



Town of Duxbury Massachusetts Planning Board

TOWN CLERK

2019 JUN 17 AM 11:56

DUXBURY, MASS

Minutes 4/10/19

The Planning Board met on Wednesday, April 10, 2019 at 7:00 PM at the Duxbury Town Hall, 878 Tremont Street, Mural Room, lower level.

Present: Scott Casagrande, Chairman; David Uitti, Vice-Chairman; Cynthia Ladd Fiorini, Clerk; John Bear; and Brian Glennon.

Absent: Jennifer Turcotte and George Wadsworth.

Staff: Valerie Massard, Planning Director.

Mr. Casagrande called the meeting to order at 7:04 PM.

OPEN FORUM / COMMITTEE LIAISON REPORTS

Nothing was brought forward during open forum.

A.) REORGANIZATION OF THE PLANNING BOARD MEMBERS

Motion: Mr. Glennon made a motion to nominate Mr. Casagrande for another term as Planning Board Chairman, and Mr. Casagrande accepted. Mr. Uitti provided a second.

Vote: 5-0, unanimous.

Motion: Mr. Uitti made a motion to nominate Ms. Ladd Fiorini for a term as the Planning Board Vice-Chairwoman, and Ms. Ladd Fiorini declined.

Motion: Ms. Ladd Fiorini made a motion to nominate Mr. Bear for a term as the Planning Board Vice-Chairman, and Mr. Bear declined.

Motion: Ms. Ladd Fiorini made a motion to nominate Mr. Glennon for a term as the Planning Board Vice-Chairman, and Mr. Glennon accepted. Mr. Uitti provided a second.

Vote: 5-0, unanimous.

Motion: Ms. Ladd Fiorini made a motion to nominate Mr. Uitti for a term as the Planning Board Clerk, and Mr. Uitti accepted. Mr. Bear provided a second.

Vote: 5-0, unanimous.

B.) APPROVAL NOT REQUIRED PLAN: 154 & 156 MARSHALL STREET

The applicant proposes a land swap between 154 and 156 Marshall Street. The land swap is proposed so the applicant at 156 Marshall Street can build a seawall to protect his home. Mr. Freeman Boynton, of Duxbury Construction and representing the applicant, explained that the land swap will allow the resident at 156 Marshall Street to build a seawall because residents cannot build a seawall unless it is on their property. Mr. Boynton said that the land swap will not cause either lot to become noncompliant with zoning.

Motion: Mr. Glennon made a motion to endorse the ANR Plan for a land swap between 154 and 156 Marshall Street, titled "Plan of Land" in Duxbury, Massachusetts dated February 28, 2019, and Mr. Uitti provided a second.

Vote: 5-0, unanimous.

C.) ZBA REFFERAL, SPECIAL PERMIT: 13 LEWIS COURT

Mr. Casagrande said the ZBA Referral of 13 Lewis Court is a special permit application to demolish and rebuild a preexisting, nonconforming structure. Ms. Massard explained that because of the flooding issues in this location, the design to raise the house up is appropriate and up to building code requirements.

Mr. Casagrande pointed out that the plan for the new house is mostly identical to the previous structure, although the new house will be a little taller. The proposed height is 42.6 feet, and the height limit is 35 feet, but sometimes there are some exemptions. Mr. Glennon suggested that the height of the structure be discussed amongst the ZBA.

Mr. Casagrande and Mr. Glennon noticed some discrepancies in the calculations of the building dimensions, and recommended that those be reviewed. Ms. Massard said she would notify the Building Inspector and applicant of this.

Ms. Ladd Fiorini mentioned that this rebuild is an opportunity to make the building less non-conforming by moving the structure to adjust the setbacks.

Motion: Mr. Glennon made a motion to defer judgement to the ZBA for the special permit application of 13 Lewis Court, noting the errors in the calculations particularly with respect to building height, and Mrs. Ladd Fiorini provided a second.

Vote: 5-0, unanimous.

D.) ZBA REFFERAL, SPECIAL PERMIT: 331 BAY ROAD

The applicant proposes to demolish and reconstruct an existing residential pier. Mr. Casagrande noted that the pier is not in the scenic overlay district.

Mr. Freeman Boynton of Duxbury Construction and representing the applicant, explained that the existing pier is nonconforming to setbacks from the property line, dilapidated, and presumably disturbing the surrounding salt marsh. Mr. Boynton said the Conservation Commission has approved this project.

Mr. Boynton explained that the proposed pier will be slightly longer to get the float off of the salt marsh. The proposed pier will be a little longer than the existing, but is still in compliance with the zoning bylaw.

