited further public comment or input from the Planning Board and there was none.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to close the public hearing for an article submitted by the Planning Board to see if the town will vote to amend the Duxbury Protective Bylaw Article 500 – REQUIREMENTS FOR CERTAIN LAND DIVISIONS, LAND DEVELOPMENTS, AND INCLUSIONARY HOUSING, Section 530 “Division of Land and Development of Multiple Dwellings,” and Section 530.2 “Applicability,” in order to clarify the language to require that such developments can only be approved through Section 540 “Residential Conservation Cluster” or Article 700 “Planned Developments.”

**VOTE:** The motion carried unanimously, 5-0.

Therefore the public hearing closed at 8:35 PM.

Mr. Wadsworth noted that the amendment does what we want it to do although the redline needs to be updated. Mr. Casagrande agreed.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to recommend approval of an article submitted by the Planning Board to see if the town will vote to amend the Duxbury Protective Bylaw Article 500 – REQUIREMENTS FOR CERTAIN LAND DIVISIONS, LAND DEVELOPMENTS, AND INCLUSIONARY HOUSING, Section 530 “Division of Land and Development of Multiple Dwellings,” and Section 530.2 “Applicability,” in order to clarify the language to require that such developments can only be approved through Section 540 “Residential Conservation Cluster” or Article 700 “Planned Developments.”

**VOTE:** The motion carried unanimously, 5-0.

Ground Mounted Solar Photovoltaic Overlay District:

Ms. Massard noted that this article was re-advertised in order to include a reference to the zoning map. Mr. Glennon allowed both public hearings to run concurrently because there are no substantial differences in the zoning language.

Correspondence list for the public hearing record:

- Draft article language and map submitted to Town Clerk on 12/27/16
- Map entitled, "Ground Mounted Solar Photovoltaic Overlay District Article 600 Section 618 of the Town of Duxbury Zoning Bylaw dated 12/27/16
- Email from V. Massard to R. Read et.al dated 12/27/16 – 05/05/17 re: Solar overlay district
- Public hearing notice stamped with Town Clerk on 01/10/17; published in the Duxbury Clipper on two successive weeks: 01/11/17 and 01/18/17; and mailed to the Department of Housing and Community Development, the Metropolitan Area Planning Council, the Old Colony Planning Council, and the Planning Boards of Kingston, Marshfield, Pembroke and Plymouth

TOWN CLERK  
 01/18/17 10:18 PM  
 DUXBURY, MASSACHUSETTS

Ms. Massard noted that in addition to the map, the language has been cleaned up from the original language based on the public hearing in December 2016. She noted that the footprint has been reduced to propose a zoning district of three acres to minimize the effect on the transfer station. The solar array itself will cover 1.5 acres. The proposed zoning will meet state regulations, per her meeting today with Mr. Seth Pickering, Green Community Coordinator for the Southeast Region of the Massachusetts Department of Energy Resources.

Ms. Susan Fontaine of 53A Railroad Avenue stated that she is a member of the Alternative Energy Committee and Sustainable Duxbury, a community group. She stated that both groups agree that this proposed article is good for the town with no risk. She stated that the Green Communities status is also good for the town.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to close both of the public hearings for an article submitted by the Planning Board to see if the town will vote to amend the Duxbury Protective Bylaw Article 200 ESTABLISHMENT OF DISTRICTS, Section 202.1 Zoning Map and Section 202.2 District Boundary Line Descriptions, and to amend Article 600 SPECIAL REGULATIONS by adding a new Section 618, Ground Mounted Solar Photovoltaic Overlay District.

**VOTE:** The motion carried unanimously, 5-0.

Therefore the public hearings closed at 8:42 PM.

Mr. Bear stated that the proposed solar district takes up less space and would not affect the transfer station, noting that it is a great accomplishment. He asked on behalf of those looking for less clearing if the southerly footprint could be adjusted. Ms. Massard responded that there is no change in the southerly footprint and it will provide a 100-foot buffer to adjacent properties.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to recommend approval of an article submitted by the Planning Board to see if the town will vote to amend the Duxbury Protective Bylaw Article 200 ESTABLISHMENT OF DISTRICTS, Section 202.1 Zoning Map and Section 202.2 District Boundary Line Descriptions, and to amend Article 600 SPECIAL REGULATIONS by adding a new Section 618, Ground Mounted Solar Photovoltaic Overlay District.

**VOTE:** The motion carried unanimously, 5-0.

Continued Public Hearing: Temporary Moratorium on Marijuana Establishments (Board of Selectmen):

Correspondence list for the record:

- Emails from B. Glennon to A. Kreiger et.al dated 01/12/17 – 01/25/17 re: Duxbury – Temporary Moratorium on Marijuana Establishments.

Mr. Glennon reported that he had reached out to Town Counsel the day after the last public hearing and then again today. After the town proposed the moratorium the commonwealth announced its own delay. He noted that the town only gets one bite of the apple and the response from Town Counsel was that the Planning Board’s interpretation is correct that only one moratorium can be placed. Therefore the town’s moratorium would be duplicative to the state’s. He suggested delaying action until a future date after the commonwealth moves forward.

