

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
TUESDAY, MAY 28th, 2024 at 6:30 P.M.

AGENDA FOR HYBRID MEETING

Pursuant to Chapter 2 of the Acts of 2023 dated March 29, 2023, 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. For this meeting, members of the public may attend in-person or may participate remotely, a hybrid form of meeting, also utilizing the ZOOM Meeting Instructions (video and phone in instructions) listed below. The public may also view the meeting by viewing the Town of Marshfield’s government access channels: Verizon (Chanel 35) and Comcast (Channel 15). 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 (marshfieldtv.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.

Join Zoom Meeting

<https://us02web.zoom.us/j/84148197143?pwd=VURNWmxMT25HV1pSNTdtU0tXTjVEUT09>

Meeting ID: 841 4819 7143

Passcode: 238845

One tap mobile

+13052241968,,84148197143# US

+13092053325,,84148197143# US

AGENDA

I. CALL TO ORDER / ROLL CALL

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

III. NEW HEARINGS:

- A. #24-33: Joseph Baker:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to demolish the existing single-family dwelling and construct a new 30’ x 36’ dwelling with associated rear decks on the property located at **26 Hillside Street** which is further identified on the Assessors’ Maps as being on parcel K12-03-06 and is located in an R-3 zoning district.

- B. #24-34: William Barke:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing single-family dwelling and construct a new 31’ x 39’8” two and a half (2½) story dwelling with a garage underneath on the property located at **93 Beach**

Street which is further identified on the Assessors' Maps as being on parcel M05-10-21 and is located in an R-3 zoning district.

- C. **#24-35: JA Plymouth, L.L.C.:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raze the existing single-family dwelling and construct a new 31'3" x 54'10" two and a half (2½) story dwelling on the property located at **176 Plymouth Avenue** which is further identified on the Assessors' Maps as being on parcel M08-14-12 and is located in an R-3 zoning district.

II. **CONTINUED HEARINGS TO DATE CERTAIN (05-28-2024):**

- A. **#24-26: Town of Marshfield/Harbormaster:** The Petitioner is seeking Site Plan approval in accordance with §305-12.02 of the Marshfield Municipal Code to regrade and repave the Ridge Road public boat ramp, install a concrete access ramp and landing, gangway and pile supported floats on the south side of the existing boat ramp; install a wooden guardrail, benches and landscape plantings **Ridge Road** which is further identified on the Assessors' Maps as being on parcel I15-24-14 and is located in an R-3 zoning district.
- B. **#24-22: Quirk Cars, Inc.:** The Petitioner is seeking a Special Permit in accordance with §305-10.10 and §305-9.02, Site Plan Approval in accordance with §305-12.02 and such other further relief pursuant to the Marshfield Municipal Code as necessary to raze and reconstruct the existing commercial building formerly known as Kabilians Car Care and Harper Autobody and construct a new commercial building for an automobile dealership or related uses consistent with the authorizations of the Marshfield Conservation Commission on the property located at **903 Plain Street** which is further identified on the Assessors' Maps as being on parcel D10-02-02 and is located in the I-1 zoning district.
- C. **#23-102: Matlin, L.L.C. c/o Sealund Corp.:** In accordance with Mass. Gen. L. c. 40B secs. 20-23 and 760 CMR 56.07(4)(a), the Petitioner is seeking to make substantial changes or modifications to the previously approved Comprehensive Permit (#16-50) that was remanded to the Marshfield Zoning Board of Appeals to consider substantial project changes to include, without limitation, increasing the number of approved units and changing the building types, by constructing eight, seven unit buildings (total of 56-unit multi-family apartment) and one (1) office space, requesting additional waivers, as well as approve the transfer of the prior permit to the Petitioner, on the property located at **Bridle Crossing off Ferry** which is further identified on the Assessors' Maps as being on parcel G12-29-02 and is located in an R-1 zoning district and the Water Resource Protection District.
- D. **#24-10: Next Door Realty Trust:** 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 property has been modified without approval and that the following prohibited uses have been added to this non-residential property in the R-1 Zoning District and the Water Resource Protection District (WRPD): Retail and Service Use #17, Boat Marina or Boat Yard and Accessory Use #6, Storage or more than two (2) boats. The Petitioner is also seeking a Variance under §305-10.11 for relief from §305-5.04, Table of Use Regulations, Retail and Service #17 and Accessory Uses #6 to allow for the winter storage of boats on the property located at **870 Main Street** which is further identified on the Assessors' Maps as being on parcel E12-03-03A and is located in an R-1 zoning district.

