



TOWN OF DUXBURY  
BOARD OF APPEALS

DUXBURY BOARD OF APPEALS  
MEETING MINUTES  
January 15, 2024 @ 3:00 p.m.

TOWN CLERK  
2024 APR 26 AM 9:56  
DUXBURY, MASS.

**ATTENDANCE:** Judith Barrett, Emmett Sheehan, Tanya Trevisan, Philip Thorn, and Borys Gojnycz  
**Other persons present at the hearing:** Amy Kwesell, Town Counsel, James Wasielewski, Director of Municipal Services & Lauren Haché, Principal Assistant

**CALL TO ORDER:** Chair Judith Barrett called the meeting to order and reads the Governor's Preamble: Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote means in accordance with applicable law.

**AGENDA**

**ADMINISTRATIVE**

A. ZBA Case #2023-09, The Winsor at Millbrook Village, 50 Railroad Avenue: The Board deliberated and voted on draft decision and waiver requests

- Judith Barrett opens the meeting and asks Town Counsel Amy Kwesell to surmise where they are at with the drafted decision
- Amy Kwesell, Town Counsel, states we are here administratively to go over the drafted decision on this 40B. The Board has three options, they can approve the comprehensive permit, they can approve with conditions and the Board can vote to deny. I did draft a vote with conditions, but ultimately this is up to the Board. If you choose to deny, we have to make findings. I did take the Board's recommendation regarding the Applicants LLC which has not been legally created and thus signed a purchase and sale as an entity of an LLC that has not yet been created. I contacted Mass Housing and they did contact the Applicant to let them know and that the Applicant would create the LLC. Thus, it was created legally on January 12, 2024 with the Secretary of State. While the entity has been created, there is still concerns that the application with Mass Housing in not correct, Mass Housing stated they will be re-issuing the PEL and it is my opinion that Mass Housing is all set, but I will confirm that with them once we vote on this. I still feel there is an issue with the signed purchase and sale, signed by an entity that did not exist at the time. Amy Kwesell continues and runs through the entire drafted decision.
- Town Counsel advises to individually votes on each waiver and then votes on either issuing the decision as drafted or deny the project entirely
- Tanya Trevisan makes a motion to deny the first two waivers and grant the third waiver
- Emmett Sheehan seconds the motion

- Judith Barrett states any discussion
- All in favor of the motion
- Judi Barrett aye, Tanya Trevisan aye, Borys Gojnycz aye, Emmett Sheehan aye, Philip Thorn aye
- Discussion ensues around how the Applicant will have to come back should the board approve the decision with the denied waivers
- Amy Kwezell states the Applicant can come back to the Board with a substantial modification or they can go to the HAC-Housing Appeals Committee
- Philip Thorn makes a motion to approve the comprehensive permit decision with the findings within revised during this meeting
- Tanya Trevisan seconds the motion
- All those in favor
- Aye Tanya Trevisan
- Aye Philip Thorn
- Aye Borys Gojnycz
- Aye Emmett Sheehan
- Nay Judith Barrett

*Judith Barrett moves to adjourn. Tanya Trevisan seconds*



# Meeting Notice

Town of Duxbury, Massachusetts

Pursuant to MGL Chapter 30A, §18-25  
All meeting notices and agenda must be filed and time stamped  
in the Town Clerk's Office and posted at least 48 hours prior to  
the meeting (excluding Saturdays, Sundays and Holidays)

TOWN CLERK'S STAMP

RECEIVED

TOWN CLERK

1/16/2024, 8:16:23 AM

DUXBURY, MA

Committee: **Zoning Board of Appeals Remote Meeting**

Meeting Location: **Remote Meeting (Zoom)**

Day & Date of Meeting: **Thursday, January 18, 2024** Time: **3:00PM**

Posted by: **Lauren Haché, Principal Assistant, ZBA**

*Pursuant to Chapter 2 of the Acts of 2023, this meeting will be conducted via remote means in accordance with applicable law.*

**\*VIRTUAL MEETING ONLY, NO IN-PERSON ATTENDANCE\***

Every effort will be made to ensure that the public can adequately access the proceedings to the best of our technical ability.

Zoom Video Link:

<https://us02web.zoom.us/j/89118747443?pwd=YVQ0dEdyaTlrRjA4ZHFVRWVhK0RWZz09>

Zoom Phone +1 929 436 2866

Meeting ID: 891 1874 7443

Passcode: 214364

## **AGENDA**

### **ADMINISTRATIVE**

- **ZBA Case #2023-09, The Winsor at Millbrook Village, 50 Railroad Avenue:** Board to consider and deliberate on draft decision and waiver requests; Public Hearing closed December 14, 2023.