



Town of Duxbury Massachusetts Planning Board

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DUXBURY, MASS.

Minutes 11/15/2017

The Planning Board met on Wednesday, November 15, 2017 at 7:00 PM at the Duxbury Free Library, 77 Alden Street, Merry Room.

Present: Scott Casagrande, Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Brian Glennon, Jennifer Turcotte, and George Wadsworth.

Absent: David Uitti, Vice Chairman.

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

Mr. Casagrande called the meeting to order at 7:01 PM. He invited Ms. Kathy Cross to call to order the Open Space Committee meeting because a quorum of that group was in attendance.

OPEN FORUM

No items were brought forward during Open Forum.

ENVISION DUXBURY PRESENTATION AND FORUM (METROPOLITAN AREA PLANNING COUNCIL)

Tonight's community forum was planned in order to report results from a townwide survey conducted by the MAPC and to provide further input / feedback for creating goals, strategies and policies for the Comprehensive Plan (or Master Plan) update. Staff attending from the Metropolitan Area Planning Council (MAPC) included:

- Ms. Emma Schnur, Regional Land Use Planner and South Shore Regional Coordinator
- Mr. Josh Fiala, Senior Land Use Planner
- Ms. Carolina Prieto, Community Engagement Specialist
- Ms. Annis Sengupta, Arts & Culture Planner working on historical / cultural resources
- Ms. Darci Schofield, Senior Environmental Planner working on climate resilience.

Ms. Schnur welcomed the audience of over 60 residents and provided an overview of the evening. She noted that the Planning Board is the official committee of the Master Plan, and volunteer ambassadors provide further outreach to the community. She invited the Master Plan Ambassadors to stand and be recognized. She also thanked Ms. Massard for her involvement as Town Hall staff.

Ms. Schnur stated that the MAPC is working on Phase One of the Comprehensive Plan Update through the summer of 2018. Phase One topics include: Duxbury Today; Vision Statement; Housing; Historical & Cultural Resources; and Open Space. Phase Two will go through summer of 2019 and will cover other major topics.

Mr. Fiala thanked the residents in attendance tonight and noted that the survey response was a tremendous success with 1,240 people participating, by far the largest response in MAPC's experience. He noted that the Comprehensive Plan is a community process and the goal is to unlock a shared community vision. He stated that tonight the MAPC would like to gather feedback on a draft vision statement and there will an opportunity to do so tonight during the open house or online after tonight.

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Mr. Fiala addressed the Duxbury Today and Housing topics. He noted that the population in the town nearly doubled between 1970 and 2010 from 7,636 to 15,059, although growth has slowed in recent years. The population is also growing older with an increase in the age groups of 35 - 64 and 65+, and a decline in the 25-34 year-old age group. The growth is greater in the southeast area of town where the Island Creek Village expansion and Duxbury Woods developments have recently been constructed. The households in Duxbury are mostly families and 89 percent of the housing stock is single-family dwellings.

Mr. Fiala reported that the median household income is \$120,267 and housing prices are significantly higher than surrounding communities, with a median sales price of \$575,501 and rising. He noted that housing costs appear to be a burden to Duxbury homeowners, in some cases demanding up to 30 to 50 percent of the average household income, which exceeds the federal 30 percent guideline for affordability.

Ms. Schnur covered the topic of Open Space, noting that 75 percent of respondents in the online survey identified it as a priority, second only to the schools. She noted that protection of Duxbury's aquifer has historically been the primary rationale behind open space planning. Eighty-three percent of survey respondents identified Duxbury Beach as what they like best about Duxbury, followed by Duxbury Bay at 60 percent. Conservation lands were also identified as an important community resource, with over 3,000 acres of open space managed by the Conservation Commission. She noted that recreation facilities are also valued by respondents, including a variety of playgrounds, fields, and courts mainly clustered in eastern Duxbury. Ms. Schnur reported that challenges identified by the online survey include transportation, with 83 percent of respondents considering sidewalks as a priority for the town.

