



Town of Duxbury Massachusetts Planning Board

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DUXBURY, MASS.

Minutes 11/6/19

The Planning Board met on November 6, 2019 at 7:15 PM at the Senior Center, 10 Mayflower Street, large classroom, second floor.

Present: Scott Casagrande; Chairman, Brian Glennon II; Vice-Chairman, David Uitti; Clerk, John Bear, and George Wadsworth.

Absent: Jennifer Turcotte and Cynthia Ladd Fiorini.

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

Mr. Casagrande called the meeting to order at 7:20 PM.

OPEN FORUM

Mr. Casagrande said that it was brought to his attention by several people that there is a new sign in front of the Senior Center that seems to be lit differently than others in town. Ms. Massard was asked to look into the permitting and report back to the Board.

A) INFORMAL DISCUSSION: 171 MYRTLE STREET – WESTGATE ASSOCIATES LAND SURVEY

Mr. Frank Westgate, Westgate Associates Land Survey, requested feedback from the Planning Board on a sketch for 171 Myrtle Street that he plans on putting through as a definitive subdivision. Mr. Westgate explained that the first plan with two lots lacked a few feet of proper frontage and that he plans to pick up the frontage by creating a new road.

The Planning Board told Mr. Westgate that if he could pick up the frontage another way it would save him time and money. Mr. Bear explained that there would be a lot of waivers required and it would be a long process to create the new road. Ms. Massard suggested that Mr. Westgate determine any public benefits that would come from granting the waivers.

Mr. Casagrande said that the plan is not an unreasonable request. Mr. Glennon said that the Planning Board will review the plan when it comes through the Board as a definitive subdivision. Mr. Wadsworth mentioned that the cul-de-sac needs to be drawn as a full circle on the plan and that normal ways are 50 feet. He also suggested that Mr. Westgate become familiar with Duxbury's Subdivision Rules and Regulations. Mr. Casagrande suggested that Mr. Westgate could offer the neighbor a larger backyard to gain the four feet of frontage.

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

B) LOCAL HISTORIC DISTRICT COMMISSION NOMINATIONS FOR TOWN MEETING

Ms. Renée Mierzejewski, Local Historic District Commission, asked the Planning Board if they would accept the Local Historic District Commission's nominations of properties to be listed as Local Historic Districts at Town Meeting. The Commission's nominations are 245 Summer Street (Tarklin building), 14 Powder Point Avenue, 397 Washington Street (Waterfront Realty headquarters), and 405 Washington Street (the latter both being the fronting properties at the Island Creek property).

Ms. Massard explained that the Town staff has met multiple times about 245 Summer Street and has no issue with it being listed as a Local Historic District. Ms. Massard also explained that the State's Historical Commission has not approved 14 Powder Point Avenue and is seeking additional information before accepting it, but that this may not prevent the Town from designating it as a Local Historic District.

Mr. Glennon asked about the Planning Board's role in this process. Ms. Massard responded that the Planning Board makes a recommendation to the Board of Selectmen, then there will be a public hearing before Town Meeting. Ms. Massard also explained that the Local Historic District Commission must present the reports from the Planning Board, Board of Selectmen, and the Massachusetts Historical Commission with their nominations at town meeting.

Mr. Glennon asked the Commission if the extensive work performed on 397 Washington Street (Waterfront Realty building) adds to or detracts from the historic value of the property or if the updates make the building easier to preserve. Ms. Mierzejewski explained that Mr. Jonathan Mark, the owner of 397 Washington Street, worked closely with the Commission to preserve the historic details of the exterior of the building while performing improvements.

Ms. Georgia Taft-Pye, Local Historic District Commission, said that Mr. Mark was very careful to preserve the exterior of the building to maintain its historic appearance. Ms. Taft-Pye explained that the Commission's main goal is to preserve the historic street-scape, since they cannot dictate what people do to the interior of their homes, nor what is not visible from a public way.

