

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

*Members Present:*

*Brian Murphy, Chair  
Heidi Conway (Remote)  
Larry Keane  
Grover Hensley, Jr. (Remote)  
Mark Corwin  
Brian Sullivan*

*Also Present:*

*Andrew Stewart, Building Commissioner  
Atty. Robert Galvin, Town Counsel*

MARSHFIELD TOWN CLERK  
RECEIVED  
2023 MAY 25 PM 2:56

Mr. Murphy called the meeting to order at 6:32 P.M. and took roll call attendance. He explained to the public that Zoom was provided as a courtesy and advised callers to use \*6 to mute and unmute.

**#23-04A: Michelle Collins:** The Petitioner is seeking a Special Permit in accordance with §305-9.05 of the Marshfield Municipal Code to change the use from §305-5.04 #11, Other Personal and Consumer Service Establishment, to §305-5.04 #3, Eating and Drinking Places Not Including Drive-in Establishments, on the property located at **62 Beach Street** which is further identified on the Assessors' Maps as being on parcel M05-05-86 and is located in an R-3 zoning district.

**#23-04: Michelle Collins:** In accordance with §305-10.09 of the Marshfield Municipal Code the Petitioner is seeking an Appeal of the Building Commissioner's determination that the proposed use as an eating and drinking establishment is different than the existing nonconforming use on the property located at **62 Beach Street** which is further identified on the Assessors' Maps as being on parcel M05-05-86 and is located in an R-3 zoning district.

Mr. Murphy read **Case #23-04A** into the record. He asked Attorney Galvin if the Board should hear the appeal first; Mr. Galvin said they could consolidate and hear them together. Michelle Collins said she has been here before and shared a lot the last time and doesn't want to bother the Board. She said this is at the end of her street and the community would benefit. She said it has been well received and bombarded Ms. Porreca with comments the last time. Ms. Collins said she was told to go before the Select Board about parking in the town lot; Porreca said she herself was told that this morning and she found out that was not the case. Mr. Murphy said public parking in the off season will be fine. Ms. Collins said she has six (6) spaces – three (3) in the front and three (3) on the side. Ms. Conway asked if her spots were where the Post Office people park; Ms. Collins said no and explained where her spaces are. Ms. Conway said she doesn't see that as parking for her and said he concerns were traffic, parking and going in and out. Ms. Collins said they discussed putting up designated signs directing people to the back. She said if you are doing an eating establishment there need to be handicapped spaces in front or a sign. Ms. Collins said that Mr. Galvin recommended that she add additional permit parking like Haddad's did. She said she lives on Park Street and walks by this location several times a day; she is aware of traffic and wants everyone to be safe. She said it's not just her issue, it's a Town issue.

Mr. Hensley asked if the owner of the property was in attendance and Roger Welch stated that he

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

was. Mr. Hensley asked if there were six (6) designated spots for this business; Mr. Welch said he assumed there are six (6) spots, three (3) on one (1) side. Mr. Hensley asked if they were designated for the Post Office or if Ms. Collins would have designated spots. Mr. Corwin said everything is marked for the Post Office. Mr. Keane said he was there the other day and saw four (4) spots but two (2) were designated for the Post Office. Ms. Collins said there were two (2) on the side for the Post Office and garage door; she said there are three (3) in front and three (3) in the back; she said she submitted pictures and drawings before. Ms. Conway said the drawings are cut off so she can't see the side. Ms. Conway reviewed the spaces, the oil tank and where the plan says "Shucks".

Mr. Murphy asked Mr. Stewart to bring up Google Earth. Ms. Conway said the back is where the garage is but she does not see three (3) spaces. Ms. Collins said she isn't looking for twenty-four (24) seats; she's looking for ten (10) so maybe two (2) spots. Mr. Galvin said it would require three (3) spaces for ten (10) seats.

Mr. Murphy asked Mr. Stewart about not seeing the correlation between the two (2) uses. Mr. Stewart said it comes down to a substantially different use; the current one is catering, retail; the other use is #15, Government Use, the post office. He said this will be a food service. Shucks had a food handling license but they prepared the food and took it away; there were no on-site sales. He said there is also some difference in patronage; there was none before but now there will be. Mr. Stewart said the appearance might not necessarily change but it could in the future. Noise will increase with more patronage.