Ms. Sengupta covered Historical & Cultural Resources, noting that Duxbury has an abundance of them. She noted that the challenge is to think about how to use these resources to strengthen elements of the Master Plan. She suggested that a goal might be to provide a starting point for how to preserve the town's historic resources. She stated that so far Duxbury has adopted a mix of public and private preservation strategies. She noted that although there are clusters of historic resources throughout the town, very few of those resources have historic restrictions. She suggested that one way to approach preservation is to preserve not only buildings but uses also which often overlap in Duxbury. She stated that historic resources could be preserved as living history. She identified "asset clusters" in the town that are rich with historic and other public resources that provide an opportunity to strengthen the connection among these assets.

Mr. Fiala introduced the open house portion of the program that will provide more opportunities for community feedback. He noted that time would be set aside for answering general questions, followed by the open house. At the open house residents will be asked for input by writing on Post-It notes and dot voting on 20 presentation boards covering various aspects of the Phase One topics, along with comments on the stated objectives from the 1999 Comprehensive Plan and input on the new topic of Climate Vulnerability.

During the general question period, an unidentified gentleman asked about the proposed zoning for Hall's Corner, and Mr. Fiala responded that the goal is to enhance the existing mixed use development, referencing a 2014 traffic study done by the Old Colony Planning Council. Ms. Massard introduced herself and informed residents that information is posted on the presentation boards scattered throughout this level of the library where people can read about topics of interest and provide feedback, including the Hall's Corner studies. She also noted that the Envision Duxbury tab on the town web site has links to all kinds of information on the Comprehensive Plan process and findings so far, and residents can sign up for email updates. She invited residents to speak with her if they have any questions or would like to meet with her to discuss any topic.

Ms. Myrna Walsh, a Master Plan Ambassador, asked if there is an ideal mean for mixture of age groups in a town of Duxbury's size and location. Mr. Fiala stated that he is not aware of a perfect recipe but there does need to be a balance of ages, noting that the younger age bracket is currently under-represented in Duxbury. He noted that affordability of housing may be a challenge for this age group. He stated that typically younger demographics are drawn toward walkable mixed-use centers.

The Open House portion of the evening took place from 7:45 to 8:30 PM, with MAPC staff, the Planning Director, the Planning Board, and the Master Plan Ambassadors mingling with the crowd and residents actively participating by providing written and verbal feedback and dot voting on priorities for the Phase One elements of the Master Plan.

ZBA REFERRAL, SPECIAL PERMIT: 28 WHITE STREET / SODERSTROM C/O BURCHILL

Planning Board members reviewed and discussed this special permit application to remove and replace an existing roof which would increase the height and encroachment of a nonconforming dwelling in the setbacks. Mr. Glennon thanked Ms. Massard for providing a staff report that provides a summary of the zoning issues. In her report, Ms. Massard had noted that the volume of the dwelling would increase from approximately 3,000 cubic feet in the setback area to an additional 2,200 cubic feet, with an eight-foot overall height increase in the peaks of the roofline while retaining the same footprint.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to defer judgment to the Zoning Board of Appeals for Special Permit #2017-12, 28 White Street / Soderstrom c/o Burchill, and to include the following points from a staff memorandum by the Planning Director:

- A significant tree is depicted on the plans between this dwelling and the nearest abutting dwelling where the encroachment will occur, which appears to at once both screen the existing dwelling, and be in jeopardy of being significantly pruned in order to construct the new roof. Will this tree be impacted, and could there be a need to plant a new tree to provide adequate screening?
- Are there any recommendations on the design/massing from the Design Review Board?
- The opinion of the abutter is important in making a determination as to the appropriateness of the proposed roof within the setback.

VOTE: The motion carried unanimously, 6-0.

ZBA REFERRAL, APPEAL OF A ZONING VIOLATION: 275 MARSHALL STREET / BARRY

Planning Board members reviewed and discussed this appeal by the property owner, Mr. Mark Barry, that the Town's bylaws have been incorrectly interpreted and applied to his property and disputes a zoning violation notice and citation. Mr. Casagrande noted that the property owner never applied for a building permit for this shed that was installed, and Ms. Massard noted that structures larger than 8 x 10 feet in size require a building permit. Planning Board members viewed a photograph of the shed provided by Mr. Jim Wasielewski, Building Inspector. Mr. Casagrande stated that the structure does not appear to be temporary. Mr. Bear stated that the structure appears to be a shed that was constructed on the property line.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to recommend that the Zoning Board of Appeals uphold the Building Department's determination and uphold the zoning violation for Case #2017-13, 275 Marshall Street / Barry.

