

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
TUESDAY, SEPTEMBER 13, 2022 at 6:30 P.M.

AGENDA FOR HYBRID PARTICIPATION MEETING

Pursuant to Chapter 20 of the Acts of 2021 dated June 16, 2021, An Act Relative to Extending Certain COVID 19 Measures Adopted During the State of Emergency regarding suspending certain provisions of the Open Meeting Law, G. L. c. 30A §18, the Town of Marshfield’s Zoning Board of Appeals Meeting will be conducted both in-person and via remote participation.

The conferencing application Zoom will be used for this purpose. An online link and telephone access number will be provided on all meeting agendas and also on the Board’s website. This application will permit the public to access and participate in future Board meetings and hearings. Instructions for joining meetings in this manner will be provided on the Town and Town Clerk’s websites. In addition, Marshfield Community TV may provide coverage of these meetings. We extend our thanks for your understanding and participation in this manner, which is intended to keep members of the Board and the public safe.

Every effort will be made to ensure that members and the public can adequately access the proceedings to the best of our technical abilities; and, despite our best efforts, this meeting may be viewed as a video recording on Marshfield Community Television website (marshfielddtv.org) and a transcript or other comprehensive record of the meeting will be available as soon as possible after the meeting. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.

If participating remotely, you must have microphone or you will not be able to speak. You must have camera if you want to see video.

If dialing in on a phone, please use *6 to mute and unmute.

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Meeting ID: 823 3178 8283

Passcode: 695099

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AGENDA

I. CALL TO ORDER / ROLL CALL

II. ANNOUNCEMENTS: Meeting is being recorded by MCTV (if applicable)

III. NEW HEARINGS:

A. #22-76: Joanna Dixon: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 45’4” x 31’ second story addition over the existing

first floor which will be elevated and front stairs to provide access to the raised dwelling on the property located at **56 Hartford Road** which is further identified on the Assessors' Maps as being on parcel K10-15-14 and is located in an R-3 zoning district.

- B. #22-77: Ellen Quinn and Terrence Watts:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 10' x 22' addition on the right side of the existing dwelling on the property located at **18 Billings Road** which is further identified on the Assessors' Maps as being on parcel L10-10-03 and is located in a B-3 zoning district.
- C. #22-78: Kelli and William Sullivan:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to rebuild the existing 12' x 16' screened porch to a 20' x 20' two (2) story addition with roof deck, a 14' x 16' single story three (3) season room and a 22' x 8' entry way with staircase to all floors and a half story attic on the property located at **140 Meadowview Street** which is further identified on the Assessors' Maps as being on parcel K12-02-01 and is located in an R-3 zoning district.
- D. #22-79: BGHM, Inc.:** The Applicant, BGHM, Inc., is seeking a Special Permit pursuant to Marshfield Municipal Code §305-10.10 (Special Permits) and §305-13.02 (Coastal Wetland District) for maintenance dredging of the SHM Green Harbor Marina consistent with the authorizations of the Marshfield Conservation Commission, the United States Army Corps of Engineers and the Massachusetts Department of Environmental, located at 239 Dyke Road (identified on the Assessors' Map as parcel M06-08-05) located in the B-4 Waterfront and Coastal Wetlands Districts and such other further relief pursuant to the Marshfield Municipal Code as necessary.
- E. #22-80: Vincent Vieules:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to enclose and expand the existing 9'7" x 16' three (3) season room to 9'7" x 20' and add a 9'7" x 20' second story and a 9'7" x 10' deck on the side on the property located at **140 Atwell Circle** which is further identified on the Assessors' Maps as being on parcel L04-01-23 and is located in an R-2 zoning district.
- F. #22-81: George Sarnie:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing nonconforming single family dwelling and construct a new 40' x 30' dwelling with an 8' farmers porch on the front on the side on the property located at **17 West Street** which is further identified on the Assessors' Maps as being on parcel M05-12-05 and is located in an R-3 zoning district.
- G. #22-82: Richard Clemence:** In accordance with §305-10.09 of the Marshfield Municipal Code the Petitioner is seeking an Appeal of the Building Commissioner's opinion dated July 13, 2022 that the pre-existing, nonconforming use was abandoned on the property located at **16 Old Summer Street** which is further identified on the Assessors' Maps as being on parcel F17-03-07C and is located in an R-1 zoning district. (Petitioner has requested to continue to the September 27, 2022 meeting.)
- H. #22-83: Beth Mahoney:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing 24' x 22' dwelling and construct a new 28' x 40' dwelling and a Variance in accordance with §305-10.11 for relief from §305-6.02, Table of Dimensional and Density Regulations, to allow encroachments into the side and front setbacks on the property located at **26 Island Street** which is further identified on the Assessors' Maps as being on parcel N06-06-60 and is located in an R-3 zoning district.

