



TOWN CLERK

MINUTES OF MEETING AM 9:30
ZONING BYLAW REVIEW COMMITTEE
DUXBURY, MASS.

Date: January 18, 2012

SCHEDULED TIME: 7:30 p.m.

Location: SENIOR CENTER (Weyerhauser Room), 10 Mayflower Street

Minutes Prepared By: Martin Desmery

Members Present: Paul Boudreau, Freeman Boynton, Jr., Scott Casagrande, Fred Clifford, Martin Desmery, Robert Fitzpatrick, Nancy Johnson, Mary Steinke.

Members Absent: Judi Barrett & George Wadsworth.

Also Present: Tom Broadrick, Planning Director

Meeting called to order by the Chair, Robert Fitzpatrick, at 7:40 pm.

MINUTES

The minutes of the meeting held on December 21, 2012 were approved unanimously and without amendment.

The minutes of the meeting held on January 4, 2012 were approved unanimously with an amendment to change the incorrect date to 2012.

ADMINISTRATIVE

Fred Clifford noted that parking bylaws regulate site lines, but there is nothing in the bylaws about the heights of hedges at intersections. This issue should be included on the list of substantive issues to be considered by the next committee.

DISCUSSION OF ARTICLES 600 AND 700

Paul Boudreau presented his comments on Section 611:

611.2 (Definitions) - The definition of Caliper is unclear. Paul suggests: "Caliper is measured 6 inches above the ground for up to and including six-inch caliper size trees, and measured six inches above the ground for larger sizes."

611.5 (Exemptions) #8 - The "and" at the end should be moved to 9, and a semicolon should replace the period at the end of 9.

611.6, second sentence - who makes the determination and how? How does the applicant know in advance how much of 1-9 needs to be submitted? This language is not a model of clarity.

611.8 - "Required Security" should be titled "Performance Guaranty."

Freeman Boynton and Scott Casagrande presented their comments on Section 615:

615.1 - Freeman thinks the first sentence is the most important and asks, "Is the word 'promote' really correct?" Freeman considered "promote" and "encourage," but settled on the word "advocate."

In the second sentence, everything after "mixed-use activities" is either redundant or inappropriate (except not-for-profit), and should be deleted.

The second to last sentence, "Owing to their physical....," is redundant and could be deleted.

The last sentence prompted a general discussion of legal issues related to religious and educational facilities, and administrative site plan review.

615.7 - Site Plan Review requires lots of copies. This could be a section in which to throw in the concept submitting materials in electronic (e.g., pdf) format.

Fred Clifford presented his comments on Section 616:

The Planning Board is designated as the Special Permit Granting Authority (SPGA) for wind facilities.

Tom Broadrick explained that this bylaw was proposed by the alternative energy committee, and the ZBA at that time did not want to be the SPGA.

Bob Fitzpatrick asked Tom Broadrick to put together an email identifying the special permits for which the Planning Board is the SPGA.

The Planning Board has discretion to require surety bonds. What are the criteria for deciding when to require bonds and when not to require bonds?

Nancy Johnson and Bob Fitzpatrick presented their comments on 701-702 & 705-706:

700 - Design Standards for Planned Developments.

Tom reported that we haven't had a Planned Development for a long time. Back in the heyday when Weston Farm and others were put together it worked well. Article 700 guided you on what to look for and how to fit the dwellings into the land. A developer would choose a PD over a subdivision because they could get more units. There is not much land left in Duxbury on which to locate a PD. Tom thinks these articles are fairly well written and seem to work well.

702.1 (Classifications) - This section refers to a map under 807.3.3, which in turn refers back to 702.1

702.2 (Use Restrictions) - Use Restrictions might not be an appropriate title since the language does not discuss restrictions.

#1 - Common open space - doesn't really give a description of what is allowed. (Tom says, look at page 118 - open space, common.) So maybe there should be a cross-reference to the definitions.

p.104 - There is a redundancy in the top paragraph which is part of 702.2.4: - The language after, "in the manner fixed by law," and before, "for the collection of taxes[,] " should be deleted.

702.3 (Planning Requirements) -

The last sentence is the same as 702.4: "No paving shall be located on undevelopable land."

We don't need to say the same thing twice. Also, the language references "regulations" but there are no WPOD regulations, only bylaws.

"Steep slopes" is undefined.

705.1 – Nonresidential buildings (Offices). Why not retail? This should be put on our list of policy issues. Also, there are very few guidelines for the nonresidential buildings.

703.1 #’s1 & 2 – The language on buffer widths is not a model of clarity.

#3 – The mechanism by which the Planning Board would grant the waiver is not clear.

703.6 – Building character – This language needs more clarity regarding the DRB role in the process.

704.6 – The bedroom number – The language setting forth the standards by which the determinations are made needs to be clarified

706.1 – Land qualities – easier for developer to point to the value that the land would have to the development.

Mary Steinke (without George) presented her comments on 707-710:

707.4 – parking ratio – doesn’t look like a lot of spaces per unit.

708.2 – frontage – Galvin spoke to that when he was here.

708.1 – The chart is not clear and must be modified. For example: How do you know which part of the chart to use? 40k or 60k?

OTHER ADMINISTRATIVE MATTERS

The next meeting will take place on February 1, 2012.

Bob Fitzpatrick assigned the following sections:

Judi & Paul 711-717
Freeman & Scott 718 725 801-803
Fred & Marty 804-806
Nancy & Bob 807
George & Mary 901-906
Paul & Nancy 907-915

Meeting adjourned @ 9:48 pm.

List of Documents and Other Exhibits Used at the Meeting: None.