



# Town of Duxbury Massachusetts Planning Board

TOWN CLERK

2024 MAR 13 AM 8:39

DUXBURY, MASS.

## Minutes 2/26/2024

The Planning Board met on February 26, 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](http://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; Jennifer Turcotte; and David Uitti.

Absent: Wayne Dennison.

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

### Open Forum

Ms. Rappe told the Board that the Clipper is seeking out questions to ask the prospective Planning Board members and requested members send any questions they may have to Ms. Hadley.

### Administrative Items

#### *ZBA Case #2024-06: 37 Priscilla Lane*

Motion: Mr. Uitti moved to defer judgement on Special Permit application for 37 Priscilla Lane. Seconded by Ms. Turcotte.

Vote: 5-0, unanimous.

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***Hawthorn Hill Lot Release: Lots D & F***

Ms. Hadley explained that these are the last two lots to be released from the covenant.

Motion: Ms. Turcotte moved to approve the lot release for Hawthorn Hill Lots D & F. Seconded by Mr. MacDonald.

Vote: 4-0, Mr. Uitti abstained.

***Minutes: February 12, 2024***

Motion: Ms. Turcotte moved to approve the minutes of February 12, 2024 as written. Seconded by Ms. Rappe.

Vote: 5-0, unanimous.

**Zoning Bylaw Recodification Working Group: Approval of Members**

Staff is waiting to hear back from two of the prospective members that were suggested in Chris's memo dated December 2023. The Board will vote on approving the members at their next meeting.

**Planning Board Recommendation: ATM2024 Proposed Local Historic Districts**

Mr. Casagrande explained that the Planning Board generally recommends approval of the proposed local historic districts to Annual Town Meeting if all the required procedural steps are taken. Ms. Hadley confirmed that all the necessary steps were taken.

Motion: Mr. Uitti moved to recommend approval of the proposed Local Historic Districts to Annual Town Meeting 2024. Seconded by Mr. MacDonald.

Vote: 5-0, unanimous.

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

The applicants engineer, Scott Fanara from Grady Consulting, L.L.C, the abutters' engineer, Carmen Hudson from Merrill Engineers, and the Board's peer-review engineer, Pat Brennan from PGB Engineering, L.L.C. were in attendance to discuss the project.



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Mr. Casagrande reminded the Board that he will be recusing himself from the public hearing for the project.

Mr. Uitti informed the public that the Board has received new materials from the applicants and the abutters have asked for the public hearing to be continued further.

Mr. Fanara gave a brief overview of the subdivision. Since the last meeting, the abutters at 343 Franklin Street contracted with Merrill Engineers as a peer-review engineer. From Merrill's survey, they discovered that there is an irrigation well behind the barn on 343 Franklin Street. He explained that the initial septic system was proposed nearby so they went back on site for additional perc testing to move the system.

Mr. Fanara explained that Merrill also disapproved of the area for the catchment basin, arguing that there was too much post-flow. He explained that they shifted the building on Lot A back 10 feet, further decreasing runoff and the revised plans decrease pre- and post-development areas contributing to the runoff to 343 Franklin Street.

Mr. Fanara said they got some additional comments from Merrill this afternoon. One of the comments was that the overflow from the 100-year storm is modeled to spill out into the pond with the current design. He said they would be willing to move the overflow weir to the East side of the property to fully ensure that the overflow wouldn't go into 343 Franklin Street. Another comment from Merrill was that they are not providing a 50-foot undisturbed buffer and Mr. Fanara said they would be willing to slide the swale away from the property line as a condition of approval.

Mr. Brennan told the Board he looked at the comments from Ms. Hudson and the materials that Mr. Fanara provided last Friday, and the calculations showed there is no overflow from Lot A to 343 Franklin Street. The runoff from Lot A would all go to the drainage system. He stated that he is comfortable with the design as it is currently proposed.

Ms. Hudson presented a rough sketch she submitted this afternoon and shared her concerns with the revised materials submitted by the applicants. She said water flows perpendicular to the contour and there is no topographic information in the area other than contour 64 which currently flows to 343 Franklin Street. She said runoff from a portion of the driveway would flow in that direction.

Ms. Hudson explained that she is requesting the applicant to modify the design so it achieves the intent of the design to not send any impervious areas towards 343 Franklin Street. She explained that they would like them to move the drainage basin away from the property line, eliminating the need for the waiver from 50ft buffer zone of existing vegetation between all basins and adjacent uses or structures. She also suggested that if they were to build a berm and stockade fence along the property boundary this would help to further protect her clients' property.

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Mr. Brennan said if there is a concern about additional flow towards 343 Franklin Street the applicants could construct an additional swale or berm as Ms. Hudson mentioned, but he is not sure it needs to be as extensive as noted on the sketch.

