

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
TUESDAY, SEPTEMBER 14, 2021 at 6:30 P.M.

AMENDED 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. 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. 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.

Topic: Marshfield Zoning Board of Appeals

Time: Sep 14, 2021 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83998670131?pwd=U0pWRjJUWGc5TnNDa1RvUitldXBMQT09>

Meeting ID: 839 9867 0131

Passcode: 979328

One tap mobile

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Dial by your location

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Meeting ID: 839 9867 0131

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Must have microphone or you will not be able to speak
Must have camera if you want to see video
*If dialing in on a phone, please use *6 to mute and unmute.*

AGENDA

I. CALL TO ORDER / ROLL CALL

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

III. NEW HEARINGS:

- A. **#21-62: Chad Bennett:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raise the second floor roof no more than seven feet (7.0') to construct a 12' x 24' bedroom on the property located at **139 Elm Street** which is further identified on the Assessors' Maps as being on parcel I15-04-05B and is located in an R-3 zoning district.
- B. **#21-63: Kathleen Fox and Terrance Power:** In accordance with §305-10.09 of the Marshfield Municipal Code the Petitioners are seeking an Appeal of the Building Commissioner's decision not to enforce the landscape buffer and screening conditions included in Special Permit #15-71 on the property located at **2205 Main Street** which is further identified on the Assessors' Maps as being on parcel E20-01-03 and is located in an R-1 zoning district.
- C. **#21-64: Erin Murphy:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 28' x 24' addition at the rear of the dwelling on the property located at **36 Saginaw Avenue** which is further identified on the Assessors' Maps as being on parcel M08-10-01 and is located in an R-3 zoning district.
- D. **#21-45A: Richard and Kathleen Doyle:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an 8' x 12' roof over a portion of the existing deck on the property located at **88 Marginal Street** which is further identified on the Assessors' Maps as being on parcel M06-05-01 and is located in an R-3 zoning district.
- E. **#21-65: A & K Lomba Trust:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 19' x 16' one (1) story addition and a new 2'8" x 6'8" bulkhead entry on the rear of the dwelling on the property located at **95 Bradley Street** which is further identified on the Assessors' Maps as being on parcel M08-24-05 and is located in an R-3 zoning district.
- F. **#21-66: Jeffrey S. and Lucinda A. Banks:** The Petitioners are seeking a Special Permit in accordance with §305-13.02.C.01 and §305-10.12 and a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-6.07 to construct a 4' x 172.9' pier, a 3' x 25' ramp and an 8' x 20' float/dock on the property located at **89 Bourne Park Avenue** which is further identified on the Assessors' Maps as being on parcel J10-08-06 and is located in an R-3 zoning district.
- G. **#21-67: Steven Pollack:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an 11.5" x 33" x 6.5' bump-out on the property located at

- H. **68 West Street** which is further identified on the Assessors' Maps as being on parcel M06-03-07 and is located in an R-3 zoning district.
- I. **#21-68: Joseph Santos:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 31'11" x 19'11" addition on the existing footprint on the property located at **170 Meadowview Street** which is further identified on the Assessors' Maps as being on parcel K12-02-06 and is located in an R-3 zoning district.
- J. **#21-69: Quirk Cars Inc. d/b/a Quirk Kia South:** The Petitioner is seeking Site Plan modification to renovate the exterior of the existing building and a *de minimus* modification of the parking configuration to allow for an open, covered canopy service reception area and updated exterior siding on the property located at **955 Plain Street** which is further identified on the Assessors' Maps as being on parcel C10-02-04A and is located in the I-1 zoning district.

IV. CONTINUED HEARINGS TO DATE CERTAIN (09-14-2021 6:30 P.M.):

A. #21-28: American Towers, L.L.C.: In accordance with §305-10.11 of the Marshfield Municipal Code the Petitioner is seeking a Variance for relief from §305-5.04, Table of Use Regulations, Retail and Service #23b, §305-6.05, §305-6.10, §305-11.12.B(1), §305-11.12.B(2), §305-11.12.B(3), a Special Permit under §305-5.04.22 and 23, Accessory Communications Tower to a Nonresidential Use, §305-10.10 and §305-11.12 and Site Plan approval under §305-12.02 to construct a self-supporting one hundred and twenty foot (120') Monopole Tower, the ground space of which will be surrounded with a six foot (6') high chain link fence with a twelve foot (12') wide locked entrance gate which will house the telecommunications tower, equipment cabinets and generator of Verizon Wireless and the equipment for future co-locators on the property located at **0 Snow Road** which is further identified on the Assessors' Maps as being on parcel H07-04-25A and is located in a B-1 zoning district.

