



# Town of Duxbury Massachusetts

## Planning Board

TOWN CLERK  
2021 JAN 28 AM 8:53  
DUXBURY, MASS.

### **Minutes 12/7/2020**

The Planning Board met on December 7, 2020 at 5PM. This meeting was conducted remotely via zoom video call due to COVID-19.

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. Viewers can visit [www.pactv.org/duxbury](http://www.pactv.org/duxbury) for information about Duxbury programming. To watch replays of a meeting, visit [www.pactv.org/duxbury](http://www.pactv.org/duxbury) or to watch online visit PACTV's Video on Demand at [www.pactv.org/ondemand](http://www.pactv.org/ondemand).

### **NO IN-PERSON ATTENDANCE OF MEMBERS OF THE PUBLIC WAS PERMITTED.**

Every effort was be made to ensure that the public could adequately access the proceedings to the best of our technical abilities; and despite our best efforts due to lack of technical infrastructure, this meeting will be available on PACTV to view a video recording and a transcript or other comprehensive record of proceedings as soon as possible after the meeting.

Public phone in-access was available during this meeting at 781-934-1100 x5475. Public email access was available during this meeting at [duxburyplanningboard@gmail.com](mailto:duxburyplanningboard@gmail.com). The public was able to watch the zoom webinar by clicking on the following link:  
<https://us02web.zoom.us/j/85277898854?pwd=R0NESWVKZ2JidmJTaDVleW5CZG52dz09>.

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

Absent: George Wadsworth.

Staff: Valerie Massard, Planning Director; and Emily Hadley, Administrative Assistant.

Mr. Casagrande called the meeting to order at 5:09 PM.

### **Open Forum**

No one brought anything forward during the open forum.

**ZBA Referral, Special Permit: 77 Gurnet Road (ZBA Case #2020-23)**

Mr. Casagrande said the filing is for a deck on a pre-existing, non-conforming dwelling.

Mr. Mike Sheehan, the applicant, said it is an open deck and is consistent with the neighborhood. Mr. Glennon asked if they are rebuilding an existing deck or building a new deck. Mr. Sheehan said they are building a new deck over the existing driveway and they will be replacing a smaller set of stairs. Mr. Glennon asked the applicant what is being removed with the stairs. Mr. Sheehan said there is a concrete pad and wooden stairs that are being removed. Mr. Glennon asked if the staircase is the same width as the one it is replacing and the applicant confirmed.

Motion: Mr. Uitti made a motion to recommend approval of the special permit request for 77 Gurnet Road (ZBA Case #2020-23). Ms. Turcotte provided a second.

Vote: Ms. Turcotte - Aye; Ms. Ladd Fiorini - Aye; Mr. Uitti - Aye; Mr. MacDonald - Aye; Mr. Casagrande - Aye; and Mr. Glennon - Nay.

Mr. Glennon stated that he would have supported a vote to defer judgment to the ZBA.

**Discussion: Zoning Recodification**

Ms. Massard said she, Mr. Casagrande, and Town Counsel discussed how to proceed with the zoning recodification process. She said staff could meet with smaller working groups of Planning Board members (not a quorum) to work on rewriting the Zoning Bylaw by addressing issues that were identified in the Zoning Bylaw Review Committee report, bringing their work back to the Board for their review with each step. She said they decided that addressing all of the issues at once was the best course of action.

Ms. Massard said at the same time, staff is currently planning outreach for the Little Living grant with the Senior Center and the Metropolitan Area Planning Council (MAPC). She said the report for that grant is expected to be done in February of this coming year, and will give the public an idea of what is wanted in the community. Virtual tours will also be offered as part of this grant.

Mr. Casagrande said the working group will push through the rest of the Zoning Bylaw doing the needed work. No more than three Board members can be in attendance at these working group meetings at a time, and then they will bring their work back to the rest of the Board for their review. He said at the same time, the Board should continue working on the use table and looking at what other Towns have done with the use tables in their Bylaws.

Ms. Massard said they can record the working groups and post the documents on the Zoning Recodification page on the Planning Department's website so they are available for public input.

Mr. Glennon said that another way to proceed would be for the full Planning Board to be involved in every step of the recodification process.

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Ms. Ladd Fiorini said she thinks it is a great idea to have a few Board members fully focus on recodification and bringing it to the rest of the Board for their comments afterwards.

Mr. Casagrande said the full Board should keep working on the use table as a Board. Ms. Massard said for the use table, the Board should focus on Neighborhood Business Districts. She said it is a use-defined Bylaw, and many of the uses are outdated. She said there will be outreach meetings held via Zoom throughout the Zoning Recodification process. Ms. Massard said Envision Duxbury is the driver behind the Zoning Recodification process.

