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TOWN OF DUXBURY



BOARD OF APPEALS

DUXBURY BOARD OF APPEALS MEETING MINUTES

November 6, 2019 @ 7:30 p.m.

ATTENDANCE: Judith Barrett, Wayne Dennison, Kathleen Muncey, Freeman Boynton, Jr., & Emmett Sheehan

Other persons present at the hearing: Scott Lambiase, Director of Municipal Services & Angela Ball, Administrative Assistant

CALL TO ORDER: Judith Barrett called the meeting to order.

ZBA Case #2019-14, Duxbury Lincoln LLC, 0 Lincoln St.: *The Board voted to continue the hearing until December 19, 2019.*

BOARD OF APPEALS — MINUTES

Case No: 2019-14

**Petitioner: Duxbury Lincoln LLC
(Champion Builders)**

Address: 0 Lincoln Street

Parcel #'s: 053-512-036 & 053-512-037

Date: November 6, 2019

The Board of Appeals will hold a public hearing in the Mural Room at Town Hall, 878 Tremont Street, on WEDNESDAY, November 6, 2019 at 7:30 p.m., rescheduled from October 24, 2019, to consider the application of Duxbury Lincoln LLC for a Comprehensive Permit. The property is located at 0 Lincoln Street, Parcel No.'s 053-512-036 & 053-512-037 of the Duxbury Assessors Map, consisting of 21.52 acres in the Residential Compatibility District and owned by The Town of Duxbury. The Applicant proposes to construct twenty (20) single family homes – five (5) affordable, five (5) moderate and ten (10) market rate - that will meet the definition of low and moderate income housing under G.L. c. 40B, Sections 20-23.

Members present: Judith Barrett, Wayne Dennison, Kathleen Muncey, Freeman Boynton, Jr., & Emmett Sheehan

Members Voting: Judith Barrett, Wayne Dennison, Kathleen Muncey, Freeman Boynton, Jr., & Emmett Sheehan

Other persons present at the hearing: Scott Lambiase, Director of Municipal Services & Angela Ball, Administrative Assistant

- Judith Barrett opens the meeting. She notes that there are only 4 members now, but the 5th is expected momentarily. The Board and the applicant decide to recess for 5 minutes.
- Judith Barrett resumes the meeting after the brief recess. She states the case # and explains the 40B hearing process.
- Wayne Dennison reads the public hearing notice into record then hands case back over to Judith Barrett.
- Judith Barrett reads the Design Review Board Memo, the Planning Board Memo, the BOH Memo, the Conservation Commission Memo and an email from the Reed family the Bentinnen into record. Ms. Barrett explain the difference between special permits and comprehensive permit, including why the developer may ask for waivers.
- Judith Barrett discloses that she's a planner and has done work with the housing trust, but Town Counsel has assured her there's no conflict.
- Rick Grady of Grady consulting introduces himself and describes the plan in detail, citing the specifics like # of houses proposed, buffer distances, that it's a town property sale that will close on 12/31 and that they have a PEL for this project.
- Matt Dacey of Champion Builders introduces himself and reiterates some of the project details and states that he has worked with the Town on this project which includes open space around it.
- Rick Grady goes over the lot specifics for the development with 20 single family homes and cites details like: no work within 100' of wetlands, buffers 100' to rear property lines, Lincoln St site lines, traffic study, roadway layout ok with Fire, ok with Planning standards, lots kept to around 10-15k sq ft
- The Board and Rick Grady discuss minimum required setbacks and roadway widths.
- Rick Grady states that they'd eventually like the roadway accepted by the Town and would like to sell back remaining land to the Town, although that's a speculation at this point.

- Wayne Dennison asks about drainage.
- Rick Grady replies describing the catch basins on the lot and location and states they have a stormwater plan
- The Board and Rick Grady discuss additional details like septic system plans, town water, fire hydrant placement, nitrogen aggregation plan and that they'll need to go to the Board of Health with those plans and for any waivers. The Board and Rick Grady also discuss the plans for the sizes of the bedrooms.
- Kathleen Muncey asks about a nearby cart path on the site and if it's still active
- Rick states that we could relocate
- Walter Sullivan states that we would relocate not eliminate
- Freeman Boynton, Jr. states that it'd make sense to move the grading a little on the south as you are going into the 100' buffer a bit
- Rick Grady agrees that is possible.
- The Board and Rick Grady discuss landscaping plans and details.
- Judith Barrett and Matt Dacey discuss roadway being accepted as a Town Way.
- Matt Dacey gives synopsis plan for 3 bedroom homes.
- Wayne Dennison asks about cul de sacs
- Judith Barrett explains the difference btwn private and public roads for the public
- Wayne Dennison questions roadway placement.
- Rick Grady states they'll have it staked out for sample and for the catch basin placement
- Pam Reed of 477 Lincoln Street expresses concerns over contractor equipment in her driveway and her property rights and tells the board about the Town Meeting vote in 1988 that promised 70% to conservation.
- The Board and Pam Reed discuss the specifics of her property and the Town Meeting vote.
- Judith Barrett states that it'll be reviewed.
- Bob Reed states that he has 100' easement.
- Kathleen Muncey assures him it's noted on the plan
- Melody Cheney of 478 Lincoln speaks and notes her concerns about roadway in relation to her home.
- Matt Dacey states that they did do a traffic study.
- Judith Barrett asks for other comments.
- Bob Reed states that he disagrees with the traffic study.
- Adam Rivers of 477 Lincoln Street states his concern is about drainage.
- Freeman Boynton, Jr. and Wayne Dennison et al state they think a peer review is necessary.
- Judith Barrett and Pam Reed discuss the history of the property and that the open space percentage is not at 70% but 66%.
- Walter Sullivan states that they'll work with Town to go to 70%.
- Adam Rivers of 477 Lincoln Street states they'd like to see that happen, a little more protection.
- Judith Barrett agrees and states it'll be in the permit and reminds all that this is a response application to a Town RFP and to balance local needs they will work together. She also states we'll get an engineer to review this with items like stormwater, etc and asks Matt if he can have traffic study person at next hearing to answer questions.
- Matt – yes.
- The Board and applicant discuss date to continue. All decide on 12/19/2019.

Motion: It was moved, seconded and unanimously voted to continue the public hearing until 12/19/19.

Moved by: WD

Seconded by: KM