



Town of Duxbury Massachusetts

Planning Board

TOWN CLERK
2021 JUL 28 PM 1:10
DUXBURY, MASS.

Minutes 6/14/2021

The Planning Board met on June 14, 2021 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 for information about Duxbury programming. To watch replays of a meeting, visit www.pactv.org/duxbury or to watch online visit PACTV's Video on Demand at 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. The public was able to watch the zoom webinar by using the following login information:

Zoom Video Link: www.zoom.us click "Join a Meeting"

Zoom Phone Link: 1-929-436-2866

Webinar ID: 852 7789 8854

Password: 204759

Present: Scott Casagrande, Chair; Brian Glennon, Vice Chair; Keith MacDonald, Clerk; David Uitti; and George Wadsworth.

Absent: Jennifer Turcotte.

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

Mr. Casagrande called the meeting to order at 5:01PM.

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

PLANNING BOARD MINUTES

Date: June 14, 2021

Page 2 of 4

Open Forum

Mr. Glennon said he briefly talked to Ms. Massard about getting access to historic special permit data for the Zoning Recodification working group.

Mr. Glennon said he attended this month's MAPC South Shore Coalition meeting, which is chaired by Ms. Massard. He said there were a number of legislators in attendance, and he was impressed by the high-level discussion. He acknowledged Ms. Massard's leadership, which has elevated Duxbury's prominence within the regional group. He asked Ms. Massard if the Metro Common Regional Plan 2050 is something that the Planning Board should be more involved in. Ms. Massard said yes, any kind of participation with the Metropolitan Area Planning Council (MAPC) is worthwhile.

Ms. Massard told the Board that the developers of Fieldstone Farm, which is under Chapter 40B review, cleared a lot of land in preparation for their percolation tests. She said they needed deep cuts for their perc tests, so they needed to clear more trees than they originally thought. The Town issued a stop work order and they are asking for them to apply for a Land Clearing special permit because they exceeded the 30,000 SF threshold in the local zoning bylaw, which requires a special permit from the Planning Board.

Administrative Items

Mr. Casagrande said Island Creek's Special Permit application for 405 Washington Street is a good example of uses that the Neighborhood Business Light District (NB-L) was made for and he thinks the Planning Board should support it.

For the Special Permit application for 57 Shipyard Lane, Mr. Glennon noted that the applicants are able to get the side setbacks into conformity. He said this proposal is a good example of what applicants should strive for when razing and rebuilding a structure, since they are eliminating almost all of the existing non-conformities.

Mr. Glennon asked Ms. Massard what the Amory invoice for 295 St. George Street is for. Ms. Massard said it is for the Administrative Site Plan Review for Robbie Builders. She said Planning asked Amory to review the as-built plan filed in the Building Department and there are still a few items that need to be addressed.

Motion: Mr. Uitti made a motion to recommend approval of the Special Permit application for 405 Washington Street, recommend approval of the Special Permit application for 57 Shipyard Lane, approve Amory invoices #15619B and #15619C, and approve May 24, 2021 minutes as written. Mr. Glennon provided a second.

Vote: Mr. Uitti – Aye; Mr. Glennon – Aye; Mr. Wadsworth – Aye; Mr. MacDonald – Aye; and Mr. Casagrande – Aye.

110 King Phillips Path

Melissa Donohoe Dixon, Donohoe Law, P.C., said her clients the Macleods, owners of 110 King Phillips Path, are selling their property and she is trying to clean up the title before they close. She said she recently came to a Planning Board meeting for a land swap Approval Not Required (ANR) plan for the same property. There is a recorded easement to 106 King Phillips Path, and she wants to amend the covenant to include 110 King Phillips Path in the right-of-way deed. She said she has signatures from the abutters.

Ms. Massard asked if the rights-of-way (ROWs) were there before the Harvey's Lane subdivision was approved. Ms. Donohoe Dixon said yes, the ROWs were created in the 1950s.

Ms. Donohoe Dixon said there is one change from the most recent covenant that the Planning Board was sent to include snowplowing as a shared responsibility of the homeowners.

When discussing the ANR Plan for 106 and 110 King Phillips Path, Mr. Glennon inquired about houses to the West of the shared drive. He asked if this amended covenant would affect anyone else's rights. Ms. Donohoe Dixon said no, the amended covenant will not change anything but include 110 King Phillips Path in the deed. Ms. Massard thanked Ms. Donohoe Dixon for her due diligence.

Motion: Mr. Uitti made a motion to approve the amended covenant for Harvey's Lane entitled "Amendment to Town of Duxbury Planning Board Covenant Dated November 2, 1973." Mr. MacDonald provided a second.

Vote: Mr. Uitti – Aye; Mr. Glennon – Aye; Mr. MacDonald – Aye; and Mr. Casagrande – Aye.
*Mr. Wadsworth was having technical difficulties and left the meeting before the vote.

Discussion: In-Person Planning Board Meetings

Mr. Casagrande said the Governor's emergency orders expired today, so future meetings will again be in-person. Mr. Casagrande asked if the Board wanted to continue meeting on Monday nights. Ms. Massard said the Board of Selectmen may start meeting in the Senior Center in the future. Ms. Massard said the State will likely come out with new legislation in the next week regarding how to move forward with the meetings, but currently it is required that they move to in-person.

Mr. Casagrande said he prefers Mondays, but they need to figure out the best location. He said they can probably continue to record the meetings and have them uploaded after instead of being on live TV. Mr. MacDonald agreed that Mondays at 5PM works well. Mr. Casagrande said for now, the Board will keep their meeting time of Mondays at 5PM, but change their location. Ms. Massard said the State may introduce hybrid meeting legislation, but they will know in a few days. Ms. Massard said the technology is better in the Senior Center, so that may be an option.

PLANNING BOARD MINUTES

Date: June 14, 2021

Page 4 of 4

Other Business

Mr. Casagrande said the Board is meeting on June 21st at 7PM with the Board of Selectmen to select a new Planning Board member to fill the vacant spot. Ms. Massard said it needs to be an appointment by both of the Boards. The Planning Board will take a roll call vote first, and then the Board of Selectmen will take a roll call vote.

Ms. Massard thanked Mr. Glennon for coming to her Tuesday night planning sessions for Hall's Corner. She thanked the Mr. Casagrande and Mr. Glennon for their continued support.

ADJOURNMENT

Motion: Mr. Uitti made a motion to adjourn at 5:38PM. Mr. MacDonald provided a second.

Vote: Mr. Uitti – Aye; Mr. MacDonald – Aye; Mr. Glennon – Aye; and Mr. Casagrande – Aye.

There will be a joint meeting of the Planning Board and the Board of Selectmen on Monday, June 21, 2021 at 7:00PM. The next Planning Board meeting will take place on Monday, June 28, 2021 at 5:00 PM, location to be determined.

Materials reviewed at the meeting:

- ZBA Case #2021-17
- ZBA Case #2021-18
- Amory Invoices #15619B & #15619C
- May 24, 2021 Draft Minutes
- Memo RE: Consent to Amendment to 1973 Planning Board Covenant to allow Right of Way Access to 110 King Phillips Path
- Amendment to Town of Duxbury Planning Board Covenant Dated November 2, 1973
- Plan of Land #106A King Phillips Path Plot 028/013/005 Duxbury, Mass.