



Town of Duxbury Massachusetts

Planning Board

Approved by PB 6/1/2020

TOWN CLERK

2020 JUN -3 AM 11:20

DUXBURY, MASS

Minutes 5/11/20

The Planning Board met on May 11, 2020 at 5PM. This meeting was conducted remotely via zoom video call due to COVID-19.

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15 – which will be available via video on-demand through PACTV's website <https://www.pactv.org/pactv/towns/duxbury/duxbury>

NO IN-PERSON ATTENDANCE OF MEMBERS OF THE PUBLIC WERE PERMITTED

Every effort was be 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 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

No emails or calls were received regarding the meeting.

Present: Scott Casagrande, Chairman; Brian Glennon II, Vice-Chairman; David Uitti, Clerk; Cynthia Ladd Fiorini; Jennifer Turcotte; and George Wadsworth. Also participating was Keith MacDonald, the sole candidate on the ballot for the seat vacated by John Bear, whose term expired in March.

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

Mr. Casagrande called the meeting to order at 5:04PM.

Designate Signatory

Ms. Massard asked the Board for their permission to sign documents on the Board's behalf during this time when most things are being done remotely. Mr. Casagrande said that he does not see any issue with it. Mr. Glennon pointed out that the Board considered this issue approximately

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a year ago and decided to defer it to a future time. He agreed that the current circumstances justify the proposal. Ms. Amy Kwesell, KP Law, P.C. (town counsel), emphasized that this does not delegate decision-making authority to Ms. Massard, but would just allow her to undertake the administrative task of signing for the Board after they make a decision. Ms. Kwesell said that the Board needs to take two separate votes, one for signing plans and one for signing decisions, as provided in her correspondence to the Board.

Motion: Ms. Ladd Fiorini made a motion to allow Ms. Massard to sign plans with chair approval. Mr. Glennon provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Wadsworth-Aye.

Motion: Ms. Ladd Fiorini made a motion to allow Ms. Massard to sign decisions with chair approval. Mr. Glennon provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Wadsworth-Aye.

Ms. Kwesell said that notice of designating a signatory will have to be sent to the Registry of Deeds through staff, and the Board can vote to switch back after the COVID situation if it is so inclined.

Zoning Bylaw Recodification

Mr. Casagrande said that the Board had two Zoning Bylaw Recodification articles that they were hoping to bring forward to this year's Town Meeting, which were a good start; however, there was more to be done and the articles were Indefinitely Postponed during the process of heading into Town Meeting. He stated that the new plan is to rewrite the entire Zoning Bylaw at once. Ms. Massard said that there are a lot of terms that are outdated. She said that she agrees that the Zoning Bylaw should be dealt with all at one time, while remaining engaged with the public throughout the process, rather than the prior actions by the Town of trying to tackle various aspects of the issues identified by the Town as individual parts, which has not been successful due to the complexity of the inter-related parts of the document.

Ms. Kwesell outlined what needs to be done in the first few steps of recodification. She said that she and the Board will work together on updating the uses (whether or not they require a special permit), taking out administrative language, determining what uses in the use table are in effect, reorganizing, and flagging policy changes that need to be made.

Mr. Casagrande said that the Board will need public input during this process. Mr. Glennon said that hopefully this rewrite will resolve or at least minimize long-standing conflicts about what the Zoning Bylaws mean. He observed that a clear Zoning Bylaw is easier for owners to follow and for the Town to enforce. Ms. Ladd Fiorini said that many people are very vocal in their

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opinions on the Zoning Bylaw. Mr. Uitti said that the Board should use those vocal citizens as ambassadors for the final product.

Ms. Kwesell said that the first few steps will result in a clean, organized and flagged document and there will be frequent check-ins throughout the process. Ms. Massard said that the Board and Counsel will work with the Zoning Bylaw Review Committee's report as well. She also said that there is a Zoning Bylaw Recodification page on the Planning Department's website to check for updates, and she advised the public that they can email their input to the Planning Department throughout the process.

Invoices

Mr. Glennon asked Ms. Massard for a brief overview of the projects at 421 Elm Street and 116 Tremont Street, for which the Planning Board received invoices. Ms. Massard said these two projects are ZBA and ASPR filings. She said that 421 Elm Street is a proposed cell tower, which is a site which was previously approved for a cell tower filing through a different applicant/company in the past, and the filing at 116 Tremont Street proposes to re-use mixed-use building site (former real estate office) across the street from Dr. Hamori's new building. Ms. Massard advised that due to the COVID interruption, these reviews are being rescheduled in the new formats of virtual hearings established in the changing legislation adapting to the situation.

Motion: Mr. Glennon made a motion to approve: (a) Amory Engineers, P.C. invoices #15355A in the amount of \$357.50 for 421 Elm Street; (b) #15355B in the amount of \$71.50 for Dogwood Drive; and (c) #15355C in the amount of \$607.75 for 116 Tremont Street. Ms. Turcotte provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Wadsworth-Aye.

Motion: Mr. Glennon made a motion to approve KP Law, P.C. invoice #125393 in the amount of \$369 for zoning recodification. Ms. Turcotte provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Mr. Wadsworth had technical difficulties and could not participate in the roll call vote.

Discuss Meeting Status

Ms. Massard said that there will be one or two more meetings before June 14th to discuss three ZBA filings, in order to provide recommendations prior to their rescheduled public hearings. The Board decided that Mondays at 5PM work the best with everyone's schedules, and staff will look into available dates on the PAC-TV schedule.

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Motion: Mr. Glennon made a motion to approve the minutes from March 11, 2020 as written. Ms. Turcotte provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Wadsworth-Aye.

Other

Ms. Massard said that she is looking at what can be done for Complete Streets, and she is trying to set up a conference call with the consultants – engaging in the process was put on hold during adjustments to the COVID shutdown. Other grant-funded projects are in the process of seeking extensions, and legislation to address FEMA flood map adoption is being sought in order to adjust to the COVID impacts on scheduling town meeting.

Mr. Glennon thanked Mr. Keith MacDonald for attending the meeting, and said that Mr. MacDonald is anticipated to be voted onto the Planning Board when an election can be held in the Town, as he is running unopposed for the seat recently vacated by Mr. Bear.

ADJOURNMENT

Motion: Mr. Uitti made a motion to adjourn at 5:59PM. Ms. Ladd Fiorini provided a second.

Vote: Casagrande-Aye; Glennon-Aye; Turcotte-Aye; Ladd Fiorini-Aye; Uitti-Aye; Wadsworth-Aye.

Materials reviewed at the meeting:

- Agenda May 11, 2020
- Town of Duxbury Memo Re: Conducting Remote Board/Committee Meetings Through PACTV/Zoom
- Remote Meeting Script Preamble
- KP Law, P.C. Memo Re: Designation of Individual to Sign Plans on Behalf of Planning Board and Notification to Registry
- KP Law, P.C. Draft Letter to Registry
- Amory Engineers, P.C. Invoices #15355A, 15355B, and 15355C
- KP Law, P.C. Invoice #125393
- Draft Minutes March 11, 2020