



# Town of Duxbury Massachusetts

## Planning Board

TOWN CLERK

2021 SEP -7 PM 1:21

DUXBURY, MASS.

### Minutes 7/19/2021

The Planning Board met on July 19, 2021 at 5PM in the Mural Room, lower level, Town Hall 878 Tremont Street.

Present: Scott Casagrande, Chair; Keith MacDonald, Clerk; Kristin Rappe; Jennifer Turcotte; David Uitti; and George Wadsworth.

Absent: Brian Glennon, Vice Chair.

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

Mr. Casagrande called the meeting to order at 5:04PM.

### Open Forum

No one from the Board or the public brought anything forward during the open forum.

### Administrative Items

Motion: Mr. Wadsworth made a motion to approve Amory Engineers Invoice #15644A in the amount of \$296.00 for the Fine Road subdivision and Invoice #15644B in the amount of \$296.00 for 295 St. George Street. Ms. Rappe provided a second.

Vote: 6-0, unanimous.

Motion: Mr. MacDonald made a motion to approve the minutes from July 12, 2021 as written. Ms. Turcotte provided a second.

Vote: 6-0, unanimous.

### 5:05PM Continued Public Hearing: 334 & 340 St. George Street (Fine Road) Subdivision

Rick Grady, of Grady Consulting LLC, said the Planning Board had a site walk on Wednesday and they discussed oak trees that will be added to the plans. He said the Board had spoken about trying to make the new road follow the existing driveway. However, the existing drive has a grade of 17%, and fire code allows for a 10% maximum grade.

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Mr. Grady said he sent the Board draft covenants and restrictions establishing the homeowners' trust for the project to review before the meeting. They included a condition about having a twenty-foot vegetated screen on the Eastern and Western property lines. The covenant says that homeowners should replace any large trees that are removed.

Mr. Grady said he reviewed the draft certificate of notification and he was okay with it besides the typos. Ms. Massard said staff borrowed language from the decision for the Nash Road subdivision, so there is one spot in Condition #6 where Nash Road needs to be changed to the new road name. She said one of the requested waivers, to locate and mark on plans trees 12 inches in diameter or larger, has been dropped after the Planning Board's site visit. She said the other waivers will reduce runoff at the site.

She said there is a condition about trying to protect any special trees that were marked in the site visit with tree wells. Mr. Grady said there are some areas where these trees can be protected but some will have to be removed. She said there is a condition to put additional bounds at the property line by the Wildlands Trust land. There is a condition to maintain as much natural buffer as possible.

Ms. Massard said they will have Town Counsel look at the draft covenants and restrictions. She said there will be a condition that the applicant and the Planning Director will use video to record the conditions before the final work as a reference to check if there is any damage after the work is complete.

Ms. Massard asked if the applicants have established a road name yet. Mr. Grady said he thinks the applicants are getting close to deciding on a name.

Ms. Rappe asked if they are able to maintain the big oak tree in the cul-de-sac that was identified in the site visit. Mr. Grady said no, it will have to be removed.

Mr. MacDonald said he noticed a few typos in the draft covenant. Ms. Massard said that will be hashed out with Town Counsel before the Board signs the plans and covenants.

Mr. Casagrande said the Board can approve the subdivision with conditions and go over the covenants with Town Counsel in the meantime.

John Duffy, of 1221 Tremont Street, asked how the Town's approval legally deals with the homeowners' association for the project, since the draft declaration of covenants and restrictions says it is establishing the homeowners trust as well. Ms. Massard said she made a comment that she thinks the covenant with the Planning Board and the homeowners' association documents should be separate as to avoid any confusion.

Mr. Duffy asked if the language "endeavor to" in the draft declaration of covenants and restrictions in terms of protecting trees legally protects the interests of the abutters. Ms. Massard said Town Counsel will be looking over this document and will give their opinion on the proper language. Mr. Casagrande said if the development of the lot does not involve intruding on the



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twenty-foot vegetated buffer, it can go straight to the building department. If development intrudes on the twenty-foot buffer, the Board will need to see what will replace it with a landscaping plan and site plan review. Mr. Grady said it is the applicants' intention to protect as many trees as possible. He said there is only one lot where ground-level grading is required, and there will be a dense row of Evergreen screening

Ms. Massard said she would like to add a condition that a pedestrian access easement to the Wildlands Trust property be provided and added to plans prior to endorsement. Mr. Grady said that condition is acceptable.

Motion: Ms. Turcotte made a motion to close the public hearing. Mr. Wadsworth provided a second.

Vote: 5-0, Mr. Uitti abstained.

The public hearing was closed at 5:23PM.

Motion: Ms. Turcotte made a motion to approve the definitive subdivision application for 334 & 340 St. George Street with waivers and conditions as amended. Mr. MacDonald provided a second.

Vote: 5-0, Mr. Uitti abstained.

Mr. Casagrande said they will have Town Counsel review the draft declaration of covenants and restrictions before the plans are endorsed.

**MVP Grant: Final Presentation**

Joseph Famely, of Woods Hole Group, presented the final results for Duxbury's Climate Change Vulnerability Assessment and Adaptation Planning project, funded by the Municipal Vulnerability Preparedness (MVP) Grant.

The presentation can be viewed on PACTV's Video on Demand page at:

<https://www.pactv.org/videoondemand>.

The Powerpoint presentation and final report for the project can be downloaded on the Climate Resiliency and Sustainable Land Use page on the Planning Department's webpage at:

<https://www.town.duxbury.ma.us/planning-department/pages/climate-resiliency-and-sustainable-land-use>.

Ms. Massard thanked the stakeholders for their participation in the project. JR Kent, from Bayside Marine, who was a stakeholder who participated in the study, said he is planning on building his property based on the 2050 projections.

Ms. Massard said this project shows the Town an area on which that they can focus their planning efforts.

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Mr. Famely said the Town will receive all the GIS data created by Woods Hole Group for this analysis. The Planning Board thanked Mr. Famely for his hard work. Ms. Massard asked the Planning Board to continued supporting the future planner with future climate change adaptation. Mr. Famely said there were also some regulatory recommendations made in the report that he suggested the Town adopt.

Ms. Massard thanked the Metropolitan Area Planning Council (MAPC) who have dedicated staff to help coastal communities. She said they will be a good resource for the Town going forward.

### **Other Business**

Mr. Casagrande said there have not been any filings with the Planning Board recently, so they can cancel their meeting scheduled for August 9<sup>th</sup>.

### **ADJOURNMENT**

Motion: Mr. Wadsworth made a motion to adjourn at 6:27PM. Ms. Turcotte provided a second.

Vote: 6-0, unanimous.

Materials reviewed at the meeting:

- Revised Agenda July 19, 2021
- Amory Engineers Invoice #15644A and #15644B
- Minutes July 12, 2021
- 334 & 340 St. George Street - Draft Certificate of Notification
- 334 & 340 St. George Street - Draft Declaration of Covenants and Restrictions
- Duxbury Climate Change Vulnerability Assessment and Adaptation Plan June 2021