



Town of Duxbury Massachusetts Planning Board

TOWN CLERK

2023 AUG 15 AM 8:58

DUXBURY, MASS.

Minutes 7/17/2023

The Planning Board met on July 17, 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 for information about Duxbury programming including streaming on Duxbury YouTube, to watch replays and Video on Demand.

Present: Scott Casagrande, Chair; Kristin Rappe, Vice Chair; Keith MacDonald, Clerk; Wayne Dennison; Allison Shane; and Jennifer Turcotte (remote).

Absent: David Uitti.

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

Open Forum

Ms. Rappe informed the Board that the Coastal Resiliency Task Force will be meeting at 7:00PM tonight to discuss their upcoming stakeholder's meeting. She said the Task Force presented their three priorities to the Selectboard at their last joint meeting, which are to support the beach reservation, to make a formal recommendation to hire a Resiliency Planner, and to select an infrastructure project to start working on. She said the Task Force will not be discussing those items at the meeting tonight, but they will be addressing them in the future.

Administrative Items

Foth Invoices

Motion: Mr. Dennison moved to approve Foth Invoices #84220 and #84637 for payment. Seconded by Ms. Shane.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

CZM Grant Match

Mr. Ryan explained that the invoice is to pay Marshfield the Town's portion of the cash match to wrap up the CZM Grant for FY2023.

Motion: Mr. MacDonald moved to approve invoice from the Town of Marshfield dated July 5, 2023 for payment. Seconded by Ms. Rappe.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

General Code Invoice

Mr. Ryan explained that this invoice is for the Organizational Analysis, which is the second milestone of the Zoning Recodification process as described in the General Code contract.

Motion: Mr. Dennison moved to approve General Code Invoice #PG000032647 for payment. Seconded by Ms. Shane.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

ZBA Case #2023-13: Bluefish River Tavern

Mr. Ryan said it is his understanding that a variance is only allowable if the applicant has some kind of hardship, but he did not see any hardship with the application. Mr. Dennison said he does not believe the application requires a variance.

Motion: Ms. Rappe moved to defer judgement on ZBA Case #2023-13 to the Zoning Board of Appeals. Seconded by Mr. Dennison.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

ZBA Case #2023-14: 4 Lewis Court

Dick Rockwood, Architect for the project, and Mike Clifford, owner of the property, were in attendance to discuss the project.

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Mr. Rockwood explained that the proposal is to demolish the existing house on the property and build a two-story home on driven piles. The new home will be high enough to drive underneath.

Mr. Dennison asked what the nature of the non-conformity is. Mr. Rockwood said the pre-existing house is non-conforming. The applicants are bringing in the sideline dimensions to slightly reduce the non-conformity.

Mr. Dennison said the Zoning Board of Appeals will address the coverage calculations at their meeting.

Motion: Mr. Dennison moved to defer judgement on ZBA Case #2023-14 to the Zoning Board of Appeals. Seconded by Ms. Rappe.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

Minutes

Motion: Mr. Dennison moved to approve the minutes of June 26, 2023 as written. Seconded by Ms. Shane.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

Hawthorn Hill Deadline Extension

Motion: Ms. Rappe moved to approve a one-year deadline extension for completion of the Hawthorn Hill subdivision. Seconded by Mr. MacDonald.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

Designation of Signatory

Motion: Ms. Rappe moved to designate Mr. Casagrande as a signatory for the Planning Board, to sign decisions and plans on behalf of the Board. Seconded by Mr. Dennison.

Vote: 5-0 (Ms. Turcotte was unable to vote due to technical difficulties).

*Ms. Turcotte left the meeting at 6:22PM due to technical difficulties.

Zoning Recodification

Mr. Ryan informed the Board that he answered the prompts submitted to the Town from General Code related to the Organizational Analysis. He reminded the Board to send him their feedback on his responses. Mr. Casagrande said he agrees with all of Mr. Ryan's responses. Mr. Ryan said

General Code did a remarkable job putting this document together, using the standards for the industry.

Mr. Casagrande said the next phase of the process is to see whether General Code took into account the Town's initial work on recodification.

The Board discussed the next steps in the zoning recodification process, including the use table that was previously created by the Board to reflect the current uses of the Bylaw, and the creation of a Rules & Regulations document to move administrative items into. Mr. Casagrande reminded the Board that they need to keep the community stakeholders involved in this process before the public hearings.

