



# Town of Duxbury Massachusetts

## Planning Board

TOWN CLERK

2023 JUL 19 AM 8:28  
DUXBURY, MASS.

### Minutes 6/26/2023

The Planning Board met on June 26, 2023 at 6:00PM in the Large Classroom, second floor, Duxbury Senior Center; 10 Mayflower Street Duxbury, MA 02332.

Pursuant to Chapter 2 of the Acts of 2023, this meeting was conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public and board members, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law. Members of the public who wish to watch a replay of the meeting may do so by viewing the Duxbury Government Access Channels – Verizon 39 or Comcast 15. 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.

Present: Kristin Rappe, Vice-Chair; Keith MacDonald, Clerk; Wayne Dennison; Allison Shane; and David Uitti.

Absent: Scott Casagrande, Chair; and Jennifer Turcotte.

Staff: Christopher Ryan, Planning Director; and Emily Hadley, Principal Assistant.

Ms. Rappe called the meeting to order at 6:01PM.

### Open Forum

Ms. Rappe informed the Board that the Coastal Resiliency Task Force will be attending the Selectboard's meeting tonight, to make the recommendations that were discussed at the last Planning Board meeting.

Meredith Gammons, resident, asked the Board several questions related to the MBTA Communities Zoning including why the State is mandating this, who will be paying for the impact of extra housing on schools and infrastructure, if the units are required to be rentals, condos, etc. Mr. Ryan thanked Ms. Gammons for bringing her questions to the Board. He asked her to send all of her questions to him via email, and he will answer the questions to the best of his ability, copying the Planning Board members.

Ms. Gammons asked if there will be public forums for citizen input related to this topic and Mr. Ryan confirmed there will be a public outreach process in the future.

### **Administrative Items**

#### *Invoices*

The Board discussed Foth Invoice #84220 and decided that they would like the consultants to provide more detail on the work performed for the billed hours. Mr. Ryan will ask the consultants to provide more detail.

Mr. Ryan explained to the Board that this invoice is for work associated with the Coastal Resiliency Feasibility Study in the Snug Harbor area. The project is funded by the Seaport Economic Council Grant, who is paying for 80% of the cost and the other 20% is coming from cash match from the Town and the Duxbury Bay Maritime School.

#### *ZBA Case #2023-10: 5 Hummock Lane*

Ms. Shane asked for clarification on the Planning Board's scope of review for ZBA Referrals. Mr. Uitti explained that the Planning Board provides advisory comments to the ZBA, but the ZBA makes the final decision on applications. Mr. Ryan explained that in his Board Report, he goes through the applicable sections of the Zoning Bylaw and provides his assessment and other comments that may be useful in the review process.

Ms. Shane noted that it is a big change to the structure that is a non-conforming use. Mr. Dennison explained that State law allows for alterations to be made to single-family non-conforming dwellings.

Motion: Mr. Uitti moved to defer judgement of the Special Permit application for 5 Hummock Lane to the ZBA, encouraging the ZBA to review the Planning Director's report. Seconded by Mr. Dennison.

Mr. Dennison told Mr. Ryan that his Board Reports have been much appreciated by the ZBA.

Vote: 5-0, unanimous.



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*ZBA Case #2023-11: 632 Summer Street (Osborn's Country Store)*

Mr. Dennison said the only issue he can see arising with the application is that the bylaw requires internally illuminated light to be white and gas stations prefer red or green.

Motion: Mr. Uitti moved to defer judgement of the Special Permit application for 632 Summer Street (Osborn's Country Store) to the ZBA, encouraging the ZBA to review the Planning Director's report. Seconded by Ms. Shane.

Vote: 5-0, unanimous.

*Minutes*

Motion: Mr. Dennison moved to approve the minutes of June 12, 2023 as drafted. Seconded by Ms. Shane.

Vote: 5-0, unanimous.

*Designate Signatory*

The Board decided to push the item to the next agenda so staff can confirm that Mr. Casagrande would like to be the signatory for the Board.

**Dogwood Drive Street Acceptance**

Mr. Ryan reminded the Board that this was an item on last week's agenda, in which the Board discussed several issues with the development. He told the Board that he and Pat Brennan, PGB Engineering LLC, met onsite with the Homeowner's Association to explain the issues.

Mr. Ryan said the Homeowner's Association is working to fix the issues, and he inquired if the Planning Board would be willing to provide a recommendation to the Selectboard, contingent upon receipt of a pledge from the Homeowners that the work would be completed before Town Meeting. The Board discussed the proposal, and agreed that it would not be in the best interest of the Town to recommend acceptance of the roadway as public until all the issues are resolved.

Motion: Mr. Uitti moved to defer the decision for Dogwood Drive, encouraging the homeowner's association to complete the work as suggested by Mr. Brennan, and the Board will readress the item once the work is completed. Seconded by Mr. Dennison.

Vote: 5-0, unanimous.

### **Zoning Recodification**

Mr. Ryan informed the Board he will do a first review of General Code's Organizational Analysis document and make decisions on the questions in the document then bring it back to the Board for their judgement.

### **Comprehensive Plan Implementation**

Mr. Ryan will be working with the Town Manager to schedule a meeting of action item owners in the near future.

Mr. Ryan reminded the Board that they need to schedule a session to discuss Planning's action items. The Board decided to plan the session for an alternate Monday in September when there is not a Planning Board meeting scheduled.

### **Planning Director's Report**

#### *MBTA Communities*

Mr. Ryan explained to the Board that one of the sites they had initially ran through the compliance model is in litigation with the Town, so he sent a rebuttal letter to the property owners regarding the Town's potential interest in designating it as a MBTA Communities Zone. Mr. Ryan showed the Board a map of potential sites for MBTA Communities Zoning, created by staff, and asked members for their input. Staff and the Board discussed the proposed sites shown on the map, and other potential sites.

Mr. Ryan told the Board that the Town received a \$50,000 expedited grant from the State through One Stop for Growth to use for MBTA Communities Zoning so once the sites are chosen, they can have a contractor assist with the zoning.

### **Adjournment**

Motion: Mr. Dennison moved to adjourn at 7:03PM. Seconded by Mr. Uitti.

Vote: 5-0, unanimous.

Materials reviewed at the meeting:

- June 26, 2023 Agenda
- Director of Planning – Duxbury, MA Board Report dated June 26, 2023
- Foth Invoice #84220

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- ZBA Case #2023-10: 5 Hummock Lane
- ZBA Case #2023-11: 632 Summer Street (Osborn's Country Store)
- June 12, 2023 Draft Minutes
- Draft Signatory Letter to Registry of Deeds
- Selectboard Memo RE Layout of Dogwood Drive as a Town Way dated May 8, 2023
- Dogwood Drive Definitive Subdivision Plan dated May 30, 2017 and revised through January 24, 2018
- PGB Engineering, LLC Dogwood Drive Subdivision Meeting Notes dated June 14, 2023
- Organizational Analysis prepared by General Code