E. **CONTINUED HEARINGS TO DATE CERTAIN (06-11-2024):**

- A. **#24-16: Scott Shanley:** In accordance with §305-10.09 of the Marshfield Municipal Code, the Petitioner is seeking an Appeal of the Building Commissioner's determination that a Commercial

Kennel and Dog Training/Day Care use has been added to this residential property which is in violation of §305-5.02: Permitted Uses, §305.504: Table of Use Regulations and §305-11.07: Home Occupation of the Marshfield Municipal Code on the property located at **283 Holly Road** which is further identified on the Assessors' Maps as being on parcel H14-03-02 and is located in an R-1 zoning district.

- B. #23-87: Kevin McDonough:** In accordance with §305-10.09 of the Marshfield Municipal Code, the Petitioner is seeking an Appeal of the Building Commissioner's determination that he will not issue a building permit because Juniper Road does not meet the definition of a "street" as defined in the Marshfield Zoning Bylaws on the property located at **53 Juniper Road** which is further identified on the Assessors' Maps as being on parcel I15-03-13 and is located in the R-3 zoning district.
- C. #23-95: Patrick Campbell:** In accordance with §305-10.09 of the Marshfield Municipal Code, the Petitioner is seeking an Appeal of the Building Commissioner's determination that there are no violations of any Town of Marshfield Bylaws or Ordinances on the property located at **1067 Union Street** which is further identified on the Assessors' Maps as being on parcel B17-01-12A and is located in an R-1 zoning district.

III. OTHER BUSINESS:

- A. #18-63: Michael Lapomardo, 24 Brighton Street:** Petitioner requests a one (1) year extension to June 8, 2025 for the Special Permit granted at the September 25, 2018 meeting due to financial resources, design delays, transfer of ownership and difficulty securing a contractor.
- B. #22-42: Pompeo and Linda Leone, 670 Ocean Street:** Petitioners request a six (6) month extension until December 7, 2024 for the Special Permit granted at the May 24, 2022 ZBA meeting.

IV. NEW HEARINGS 06/11/2024:

- A. #24-37: Steven and Christine Sweeney:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to remove the existing 12' x 12' structure and construct a new 12' x 16' structure on the property located at **33 Breakwater Court** which is further identified on the Assessors' Maps as being on parcel K10-16-10 and is located in an R-3 zoning district.
- B. #24-38: Klaudiusz Kielb:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an 8' x 8' mudroom on the property located at **97 Foster Avenue** which is further identified on the Assessors' Maps as being on parcel L09-17-07 and is located in an R-3 zoning district.
- C. #24-39: Frozen 4 Corporation:** The Petitioner is seeking Site Plan modification in accordance with §305-12.02, a Special Permit modification under §305-10.10 and §305-12.06, and a Variance under §305-10.11 of the Marshfield Municipal Code to allow the applicant to conduct three (3) single day events with vendors and food trucks and delineate the use of the front parking lot and patio area on the property located at **985 Plain Street** which is further identified on the Assessors' Maps as being on parcel C10-02-05A and is located in the I-1 zoning district and a Water Resource Protection (WRPD) district.
- D. #24-40: Andrew Maretz:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an 8' x 9' dormer on the intact part of the roof and

replace the existing damaged flat roof with a 16' gable roof on the property located at **935 Union Street** which is further identified on the Assessors' Maps as being on parcel B16-01-18 and is located in an R-1 zoning district.

V. ADJOURNMENT