Motion: Mr. Glennon made a motion to defer judgement to the ZBA for the Special Permit application of 331 Bay Road to demolish and reconstruct an existing residential pier, and Mr. Uitti provided a second.

Vote: 5-0, unanimous.

E.) AS-BUILT PLAN REVIEW: DUXBURY YACHT CLUB, 70 FAIRWAY LANE

The Planning Board reviewed the As-Built plan submitted by the Duxbury Yacht Club after the completion of the project.

Ms. Massard reported that she and Mr. Patrick Brennan, of Amory Engineers, recently visited the site for an inspection. Mr. Brennan noted a few spots of erosion, and the Duxbury Yacht Club is expected to correct it. Ms. Massard noted that the Yacht Club still needs to cut away pavement for the access to the pool cleanout, but it has been marked.

Mr. Casagrande noticed that the final layer of asphalt had not been applied. Ms. Massard said that she and Mr. Brennan will check on that, and continue to monitor the site.

Motion: Mr. Glennon made a motion to accept the As-Built plan for the Duxbury Yacht Club at 70 Fairway Lane, with the intention to follow up on the aforementioned items, and Mr. Uitti provided a second.

Vote: 5-0, unanimous.

F.) SUBDIVISION NAME CHANGE: PADDOCK CIRCLE TO COOPER HILL ROAD

Mr. Kevin Sealund, of Sealund Corporation and the applicant of this approved definitive subdivision, is requesting to change the name from Paddock Circle to Cooper Hill Road. It was realized that Mr. John Alden, an important figure in Duxbury's history, was a cooper by trade, and Mr. Sealund thinks the name is more appropriate (the road is to stem off of Alden Street). No

internal records have been set up at Town Hall for the street name at this time. Mr. Casagrande noted that Mr. Tony Kelso, the Town Historian, had no objections to the name change.

Motion: Mr. Glennon made a motion to accept the field modification to change the name of Paddock Circle to Cooper Hill Road provided there are no objections by the Police and Fire Departments, and Ms. Ladd Fiorini provided a second.

Vote: 5-0, unanimous.

G.) OTHER BUSINESS

Minutes

The minutes from 1/30/19, 2/13/19, and 2/27/19 were approved as written and released.

Construction Cost Estimates

The Construction Cost Estimates from March 2019 were reviewed.

Nash Road Trees

The trees on the Nash Road property that were previously requested to be saved have been determined to be unhealthy trees. Mr. John Cully, the applicant of this subdivision, is requesting to remove the unhealthy trees and replace them with new trees of equal diameter.

Mr. Peter Buttkus, DPW Director and a Certified Tree Arborist, confirmed that the trees are unhealthy and have frost cracks. Mr. Casagrande said that he believes it makes sense to remove unhealthy trees as they can become hazardous.

Ms. Ladd Fiorini expressed that she would like to see native species trees replanted.

Right of First Refusal: 1065 Summer Street

The Planning Board reviewed this proposal in the fall of 2018, and recommended that the Board of Selectmen not exercise their Right of First Refusal for the 1065 Summer Street property. The site has issues with a high water table and in order to build will be adding truckloads of fill.

Ms. Massard noted that Ducksberry LLC, the owner of 1065 Summer Street, has a potential buyer lined up.

Motion: Mr. Glennon made a motion to recommend that the Board of Selectmen do not exercise their Right of First Refusal for 1065 Summer Street, and Mr. Uitti provided a second.

Vote: 5-0, unanimous.

PLANNING BOARD MINUTES

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New Business for Next Planning Board Agenda

Ms. Massard said she will be distributing drafts of the Envision Duxbury Comprehensive Plan chapters to the Board to discuss at the next Planning Board meeting.

Ms. Massard is chipping away at an outreach effort to educate and gather feedback from various town committees and groups on the Comprehensive Plan.

ADJOURNMENT

Motion: Mr. Uitti made a motion to adjourn at 8:00 PM, and Ms. Ladd Fiorini provided a second.

Vote: 5-0, unanimous.

The next Planning Board meeting will take place on Wednesday, April 24, 2019 at 7:00 PM at the Duxbury Town Hall, 878 Tremont Street, Mural Room, lower level.

Materials reviewed at the meeting:

- ANR Plan: 154 & 156 Marshall Street Land Swap
- ZBA Referral: 13 Lewis Court
- ZBA Referral: 331 Bay Road
- As-Built Plan: DYC, 70 Fairway Lane
- Subdivision Name Change Request: Paddock Circle
- Minutes: 1/30/19, 2/13/19, and 2/27/19
- Construction Cost Estimates March 2019

