



TOWN CLERK  
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**MINUTES OF MEETING**  
**ZONING BYLAW REVIEW COMMITTEE**  
DUXBURY, MASS.

**Date:** June 6, 2012      **SCHEDULED TIME:** 7:30 p.m.

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

**Minutes Prepared By:** Martin Desmery

**Members Present:** Scott Casagrande, Fred Clifford, Martin Desmery, Robert Fitzpatrick, Nancy Johnson, Mary Steinke, George Wadsworth.

**Members Absent:** Judi Barrett, Paul Boudreau, Freeman Boynton, Jr.

**Also Present:** Ten members of the public.

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Meeting called to order by the Chair, Robert Fitzpatrick, at 7:43 pm.

**MINUTES**

The minutes of the meeting held on April 4, 2012, were reviewed and approved.

**DISCUSSION OF REVISED DRAFT REPORT**

Bob Fitzpatrick described the next phase of the Committee's work, which is to revisit the information that we gathered and craft a report that will enable those that follow us to build on our efforts. Bob suggests that our report include a mark-up of the bylaw that notes misspellings and missed section references, rather than try to describe all issues in a narrative way.

Bob then solicited comments from Committee members on Section III of the draft report. Did we capture the right elements? Did we miss anything?

George Wadsworth expressed his views as to why it might not be a good idea to combine meetings of the Planning Board and the Board of Appeals.

Nancy Johnson suggested that there should be some type of a front-end guide on permitting issues. This led to a discussion of the proposed ombudsman, and the need for professional staff to assist the ZBA.

The Committee then discussed the prioritization of comments in the draft report. Nancy Johnson, for example, suggested that paragraph #6 is so general that it should be moved to the beginning of the narrative. The consensus of the Committee was that #6 should be #1.

The Committee specifically discussed the role of the Design Review Board. Fred Clifford commented on the history of the DRB - e.g., strictly advisory, with neither authority nor jurisdiction. Various Committee members believe that clarifying the DRB's role could help clarify the entire permitting process, and that the DRB issue should be listed as #2 on the list.

Nancy volunteered to look at the current prioritization of the paragraphs in the draft report and suggest a new order, which would probably be closer to this: 6, 7, 8, 9, 10, 1, 3, 2, 4, 11 & 12.

With respect to the Wetlands Protection Overlay District, George Wadsworth noted that it might be difficult to eliminate the district because of "emotional" attachment. Bob suggested that the question is whether the Town needs to regulate wetlands as a zoning issue. What is the purpose, and do we really need to regulate Wetlands with zoning? Should we incorporate something about changing the process for amending maps?

The Committee also discussed the advantage of simplifying the process for the extension/alteration of non-conforming lots.

Bob Fitzpatrick asked Scott Casagrande to flesh out the details of the "filing requirements" to demonstrate the onerous nature of the current process. The first sentence of current paragraph #9 should be eliminated.

The process from here is to review the draft, send any comments to Bob Fitzpatrick, accomplish our specific assignments (see below), and then Bob will turn another draft shortly before our next meeting. Once we have an acceptable draft, we will speak to town boards and then schedule a public meeting to help light the way to the finish line.

Bob Fitzpatrick assigned the following tasks to the Committee members: -

Bob Fitzpatrick requested that within two weeks of today (June 20) every member of the Committee take an Article in the Bylaws, prepare the narrative section of Exhibit B for that Article, and also prepare the textual comments for Exhibit C. Assignments -

Judy (Articles 500 & 900), Scott (Article 400), George (Article 100), Fred (Article 200), Marty (Article 300), Nancy (Article 700), Mary (Article 800), Bob (Article 600).

We should try to write our narratives in a freestanding manner so someone can understand what we mean without referring to other sections of the report.

Bob will send around a calendar invite for the next meeting. Bob then solicited comments from the members of the public.

One resident of Duxbury who lives on Hounds Ditch expressed his view that Plymouth has a thorough, stream-lined permitting process that goes very quickly. In contrast, the process in Duxbury seems to be "broken." In addition, Duxbury seems to have a problem with enforcing its Bylaws, as evidenced by the significantly clear of trees on the property abutting Dead Man's Curve on Tremont Street. Bob noted our charge is to make recommendations about clarifying the Bylaws, not to suggest how particular Bylaws should or should not be enforced with respect to specific projects or situations.

Meeting adjourned @ 9:58 pm.

**List of Documents and Other Exhibits Used at the Meeting:** Draft Report.