- I. **#22-84: James Marathas/TAJ Family Trust:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 5' x 16'4" covered bridge between the dwelling and existing garage and a Variance in accordance with §305-10.11 for relief from §305-6.02, Table of Dimensional and Density Regulations, if necessary, on the property located at **50 Ocean Street** which is further identified on the Assessors' Maps as being on parcel N06-07-08 and is located in an R-3 zoning district.
- J. **#22-85: Amanda and Saadon Davis:** The Petitioners are seeking a Special Permit in accordance with §305-11.09 of the Marshfield Municipal Code to re-establish an Accessory Apartment within the existing dwelling on the property located at **78 Earldor Circle** which is further identified on the Assessors' Maps as being on parcel D14-02-12 and is located in an R-1 zoning district.
- K. **#22-86: Mariners Lane, L.L.C.:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to construct a 13,000 square foot day care/pre-school on a 2.451 acre vacant lot on the property located at the intersection of **Proprietor's Drive and Commerce Way** which is further identified on the Assessors' Maps as being on parcel E09-01-66 and is located in the I-1 zoning district.
- L. **#22-87: Thomas Burke:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-9.02.C of the Marshfield Municipal Code to construct a new 8.7' x 14.10' deck on the front of the dwelling, two (2) 11' shed dormers on the left side of the dwelling and extend the right dormer by two (2) feet to allow head height for new stair location on the property located at **15 Charlotte Street** which is further identified on the Assessors' Maps as being on parcel K12-11-08 and is located in an R-3 zoning district.
- M. **#22-88: Michael and Colby Last:** In accordance with §305-10.09 of the Marshfield Municipal Code the Petitioners are seeking an Appeal of the Building Commissioner's determination that a Street Determination is required for the demolition of the existing residential dwellings and construction of a single family dwelling on the property located at **13 Brewster Road** which is further identified on the Assessors' Maps as being on parcel J12-02-16 and is located in an R-3 zoning district.
- N. **#22-89: SQ Realty Trust:** The Petitioner is seeking a Special Permit to in accordance with §305-10.12 of the Marshfield Municipal Code to modify Special Permit #19-13 due to an architectural design change, the existing rear cantilevered deck on the third floor projects approximately 1.5 feet further into the rear setback compared to the allowed overhang previously granted by Special Permit #19-13 on the property located at **24 Oregon Road** which is further identified on the Assessors' Maps as being on parcel L10-06-07 and is located in an R-3 zoning district.

IV. CONTINUED HEARINGS TO DATE CERTAIN (09-27-2022 6:30 P.M.):

- A. **#22-66: Peter Bethanis:** The Petitioner is seeking a Variance in accordance with §305-10.11 for relief from §305-6.07 and a Special Permit in accordance with §305-13.02.C.01 and §305-10.10 of the Marshfield Municipal Code to construct a 4' x 56' pier with a 36' long ramp and an 8' x 16' float on the property located at **1184 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-24-18 and is located in an R-3 zoning district.
- B. **#22-67: Craig Ricciarelli:** The Petitioner is seeking a Variance in accordance with §305-10.11 for relief from §305-6.07 and a Special Permit in accordance with §305-13.02.C.01 and §305-10.10 of the

Marshfield Municipal Code to construct a 4' x 127' pier with a 37' long ramp and an 8' x 20' float on the property located at **1203 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-24-22 and is located in an R-3 zoning district.

- C. **#22-74: Yacine Nouri/Dish Wireless:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to add three (3) six foot (6') antennas to the existing cell tower and a 5' x 7' steel platform on the property located at **Holyoke Avenue** which is further identified on the Assessors' Maps as being on parcel G12-31-01 and is located in an R-1 zoning district.
- D. **#22-75: Yacine Nouri/Dish Wireless:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to add three (3) six foot (6') antennas to the existing cell tower, a 5' x 7' steel platform and extend the fencing 16' x 12.6' on the property located at **969 Ocean Street** which is further identified on the Assessors' Maps as being on parcel K10-19-03A and is located in a B-3 zoning district.

