



Town of Duxbury Massachusetts

Planning Board

TOWN CLERK
2023 JUN 13 AM 8:59
DUXBURY, MASS.

Minutes 4/24/2023

The Planning Board met on April 24, 2023 at 6:00PM in the Large Classroom, second floor, Duxbury Senior Center; 10 Mayflower Street Duxbury, MA 02332.

Pursuant to Chapter 2 of the Acts of 2023, this meeting was conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Members of the public who wish to watch a replay of the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. Viewers can visit www.pactv.org/duxbury for information about Duxbury programming including streaming on Duxbury YouTube, to watch replays and Video on Demand.

Present: Scott Casagrande, Chair; Wayne Dennison; Jennifer Turcotte; and David Uitti.

Absent: Kristin Rappe, Vice Chair; and Keith MacDonald, Clerk.

Staff: Christopher Ryan, Planning Director; and Emily Hadley, Principal Assistant.

Mr. Casagrande called the meeting to order at 6:00PM.

Open Forum

Mr. Dennison stated that the Planning Board meetings should continue to be televised, as many residents are interested in the Board's activities.

The Planning Board will continue holding hybrid meetings and sending the recordings to PACTV to be replayed on the local channels and uploaded to PACTV's Video OnDemand.

ADMINISTRATIVE ITEMS

ZBA Case #2023-07: 390 Washington Street (The Winsor House)

Motion: Ms. Turcotte moved to recommend approval of the special permit application for 390 Washington Street. Seconded by Mr. Uitti.

PLANNING BOARD MINUTES

Date: April 24, 2023

Page 2 of 7

Mr. Dennison informed the Board that he will be abstaining when the Planning Board votes to recommend approval or denial on Zoning Board of Appeals cases, due to his position on both Boards. The Planning Board agreed that there is no conflict when the Board votes to defer judgement to the Zoning Board of Appeals, and Mr. Dennison can vote on these cases.

Vote: 3-0, Mr. Dennison abstained.

ZBA Case #2023-08: 40 Pine Point Road

Paul Brogna, Seacoast Engineering, was in attendance to discuss the project.

Mr. Brogna explained that the application is to raze and rebuild a pre-existing, non-conforming dwelling on an open pile foundation. The house was built around 1943, and has been owned by the Willis family since the mid-1980s. The homeowners are constructing the new home to live in full-time.

Mr. Brogna told the Board the applicants have received Orders of Conditions from the Conservation Commission, and they will be meeting with the Historical Commission next week.

Mr. Brogna explained that the site is non-conforming in terms of both the house and the lot. The proposed house is 2-bedrooms with a loft, 2.5 stories, with a building height of about 29.7ft. The site coverage will be increasing from 13.26% to 17.14%.

Mr. Brogna said the architectural design fits in well with the neighborhood, and was received well by the Building Commissioner.

Mr. Casagrande stated that the flood zone delineation was not shown on the plan. Mr. Brogna told the Board that the site is located in a Zone AE (EL 10), and they will be raising the home.

Mr. Brogna said they are trying to reduce the non-conformity as much as possible, while maximizing the space on the lot.

Motion: Ms. Turcotte moved to defer judgement on the special permit application for 40 Pine Point Road to the Zoning Board of Appeals, and to include comments in the Planning Director's Board Report, revising the flood zone information to include the most current flood zone designation. Seconded by Mr. Dennison.

Vote: 4-0, unanimous.

ZBA Case #2023-09: 50 Railroad Avenue (The Winsor at Millbrook Village)

Mr. Casagrande informed the Board that his company insures the property, so he will not participate in the discussion.

Matthew Walsh, the applicant, was in attendance to discuss the project.

PLANNING BOARD MINUTES

Date: April 24, 2023

Page 3 of 7

Mr. Walsh said the application is for a comprehensive permit for a Chapter 40B development. The applicants have received a project eligibility letter from Mass Housing. A site visit was held on December 22, 2022, including two Selectboard members, the site engineer and project architect.

Mr. Walsh said his objective from the start of this process has been to comply with as many of the local bylaws as possible, unlike many Chapter 40B developments. The current Duxplex building is on the site. He said the building and parking area will remain undisturbed, but the building's septic will be relocated.

