



TOWN CLERK
2019 MAY 10 AM 10:25
DUXBURY, MASS.

TOWN OF DUXBURY



BOARD OF APPEALS

DUXBURY BOARD OF APPEALS MEETING MINUTES

February 28, 2019 @ 7:30 p.m.

ATTENDANCE: Kathleen Muncey, Philip Thorn & Freeman Boynton, Jr.

CALL TO ORDER: Kathleen Muncey, Chair Pro Tem, called the meeting to order.

- **ZBA Case #2018-20 Duddy, 14 Stetson Place, Special Permit (CONT'D):** *The Board voted to continue the public hearing until March, 28, 2019. All in favor (3-0).*
- **ZBA Case #2018-22, 0 North Street, Remand Hearing (CONT'D):** *The Board voted to continue the public hearing until April 25, 2019. All in favor (3-0).*

Freeman Boynton, Jr. moved to adjourn the meeting. Philip Thorn seconded. All in favor, 3-0.

BOARD OF APPEALS — MINUTES

Case No: 2018-20

Petitioner: Brian Duddy,

Doug Friesen/Duxborough Designs, Agent

Address: 14 Stetson Place

Date: February 28, 2019 Time: 7:30 p.m.

The Board of Appeals will hold a public hearing in the Mural Room at Town Hall, 878 Tremont Street, on ~~Thursday, January 10, 2019~~ at 7:30 p.m. to consider the application of Brian Duddy for a Special Permit under Article(s) 400 and 900, Section(s) 410.2 #4, 410.4 and 906.2 of the Duxbury Protective Bylaw. The property is located at 14 Stetson Place, Parcel No. 119-079-226 of the Duxbury Assessors Map, consisting of 0.25 Acres in the Residential Compatibility District and owned by Brian P. & Kathleen M. Duddy. The Applicant proposes to construct additions to a pre-existing, non-conforming structure, plans for which increase the coverage beyond the allowable amount. A Special Permit is required. The application may be viewed in the Municipal Services Department between the hours of 8:30 a.m. and 1:30 p.m., or by appointment. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the application and any accompanying materials in an accessible format. Such requests should be made at least three business days in advance by contacting the Municipal Services Department.

Members present: Kathleen Muncey, Philip Thorn & Freeman Boynton, Jr.

Members Voting: Kathleen Muncey, Philip Thorn & Freeman Boynton, Jr.

- Kathleen Muncey calls the meeting to order and explains to the public that they are waiting for Chairman to call in to participate remotely.
- The Board waited sufficient time for the Chair to call in and when he didn't; they opted to vote on dates to continue the public hearings.
- The Board discussed dates with the Applicants and agreed on 3/28/19.
- Freeman Boynton, Jr. makes a motion to continue the hearing until March 28, 2019.
- Philip Thorn seconds. All in favor, 3-0.

Motion: It was unanimously voted to continue the public hearing.

Moved by: FB
Number in favor: 3

Seconded by: PT
Number opposed: 0

BOARD OF APPEALS — MINUTES

**Applicant: n/a Remand from Commonwealth of MA,
Re Decision Nos. 2016-19, 2016-20 & 2016-21**

Property Address: 0 North Street

Case No: 2018-22

Date: February 28, 2019 Time: 7:30 p.m.

(Cont'd from January 10, 2019)

The Board of Appeals will hold a public hearing in the Mural Room at Town Hall, 878 Tremont Street, on ~~Thursday, January 10, 2019~~ at 7:30 p.m. to consider a matter remanded to the Board from the Commonwealth of Massachusetts Land Court – Civil Action No. 17 MISC 000165. The Case is an Appeal of the Zoning Board of Appeal's Decision Nos. 2016-19, 2016-20 & 2016-21 which upheld one (1) of six (6) building permits issued for properties *formerly* known as Parcel No.'s 023-010-001A through 023-010-001F with street addresses of 387, 389, 391, 393, 395 and 397 North Street, respectively. The properties are each now known as 0 North Street, Parcel No.'s 009-010-001, 009-010-002 and 023-010-003 the Duxbury Assessors Map, consisting of 2.27, .921, & 10.9 acres in the Residential Compatibility & Water Protection Overlay Districts, owned by Susan J. Curtis, Trustee and Zero North Street Nominee Trust. The remand is for the limited purpose of determining whether the Board of Appeals has the authority under the Town's Zoning Bylaws to uphold one of the building permits issued without a special permit by annulling the other issued permits.

Members present: Kathleen Muncey, Philip Thorn & Freeman Boynton, Jr.

Members Voting: Kathleen Muncey, Philip Thorn & Freeman Boynton, Jr.

- Kathleen Muncey calls the meeting to order and explains to the public that they are waiting for Chairman to call in to participate remotely.
- The Board waited sufficient time for the Chair to call in and when he didn't they opted to vote on dates to continue the public hearings.
- Freeman Boynton, Jr. makes a motion to continue the hearing until April 25, 2019.
- Philip Thorn seconds. All in favor, 3-0.

Motion: It was unanimously voted to continue the public hearing.

Moved by: FB
Number in favor: 3

Seconded by: PT
Number opposed: 0