

**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
MARSHFIELD TOWN HALL MAY 9, 2023 6:30 P.M.  
MEETING MINUTES**

**Present:** Brian Murphy, Chairman, Heidi Conway, Vice Chair, Larry Keane, Clerk, Mark Corwin, Grover Hensley Jr., and Brian Sullivan.

**Absent:** Stephen Feeney

**Also Present:** Building Commissioner, Andrew Stewart and Town Counsel, Attorney Robert Galvin.

**Call to Order:**

**6:35pm** – Chairman Brian Murphy opens meeting

**New Hearings:**

**A. #23-29 (121 Tower Avenue)**

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Owner Michael Koffman presents the proposed project to the board.
- Andrew Stewart comments on the existing non-conforming setback & requests the condition of an as-built.
- Attorney Galvin concurs with Andrews's comments and condition of the as-built.
- Mr. Murphy motions to close hearing/ Mr. Corwin seconds.
- The board allows for the dimensions to be slightly adjusted to accommodate the squaring off of the existing structure.
- Unanimous vote by all to approve the Special Permit with the condition of an as-built and a Certificate of Occupancy.

**B. #23-30 (31 Water Street)**

- Mr. Murphy reads case into the record.
- Dick Rockwood and Carly Tobias to present.
- Attorney Bob Galvin comments on the proposed "jog" and that they applicant may utilize the existing side setback to flush the wall. He then asks about the front setback to which Andrew replies that he understands this was a revised plan.
- Mr. Rockwood then request that he be able to adjust the setback to again keep the proposed addition flush with the existing structure.
- Brian Sullivan comments that he is inclined to approve and that he sees this will not impact the neighborhood.
- Mr. Murphy motions to close the case hearing. Mr. Sullivan seconds.

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- Mr. Murphy moves to approve the Special Permit, with the conditions that an as-built be submitted, a certificate of occupancy obtained and floodplain requirements met.
- Mr. Keane seconds. All unanimously vote to approve.

**C. #23-31 (40 Crane Road)**

- Mr. Murphy reads case into the record.
- Dick Rockwood and Carly Tobias to present.
- Andrew Stewart questions the floor area of the half story and the second floor square footage.
- Ms. Heidi Conway makes a comment on updating the site plan to which Dick Rockwood agrees.
- Attorney Bob Galvin concurs with the requirement of an updated site plan.
- Mr. Murphy moves to close hearing. Mr. Corwin seconds.
- Mr. Murphy motions to approve the Special Permit with the conditions that a Building Permit, verification of the 2/3 floor area (plan update from Dick Rockwood) and foundation as-built.
- Mr. Sullivan Seconds. All in favor, unanimously approve.

**D. #23-32 (76 Carolyn Circle)**

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Rick Servant of Stenbeck & Taylor to present.
- Andrew Stewart comments on the 4x6 posts and storage of the ramp in the off season.
- Mr. Murphy moves to close the hearing. Mr. Sullivan seconds.
- Mr. Murphy moves to approve both the Special Permit and Variance with the conditions of the Dock Conditions #1-15, a final Site Plan/as-built and floodplain permit.
- Mr. Sullivan seconds. All in favor, unanimously approve.

**E. #23-33 (22 Whitford Drive)**

- Mr. Murphy reads case into the record and turns hearing over to the owner.
- Homeowner presents case.
- Andrew Stewarts assists in explaining the non-conformity.
- Mr. Murphy moves to close case hearing. Mr. Sullivan seconds.
- Mr. Murphy moves to approve Special Permit with the condition that an as-built be submitted and a certificate of Occupancy issued.
- Mr. Sullivan seconds. All in favor, unanimously approve.

**F. #23-34 (9 Ocean Street)**

- Mr. Murphy reads case into the record.
- Andrew Stewart comments on property not being in the FEMA floodzone. And that the proposed new home will end up too close to the existing shed.

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- Mark responds to Mr. Stewart explaining they would be moving the shed for the foundation installation anyway.
- Attorney Bob Galvin informs Mr. Giarrusso that the shed could be potentially placed on the paper street that abuts the property.
- Mr. Murphy address the audience to which a direct abutter, Rebecca Blackman shares her concerns with the overhead electrical service.
- Mr. Giarrouso assures Ms. Blackman that the service will not be disturbed during construction.
- Mr. Murphy moves to close the case hearing. Mr. Sullivan seconds.
- Mr. Murphy moves to approve Special Permit with the condition that an as-built be submitted and a certificate of Occupancy issued.
- Mr. Sullivan seconds. All in favor, unanimously approve.

**Continues Hearings:**

- A. #23-25 (1849 Ocean Street) No one to present
  - Case is pending Selecboard approval prior to board making decision
  - Mr. Murphy moves to continue the case to the next meeting. Mr. Sullivan seconds All vote to continue to 5/23/2023 meeting
- B. #23-28 (20 Jackson Street) in velocity floodzone\*
  - Paul Seaburg with Atlantic Coast Engineering to present.
  - Andrew Stewart comments that he has not yet seen plans for the project. No architectural plans submitted.
  - Does acknowledge that a floodplain permit has been applied for
  - Draft plans are shared via zoom from Mr. Seaburg
  - The board members are satisfied with plans
  - Mr. Murphy moves to close the case hearing. Mr. Corwin seconds.
  - Mr. Murphy moves to approve the Special Permit, with the conditions that an as-built be submitted, a certificate of occupancy obtained and floodplain requirements met.
  - Mr. Keane seconds. All unanimously vote to approve.
- C. #22-66 (1184 Ferry Street) *Brian Murphy recuses himself\**
  - Mr. Sullivan reads case into the records
  - Paul Seaburg with Atlantic Coast Engineering to present
  - Mr. Sullivan asks about the reason for the continuance, to which Mr. Seaburg replies the applicant was waiting on approval from the Conservation Commission and Harbormaster.
  - Mr. Sullivan moves to close case hearing. Mr Keane seconds.
  - Mr. Sullivan motions to approve the Special Permit and Variance subject to the Dock Conditions #1-15.
  - Mr. Corwin seconds. All in favor, unanimously approve.

**Other Business:**



**ZONING BOARD OF APPEALS MEETING PLACE: LIVE AND ZOOM MEETING,  
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A. #18-63 (24 Brighton Street)

- Mr. Murphy motions to grant the extension. Mr. Sullivan seconds
- The board unanimously vote to approve extension to June 8, 2024
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Meeting adjourned at 7:15 PM by unanimous roll call vote.

**Next Meeting:** Tuesday, May 23, 2023.

Respectfully submitted,



Casey Dam  
Administrative Assistant

These minutes were approved by the Board on May 23, 2023 by a  
5-0 vote.

Signed:  Date: 5/23/23