

**ZONING BOARD OF APPEALS MEETING PLACE: HEARING ROOM 2,  
MARSHFIELD TOWN HALL JUNE 26, 2018 7:00 P.M.  
MEETING MINUTES**

*Members Present:*

*Francis X. Hubbard, Chair  
Brian Murphy  
Lynn Fidler  
Heidi Conway  
Richard Murphy*

*Also Present:*

2022 MAY 23 AM 11:53

MARSHFIELD TOWN CLERK  
RECEIVED

Mr. Hubbard called the meeting to order at 7:07 and advised that the meeting would be recorded by Marshfield Community Television (MCTV). He stated that he would be the Chair and that they would be taking items out of order.

**Grover Hensley, Jr./49 Ashburton Avenue:** The Petitioner is seeking the Board's opinion as to whether changing the hip roof to a gable roof with dormers would be considered a minor modification or would a Public Hearing be required.

Grover Hensley, Jr. received a Special Permit in January 2018 for additions to his dwelling. He said that everything is okay with the Building Department but he wasn't sure about dormers adding volume. Mr. Hubbard asked if it would become more nonconforming and Mr. Hensley said that it would not. Mr. B. Murphy asked if it would increase the height and Mr. Hensley said that it would not. Ms. Fidler asked Mr. Hensley if he had the original plans. She said her only concern is that he is adding windows to the dormers and the neighbors haven't had a chance to weigh in. Mr. Hubbard asked if there were any more questions. Ms. Conway said that she was on the fence. Mr. Hensley said the windows on the plan will have awnings and will be double hung; Mrs. Hensley said that it would be for storage. Mr. Hubbard made a motion to consider this a minor modification which was seconded by Mr. B. Murphy. Mr. Hubbard, Mr. B. Murphy and Mr. R. Murphy were in favor; Ms. Fidler and Ms. Conway were opposed. Motion passed with a 3-2 vote.

**#18-41: Michael Solimando:** The Petitioner is seeking a Special Permit in accordance with §305-13.02.c.1 of the Marshfield Municipal Code to construct and maintain a 4' x 39.7' pile supported pier with an attached 3' x 32' long ramp to a pile held 12' x 20' float in the South River and a Variance under §305-10.11 for relief from §305-6.07, which requires a 10' setback from a rear property line for an accessory structure, to construct a 4' x 7' set of stairs to provide access to the pier on the property located at **1180 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-24-17 and is located in an R-3 zoning district.

Mr. Hubbard stated that Petition #18-41 was a continued hearing and would be next. He said that the Board had received an email from the Petitioner's representative, Paul Seaberg of Grady Consulting, requesting that this be continued to the July 10<sup>th</sup>, 2018 meeting. Mr. Hubbard asked if there was any opposition and there was none. He made a motion to approve the continuance which was seconded; all were in favor.

**#18-32: Webster Point Village:** The Petitioner is seeking a substantial Modification of that Comprehensive Permit pursuant to G.L. c. 40B issued by the Marshfield Zoning

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Board of Appeals on August 6, 2015 to Webster Point Village, LLC regarding the development known as "Webster Point Village", such that the requirement to record a Conservation Restriction pursuant to G.L. c. 184, s.31 as found in said Decision, including but not limited to, Condition No. 8 on page 3 – Compliance With State and Federal Requirements, and Condition No. 2 on page 6 – Conditions Precedent to Commencement of Project, be removed and substituted in its stead is a requirement to record a Restrictive Covenant pursuant to G.L. c. 184, s.23, or such other relief and findings as may be necessary or required for said substitution. The project is located off Careswell St., Marshfield, and partially in Duxbury (Duxbury Assessor's Map 170-002-003), is shown on the Town of Marshfield Assessor's Map J2-05-Lot 1A and has a total area of approximately 44.71 acres and the Marshfield portion of the project is located in R-2 zone.

Mr. Hubbard said Petition #18-32 and he asked if he needed to read it in; Ms. Porreca advised that it had previously been read into the record. Mr. Hubbard said that there were two (2) motions; one will be to grant an extension and they had not reached their three (3) years yet. He said that he had spoken to Town Counsel who advised that it would be problematic if the Board did not grant it. Mr. Hubbard made a motion to grant the extension which was seconded; all were in favor. The next motion is in regard to the change in the Restrictive Covenant; the Petitioner wants this request withdrawn without prejudice. Mr. Hubbard stated that he had spoken to Town Counsel and Mr. Galvin said that he had spoken to the Duxbury Town Counsel. Mr. Hubbard made a motion to withdraw the petition, without prejudice, which is requesting a Substantial Modification. His motion was seconded and all were in favor.

Mr. Hubbard made a motion to adjourn which was seconded; all were in favor.

Meeting adjourned at 7:45 P.M.

Respectfully submitted,



Nanci M. Porreca  
Zoning Administrator

I attest the foregoing minutes were approved by the Zoning Board of Appeals at their

November, 13, 2018 meeting by a 5-0 vote.

Signed: 

Date: 12/13/2018