



Town of Duxbury Massachusetts

Planning Board

TOWN CLERK
2024 MAR 13 AM 8:39
DUXBURY, MASS.

Minutes 2/12/2024

The Planning Board met on February 12, 2024 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; and Jennifer Turcotte.

Absent: David Uitti.

Ms. Casagrande called the meeting to order at 6:00PM.

Open Forum

Ms. Rappe asked if the Board makes a presentation at Annual Town Meeting. Mr. Casagrande explained that for a bylaw that is in their jurisdiction, the Board generally presents the article and their vote. For the Washington Street Right-of-Way Relocation Plan, the Planning Board and the Sidewalk Committee are both the proponents. Ms. Rappe stated that the Finance Committee had a lot of questions at their meeting discussing the article.

Mr. Casagrande informed the Board that he has not heard any news on applicants for the Planning Director position.

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

The mission of the Town of Duxbury is to deliver excellent services to the community in the most fiscally responsible and innovative manner while endeavoring to broaden our sense of community and preserve the unique character of our town.

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Administrative Items

ZBA Case #2024-03: 612 Congress Street

Mr. Casagrande stated that this building used to be an animal hospital, became a fitness center, and is now an animal hospital again. Mr. Dennison stated that they are making the sign bigger.

Motion: Ms. Rappe moved to defer the Special Permit application to the judgement of the Zoning Board of Appeals, without additional comments. Seconded by Ms. Turcotte.

Vote: 5-0, unanimous.

ZBA Case #2024-04: 18 Josselyn Avenue

Mr. Casagrande explained that the application is to tear down an attached one-story garage and adding an attached two-story garage. Mr. Dennison stated they will end up with more volume in an area that is otherwise restricted. Mr. Casagrande stated that it is under the height restriction, and he does not see any additional zoning issues.

Motion: Mr. Dennison moved to defer the Special Permit application to the judgement of the Zoning Board of Appeals, without additional comments. Seconded by Ms. Turcotte.

Vote: 5-0, unanimous.

ZBA Case #2024-05: 3 Pine Point Place

The Board discussed whether homeowners have a one-year or two-year deadline to reconstruct structures that are destroyed in a fire, and whether a special permit is needed for this project. Mr. Casagrande stated that he does not see any zoning issues with the project, and explained that the application did not include a photo of what the structure looked like before.

Motion: Mr. MacDonald moved to defer the Special Permit application to the judgement of the Zoning Board of Appeals, with the question of whether the applicants have the right to rebuild the structure without a special permit. Seconded by Ms. Turcotte.

Vote: 5-0, unanimous.

Minutes

Motion: Ms. Rappe moved to approve the minutes of January 8, 2024 as written. Seconded by Ms. Turcotte.

Ms. Rappe suggested one edit to the minutes.

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Motion: Mr. Dennison moved to approve the minutes of January 8, 2024 as amended by Ms. Rappe. Seconded by Ms. Rappe.

Vote: 5-0, unanimous.

Motion: Ms. Rappe moved to approve the minutes of January 22, 2024 as written. Seconded by Mr. MacDonald.

Vote: 5-0, unanimous.

ANR Plan #2024-01: 29 Peterson Road

Duxbury Construction requested the approval of this plan to correct errors from a previously-filed ANR plan for the same address.

Motion: Ms. Turcotte moved to endorse the ANR plan as not requiring approval under Subdivision Control Law. Seconded by Mr. Dennison.

Vote: 5-0, unanimous.

6:01PM Continued Public Hearing: 333 & 0 Franklin Street Definitive Subdivision

Mr. Dennison explained that the applicants requested to continue the public hearing to the next Planning Board meeting so they have more time to respond to the letter from the abutters' engineer.

Motion: Ms. Turcotte moved to continue the public hearing to February 26, 2024 at 6:00PM. Seconded by Mr. MacDonald.

Vote: 4-0, Mr. Casagrande abstained.

Zoning Bylaw Recodification Working Group

Mr. Casagrande explained that the Selectboard will be establishing the other three working groups as described in Chris Ryan's memo "Duxbury Advisory Committee or Working Group Recommendations" dated December 2023.

Mr. Dennison suggest that they give their recommendation to the Selectboard about which Planning Board members should be in each group.

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Mr. Dennison stated that he would like to be in the Hall's Corner project working group. Mr. Casagrande agreed to be the Planning Board representative in the zoning bylaw recodification working group.

Mr. Casagrande explained that the working group meetings are public, so anyone who attends can participate in the process. Mr. Dennison suggested that the group include citizens who have been engaged with the zoning bylaws for years. Mr. Casagrande agreed and he will ask two citizens who have been very involved in the zoning recodification process in the past.

Mr. Dennison discussed some marginal issues with the zoning bylaws that have been coming up repeatedly, such as volume, that they will need to address.

Mr. Dennison stated that Judi Barrett would be a great addition to the group. Staff will extend an invite to the proposed members of the working group and the Planning Board will approve the members at an upcoming meeting.

Robert Carpenter, Summer Street, introduced himself and informed the Board he is on the Annual Town Election ballot for one of the open Planning Board seats.

Mr. Carpenter asked the Board what the recodification working group is for, as he was under the impression that there was a consultant in charge of the process. Mr. Casagrande explained that General Code is working diligently on the process, but the working group is being formed to bring more eyes from the Town to review the deliverables and oversee the process, so the final bylaws have a better chance of being successful at Town Meeting.

Mr. Casagrande explained that the initial recodification is procedural and then they can make substantive bylaw changes once they have a clear view of what the existing zoning bylaws are and what issues exist. Mr. Dennison stated that the Town needs to address issues of what you can do with your own property.

Mr. Carpenter asked if there are any Planning tasks that are not currently getting done because the Planner role is unfilled. Mr. Casagrande explained that any of these tasks have been contracted to the former Planning Director, Chris Ryan.

Mr. Carpenter suggested that focusing down on the precinct level may be a good idea when working on certain projects, as democracy tends to break down once a Town grows over a certain population. Mr. Casagrande thanked Mr. Carpenter for his interest in joining the Board.

Adjournment

Motion: Ms. Rappe moved to adjourn at 6:52PM. Seconded by Mr. Dennison.

Vote: 5-0.

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Materials reviewed at the meeting:

- February 12, 2024 Revised Agenda
- ZBA Case #2024-03: 612 Congress Street
- ZBA Case #2024-04: 18 Josselyn Avenue
- ZBA Case #2024-05: 3 Pine Point Place
- Draft Minutes: January 8, 2024 & January 22, 2024
- ANR #2024-01: 29 Peterson & 6 Upland Road
- Plan entitled "Plan of Land on Upland Road and Peterson Road in Duxbury, Massachusetts," prepared by S. Robert Phinney, PLS, 21 Acorn Street Middleborough, MA; prepared for and owned by Clarissa Pearson Erving & Britt P. Hansen, Trustee; dated June 21, 2023 and revised through February 6, 2024; scale 1" = 20'; one sheet
- Memo RE Duxbury Advisory Committee or Working Group Recommendations, dated December 2023