Mr. Walsh explained that the project required going through the Chapter 40B process because the Zoning Bylaws do not allow for first-floor residential units in the Neighborhood Business-2 District (NB-2). He said they are planning on meeting local regulations in terms of setbacks, building height, septic, etc.

Mr. Walsh said they are proposing 1 building containing 6 units and 3 buildings containing 2 units. He noted that in the Selectboard's letter to Mass Housing, they had suggested building more units. He said he could increase to 14 units if desired, but he believes 12 units is the best-case scenario in terms of density and feel of the development. One of the proposed affordable units has 3 bedrooms, and the other two affordable units have 2 bedrooms. There will be no difference in terms of square footage and exterior for the affordable and market-rate units.

Mr. Ryan asked how the common area on the site would be handled, and Mr. Walsh responded that the common land would be owned under a condominium association.

Mr. Ryan inquired about overflow guest parking at the site. Mr. Walsh said they have been exploring the idea of having overflow parking in the rear of the Duxplex.

Mr. Ryan stated that residents will likely desire some kind of pedestrian access to the surrounding amenities, as there is no significant amenity space for recreation on the site. Walsh said he is open to installing a sidewalk to connect to surrounding amenities, such as the schools and fields.

Motion: Ms. Turcotte moved to defer judgement on the comprehensive permit application to the Zoning Board of Appeals, and to include comments in the Planning Director's Board Report and report to MassHousing. Seconded by Mr. Dennison.

Vote: 3-0, Mr. Casagrande abstained.

Invoices

Motion: Mr. Uitti moved to approve payment of General Code Invoice #PG000032058 dated April 11, 2023. Seconded by Mr. Dennison.

Vote: 4-0, unanimous.

PLANNING BOARD MINUTES

Date: April 24, 2023

Page 4 of 7

Motion: Mr. Uitti moved to approve payment of Howard/Stein-Hudson Invoice #2022194.00 – 4 dated May 5, 2023. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Motion: Mr. Uitti moved to ask Vanasse & Associates, Inc. to provide more detail of the work that was done. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Minutes

Motion: Mr. Dennison moved to approve the minutes of April 24, 2023 as written. Seconded by Mr. Uitti.

Vote: 4-0, unanimous.

Discussion: Appointment of New Planning Board Member

Mr. Ryan explained that staff advertised the vacant Planning Board position in the Clipper and on the Town website, specifying a deadline of April 21, 2023 at 12PM for receiving interest letters. Mr. Ryan told the Board staff has received letters of interest from three residents who are interested in joining the Planning Board.

The Planning Board will need to hold a joint-meeting with the Selectboard to appoint the new member. This will likely be held in late-May or early-June.

Mr. Dennison suggested the Board may need to hold an executive session for the deliberation process.

Discussion: Fee Schedule

Mr. Ryan described the current fees spreadsheet distributed with the members' agenda packets. The spreadsheet includes columns for current fees, estimated staff time, estimated expense range based on estimated staff time, and fees from other communities. He discussed the fees that should be updated to better reflect expenses and explained that there are a few application processes for which they need to establish fees for.

The Board stated that their fees have not been updated in a number of years, and agreed that they should be updated to reflect expenses associated with staff time.

The Board discussed not raising fees for applications that are generally for individual homeowners, but increasing fees for larger developments to account for estimated staff expenses. The Board agreed that it is appropriate to not have a fee for Affordable Housing Special Permits.

PLANNING BOARD MINUTES

Date: April 24, 2023

Page 5 of 7

Mr. Dennison asked Mr. Ryan to create a column of suggested fees, and Mr. Uitti added that for each fee to be adjusted, they should answer the questions in the Finance Director's memo. Mr. Ryan agreed, noting that he cannot make recommendation on fees for the Inclusionary Bylaw and Residential Conservation Cluster developments, as they are being revised. He told the Board that MAPC has agreed to update the Inclusionary Housing Bylaw and the Residential Conservation Cluster Bylaw at the same time, but the Town will need to apply for EEA funding to supplement MAPC funds.