Mr. Keane asked Mr. Stewart if he would feel differently if this was a take-out business; Mr. Stewart said he would not. Mr. Hensley asked if only a catering business could go there; Mr. Stewart said no, any professional business. Mr. Hensley asked what about an Amazon site to ship, like an Etsy; Mr. Stewart said as long as there were no on site sales. He said it could be an electrician or plumber where they do their preparations there and do their business elsewhere.

Mr. Keane said that he understood if you were having an event at your home, you could order and pick up there and asked if that was correct. Mr. Stewart said he hadn't heard that but he hasn't spoken to anyone at Shucks; he is going by what they describe on their website – prepare and go. Mr. Murphy asked Mr. Welch if they have had pick up; Mr. Welch said they had it in the past but there wasn't a lot of business. Ms. Collins said she had a relationship with "Richard" and can continue this and have him come down; she will work with him. Mr. Sullivan said they weren't talking about him, they were talking about his business. Ms. Collins said it has been an ice cream store.

Mr. Sullivan said what brings Ms. Collins here is Mr. Stewart's call that this is a substantial change that requires a Special Permit. Ms. Collins asked Mr. Sullivan to please let her speak. Mr. Sullivan said with a retail component it does need a Special Permit and he agrees that Mr. Stewart made the right call. Ms. Collins said when she met with Mr. Stewart he said he would help her with the paperwork and then she met with Ms. Porreca. She said she met with Mr. Stewart, her daughter and Mr. Welch. She said she talked to people on the Board and was told this is the way to go and get this done. She asked how they move forward and should she have Richard here. She asked what the proper paperwork was. She said if seating is an issue she is willing to have people come on their bikes.

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

Mr. Stewart said he wanted to be clear on the Bylaw and his interpretation. The Bylaw says "Any nonconforming use of a structure may be changed to another nonconforming use, provided the changed use is not a substantially different use, determined by the Building Commissioner/Zoning Enforcement Officer." He has determined that it is a substantially different use and said the Board needs to overturn his determination before moving forward. Mr. Stewart said that this is not an allowed use, it's in a residential area and it is not similar to the previous use. Mr. Stewart said that he was very clear that there are many other commercial locations in town struggling to put businesses in. He told the Board they needed to overturn his decision before deciding the other case.

Mr. Keane said that to him it is a food service business; there was a caterer, it was an ice cream store. He said if that business deals with food, if people are picking it up and bringing it home then it's not that big of a stretch for him. Ms. Collins said she wasn't changing the kitchen, there won't be an oven and she will use the walk-ins. She said the previous person wants to retire but still do some jobs; she will still allow the gentleman there to continue his work and for the owner to have a tenant. She said she got insurance. She understands what the Board is saying and she doesn't want this to be grandiose. Ms. Collins said she has limitations with travel since the accident. Mr. Galvin said that Ms. Collins could take over the catering business but couldn't have a restaurant. He thinks the Bylaws are permissive as to nonconforming use; Duxbury eliminated nonconforming but we have §305-10.12. He said this was Mr. Stewart's decision and he could see them delivering full meals. Ms. Collins said she never thought she would have to pay more than \$10 or \$30 and she wants to keep the business there. Mr. Galvin said that things sound wonderful but we have Bylaws. He said if she keeps it as catering then we don't need to be here; he doesn't think that Mr. Stewart would have an issue with catering; there is an issue with people coming in to pick up. Mr. Galvin said that his view is §305-9.05 is the Bylaw that gives Mr. Stewart authority; we also have §305-10.12 but you have to meet rigid requirements. He said the Board needs to listen to the residents.

Patricia Hoxie lives next door and she said this creates an unsafe environment for the neighborhood. She is just hearing about three (3) parking spaces now; hundreds of people use the Post Office. Kids will be walking and some aren't more than 36 inches tall. She thinks the application should be denied. She said if customers are going to be in and out in five (5) minutes that means there will be live parking. Ms. Hoxie asked if there were accessible spaces and an accessible bathroom. She said this location was never used as a restaurant so she is concerned about sewerage. She said there is nine feet (9') between her house and this business. Ms. Hoxie said this needs a Variance and they need to meet the requirements for a Variance. Steve Lynch of Central Street said the Board was confusing the issue by doing both cases at the same time. He said Ms. Collins applied for a permit by right and Mr. Stewart denied it. He said the Board can uphold Mr. Stewart's decision and still approve the Special Permit. Mr. Galvin agreed that they could do that. Mr. Lynch said she is looking for relief and that is what the Board is about. He said she wasn't asking for more parking just to use what is there and he doesn't understand how there would be more traffic. For the neighbors, the choice is a small business from someone in the neighborhood or some big restaurant or an Amazon with bad drivers. He said something is going to go in there; she doesn't need a Variance, just a Special Permit. Mr. Stewart said he would also determine that an Amazon would be a substantially different use.

