



Town of Duxbury Massachusetts

Planning Board

TOWN CLERK

2023 NOV 20 PM 1:19

DUXBURY, MASS.

Minutes 9/11/2023

The Planning Board met on September 11, 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: Wayne Dennison; Allison Shane; Jennifer Turcotte; and David Uitti.

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

Staff: Emily Hadley, Principal Assistant.

Mr. Dennison called the meeting to order at 6:03PM.

Open Forum

No one from the Board, staff, or public brought anything forward during the Open Forum.

Administrative Items

Invoices

Motion: Mr. Uitti moved to approve Foth Invoice #85714, in the amount of \$3,095.30, for payment. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

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Motion: Mr. Uitti moved to approve Howard/Stein-Hudson Associates Invoice #2022194.00-6, in the amount of \$2,640.00, for payment. Seconded by Mr. Dennison.

Vote: 4-0, unanimous.

Motion: Mr. Uitti moved to approve Environmental Partners Group, LLC Invoice #4441, in the amount of \$6,878.25, for payment. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Hawthorn Hill Lot Releases: Lots A & B

Mr. Uitti informed the Board that his client is involved with the development.

Motion: Ms. Turcotte moved to approve releasing Lots A and B of Hawthorn Hill from the Planning Board covenant. Seconded by Mr. Dennison.

Vote: 3-0, Mr. Uitti abstained.

OCPC Delegate

Motion: Mr. Dennison moved to nominate Ms. Shane as Duxbury's delegate to the Old Colony Planning Council. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

ZBA Case #2023-17: 0 & 711 West Street

Erin Kendrick, Holly Ganser, and Nick Bellone of New Leaf Energy were in attendance to discuss the project.

Mr. Dennison suggested that the Board defer to the Zoning Board of Appeals, as the application is very complex.

Ms. Kendrick informed the Board that they will be attending the ZBA meeting on September 28th. Ms. Shane asked if the proposal is on two different lots. Ms. Kendrick said the energy storage facility will be on the back lot by the highway, and there will be access through 711 West Street.

Ms. Kendrick stated that they think this is a great spot for a storage facility since it is right next to the highway.

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Ms. Shane asked if 0 West Street has a home on the property, and Ms. Kendrick stated that it is an empty lot.

Mr. Uitti stated that as a land use lawyer himself, he recommends that the Board defer judgement to the ZBA, and ask Town Counsel for their opinion. Mr. Dennison, who is Chair of the Zoning Board of Appeals as well, stated that he fully anticipates the ZBA requesting Town Counsel's assistance.

Motion: Mr. Uitti moved to defer judgement to the Zoning Board of Appeals for the Appeal of the Building Inspector's Determination at 0 & 711 West Street, recommending that the Town seek Town Counsel's advice. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Minutes

Motion: Ms. Shane moved to approve the minutes of August 28, 2023 as written. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

ANR Plan #2023-9: 80 Checkerberry Circle & 0 Lincoln Street

Tom Dacey, Champion Builders, was in attendance to discuss the project.

Mr. Dacey explained that the deck on 80 Checkerberry Circle is about 8 inches over the setback line for the lot. He stated that they are adjusting the lot line, but not affecting the frontage or area of the lot.

Motion: Mr. Uitti moved to endorse the ANR plan of land prepared by Grady Consulting, LLC. Seconded by Ms. Turcotte.

Vote: 4-0, unanimous.

Millbrook Marketplace Discussion

Mike Juliano, owner of Millbrook Marketplace, was in attendance to discuss septic issues on his property with the Board. He informed the Board that he has had to replace the septic on his property twice in five years. He said the office space and residential units in the area do not have an issue, but the restaurants in the area have issues because they require a large capacity of water.

Mr. Juliano and the Board discussed the potential of connecting the sewer line from the library to the Millbrook area in the future. The Board suggested Mr. Juliano ask the Board of Health for their opinion and look into a consultant to help find funding sources.

Adjournment

Motion: Mr. Dennison moved to adjourn at 6:34PM. Seconded by Mr. Uitti.

Vote: 4-0, unanimous.

Materials reviewed at the meeting:

- September 11, 2023 Agenda
- Director of Planning – Duxbury, MA Board Report dated September 11, 2023
- Foth Invoice #85714 dated August 31, 2023
- Howard/Stein-Hudson Associates Invoice #2022194.00-6 dated September 1, 2023
- Environmental Partners Group, LLC Invoice #4441 dated September 5, 2023
- Emails RE: Hawthorn Hill Lots A and B dated September 6-7, 2023
- Emails RE: Request to have a delegate and alternate be appointed to OCPC dated August 28 - September 6, 2023
- ZBA Case #2023-9: 80 Checkerberry Circle & 0 Lincoln Street
- Draft August 28, 2023 Minutes
- 80 Checkerberry Circle & 0 Lincoln Street ANR Plan Mutual Extension Form
- 80 Checkerberry Circle & 0 Lincoln Street ANR Plan Application
- Plan entitled “Plan of Land #0 Lincoln Street Duxbury, Massachusetts,” prepared by Grady Consulting, L.L.C.; prepared for Duxbury Lincoln L.L.C.; dated August 18, 2023; scale 1” = 50’; one sheet