Mr. Bear asked the Local Historic District Commission if there is any opportunity to add more than one property to the Local Historic Districts at one time. Ms. Mierzejewski said that the Commission wants people to volunteer to list their properties, so it is difficult to get full communities into the districts at one time. The State prefers more contiguous properties, so the Commission tries to list properties at the ends of historic neighborhoods, but they have not had great success getting the owners of properties in between to list their properties. Ms. Mierzejewski mentioned that she thinks people in Duxbury are starting to appreciate the historic aspects of the Town and are becoming more motivated to preserve it.

Mr. Casagrande mentioned that the Tarklin project at 245 Summer Street was an attempt at preserving a historic building. He also said that he thinks it is a good approach to get people to volunteer to list their homes in Local Historic Districts and that he believes most people who buy antique houses do so because of the historical value.

Mr. Casagrande also suggested that the Local Historic District Commission show the public that they can work with property owners who want to perform large-scale renovations on their historic property.

Ms. Mierzejewski mentioned that in the Commission's original nominations, two properties were denied by the State. One property was denied because it was not visible from a public way and another property was denied because of a lack of information about the property.

Motion: Mr. Glennon made a motion to endorse the Local Historic District Commission nominations for Town Meeting of the four properties identified. Mr. Uitti provided a second.

Vote: 5-0, unanimous.

C) PLANNING DIRECTOR REPORT

Ms. Massard told the Planning Board and the public that there will be a community meeting on November 7, 2019 about Snug Harbor in the Senior Center from 6:30 to 8:30PM. She encouraged residents and business owners to attend to discuss sea level rise and the impacts it will have on the community. She also reminded everyone about the survey link that is on the Town website. Ms. Massard explained that community input will help the Town plan for long-term strategies to become more resilient to sea level rise and other impacts of climate change.

Ms. Massard mentioned that the large storm in March a few years ago that tore down the sea wall also caused the loss of several buildings in Snug Harbor and breaches on Duxbury Beach, which was very expensive to fix. The Town received a Municipal Vulnerability Preparedness (MVP) grant and a Coastal Resilience Grant (CZM) from the State, and is working with Woods Hole Group to look at how infrastructure will be impacted by sea level rise and what next steps to take.

Envision Duxbury Wrap-Up

Ms. Massard said that the Town is going to be wrapping up with Envision Duxbury. She said that the Town is very happy with the amount of public input they received. Ms. Massard explained that Town's department heads are working on editing implementation tables. She mentioned that there will be a joint-meeting with the Board of Selectmen on December 16th. Mr. Glennon suggested that the Planning Board invite the ambassadors and present them with certificates of appreciation at the meeting. Ms. Massard agreed and said that the Planning Department has also drafted a letter for the Clipper.

Zoning Workshop

Ms. Massard told the Board that she had met with Ms. Amy Kwesell from KP Law and they worked together on creating a use table for the zoning bylaw, as well as cleaning up a handful of definitions. She mentioned that they are also planning on taking out all of the administrative information from the zoning bylaw and taking it to the Zoning Board of Appeals and Planning Board to adopt into their Rules and Regulations.

Ms. Massard mentioned that in discussion with counsel, inclusionary zoning is not enforceable on a by-right subdivision as written and that there are so many other changes that need to be made to the zoning bylaws, that it will not be addressed until the next Town Meeting. Ms. Massard told the Board that Ms. Kwesell will be at the next Planning Board meeting to walk through the proposed changes to the bylaw and there will be a public hearing before Town Meeting. The changes will be presented at Town Meeting in March.

Mr. Uitti said that presentation is key at Town Meeting, since zoning workshops are not well-attended by the public. He suggested that the changes be presented at Town Meeting by people who are trusted by the public. Ms. Massard explained that she has been discussing zoning recodification with different committees to build support for Town Meeting. She also mentioned that it would be helpful if Planning Board members could also meet with other committees or attend Town Meeting.

Mr. Bear suggested that the same person could discuss the zoning bylaw changes at Town Meeting and other committee meetings. Ms. Massard also suggested that the Planning Board try to minimize the number of articles. Mr. Casagrande said that this is a logical first step in updating the zoning bylaws, creating a solid base for future policy decisions and larger changes to the zoning bylaws.

