



# Town of Duxbury Massachusetts

## Planning Board

TOWN CLERK  
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DUXBURY, MASS.

### Minutes 2/14/2022

The Planning Board met on February 14, 2022 at 6PM. The meeting was conducted remotely via zoom video call.

Pursuant to Governor Baker's Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act Relative to Extending Certain Covid-19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G.L. c. 30A, §18, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. Viewers can visit [www.pactv.org/duxbury](http://www.pactv.org/duxbury) for information about Duxbury programming including streaming on Duxbury YouTube, to watch replays and Video on Demand. To watch replays of a meeting, visit [www.pactv.org/duxbury](http://www.pactv.org/duxbury) or to watch online visit PACTV's Video on Demand at [www.pactv.org/ondemand](http://www.pactv.org/ondemand).

Every effort was made to ensure that the public could adequately access the proceedings to the best of our technical abilities and despite our best efforts due to lack of technical infrastructure, this meeting will be available on PACTV to view a video recording and a transcript or other comprehensive record of proceedings will be available as soon as possible after the meeting.

Public phone-in access was available during this meeting at 781-934-1100 x5475. Public email access was available during this meeting at [duxburyplanningboard@gmail.com](mailto:duxburyplanningboard@gmail.com). The public was able to watch the zoom meeting by using the following login information:

**Zoom Video Link:** <https://zoom.us/> click "Join a Meeting"

**Zoom Phone Number:** 1-(929)-436-2866

**Meeting ID:** 862 0129 2945

**Passcode:** 357801

Present: Brian Glennon, Vice-Chair; Keith MacDonald, Clerk; Kristin Rappe; and David Uitti.

Absent: Scott Casagrande, Chair; Jennifer Turcotte; and George Wadsworth.

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

Mr. Glennon called the meeting to order at 6:02PM.

### **Open Forum**

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

### **Administrative Items**

Motion: Mr. MacDonald made a motion to defer judgement to the Zoning Board of Appeals for special permit applications for 87 Gurnet Road (ZBA Case #2022-02) and 2 Shantum Lane (ZBA Case #2022-04), and approve the minutes from January 24, 2022 as written. Ms. Rappe provided a second.

Vote: Ms. Rappe – Aye; Mr. MacDonald – Aye; Mr. Uitti – Aye; and Mr. Glennon – Aye.

### **Evergreen Terrace Subdivision**

Ms. Massard said the applicants have provided the Board with evidence that they have adequate funding from the bank for a tri-party agreement, to be used as a performance guarantee to finish remaining work on the Evergreen Terrace subdivision. Then, they are asking the Board to release both the lots from the Planning Board covenant. She said the tri-party agreement is the same format as previously reviewed by Town Counsel. She said they will post the money into the account and then sell the lots.

Mr. Glennon noted that in the agenda materials, he saw that Amory reviewed the project and provided a cost-to-complete estimate. He said the estimate for remaining work is just over \$24,000 and the applicant has provided for \$25,000 to be held by the bank.

Tim Vanderveen, counsel for the developer, was in attendance at the meeting. He said the lots are essentially completed apart from seasonal development. He said sufficient funds are being held back until the work is completed and approved by the Town.

Motion: Ms. Rappe made a motion to enter into the tri-party agreement with GAMSA Development LLC and MountainOne Bank as a performance guarantee, and to authorize Ms. Massard to sign on behalf of the Board. Mr. MacDonald provided a second.

Vote: Ms. Rappe – Aye; Mr. MacDonald – Aye; Mr. Uitti – Aye; and Mr. Glennon – Aye.

### **Hawthorn Hill Subdivision (334 & 340 St. George Street)**

Ms. Massard said the applicants need to sign a covenant with the Planning Board, that will be recorded with the subdivision plans, agreeing that they will finish construction on the road and get the Planning Board's approval before selling the lots. Ms. Massard said the Board needs to vote on entering into the covenant and endorsing the subdivision plans. Mr. Glennon asked Ms. Massard if she has any additional comments on the plans submitted. Ms. Massard said after the last meeting, she had met with a potential future buyer of the site and wanted to double-check if the revised plans were related. She said if they end up purchasing the land, any changes in the plans would have to come before the Board.



Colleen Fine, the applicant, was in attendance at the meeting. Ms. Massard told Ms. Fine that they can pull building permits for road construction after the plans and covenants are recorded at the Plymouth County Registry of Deeds and after a pre-construction meeting.

Motion: Mr. MacDonald made a motion to enter into the covenant with the developers of the Hawthorn Hill subdivision, endorse the Definitive Subdivision Plans revised through January 24, 2022, and to authorize Ms. Massard to sign on behalf of the Planning Board. Ms. Rappe provided a second.

Vote: Ms. Rappe – Aye; Mr. MacDonald – Aye; Mr. Glennon – Aye. Mr. Uitti abstained, as a lawyer at his firm represents the applicants.

### **Proposed New Local Historic Districts: PB's Recommendation to Annual Town Meeting**

Mr. Glennon said there are interesting histories detailed in the Preliminary Study Reports created by the Local Historic District Commission, and he is enthusiastic about recommending the articles favorably to Annual Town Meeting. Ms. Rappe commended the Local Historic District Commission for all their hard work.

Motion: Mr. Uitti made a motion to recommend favorably the two proposed Local Historic Districts to Annual Town Meeting. Mr. MacDonald provided a second.

Vote: Ms. Rappe – Aye; Mr. MacDonald – Aye; Mr. Uitti – Aye; and Mr. Glennon – Aye.

### **ADJOURNMENT**

Motion: Ms. Rappe made a motion to adjourn at 6:24PM. Mr. MacDonald provided a second.

Vote: Ms. Rappe – Aye; Mr. MacDonald – Aye; Mr. Uitti – Aye; and Mr. Glennon – Aye.

Materials reviewed at the meeting:

- February 14, 2022 Agenda
- ZBA Case #2022-02: 87 Gurnet Road & Abutter Letters
- ZBA Case #2022-04: 2 Shantum Lane
- Draft January 24, 2022 Planning Board Minutes
- Evergreen Terrace Tri-Party Agreement
- Amory Engineers Construction Cost Estimate for Evergreen Terrace Performance Guarantee, dated January 4, 2022
- Evergreen Terrace Draft Lot Release
- Evergreen Terrace Recorded Planning Board Covenant, dated October 7, 2020
- Plan entitled “Definitive Subdivision Plan, Hawthorn Hill (#334 & #340 St. George Street) Duxbury, Massachusetts” dated March 30, 2021; latest revision January 24, 2022; drawn by Grady Consulting, L.L.C., 71 Evergreen Street, Suite 1, Kingston, MA 02364; stamped and signed by Timothy R. Bennett, PLS on January 18, 2022; nine sheets

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- Hawthorn Hill Draft Planning Board Covenant
- Public Hearing Notice: Local Historic District Commission ATM2022 Articles
- Proposed Temple Street Local Historic District Preliminary Study Report, dated November 2021
- Notice from Massachusetts Historical Commission that Temple Street Preliminary Study Report is complete, dated November 17, 2021
- Proposed Keene's Brook Local Historic District Preliminary Study Report, dated December 2021
- Notice from Massachusetts Historical Commission that Keene's Brook Preliminary Study Report is complete, dated December 13, 2021