Mr. Uitti said he thinks the working group is a good idea, but he thinks the work should also get broken down into phases, with stakeholders being consulted at each stage. Ms. Massard said the meetings will be open to the public so anyone can participate. Mr. Uitti said he thinks it is also important that the working group reaches out to the stakeholders who have already expressed their interest to get their input. Mr. Casagrande agreed with Mr. Uitti. Ms. Massard said they will only put an article on the warrant that has been reviewed with these stakeholders. Mr. Casagrande said these individuals agree with what the Board has for the use table is what is currently in the Bylaw.

Ms. Turcotte, Mr. MacDonald and Ms. Ladd Fiorini said they agree with Mr. Uitti. Mr. Uitti said he is always available to work on Zoning Recodification. Mr. Casagrande said he will contact Mr. Wadsworth to discuss this process. At this time, it is anticipated that Messrs. Casagrande, Glennon, and Uitti will comprise the working group, together with Ms. Massard.

Mr. MacDonald asked Mr. Casagrande if they are seeking any comments currently. Mr. Casagrande said they are still seeking comments from the Board on the use table.

### **Planning Projects Update**

Ms. Massard said a draft Complete Streets plan should be available at the end of the year, and there will be an outreach meeting in January. She said the Howard Stein Hudson consulting firm will be making a list of the top 10 issues for Complete Streets with estimates of how much these projects would cost. She said they scored these issues based on public input, public safety, etc. Ms. Massard said there has been one change to the policy, after meeting with the Conservation Administrator and running an ad in the Clipper for public comments. She said the policy is ready for the Board of Selectmen to adopt.

Ms. Massard said staff sent out a mailing for the Coastal Zone Management (CZM) Grant, requesting easements to seaside properties in Marshfield and Duxbury for beach nourishment.

Ms. Massard said there will be a few public hearings coming up in the new year to discuss zoning articles for Annual Town Meeting. These include a FEMA article to change the Flood Insurance Rate Maps (FIRMs) as well as zoning that goes along with the maps and a citizen's petition about elevating homes. She said the Planning Department is also taking another article to

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Annual Town Meeting regarding taking related to seawalls, and there will be an outreach meeting related to this in January.

Ms. Massard thanked Ms. Ladd Fiorini, Mr. Casagrande, Mr. Glennon, and Mr. Uitti for attending meetings related to Complete Streets and Washington Street sidewalks.

Ms. Massard said there is also a housekeeping issue related to a Local Historic District article from 2020 Annual Town Meeting. She said that article may have needed a 2/3<sup>rd</sup>'s vote to be passed, so this article may need to be on this year's warrant to correct this.

Ms. Massard said she does not expect that the Board needs to meet again until January 2021. She said there are a few 40B developments possible, but there are not currently any subdivision filings and for ANR plans, staff could ask the applicants for waivers from the normal timeline of the Board's action. She said the Board is scheduled to meet on the 11<sup>th</sup> and the 25<sup>th</sup> of January.

### Invoices

Motion: Mr. Uitti made a motion to approve KP Law, P.C. invoice #128257 in the amount of \$471.50 for Zoning Recodification. Mr. MacDonald provided a second.

Vote: Mr. Glennon - Aye; Ms. Turcotte - Aye; Mr. MacDonald - Aye; Mr. Uitti - Aye; Ms. Ladd Fiorini - Aye; and Mr. Casagrande - Aye.

Motion: Mr. Uitti made a motion to approve Amory Engineers, P.C. invoice #15511 in the amount of \$407.00 for Dogwood Drive. Ms. Ladd Fiorini provided a second.

Vote: Mr. Glennon - Aye; Ms. Turcotte - Aye; Mr. MacDonald - Aye; Mr. Uitti - Aye; Ms. Ladd Fiorini - Aye; and Mr. Casagrande - Aye.

### Minutes

Motion: Mr. Glennon made a motion to approve November 16<sup>th</sup> minutes as written. Ms. Ladd Fiorini provided a second.

Vote: Mr. Glennon - Aye; Ms. Turcotte - Aye; Mr. MacDonald - Aye; Mr. Uitti - Aye; Ms. Ladd Fiorini - Aye; and Mr. Casagrande - Aye.

### ADJOURNMENT

Motion: Ms. Ladd Fiorini made a motion to adjourn at 5:54PM. Mr. Uitti provided a second.

Vote: Mr. Glennon - Aye; Ms. Turcotte - Aye; Mr. MacDonald - Aye; Mr. Uitti - Aye; Ms. Ladd Fiorini - Aye; and Mr. Casagrande - Aye.

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*The next Planning Board meeting will take place on Monday, January 11, 2021 at 5:00 PM via Zoom.*

Materials reviewed at the meeting:

- December 7, 2020 Revised Agenda
- ZBA Case #2020-23: 77 Gurnet Road
- KP Law Invoice #128257
- Amory Invoice #15511
- Draft Minutes November 16, 2020