VOTE: The motion carried unanimously, 6-0.

OTHER BUSINESS

Appointment of a Clerk Pro Tem: Mr. Casagrande stated that this appointment would allow Mr. Wadsworth to serve as Clerk Pro Tem in the unlikely event that Ms. Ladd Fiorini is unavailable due to travel or other circumstances.

MOTION: Mr. Glennon made a motion, and Ms. Turcotte provided a second, to appoint Mr. Wadsworth as Clerk Pro Tem.

VOTE: The motion carried unanimously, 6-0.

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Rezoning of Former Battelle Property: Ms. Massard reported that the land use staff at Town Hall had met with representatives from Island Creek Oysters (ICO) who have purchased the former Battelle property on Washington Street. She stated that ICO would like to relocate their office and industry to the Washington Street property, and staff has encouraged them to apply to rezone the property from Residential Compatibility (RC) to Neighborhood Business (NB). The Planning Board discussed that they may prefer that the dwellings along Washington Street be excluded from the rezoning, although ICO is indicating that they would like to use them for offices.

Mr. Bear asked if corrected lot lines are in place, and Ms. Massard replied that ICO would be using the existing parcel lines and the parcels that front on Washington Street are pre-existing nonconforming lots. She stated that the old lot lines may have been removed and combined under single ownership into one lot, and in order to convey the dwellings on Washington Street lot lines might need to be created. She stated that this level of detail is not known at this time; however, the parcels could also be combined for zoning purposes.

Mr. Bear asked if ICO is relying on an agricultural use for exemption from zoning, and Ms. Massard replied that they are not, and they would need to get rezoning approved before they can move in. Staff has recommended that ICO rezone the entire site because RC is the underlying zoning and residential lots could be created at a later date through the ANR process, so long as those lots meet RC zoning dimensions and intensity.

Ms. Massard asked if the Planning Board would consider sponsoring a zoning article to rezone the property from RC to NB, or if they would prefer a landowner petition instead. Mr. Bear stated that it should be a landowner petition in order to treat the new owner (ICO) the same as the previous owner (Diamond Sinacori). Mr. Wadsworth agreed with Mr. Bear. Mr. Glennon asked if the Board of Selectmen might be willing to sponsor a zoning article, noting that the Planning Board does not want to appear to be endorsing the petition. There was discussion that it should be the Planning Board rather than the Board of Selectmen if the Town of Duxbury is going to sponsor the article.

Mr. Casagrande stated that he recalls earlier Planning Board discussions on expanding NB zoning there. He stated that residents at Town Meeting may be more supportive of a zoning change if the land along Washington Street were to stay RC. He stated that he would prefer that the streetscape remain the same.

Ms. Massard stated that there will be a zoning workshop in December and a public hearing in January, and she has prepared a preliminary sketch plan of the possible rezoning. Mr. Casagrande stated that although it would be nice if the Planning Board chose to sponsor an article, in light of the property's recent history it might be advisable for the Planning Board to not sponsor it.

ADJOURNMENT

The Planning Board meeting adjourned at 8:54 PM. The next Planning Board meeting will take place on Wednesday, December 13, 2017 at 7:00 PM at the Duxbury Town Hall, Mural Room.

MATERIALS REVIEWED

- Planning Board agenda for 11/15/17
- MAPC Community Forum flyer
- ZBA referral materials for 28 White Street / Burchill
- Untitled, undated staff report by Planning Director for ZBA referral, 28 White Street
- Google map for 28 White Street
- Assessor's property card for 28 White Street
- ZBA referral materials for 275 Marshall Street / Barry
- Assessor's property card for 275 Marshall Street
- Photograph of shed at 275 Marshall Street submitted by J. Wasielewski, Building Inspector
- Construction Cost Estimates for October 2017
- ZBA decision, 277-285 Saint George Street / Juliano (Millbrook Marketplace)

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