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

Mr. Murphy asked if there were any more comments or questions from the Board or the public. Mr. Keane said that he doesn't see that this is a huge stretch from a catering business. It won't be vacant, something will go in there; having a resident to in is nice. Mr. Murphy said that Mr. Galvin advised they could uphold Andrew's decision and still approve the Special Permit. Ms. Collins said she would be happy to put up handicapped signs. Mr. Murphy made a motion to close **Case #23-04** which was seconded by Mr. Sullivan; all were in favor of closing. Mr. Murphy then made a motion to close **Case #23-04A** which was seconded by Mr. Sullivan; all were in favor of closing. He asked the Board if they wanted to discuss this now and Ms. Conway said yes. Mr. Murphy asked Mr. Stewart to display the appeal on the screen. Mr. Sullivan made a motion to uphold the decision of Mr. Stewart which was seconded by Mr. Murphy. The Board voted 5-0 with Murphy, Conway, Keane, Hensley and Corwin voting in favor.

Mr. Stewart displayed the Table of Use Regulations and pointed out that this was prohibited; Mr. Murphy said the current use was also prohibited. Mr. Galvin said the Bylaw said the use needs to be allowed in one (1) district in the town. Mr. Sullivan said that he couldn't care less what type of food she will serve, it's a First Amendment issue; the Board doesn't need to get into the type of food. They need to ask if it will negatively impact the neighborhood. Ms. Conway thinks it will have a negative impact; Mr. Murphy, Mr. Keane and Mr. Sullivan don't think so. Mr. Keane thinks that Ms. Collins will be feeding people from that end of town; he won't drive there; he thinks it will be beach people so the impact will be minimal. Mr. Sullivan said there is enough parking for her seats.

Ms. Conway asked if the Board doesn't think there will be any traffic issues with people going in and out. Mr. Corwin said he doesn't think it will be much more than the Post Office traffic. Ms. Conway said that Ms. Collins talked a lot about people riding up on their bike and Ms. Conway thinks they need to revisit that. She said she lives there so she sees the issue. Mr. Sullivan said that Ms. Collins said that she would provide signs designating her parking. Ms. Conway thinks the concept is great but it isn't a good spot; she doesn't let her kids go down there. Mr. Keane said he drove there several times and only sees that there will be issues in June, July and August; he doesn't think there will be issues the rest of the time.

Someone asked about bathrooms and Ms. Collins said they have huge public bathrooms down the street. Mr. Galvin said that she needs whatever the Board of Health and the Building Codes require for bathrooms. Mr. Stewart said she will need a site plan. Mr. Galvin said that there were no changes but if there is a sign it would have to comply. Mr. Sullivan said there won't be any structural changes either internally or externally. Mr. Galvin said any change of use requires Site Plan Approval or the Board can waive it if the changes are minor. Ms. Conway asked what would actually be in there, just fruit smoothies and juices? She said the information with the Appeal had menu stuff. Mr. Keane said that there will be a Mediterranean menu. Mr. Sullivan said it is a retail establishment offering eat-in services or take-out; plant based products. Mr. Galvin said he thought it was like a café. Mr. Stewart said it is an eating and drinking establishment not including drive-in service. Mr. Murphy said the market will drive it.

