



Town of Duxbury Massachusetts Planning Board

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DUXBURY, MASS.

Minutes 05/23/2018

The Planning Board met on Wednesday, May 23, 2018 at 7:00 PM at the Duxbury Town Hall, 878 Tremont Street, Mural Room.

Present: David Uitti, Vice-Chairman; Cynthia Ladd Fiorini, Clerk; John Bear, Brian Glennon, George Wadsworth, and Jennifer Turcotte

Absent: Scott Casagrande, Chairman

Staff: Valerie Massard, Planning Director; and Mary Lowe

Mr. Uitti called the meeting to order at 7:02 PM.

OPEN FORUM

No items were brought forward for the Open Forum.

A.) ANR RE-ENDORSEMENT- 166 and 170 MARSHALL STREET: Land swap, John C. and Laurie M. Garbarino (one plan was endorsed in January and recorded in Land Court, but Applicant needs second plan for Registry).

Ms. Ladd Fiorini moved to endorse the ANR and Ms. Turcotte seconded the motion; the plan was unanimously approved.

Valerie Massard announced that FEMA has new proposed inland maps that are more accurate and available online. Some people that were in a flood zone will no longer be in a flood zone. There are some structures that will be in a flood zone, that previously were not, mostly wooded or wet areas are being added. Ms. Massard said she will reach out with certified letters explaining the change to those where structures appear to be close to the line or within the new line, although this is not a requirement. These maps will need to be adopted at a future town meeting and a notice of public review and comment period will be published in the Clipper soon as directed by FEMA's timelines once confirmed.

B.) ZBA REFERRAL, SPECIAL PERMIT CHRIS SHERMAN, ISLAND CREEK OYSTERS, 397 AND 405 WASHINGTON STREET.

Small outdoor oyster bar (raw) no new parking-, no other structural elements proposed; noon-sunset hours, NB1 zoning.

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

The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

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Chris Sherman explained that they wished to serve oysters on a patio off the building. They would use a food truck. Porta-Pottys would be used for bathrooms. The water would be supplied from a hose to self-contained wash stations. Waste water would be trucked out. Mr. Sherman said the project had been approved by the board of health. They already have a year-round liquor license.

Ms. Massard said it would be good synergy for tourism/recreation given the surrounding uses in Snug Harbor – restaurants, the boat launch. Mr. Uitti agreed it would be great for the town, Mr. Glennon asked for clarification on handicapped parking which Mr. Sherman provided.

Mr. Glennon made a motion to support approval of the request. Ms. Turcotte seconded the motion; it was unanimously approved.

C.) ZBA REFERRAL, APPEAL OF BUILDING INSPECTOR'S DETERMINATION: 106 HARRISON STREET, Duxbury Yacht Club / Petitioner Dennis Jodoin / Chiu Wei Chi of 240 Harrison Street Realty Trust

Appealing the decision that recent golf course maintenance (by the DYC at tee number 8) does not require a land clearing special permit per Section 611; or for the construction of the berm; see filing for more detail.

Mr. Bear stated that although he is a member of the Duxbury Yacht Club he is not an officer nor on any committee that would be involved with this action.

Ms. Massard said she performed a site investigation and the issues raised by the appeal were discussed. It was discussed whether a berm is a fence, and whether the berm is a structure as defined by the zoning bylaw per Article 900.

Mr. Glennon asked that the Zoning Board of Appeals consider if it's a fence in its deliberations.

Ms. Ladd Fiorini moved to defer and Mr. Glennon provided a second. The vote was unanimous.

ADJOURNMENT

The Planning Board meeting adjourned at 8:11 PM. The next Planning Board meeting will take place on Wednesday, June 13, 2018 at 7:00 PM at Duxbury Town Hall, Mural Room, 878 Tremont Street.

MATERIALS REVIEWED

- PB agenda for 5/23/18
- ANR plan for 166&170 Marshall St
- Letter from L. Jeff Lowell, PLS J. Lowell Associates re: ANR Plan
- Request for review from Island Creek Oysters Special Permit from ZBA
- Request for review appeal for 240 Harrison St. appealing the zoning officers decision from ZBA; staff report