Mr. Dennison asked when the Board will be starting to discuss making changes to the Bylaw, such as addressing regulations that are too vague. Mr. Casagrande said their goal is to bring the zoning recodification articles to the next Annual Town Meeting (March 2024), and then start bringing substantive Bylaw changes to the Annual Town Meeting the year after.

The Board discussed the difficulties of getting Zoning Bylaw changes approved at Annual Town Meeting.

Comprehensive Plan Implementation

The Board discussed the need for the Town Manager to lead the charge to organize the meeting for Comprehensive Plan task owners.

Mr. Ryan met with the Conservation Commission last week, who expressed frustration that their tasks require funds that they do not have. Mr. Ryan said he emphasized to the Conservation Commission and wants to emphasize to all task owners is that there is a group of other Boards/Committees assigned to assist and support them with their action items, which could include finding grants/funding opportunities.

Mr. Ryan suggested it may be a good idea to encourage groups to determine if the action items are still relevant, if they have been completed, or if the timeline should be changed, and then they can have those changes approved as a revision to the Action Plan.

Planning Director's Report

Washington Street Survey

Mr. Ryan informed the Board that the Washington Street Working Group held their first meeting today. The Town's consultant, Environmental Partners, finished their initial survey of the street, and compiled a plan of the existing conditions. Mr. Ryan asked the members to review the plan

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and make comments. The next step will be for Environmental Partners to establish a Right of Way plan.

Exit 20 Signalization Project

Mr. Ryan informed the Board that the MassDOT ICE tool was run on the Exit 20 intersection, and the outcome that MassDOT prefers is one or two roundabouts rather than a signal. The Town's consultant on the project, Vanasse & Associates, Inc., is asking the Town if they would like to push back or accept this suggestion. Mr. Ryan said the issue will likely be taken up by the Highway Safety Committee and the Selectboard soon.

MBTA Communities

Mr. Ryan told the Board he received some additional comments from Town staff/officials on the potential sites for MBTA Communities Zoning, and asked the Board members for their feedback as well. He presented all the potential sites to the Board, explaining the potential benefits and disadvantages of each.

Mark Casey, South Shore Survey Consultants, Inc., told the Board his clients, McSharry Bros, Inc., are interested in potentially including their land as one of the sites for the MBTA Communities Zoning. He gave a brief overview of the site on Temple Street, made up of two parcels, one vacant lot with no frontage, and the lot in front of it containing a dilapidated house. McSharry Bros, Inc. own the back parcel and are in the process of acquiring the other lot. There are some wetlands on the site, and the site is surrounded by Conservation Commission land. Mr. Casey said the clients are open to some design requirements. Mr. Ryan said anything done on the site would have to be something that would fit in with a style that works for the Town, such as a clustered development with a lot of open space.

Mr. Ryan told the Board he is meeting with the Town Manager this week, and the Selectboard next week to discuss the project so he would like to have three or four suggested sites to present.

* Ms. Rappe left the meeting at 7:00PM to attend the Coastal Resiliency Task Force meeting.

Staff and the Board discussed the different approaches towards public outreach for the project.

Staff and the Board decided on four sites to test in the compliance model. Staff will work on running the compliance model on the selected sites. Mr. Ryan told the Board he has drafted the RFP for the grant from the State to assist with MBTA Communities Zoning, so once they have the compliance model completed the Town can move forward with the bid process.

Adjournment

Motion: Mr. Dennison moved to adjourn the meeting at 7:21PM. Seconded by Mr. MacDonald.

Vote: 4-0, unanimous.

Materials reviewed at the meeting:

- July 17, 2023 Agenda
- Marshfield Coastal Zone Management Cash Match Invoice July 5, 2023
- Marshfield Memo RE: Coastal Zone Management Cash Match dated July 5, 2023
- Emails RE: FY23 CZM Grant Budget for Review, dated June 1 – June 3, 2023
- Marshfield Match Tracking Spreadsheet CZM Grant 2022-2023
- FY24 Coastal Resilience Grant Budget Template
- Foth Invoices #84220 & #84637
- General Code Invoice #PG000032647
- ZBA Case #2023-13: 581 Tremont Street
- ZBA Case #2023-14: 4 Lewis Court
- Draft June 26, 2023 Minutes
- Hawthorn Hill Subdivision Extension Request
- General Code Duxbury Organizational Analysis – CJR Review
- Director of Planning Board Report dated July 17, 2023