The Board reviewed 1-10 and with the exception of Ms. Conway, agreed that the Petitioner met the guidelines. Mr. Galvin said the Board would need conditions; Mr. Murphy said they should

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

include something about needing a beach sticker to park in the public lot. Mr. Galvin said the Board could require that the spaces be numbered, designate her spaces and say no Post Office parking. Mr. Stewart said they had to do that with Fetch next to the liquor store; they needed site plan approval and their employee parking is across the street at Nesseralla's. Ms. Conway asked how that would work here – there are high school kids and we don't want the patrons to give the kids a hard time. Would they kick people out? Mr. Stewart said that Cindy Castro online and Ms. Conway asked Mr. Galvin if they could ask her. Mr. Galvin said the Board couldn't take any new information because the hearing was closed. He said people are required to have a sticker from Memorial Day to Labor Day. If the patrons are going to park there during that time they will need a beach sticker. They can park there in the offseason. Ms. Conway said she wants to make sure they are protecting drivers and pedestrians. Mr. Hensley said he thinks that the plan is for people to utilize bikes. Mr. Galvin said they can't allow any on street parking. Mr. Murphy asked about signage and Mr. Galvin said that the DPW might put them out but Ms. Collins will need to police that. So conditions will include no on-street parking, no loading or unloading. Mr. Galvin suggested that they might want to put a bike rack in so the bikes won't park in the parking spaces.

Mr. Murphy asked about other conditions and Ms. Conway suggested hours of operation. Mr. Murphy said they would be similar to the Post Office; Mr. Galvin said they should define hours. There was a discussion about the Post Office hours – the lobby opens at 7:30 AM and closes at 4:30 PM. The Board discussed 7:00 and 7:30 as start times and closing at 4:30. Ms. Collins said she submitted her hours before and could do 7:00-5:00 or 8:00-(?). Mr. Hensley said the Coffee Shack is open from 5:00-2:00; Mr. Keane said this is a neighborhood and suggested 8:00. Mr. Sullivan suggested 7:30-4:30 and said that the public parking lot will be subject to restrictions. Mr. Galvin said the Board should condition no more than twelve (12) seats inside. Mr. Murphy said there would be three (3) spots to cover the patrons inside and three (3) for takeout. He made a motion to grant subject to the conditions that were discussed. He asked Mr. Stewart if they would need a building permit; Mr. Stewart said usually with a change of use they do an inspection with the Board of Health and the electrical inspector to make sure the exit sign functions, etc. They will need a new Certificate of Occupancy. The Board reviewed the Appeal information. Mr. Sullivan seconded the motion; the Board voted 4-1 with Murphy, Keane, Hensley and Corwin in favor and Conway opposed.

**#23-08: Alexander and Stella Gorodetsky:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing dwelling and construct a new 29' x 43.5' two (2) story single family dwelling on the property located at **1187 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-11-13 and is located in an R-3 zoning district.

Mr. Murphy read **Case #23-08** into the record and asked Mr. Gorodetsky to explain the project. Mr. Gorodetsky said this is an existing two (2) bedroom cottage and he would like to raise the structure similar to what has been done with other houses in the neighborhood. Mr. Murphy asked the Board if they had any questions and Mr. Corwin asked if the patio was on top of the cesspool and asked Mr. Stewart if that would be an issue. Mr. Stewart said anything there would

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

have to be approved by the Board of Health. He said that Mr. Gorodetsky needs to apply for a Floodplain Permit and that will walk him through what he needs. He offered to meet with Mr. Gorodetsky to go over Flood Zone information. Mr. Murphy asked if they could approve it and Mr. Stewart said they could approve it dimensionally. Mr. Murphy said if it's located where it's not allowed they will have to come back to the Board. Mr. Stewart said if the change will be less nonconforming they don't need to go back to the Board. They are only nonconforming with the front setback and they will be improving that; they are maintaining the rear setback. He said there was no reason not to approve the density and dimensional plans. Mr. Murphy asked if there were any questions from the Board or public and there were none. He made a motion to close the hearing which was seconded by Mr. Sullivan; all were in favor. He made a motion to grant the Special Permit with conditions of a Floodplain Permit, demolition permit, building permit, all three (3) required elevations, a Certificate of Occupancy and an As-Built. The Board agreed that the Petitioner met 1-10 of the Special Permit requirements. Mr. Sullivan seconded the motion and the Board voted 5-0 with Murphy, Conway, Keane, Hensley and Corwin voting in favor.

**#23-09: Kristen and Joseph Mouzer:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to remove the existing 17' x 11' structure and construct a one-story 17' x 17' addition with foundation on the property located at **91 Old Main Street** which is further identified on the Assessors' Maps as being on parcel E17-06-07 and is located in an R-1 zoning district.