6:05PM Continued Public Hearing: Parkside Subdivision (0 Keene Street)

Motion: Ms. Turcotte moved to continue the public hearing to May 22, 2023 at 6:05PM.
Seconded by Mr. Uitti.

Vote: 4-0, unanimous.

6:10PM Continued Public Meeting: Bluefish River Tavern Administrative Site Plan Review

Mr. Ryan told the Board that the applicants requested to continue the public meeting to the next meeting. They will be further revising the plans based on feedback from the abutters, and will need more time to update the plans.

The Planning Board and applicants also signed a mutual extension form to extend the decision deadline.

Motion: Ms. Turcotte moved to continue the public meeting to May 8, 2023 at 6:05PM.
Seconded by Mr. Dennison.

Vote: 4-0, unanimous.

Zoning Recodification

Mr. Ryan informed the Board that he has sent the current Zoning Bylaws, draft recodified bylaw annotated by staff, 2012 Zoning Bylaw Review Committee Report, and his zoning recodification status report to General Code, consultant for the Zoning Recodification process. He said the Town should receive a document from General Code soon, flagging issues in the Zoning Bylaw.

Mr. Ryan informed General Code that they would like to move items related to procedure into a Rules & Regulations document that needs to be adopted.

Comprehensive Plan Implementation

Mr. Ryan told the Board he has received 14 responses from the Comprehensive Plan Implementation Table task owners. Staff is working with the Town Manager's office to set up a meeting for these owners.

878 Tremont Street, Duxbury, MA 02332; Telephone: 781-934-1100 x 5476; www.town.duxbury.ma.us/planning

PLANNING BOARD MINUTES

Date: April 24, 2023

Page 6 of 7

Mr. Ryan suggested the Planning Board schedule a working session to review the Board's tasks to discuss how to approach the items, what has already been done, etc. Mr. Uitti suggested scheduling the working session during a meeting with a smaller number of agenda items. Mr. Casagrande agreed, and noted that they will need to schedule a date if they are not able to hold it during a meeting in May or June.

Planning Director's Report

Mr. Ryan told the Board staff is moving forward with the Complete Streets Prioritization Plan update and they are hoping to have the plan submitted to the State in July. The Town is also hoping to apply for October Complete Streets project funding for sidewalk projects on Washington Street between the Bluefish River Bridge and Fort Hill Lane. Environmental Partners will be starting their survey work on Washington Street in the next couple of weeks, and staff will need to do outreach to homeowners on the street.

Mr. Ryan told the Board staff met with consultant, J.M. Goldson, to discuss the five areas the Town selected to run through the MBTA compliance model. Mr. Ryan confirmed that one of the sites will get the Town to 2/3 of the required number of units, so they can reduce the number of potential sites. Mr. Ryan suggested the Board take some time at the next meeting to discuss the sites.

Adjournment

Motion: Mr. Dennison moved to adjourn at 7:20PM. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Materials reviewed at the meeting:

- April 24, 2023 Agenda
- Director of Planning – Duxbury, MA Board Report dated April 24, 2023
- ZBA Case #2023-07: 390 Washington Street (The Winsor House)
- ZBA Case #2023-08: 40 Pine Point Road
- ZBA Case #2023-09: The Winsor at Millbrook Village
- General Code Invoice #PG000032058
- Howard/Stein-Hudson Associates Invoice #2022194.00 – 4
- Vanasse & Associates, Inc. Invoice #42786
- Draft Minutes April 10, 2023
- Finance Director RE: Departmental Fees dated April 18, 2023
- Fee Schedule Spreadsheet titled "Current Fees Planning – Final 2a"
- Planning Board Fee Schedule dated January 24, 2018
- Planning Department Memo RE: Fees dated October 29, 2019
- Planning Department Memo RE: Revised Fees as Approved by Fiscal Advisory on December 9, 2019

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PLANNING BOARD MINUTES

Date: April 24, 2023

Page 7 of 7

- Email from Bradley McKenzie RE: Parkside Definitive Subdivision Plan – March 13, 2023 Resubmittal dated April 18, 2023
- Email from Thomas Pozerski RE: Continuances needed please for Bluefish River Tavern with Planning and Zoning dated April 19, 2023