Mr. Uitti asked if Mr. Fanara would be amenable to meeting with Ms. Hudson and Mr. Brennan separately to try to work out the remaining issues before the next Board meeting on March 11 and Mr. Fanara agreed.

Motion: Mr. Uitti moved to continue the public hearing to March 11, 2024 to allow the engineers time to meet with the abutters' engineers. Seconded by Ms. Turcotte.

Vote: 4-0, Mr. Casagrande abstained.

**Adjournment**

Motion: Mr. Uitti moved to adjourn at 6:29PM. Seconded by Mr. MacDonald.

Vote: 5-0, unanimous.

Materials reviewed at the meeting:

- February 26, 2024 Agenda
- ZBA Case #2024-06: 37 Priscilla Lane
- Hawthorn Hill Lot Release:
  - Draft Lot Release Lots D & F
  - Recorded Planning Board Covenant
  - Amory Engineers Cost-to-Complete Estimate dated November 22, 2022
- Draft February 12, 2024 Minutes
- Zoning Bylaw Recodification Working Group
  - Duxbury Advisory Committee or Working Group Recommendations dated December 2023
  - Zoning Bylaw Recodification Working Group Members List
- ATM2024 Proposed Local Historic Districts
  - Staff Memo: Local Historic Districts ATM2024 Article dated February 20, 2024
  - ATM2024 Warrant, Article 21 – Proposed New Alden Local Historic District and Addition to the Winsor Local Historic District
  - Preliminary Study Report: Proposed New Alden Local Historic District To Include Duxbury Free Library Wright Building by: The Duxbury Local Historic District Commission dated November 2022
  - Preliminary Study Report: Proposed Expansion to the Winsor District by: The Duxbury Local Historic District Commission dated November 2022
  - Massachusetts Historical Commission Letter RE: Local Historic District Preliminary Study Report for the Alden Local Historic District dated December 21, 2022



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- Massachusetts Historical Commission Letter RE: Local Historic District Preliminary Study Report for the Expansion of the Winsor Historic District dated December 21, 2022
- Local Historic District Commission Public Hearing Notice
- Clipper Public Hearing Notice – January 17, 2024
- Clipper Public Hearing Notice – January 24, 2024
- Continued Public Hearing: 333 & 0 Franklin Street Subdivision
  - Merrill Engineers and Land Surveyors Letter RE: Proposed Definitive Subdivision 0 & 333 Franklin Street Assessors Parcel 052-011-001 & 052-011-004 Duxbury, MA 02332 dated January 26, 2024
  - Grady Consulting, L.L.C. Letter RE: Definitive Subdivision Plan – 333 Franklin Street Applicant: PB&J Real Estate LLC dated February 21, 2024
  - Plan entitled “Definitive Subdivision Plan #333 Franklin Street Duxbury, Massachusetts,” prepared for PB&J Real Estate LLC, P.O. Box 1410 Duxbury, MA 02332; prepared by Grady Consulting, L.L.C., 71 Evergreen Street Suite 1 Kingston, MA 02364; dated November 22, 2023 and revised through February 21, 2024; eight sheets
  - Stormwater Management Design Calculations dated November 22, 2023 and revised through February 21, 2024
  - Email from Carmen Hudson, Merrill Engineers and Land Surveyors, RE: Review Comments – Definitive Subdivision Application Materials, O & M-333 Franklin Street dated February 23, 2024
  - Plan entitled “Definitive Subdivision Plan #333 Franklin Street Duxbury, Massachusetts,” prepared for PB&J Real Estate LLC, P.O. Box 1410 Duxbury, MA 02332; prepared by Grady Consulting, L.L.C., 71 Evergreen Street Suite 1 Kingston, MA 02364; dated November 22, 2023 and revised through February 23, 2024; eight sheets
  - Stormwater Management Design Calculations dated November 22, 2023 and revised through February 23, 2024
  - Plan entitled “Tributary Area Plan #333 Franklin Street Duxbury, Massachusetts,” prepared for PB&J Real Estate LLC, P.O. Box 1410 Duxbury, MA 02332; prepared by Grady Consulting, L.L.C., 71 Evergreen Street Suite 1 Kingston, MA 02364; dated December 19, 2023 and revised through February 23, 2024; one sheet
  - PGB Engineering, LLC Letter RE: 333 Franklin Street – Definitive Subdivision dated February 26, 2024
  - Email from Scott Fanara, Grady Consulting, L.L.C., RE: Review Comments – Definitive Subdivision Application Materials, O & M-333 Franklin Street dated February 23, 2024
  - Email from Jessica and Alan Siler, 343 Franklin Street, RE: 333 Franklin Street public hearing dated February 26, 2024
  - Email from Carmen Hudson, Merrill Engineers and Land Surveyors, RE: 333 Franklin Street public hearing dated February 26, 2024

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