

MARSHFIELD PLANNING BOARD
Meeting Minutes
December 11, 2023 – 7:00 PM
Remote Meeting

PRESENT: Mike Biviano, Chair
Katie O'Donnell, Vice Chair
Kevin Cantwell (arrived at 7:05pm)
Fred Monaco
Nik Pappastratis
Scott DeCastro, Associate Member

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

At 7:01 PM, Mr. Biviano made a motion 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.

Continued Public Hearing Site Plan Review/WRPD Special Permit (Frasca Plain Street) D10-02-16

Mr. Biviano made a motion to open the continued public hearing. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye. Mr. Guimond explained that there is a draft decision prepared and it sounds like the applicant is fine with the decision. If the Board does not have any questions or comments, then the Board should close the hearing and vote on the decision.

Mr. Biviano made a motion to close the public hearing. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Mr. Biviano made a motion to approve the site plan and WRPD special permit. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

VRT Lot 6R Release

Mr. Guimond explained that this is the lot for the second Modera 40B. There is a condition in the ZBA approval that construction will not start until the traffic mitigation funds have been provided to the Town. Mr. Biviano made a motion to release Lot 6R from the Enterprise Park Subdivision. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

John Sherman Subdivision Modification Request to not install guardrail around cul-de-sac

Mr. Guimond explained that there are actually 2 parts to Mr. Driscoll's request. The first part is a request to not install the guardrail around the rain garden in the center of the cul-de-sac. Mr. Guimond has discussed this request with Pat Brennan. Since there is upright granite curbing installed around the cul-de-sac it is ok to not have the guardrail. The second part of the special permit modification request is to have the Open Space Parcels A and B conveyed to the Town of Marshfield under the care and custody of

the Conservation Commission. The applicant is requesting that two items be considered a minor modification. Regarding the open space request, Town Counsel said he would be more comfortable if we have a public hearing. So, the Board can split the request, go ahead with the guardrail as a minor modification, and advertise for a public hearing for the conveyance of the open space to the Town.

Mr. Biviano made a motion to grant the minor modification request to not install the guardrail around the rain garden. 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 added that the Board would hold a public hearing for the open space modification request.

John Sherman Request for reduction in surety

Mr. Guimond explained that after granting the waiver for the guardrail, the Board could release \$201,268. The Board would still be holding \$45,000. Mr. Biviano made a motion to release \$201,268 of surety for John Sherman Estates. Ms. O'Donnell asked if the money the Board was holding covered conservation markers for the open space. Mr. Guimond said it did. Ms. O'Donnell seconded the motion. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Holly Rd (Chestnut Hill Subdivision) Request for reduction in surety

Mr. Guimond explained that the Chestnut Hill Subdivision has completed the driveways, sidewalks, and concrete aprons. They are asking for a release for \$12,500. The Board would still be holding approximately \$22,000. Mr. Biviano made a motion to release \$12,500 of surety for Chestnut Hill Subdivision. Ms. O'Donnell seconded the motion. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Board discussion on draft MBTA Communities bylaw and Accessory Apartment Bylaw

Mr. Guimond explained that this was not a public hearing. He was just updating the Board on the draft bylaws. Staff will be holding a public meeting on December 20th from 5pm-6pm in the Select Board Chamber. The Planning Board will have to vote in January to decide if the draft bylaws should be placed on the Annual Town Meeting in the spring. The Board will then need to hold a public hearing on the bylaws.

The proposed MBTA Communities Multifamily Overlay District (MCMOD) is proposed to be along Plain Street from the high school to School Street. The area is currently in the B-2 District. The area is 84 acres. Applications in this overlay district would be site plan review by the Planning Board. It is a superimposed district with underlying zoning. State law required 15 units per acre by right. We are proposing 16 units per acre to make sure we get to the minimum number of units and the average of 15 units per acre for all properties. The projects can be mixed use. We are proposing a minimum lot size of 30,000 ft². The buildings will have a maximum of 4 stories. There will be a 10% affordable requirement.

The first proposed change for the accessory apartment is to move the entire section from the Special Permit section 11 to section 12, special regulations in the zoning bylaw. We are proposing that accessory apartments within a single-family home to be by-right. Accessory apartments within an accessory building would be by special permit. Review for both accessory apartments would be by the Planning Board. The proposed zoning changes would allow a two-bedroom accessory unit which is no more than 40% of the livable area of the main dwelling or 800 sq.ft, whichever is less.

Approved – 1/22/2024

Mr. Pappastratis and Mr. Biviano suggested that the units should be bigger and we should allow 1000 sq.ft.

Should a transfer of ownership occur, the new owner would have 60 days to notify the Planning office or the ownership change.

The zoning article will only require a simple majority at town meeting for approval.

Board/Staff Reports

There will be a public meeting on December 20, 2023 at 5pm to discuss the zoning changes.

Minutes (10/2/23 and 10/30/2023)

Mr. Biviano made a motion to approve the minutes of October 2, 2023 and October 30, 2023. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.

Adjournment to Executive Session (Roll Call Vote)

Mr. Biviano made a motion to adjourn to Executive Session and not to return to open session at 7:40pm. Ms. O'Donnell seconded. The vote was Ms. O'Donnell, Aye; Mr. Monaco, Aye; Mr. Cantwell, Aye; Mr. Pappastratis, Aye and Mr. Biviano, Aye.