Mr. Murphy read **Case #23-09** into the record and asked Mr. Mouzer to explain the project. Mr. Mouzer said the permanent structure is falling into the ground so they need to rebuild it. Mr. Murphy said they were here because they have a pre-existing nonconforming lot. Mr. Stewart said it was in the R-1 zoning district so they are nonconforming for lot size and setbacks. He said the existing area has fallen into disrepair and what the Petitioners are proposing will not violate the side setbacks. Mr. Sullivan thinks it is a beautiful house. Mr. Murphy made a motion to close which was seconded by Mr. Sullivan; all were in favor. Mr. Murphy made a motion to grant the Special Permit subject to the conditions of a building permit, an As-Built and a Certificate of Occupancy; Mr. Sullivan seconded the motion and the Board voted 5-0 with Murphy, Conway, Keane, Hensley and Corwin voting in favor.

**#23-10: Neal and Michelle Madden:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 5'8" x 10'4" second floor dormer on the property located at **18 Roosevelt Road** which is further identified on the Assessors' Maps as being on parcel L09-10-07 and is located in an R-3 zoning district.

Mr. Murphy read **Case #23-09** into the record and asked Carly from Rockwood Design to explain the project. Carly said that this is a Special Permit for a nonconforming structure and they will be maintaining the footprint; they are putting a bathroom on the second floor. Mr. Murphy asked the Board and Mr. Stewart if they had any comments or questions. Mr. Stewart said that this house has been elevated on a flood-proof foundation but that hasn't been closed out

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

because they still need to submit the elevations; a Certificate of Occupancy has not been issued yet. Those need to be closed out before a new building permit can be issued. Mr. Murphy said they will include that in the conditions. He made a motion to close the hearing which was seconded by Mr. Hensley; all were in favor. Mr. Murphy made a motion to grant the Special Permit subject to the conditions of a building permit, a Certificate of Occupancy and closing out the previous permits; Mr. Sullivan seconded the motion and the Board voted 5-0 with Murphy, Conway, Keane, Hensley and Corwin voting in favor. The Board agreed that the Petitioner met the requirements of 1-10 in §305-10.12.

**#23-11: Marshfield Airport:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to furnish and install the following Electric Vehicle Charging Stations: (2) DCFC EV Charging Stations and (1) Level II Dual port EV Station on the property located at **93 Old Colony Lane** which is further identified on the Assessors' Maps as being on parcel K09-03-03A and is located in an R-3 zoning district.

Mr. Murphy read **Case #23-11** into the record and Susan Pace of Leidos Engineering and Bruce Schaeffer presented for the Petitioner. They said that this project will provide a transformer from Old Colony Lane; each enclosure is separate and will be on its own concrete pad; one (1) for airplanes and two (2) for cars. There will not be any changes to the parking lot. Mr. Sullivan asked how many aircraft were using this now and Ms. Pace said none. This was in the testing phase with the company BETA based in Burlington, Vermont. The planes look similar to drones and can transport people as well as cargo. Marshfield is a further distance than Burlington; it is exciting for Marshfield. Mr. Sullivan asked if they were allowing for expansion; Ms. Pace said they were allowing for Level 2 expansion for cars in the parking lot. BETA is in the testing phase and doesn't have full FAA approval but they have been approved for test flights; they are looking for FAA approval in 2025. The next few years will have test flights to and from Marshfield. They are working on permits and contracts to deliver organs to Boston hospitals. Since Marshfield doesn't have an Amazon they will mostly be testing flights and doing organ transports. Mr. Sullivan asked if these aircraft were less noisy than an internal combustion engine. Ms. Pace said yes, they are currently doing decibel testing but they are significantly less noisy; she said the propeller will make noise. Mr. Keane said that without this they could get here but couldn't get back; this is real cutting edge.