Ms. Massard mentioned that for anything near salt marshes, FEMA flood maps will automatically go into effect in January of 2020, and she thinks FEMA will be ready to move forward with adopting the inland maps at Town Meeting. Ms. Massard explained that the Town is discussing updating the storm water bylaw to comply with MS4 permitting. She also explained that there is a typo in the zoning bylaw, in which some language about medical marijuana was accidentally removed from last year's warrant and needs to be put back into the bylaw. Mr. Casagrande said that it was discussed last year that medical marijuana could be banned if town counsel recommends it.

Ms. Massard said that the housing discussion at the Senior Center last week went very well. She explained that there has been pressure on the Town to provide less expensive housing, starter homes, and smaller homes for people looking to downsize in styles that fit in with Duxbury's streetscape. The Town is working on getting community input about what kinds of housing would work in Duxbury and is partnering with Scituate, Cohasset, Hingham, and the Metropolitan Area Planning Council (MAPC) to look at different housing options for the area.

D) OTHER BUSINESS

Minutes

Motion: Mr. Wadsworth made a motion to approve the minutes as written from October 9, 2019. Mr. Utti provided a second.

Vote: 4-0, 1 abstention due to absence from October 9 meeting.

Amory Engineering Invoice

Motion: Mr. Wadsworth made a motion to approve invoice number 15183B from Amory Engineers dated October 2, 2019. Mr. Utti provided a second.

Vote: 5-0, unanimous.

Construction Cost Estimates September 2019

Ms. Massard explained that the formatting of the document will not allow for descriptions in the "Quick Permits" section according to the Building Department.

Review Meeting Schedule

Ms. Massard said that the next Planning Board meeting is scheduled for November 20th in the Mural Room of the Town Hall and that there will be one meeting in December on the 11th. Ms. Massard explained that the meeting on November 20th will involve reviewing proposed changes to the zoning bylaw. The meeting on December 11th will include reviewing zoning maps and other business. Ms. Massard explained that the Town is working on digitizing the Wetlands Protection Overlay District (WPOD) maps with MAPC. The maps will show buffers and will not be very different from information that is available about the district, but people will be able to see the district on the map. Ms. Massard explained that most maps in the Town were never updated and that the goal is to have all the maps updated and available online.

FYI Items/ Correspondence/ New Business for Next Planning Board Meeting

Ms. Massard told the Planning Board that there has been two applications for 40B developments filed with the Zoning Board of Appeals and that public hearings will start with the Zoning Board of Appeals. Ms. Massard also mentioned that town counsel will be at the next Planning Board meeting, which will be back in the Mural Room at Town Hall. Mr. Glennon thanked PAC TV for recording the meeting at a different location. Ms. Massard also thanked PAC TV for offering to film the open forum at the Senior Center on November 7th and the Clipper for covering the housing event.

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Ms. Massard told the Planning Board that the Planning Department met with the Town of Kingston and traffic engineers to review the proposal for a traffic light off of Exit 10. She explained that the cost for the engineering is \$470,000 and needs to be completed all at once, with the money and efforts split between the two towns. She also explained that the traffic engineering from Island Creek as mitigation from ten years ago is no longer useful, but it is in the Transportation Improvement Program (TIP).

Ms. Massard said that she put in a request for \$250,000 for a match for grant applications to replace the seawall each year. She also said that Duxbury teamed up with Marshfield and Woods Hole Group to study beach maintenance and asked for local match for year 2 of this permitting. Mr. Wadsworth asked if work is currently being done on the sea wall. Ms. Massard responded that she thinks the Building Department opened bids last week to work on sea walls and Amory engineering will review the bids to ensure they meet appropriate standards.

ADJOURNMENT

Motion: Mr. Bear made a motion to adjourn at 8:30PM. Mr. Wadsworth provided a second.

Vote: 5-0, unanimous.

The next Planning Board meeting will take place on Wednesday, November 20, 2019 at 7:15 PM at the Duxbury Town Hall, 878 Tremont Street, Mural Room, lower level.

Materials reviewed at the meeting:

- Division of Land Plan and Sketch: 171 Myrtle Street
- Minutes 10/9/19
- Amory Engineering Invoice # 15183B
- Building Permit Listing September 2019