B. #21-44: CJV Automotive & Towing, Inc.: The Petitioner is seeking a Special Permit and a waiver of Site Plan Approval in accordance with Marshfield Municipal Code §305-10.10 SPECIAL PERMIT and §305-5.04 Wholesale Transportation and Industrial section 10, "Other Transportation Services" and waiver of site plan approval under §305-12.02 for automotive towing and transportation use with repair as accessory thereto under subsection 7 of Accessory Uses permitted therein and such other further relief pursuant to the Marshfield Municipal Code as necessary on the property located at **847 Webster Street, Unit 6**, which is further identified on the Assessors' Maps as being on parcel H07-04-43 and is located in a B-1 zoning district. **Applicant has requested to continue until the September 14, 2021 meeting.**

C. #19-81: D.J. Sullivan Collision Center, Inc.: In accordance with §305-10.09 of the Marshfield Municipal Code the Petitioner is seeking an Appeal of the failure of the Building Commissioner to issue a decision confirming that multiple principal uses are allowed on the property located at **612 Plain Street** which is listed on the Assessors' Maps as being on parcel E10-02-10 and is located in a B-2 zoning district with a Water Resource Protection District overlay. **Applicant has requested to continue until the September 14, 2021 meeting.**

~~**D. #21-59: Town of Marshfield/Harbormaster:** The Petitioner is seeking a Special Permit in accordance with §305-10.10 and §305-13.02 and Site Plan approval under §305-12.02 of the Marshfield Municipal Code to regrade the Town's existing Dredge Spoils Area (DSA) to provide additional parking for a total of ninety four (94) parking spaces and eighteen (18) trailer spaces for use by Harbor Park visitors and overflow parking for the Town Pier on the property located at **Joseph Driebek Way** which~~

~~is further identified on the Assessors' Maps as being on parcel M07-03-01 and is located in an R-3 zoning district.~~

E. #21-61: Scott and Lisa Ripley: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to extend the existing deck by 26' x 14' on the property located at **57 Ireland Street** which is further identified on the Assessors' Maps as being on parcel I16-12-12 and is located in an R-3 zoning district.

V. CLOSED HEARINGS/UNDER ADVISEMENT:

A. #21-49: Thomas Hedin: 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 16' x 41' single family home with a 10' x 16' deck on elevated wood piles on the property located at **9 Bryants Lane** which is further identified on the Assessors' Maps as being on parcel M08-51-03 and is located in an R-3 zoning district.

B. #21-60: Kenneth Hay: The Petitioner is seeking a Special Permit in accordance with §305-9.02.B, §305-9.02.C and §305-10.10 of the Marshfield Municipal Code to construct a 12'8" x 30' one (1) story addition on the property located at **19 Wilson Road** which is further identified on the Assessors' Maps as being on parcel L10-10-09 and is located in a B-3 zoning district.

VI. OTHER BUSINESS:

A. Selection of new officers

VII. APPROVAL OF ANY MINUTES:

VIII. ADJOURNMENT

IX. UPCOMING NEW HEARINGS:

#21-70: 165 Prospect Street, L.L.C.: The Petitioner is seeking a Special Permit in accordance with §305-9.05.A of the Marshfield Municipal Code to change one commercial use to another commercial use 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.

#21-71: Alison M. Doherty: The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-13.02 of the Marshfield Municipal Code to raze the existing one and a half (1½) story dwelling and block foundation and construct a new 20' x 30' two and a half (2½) story dwelling and concrete foundation, a 5' x 7' replacement front covered entrance deck and an 8' x 6' replacement rear entrance deck both with associated stairs on the property located at **12 Branch Street** which is further identified on the Assessors' Maps as being on parcel N06-03-07A and is located in an R-3 zoning district.

#21-72: Kevin McNiff: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to extend the existing deck by 9'4" and construct a 25'7" x 12.1' addition over the deck by enclosing it with a roof and construct a 31' x 15' dormer on the front of the second floor on the property located at **17 Seminole Avenue** which is further identified on the Assessors' Maps as being on parcel M09-03-08 and is located in an R-3 zoning district.

#21-59A: Town of Marshfield/Harbormaster: The Petitioner is seeking a Special Permit in accordance with §305-10.10, §305-10.12 and §305-13.02 for the extension and alteration of an existing nonconforming use and Site Plan approval under §305-12.02 of the Marshfield Municipal Code to regrade the Town's existing Dredge Spoils Area (DSA) to provide additional parking for a total of ninety-four (94) parking spaces and eighteen (18) trailer spaces for use by Harbor Park visitors and overflow parking for the Town Pier on the property located at **Joseph Driebeek Way** which is further identified on the Assessors' Maps as being on parcel M07-03-01 and is located in an R-3 zoning district.

Webster Point Village, LLC: Request to approve change(s) to the Comprehensive Permit issued to Webster Point Village, LLC by the Zoning Board of Appeals dated August 26, 2021 which the Zoning Board of Appeals has determined to be "substantial changes" after a September 8, 2021 Zoning Board meeting to consider the proposed changes. The property contains 26.33 acres, more or less, located off of Careswell Street in Marshfield, Massachusetts is located in the R-1 Zoning District, and is further identified as Parcel J02-05-01A on the Marshfield Assessor's Maps.