Mr. Murphy asked Mr. Stewart if he had comments. Mr. Stewart said this came about as an electrical permit. It's in a Flood Zone so they did a Floodplain Permit and got Conservation approval; the site plan is the last step. Mr. Stewart said their electrical engineer addressed all Flood Zone concerns; this is an exciting addition to the airport. Mr. Corwin asked if they were taking from existing poles and the answer was yes, plus one. Mr. Galvin asked why they didn't put a charging station outside the airport; Ms. Pace said they proposed one and pointed out the Fast Chargers on the screen. Mr. Galvin confirmed that they said there was a DC Fast Charger for cars and said there were no Fast Chargers in Marshfield. He said outside is Level 2 but the DC Fast Charger will charge in half an hour; you could leave a car overnight here at Town Hall and it wouldn't be charged. Ms. Conway asked if there would be any lighting and Ms. Pace said

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

the airport has lighting at the airport in the parking area and it is well lit. MR. Galvin asked if the DC Charger outside was available for use 24/7 and could someone pull in and charge at 3:00-4:00 in the morning. Mr. Schaeffer said this was funded by Eversource; the rules say they can be open for business twelve (12) hours for charging. He said it was the most advanced charger. Ms. Conway stated it is private unless someone was doing business at the airport; Mr. Murphy said it was for the public. Mr. Corwin asked about the cost and Ms. Pace said it depends on the airport. Mr. Murphy made a motion to close which was seconded by Mr. Keane; all were in favor. He made a motion to grant Site Plan approval subject to the conditions of a building permit, an electrical permit and an As-Built; Mr. Keane seconded the motion and the Board voted 5-0 with Murphy, Conway, Keane, Hensley and Corwin voting in favor.

**#23-12: 165 Prospect Street LLC:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code for a seasonal ice cream shop on the property located at **173 Prospect Street** which is further identified on the Assessors' Maps as being on parcel E17-04-10 and is located in an R-1 zoning district.

Ms. Porreca said this case has been withdrawn without prejudice; payment was not received in time to notify the abutters and they will re-file.

**#23-13: Marshfield Disabled American Veterans (DAV):** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to construct a 30' x 12' deck along the right elevation and install a sliding door on the property located at **108 Dyke Road** which is further identified on the Assessors' Maps as being on parcel M07-10-01 and is located in an R-3 zoning district.

Mr. Corwin recused himself from this case. Mr. Murphy read **Case #23-13** into the record but there was no one in attendance to present. Mr. Sullivan asked why they were here and Mr. Stewart said it was for Site Plan approval. Mr. Stewart said they needed the approval because it is construction and alteration on a non-residential lot. Mr. Hensley asked if it was behind the fence; Mr. Galvin said the Board should condition that. He also said they should condition the outside hours; no amplified sound, lighting or entertainment after 9:00 PM; everyone needs to be inside by 9:00 PM. Mr. Stewart said one of the concerns of the Historical Commission was that it was an old schoolhouse; lots of changes over time and they would like an As-Built; Conservation will also want one. He said the Disabled American Veterans (DAV) are proposing a ramp but no real framing plans and nothing that shows they will be ADA compliant have been submitted. Mr. Murphy made a motion to close the hearing which was seconded by Mr. Hensley; all were in favor. He made a motion to grant Site Plan approval subject to the conditions of a building permit, a Certified As-Built, and a Building Code and AAB compliant design stamped by a registered design professional; Mr. Sullivan the motion and the Board voted 5-0 with Murphy, Conway, Keane, Hensley and Sullivan voting in favor.

Ms. Porreca said that the only thing left on the Agenda was the approval of minutes from

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL FEBRUARY 28, 2023 6:30 P.M.  
MEETING MINUTES**

December 14, 2021. Mr. Murphy made a motion to approve the minutes with Scrivener's errors; the motion was seconded and all were in favor.

Mr. Murphy made a motion to adjourn; this was seconded by Mr. Keane and all were in favor.

Meeting adjourned at 8:25 PM.

Respectfully submitted,

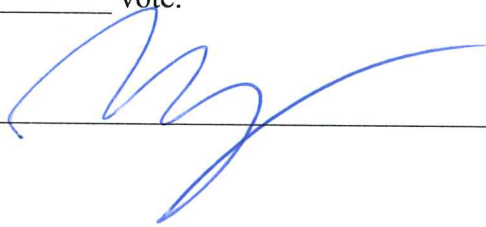
*Nanci M. Porreca*

Nanci M. Porreca  
Zoning Administrator

These minutes were approved by the Board on April 11, 2023 by a

5-0 vote.

Signed: \_\_\_\_\_



Date: 04/11/2023