IV. CLOSED HEARINGS/UNDER ADVISEMENT:

- A. **#22-24: Marshfield Commerce Way, L.L.C.:** The Petitioner is seeking a Comprehensive Permit in accordance with M.G.L. Chapter 40B for the construction of seven (7) three-story buildings, seven (7) townhome buildings, and one (1) clubhouse building. This development will consist of one hundred and seventeen (117) one-bedroom units, one hundred and sixteen (116) two-bedroom units and sixty-seven (67) three-bedroom units, which will total 300 units in all, seventy-five (75) of which will be considered affordable according to the Boston Metropolitan Statistical Area Index, as determined by HUD, on the property located on an approximately 12.68 acre site off of **Commerce Way** which is further identified on the Assessors' Maps as D08-01-11A and is located in I-1 and R-1 zoning districts and within a PMUD – Planned Mixed Use Overlay District.
- B. **#22-68: Jeffrey Casale:** The Petitioner is seeking a Variance in accordance with §305-10.11 for relief from §305-5.04, Accessory Uses #6, of the Marshfield Municipal Code to store a camper in the driveway on the property located at **1176 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-24-16 and is located in an R-3 zoning district.

V. OTHER BUSINESS:

- A. **#19-29: Manuela and Edward Barrett:** The Petitioners are requesting a determination that the modification of the original plan is a non-material change and are also asking for approval of the revised plan for the property located at **205 Bay Avenue**.

VI. NEW HEARINGS FOR SEPTEMBER 27, 2022:

#22-69A: Angela Vacirca: The Petitioner is seeking a Special Permit in accordance with §305-13.01 of the Marshfield Municipal Code to expand an existing non-conforming structure by adding a new 20' x 18' two (2) story addition on a crawlspace and a 20' x 8' addition on sonotubes at the rear of the dwelling with dormers on the property located at **16 Wilson Road** which is further identified on the Assessors' Maps as being on parcel L10-09-03 and is located in an R-3 zoning district.

#22-90: Joseph Masley: The Petitioner is seeking a Special Permit in accordance with §305-11.09 of the Marshfield Municipal Code to create an 865 square foot Accessory Apartment within the exiting

dwelling on the property located at **1125 Ferry Street** which is further identified on the Assessors' Maps as being on parcel I15-06-28 and is located in an R-3 zoning district.

#22-91: Robert Lally: The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-13.02 of the Marshfield Municipal Code to construct an 8' x 28' deck extension onto the existing rear deck, a new 8' x 20' kayak platform with a 4' x 20' swim platform extending into the tidal creek and a Variance in accordance with §305-10.11 for relief from §305-6.01, Applicability of Dimensional and Density Regulations, on the property located at **155 Bay Avenue** which is further identified on the Assessors' Maps as being on parcel M05-05-41 and is located in an R-3 zoning district.

#22-92: Six Birch Realty Trust: The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-13.02.C(1) of the Marshfield Municipal Code to extend an existing dock and float into the deeper water of the North River and construct a new 4' wide x 63' long wood pier, and relocate an existing gangway and float onto the end of the new pier on the property located at **Little's Lane** which is further identified on the Assessors' Maps as being on parcel D20-01-40 and is located in an R-1 zoning district.

#22-93: Marcam Precision, L.L.C.: The Petitioner is seeking a Special Permit in accordance with §305-10.10 and §305-5.04, Table of Use, Retail and Service #2, of the Marshfield Municipal Code to allow a retail establishment selling general merchandise for the sale of firearms and firearms training on the property located at **864 Plain Street** which is further identified on the Assessors' Maps as being on parcel D10-01-04A and is located in a B-2 zoning district.

#22-94: Wayne DeRosa: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing dwelling and construct a new 22' x 49' two (2) story dwelling with a 17' x 18'6" single story great room on the property located at **60 West Street** which is further identified on the Assessors' Maps as being on parcel M06-03-12 and is located in an R-3 zoning district.

VII. ADJOURNMENT