

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
TUESDAY, NOVEMBER 14th, 2023 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.

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 Zoning Board of Appeal'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 (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.

Topic: Zoning Board of Appeals

Time: Nov 14, 2023 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88356006719?pwd=Kyt4NEwrZ2YzNlI1SjEvMDV1K2d0UT09>

Meeting ID: 883 5600 6719

Passcode: 748395

One tap mobile

+13052241968,,88356006719# US

+13092053325,,88356006719# US

Dial by your location

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

Meeting ID: 883 5600 6719

Find your local number: <https://us02web.zoom.us/u/kWqGtOj1i>

AGENDA

I. CALL TO ORDER / ROLL CALL

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

III. EXECUTIVE SESSION;

To discuss strategy with respect to actual or threatened litigation that is demonstrably likely where an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares pursuant to Gen. L. c. 30A sec. 21(a)(3).

IV. NEW HEARINGS:

- A. **#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.
- B. **#23-88: Arsenault Family Irrevocable Trust/Michelle Arsenault, Trustee:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 and §305-9.02.C of the Marshfield Municipal Code to raze the existing home and construct a new 62' x 49' two (2) story single family dwelling on the property located at **94 West Street** which is further identified on the Assessors' Maps as being on parcel M06-06-11 and is located in an R-3 zoning district.
- C. **#23-89: Kathleen Campbell:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-9.02.C of the Marshfield Municipal Code to elevate the existing 45' x 28' house, 10' x 22' front porch and 11' x 8' utility room on to a new flood compliant foundation in the same location on the property located at **134 Surf Avenue** which is further identified on the Assessors' Maps as being on parcel K11-23-13 and is located in an R-3 zoning district.
- D. **#23-90: Stephen Corbett:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-9.02.C of the Marshfield Municipal Code to raze the existing 16' x 37' single story dwelling and construct a new 24' x 26' two (2) story dwelling on the property located at **36 Elmhurst Avenue (Off)** which is further identified on the Assessors' Maps as being on parcel L04-01-69 and is located in an R-3 zoning district.
- E. **#23-91: Mary Lyons:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to raise the existing 32'2" x 38' dwelling approximately six feet (6') to elevate it on a new poured foundation in the same location on the property located at **12 Naomi Street** which is further identified on the Assessors' Maps as being on parcel M05-05-60 and is located in an R-3 zoning district.
- F. **#23-92: Marilyn White:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 and §305-9.02.C of the Marshfield Municipal Code to raze the existing non-conforming home and construct a new 44' x 30' two and a half story (2½) dwelling on the property located at **25 Damons Point Circle** which is further identified on the Assessors' Maps as being on parcel F20-02-03 and is located in an R-1 zoning district.

G. #23-93: Anton Cela: The Petitioner is seeking a Variance under §305-10.11 of the Marshfield Municipal Code for relief from §305-6.10, Table of Dimensional and Density Regulations, because the cantilevered deck is five feet (5') into the front setback on the property located at **333 Plymouth Avenue** which is further identified on the Assessors' Maps as being on parcel L09-09-16A and is located in an R-3 zoning district.

V. CONTINUED HEARINGS TO DATE CERTAIN (11-14-2023):

A. #23-86: Amy Guillemain: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to modify the previously approved Special Permit (#20-20) to construct a 66' x 30' breezeway and attached garage and a Special Permit under §305-11.09 to create an Accessory Apartment within the proposed addition on the property located at **556 Pleasant Street** which is further identified on the Assessors' Maps as being on parcel E17-04-25 and is located in an R-1 zoning district.

VI. OTHER BUSINESS:

A. Approval of Minutes from the November 22, 2022 and October 24, 2023 meetings

VII. NEW HEARINGS 11-28-2023:

A. #23-94: Kenneth Goode: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an approximate 11' x 24' roof dormer on the existing detached garage on the property located at **52 Vincent Drive** which is further identified on the Assessors' Maps as being on parcel K11-16-06 and is located in an R-3 zoning district.

B. #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.

C. #23-96: 0 Pinehurst Road Realty Trust: The Petitioner is seeking a Special Permit in accordance with §305-13.01.C.1 of the Marshfield Municipal Code to allow construction of an approximate 80' x 34' two and a half (2½) story dwelling on the 4.11 acre lot located at **193 Pinehurst Road** which is further identified on the Assessors' Maps as being on parcel G14-01-02 and is located in an R-1 zoning district.

D. #23-97: Patrick and Kristin Haddigan: The Petitioners are seeking a Variance in accordance with §305-10.11 of the Marshfield Municipal Code for relief from §305-6.10, Table of Dimensional and Density Regulations, to reduce the setback by 5.1' and a Special Permit in accordance with §305-10.12, §305-9.02 and §305-13.01 to replace the existing 39.1' x 11.3' deck and shed on the left side, remove the existing 26.2' x 11.3' existing deck/shed on the rear side and replace them with a 44.2' x 12.7' deck and garage extension on the left side and a 47.9' x 16.2' deck, garage extension and four (4) season porch on the rear side on the property located at **110 Riverside Circle** which is further identified on the Assessors' Maps as being on parcel D20-01-01 and is located in an R-1 zoning district.

E. #23-98: Plum Summer L.L.C.: The Petitioner is seeking a Special Permit in accordance with §305-