

MARSHFIELD PLANNING BOARD  
Meeting Minutes  
May 23, 2022– 7:00 PM  
Remote Meeting

PRESENT: Mike Biviano, Chair  
Katie O'Donnell  
Fred Monaco  
Kevin Cantwell  
Nik Pappastratis  
Scott DeCastro, Associate Member

ALSO PRESENT: Greg Guimond, Town Planner  
Karen Horne, Asst. Town Planner

At 7:01 PM, Mr. Biviano moved to open the meeting. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

**Kick off meeting with MAPC on updating the Economic Development Section of Master Plan**

Josh Fiala and Sukanya Sharma from MAPC provided a brief presentation on to the Planning Board to lay the groundwork for the Economic Development update of the Master Plan. (See attached power point presentation.)

Jeremy Devaney, Marshfield Chamber of Commerce, asked if the MAPC team would meet with the Chamber directly. Mr. Guimond explained that planning staff would set up a meeting soon with MAPC and the Chamber members.

Ms. O'Donnell noted that several areas mention in the economic development plan such as Brant Rock and Blackman's Point are also areas identified in the Hazard Mitigation Plan. She said she would be interested in seeing ideas that foster economic development along the coast line that are not fixed buildings that would need extra protection.

**Continued Public Hearing OSRD and WRPD Special Permit - Red Gold Farm**

Mr. Biviano made a motion to open the continued public hearing for the OSRD and WRPD Special Permit for Red Gold Farm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Mr. Padilla, Grady Consulting, presented the final plan for the OSRD. The first sheet now show the trail system and some of the notes have been corrected. To comply with the nitrogen loading calculations, individual lots will be limited to 12,000-ft2 lawn limitation or install a denitrifying septic system. A note has been added to the plan stating that there will be no residential on the existing building on the second lot. The building will only be used for bog operations. The metal barn will be removed and the existing historic barn will remain in place. There will be no houses or buildings behind the existing houses on

Moraine Street. The lot sizes in the OSRD are much smaller and have been moved away from the bog and the pond.

Mr. Guimond stated that the applicant requested that the new lots with frontage on Moraine Street be able to be released prior to the construction of the new road and prior to the open space being turned over to the Town. Mr. Guimond explained that the applicant would turn over the open space to the town, the Select Board would work on the license agreement to operate the bogs, and planning staff would work with the Conservation Commission and Open Space Committee to have a conservation restriction (CR) placed on the open space. Planning staff is not sure who would hold the CR.

Ms. O'Donnell explained the difference between the open space being conveyed to the Conservation Commission and a CR being placed on the land. Ms. O'Donnell said the difference is mostly monitoring since the town cannot enforce against itself. The third party would provide annually monitoring of the land in perpetuity to insure no damage or encroachment of the open space occurs.

Mr. Biviano said he would like to see the Home Owners Association documents to make sure the house buyers know that the road will be a private road and are responsible of the road maintenance. Mr. Biviano suggested that there be a signed buyer disclosure form returned to the Planning Board stating that the buyer is aware of the private road. The applicant agreed to provide the disclosure form.

Mr. Guimond stated that we could add a finding to the decision saying that planning staff, conservation commission, and open space committee will pursue a conservation restriction. Mr. Sealund said he would contact Wildlands Trust to see if they have an interest in holding a CR on the property. Mr. Guimond will contact Mass Audubon.

Mr. Sealund said he would put a sidewalk in on Red Gold Farm Road from Moraine St to the start of the trail. He would like to install it with asphalt.

Rick Sullivan, 236 Moraine St., asked the Board reiterate what they will pursue regarding the open space and the conservation restriction. Mr. Biviano explained that Mr. Sealund will convey the land to the town and the town will pursue putting a CR on the open space. Ms. O'Donnell suggested that the planning staff contact the CPC committee regarding funding for the CR.

Mr. Biviano made a motion to close the OSRD and WRPD special permit public hearing for Red Gold Farm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Mr. Biviano made a motion to approve the OSRD and WRPD special permit for Red Gold Farm conditional on receiving the homeowner's association documents and final review of the decision as modified tonight. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; and Mr. Biviano, Aye.

**ANR Plan 24 Bow Street** - postponed to next meeting)

### **Board/Staff report**

Mr. Guimond explained that Gregg Gibbs, from Adelaide Subdivision, would like to switch the previously released Lot 10 with Lot 13.

Mr. Biviano made a motion to approve the request by Gregg Gibbs to switch the previously released Adelaide Lot 10 for Lot 13. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Pappastratis, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; and Mr. Biviano, Aye.

Mr. Guimond said he had a resident request that the Board return to an in-person meeting at the next meeting. Mr. Guimond told the resident that the Board preferred to stay remote with the recent uptick in COVID-19 cases. He checked if the Board felt differently. The Board members agreed to stay remote. Mr. Guimond reminded the Board that Governor Baker's Emergency Order allowing remote meetings is set to expire on July 15, 2022. If the order is not extended, the Board will have to return to in person meetings at our July 25, 2022 meeting.

Mr. Biviano said he wanted the Board to consider a zoning change for pre-existing non-conforming lots. There are many circumstances where the applicant is not proposing to make the lot more non-conforming but they are still required to go to the ZBA for a special permit. Mr. Biviano would like the Board to review the zoning requirements for pre-existing non-conforming lots and see if there are any changes that could be made to the Zoning By-law.

#### **Adjournment (Roll Call Vote)**

Mr. Biviano made a motion to close the meeting at 8:10 pm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.