Mr. Uitti asked when the state’s rollout of the bylaw takes place, and Mr. Glennon responded that it would be either March or June of 2018. Mr. Uitti stated that it makes sense to withdraw the article.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to close the public hearing for an amendment to the Duxbury Protective Bylaw Article 600 – Special Regulations, to delete Section 617 “Temporary Moratorium on Medical Marijuana Treatment Centers,” which has expired on its own terms, and insert in its place a new Section 617 “Temporary Moratorium on Marijuana Establishments,” in order to enact a temporary moratorium on the location of any marijuana establishment as defined in MGL Chapter 94G, Section 1(j), in any zoning district. The temporary moratorium will end on June 30, 2018 unless this moratorium is sooner repealed by Town Meeting upon recommendation of the Planning Board.

**VOTE:** The motion passed unanimously, 5-0.

Therefore the public hearing closed at 8:54 PM.

**MOTION:** Mr. Wadsworth made a motion, and Mr. Casagrande provided a second, to recommend indefinite postponement or withdrawal of an amendment to the Duxbury Protective Bylaw Article 600 – Special Regulations, to delete Section 617 “Temporary Moratorium on Medical Marijuana Treatment Centers,” which has expired on its own terms, and insert in its place a new Section 617 “Temporary Moratorium on Marijuana Establishments,” in order to enact a temporary moratorium on the location of any marijuana establishment as defined in MGL Chapter 94G, Section 1(j), in any zoning district. The temporary moratorium will end on June 30, 2018 unless this moratorium is sooner repealed by Town Meeting upon recommendation of the Planning Board. This recommendation is based on the premise that the Commonwealth of Massachusetts will allow the delay in rolling out the law to remain in force, and based on that, the Planning Board recommends either withdrawal or indefinite postponement because the proposed amendment is duplicative to what the Commonwealth of Massachusetts has already enacted.

**DISCUSSION:** Mr. Uitti stated that he preferred to withdraw the article.

**VOTE:** The motion passed unanimously, 5-0.

**OTHER BUSINESS (CONTINUED)**

FEMA Floodplain Maps: Ms. Massard advised the public that they should rely on the FEMA portal for questions regarding flood areas, and information through the Town of Duxbury is advisory.

Comprehensive Plan: Mr. Wadsworth asked if activity is pending the outcome of Annual Town Meeting, and Ms. Massard replied that is correct. Mr. Glennon thanked Ms. Massard for applying for grant applications that will help lower funding requests to Town Meeting.

TOWN CLERK  
2017 APR 18 PM 1:26  
DUXBURY, MASS



### ADJOURNMENT

The Planning Board meeting adjourned at 9:03 PM. The next Planning Board meeting will take place on Wednesday, February 8, 2017 at 7:00 PM at the Duxbury Middle School / High School, Presentation Hall, 71 Alden Street.

### MATERIALS REVIEWED

- Planning Board agenda for 01/25/17
- Public hearing notice for four proposed zoning articles for Annual Town Meeting 2017
- Proposed language for Stormwater Containment zoning article (dated 12/27/16)
- Landowner petition submitted by M. Tedeschi re: Article 400 exception (with attachments)
- Proposed language for amendments to ZBL Section 530.2
- Proposed language and map for new ZBL Section 202, Ground Mounted Solar Photovoltaic Installation Overlay District
- Email from V. Massard to R. Read et. al dated 12/27/16 re: Solar overlay district
- Proposed language for Moratorium on Marijuana Establishments Section 617 dated 12/27/16
- Email from B. Glennon to A. Kreiger et.al dated 01/12/17 re: Duxbury – Temporary Moratorium on Marijuana Establishments
- PB minutes of 12/14/16
- Draft Annual Town Meeting warrant dated 01/13/17
- Spreadsheet entitled, “March 11, 2017 – ATM Warrant Info.” dated 01/17/17
- Spreadsheet entitled, “BOS” dated 01/23/17 with article numbers for land use articles
- Press release from Duxbury Board of Selectmen and Town Manager submitted to Planning Office on 01/19/17 re: FEMA flood insurance policies public meeting on 02/07/17 at Furnace Brook Middle School, Marshfield

#### *DISTRIBUTED AT MEETING*

- Revised language for Stormwater Containment zoning article distributed by V. Massard

TOWN CLERK  
2017 APR 18 PM 1:26  
DUXBURY, MASS.

# SIGN IN SHEET

Duxbury Planning Board  
January 25, 2017

**Public Hearing, Zoning Articles for ATM 2017:**

- Stormwater Containment
- Landowner Petition, ZBL Section 400
- Multiple Dwellings Per Lot, ZBL Section 530
- Ground Mounted Solar Photovoltaic Overlay District
- Continued Public Hearing: Temporary Moratorium on Marijuana Establishments

TOWN CLERK  
2017 APR 18 PM 1:26  
DUXBURY, MASS.

*Please print your name and address for our records:*

**Name**

**Address:**

Richard Jeffers

1047 Summer Street

~~Edward Gutera~~

14 Pawlov Post Ave

Matt Tedeschi

1005 Sumner St

Susan Fountain

53A Railroad Ave

Shawn Doherty

60 Long Point Lane

James O'Connell

178 Washburn St