

Marshfield Zoning Board of Appeals
870 Moraine Street, Marshfield, MA 02050
MAY 11, 2021 at 6:30 P.M.

AGENDA FOR REMOTE PARTICIPATION MEETING

In response to Governor Baker's declaration of a public health emergency and the related Emergency Executive Order dated March 12, 2020 as well as the Marshfield Board of Selectmen's Declaration of Emergency on March 17, 2020, the Zoning Board of Appeals shall be meeting remotely until further notice. The audioconferencing 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. The meeting will be shown live on www.marshfielddtv.org/streaming or Channel 35 (Verizon) or Channel 15 (Comcast).

Join Zoom Meeting

<https://us02web.zoom.us/j/89020062876?pwd=UjFuOXdSR0tlMnRHN3dPRmpid1JHdz09>

Meeting ID: 890 2006 2876

Passcode: 045666

One tap mobile

+13017158592,,89020062876#,,,,,0#,,045666# US (Germantown)

+13126266799,,89020062876#,,,,,0#,,045666# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

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. #21-28: 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. #21-29: Steven Sawyer: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to replace a 24' x 12' deck which will include a 10.5' x 12' screened porch on the property located at **114 Dwight Road** which is further identified on the Assessors' Maps as being on parcel H15-15-01 and is located in an R-3 zoning district.

C. #21-30: Michael Kiley/Kiley Family Trust: 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 7.8' x 11.6' two (2) story addition, an 8' x 9' deck and to reconstruct the 12.5' x 22.5' garage on the property located at **31 Branch Street** which is further identified on the Assessors' Maps as being on parcel N06-04-16 and is located in an R-3 zoning district.

D. #21-31: Stanley Kusy and Maura Kiefer: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 25' x 28' one (1) story addition for a three (3) season porch on the property located at **747 Ocean Street** which is further identified on the Assessors' Maps as being on parcel L09-10-17 and is located in an R-3 zoning district.

E. #21-32: Irene Fusco: The Petitioner is seeking a Special Permit in accordance with §305-9.02 of the Marshfield Municipal Code to construct a 6'6" x 34'6" covered, unenclosed front porch and a 6'7" x 16'10" one on the right side on the property located at **83 Preston Terrace** which is further identified on the Assessors' Maps as being on parcel I16-03-07 and is located in an R-3 zoning district.

F. #21-33: David and Renee Kolar: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 42' x 26' one (1) story addition and a 10' shed roof on the second floor on the property located at **45 Longview Terrace** which is further identified on the Assessors' Maps as being on parcel K10-04-10 and is located in an R-3 zoning district.

G. #21-34: Kathleen Sullivan, Trustee: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to enclose 9' x 41.5' of the existing porch and create a 9' x 6' porch on the property located at **226 Bay Avenue** which is further identified on the Assessors' Maps as being on parcel M05-09-09 and is located in an R-3 zoning district.

H. #21-35: Kenneth Robicheau: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct two (2) 8' x 17.6' dormers on the property located at **431 Union Street** which is further identified on the Assessors' Maps as being on parcel B13-01-06 and is located in an R-1 zoning district.

IV. CONTINUED HEARINGS TO DATE CERTAIN (05-11-2021 6:30 P.M.):

A. #21-08: William Smith: The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct an 8' x 34' three (3) season porch on the existing dwelling on the property located at **115 Monitor Road** which is further identified on the Assessors' Maps as being on parcel K10-14-27 and is located in an R-3 zoning district.

B. #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 May 11, 2021 meeting.**

C. #21-25: Marshfield Agricultural and Horticultural Association: 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 #19 and Site Plan approval under §305-12.02 to operate a two (2) screen drive-in movie theater at the Marshfield Fairgrounds on the property located at **33 South River Street** which is further identified on the Assessors' Maps as being on parcel G08-07-12E and is located in an R-2 zoning district.

V. CLOSED HEARINGS/UNDER ADVISEMENT:

VI. OTHER BUSINESS:

A. #18-63: Michael Lapomardo - 24 Brighton Street: Due to various reasons addressed in his letter, Mr. Lapomardo is requesting an additional extension on his Special Permit that was granted in September of 2018. Mr. Lapomardo was granted an extension at the June 9, 2020 meeting and was advised to request an additional extension if there were delays in construction.

B. #15-71: Jeffrey DeLisi, Esquire - 2205 Main Street: Discussion regarding the status of the buffer and if recent changes are an acceptable replacement of the previous buffer.

B. Review Rules and Regulations

C. Selection of new officers

VII. APPROVAL OF ANY MINUTES:

VIII. UPCOMING NEW HEARINGS (MAY 25th, 2021):

A. #21-36: David and Casey Giordani: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 17.5' x 16' two (2) story addition on the property located at **6 Towne Way** which is further identified on the Assessors' Maps as being on parcel K10-05-02 and is located in an R-3 zoning district.

B. #21-37: Francis and Jeannine Wilkins: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct two (2) 20'4" x 27'4" dormers on the property located at **7 Tecumseh Avenue** which is further identified on the Assessors' Maps as being on parcel M08-13-03 and is located in an R-3 zoning district.

C. #21-38: David and Leslie Maxwell: The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to remove the existing farmer's porch on the northwest and southwest sides of the existing dwelling and construct a new L-shaped sunroom which will be 16'3" x 9' along the northwest side and 10'4" x 6'7" along the southwest side with an 8'4" x 4'8" landing and stairs and a 23' x 6'7" deck on posts with stairs on the property located at **60 Saginaw Avenue** which is further identified on the Assessors' Maps as being on parcel M08-09-01 and is located in an R-3 zoning district.

ADJOURNMENT (Roll Call Vote Required)

NOTES TO REMOTE MEETINGS

1. All or any of the members of the public body may choose to participate in a public meeting via remote access. Meetings may be virtual in their entirety.

2. The public will not be allowed into a Board/Committee meeting, even where there are any members of the public body and/or town staff or official(s) physically present at the meeting location during the meeting. "Public comment" portions of meetings will be temporarily suspended.
3. However, the public will be provided with alternative access through which they can watch or listen to meetings "in real time," and meeting notices will specify the manner in which members of the public may access audio or video of the meeting as it is occurring.
4. If, despite our best efforts, our technological capabilities do not adequately support public access to virtual or remote meetings, the town will ensure that an audio or video recording, transcript, or other comprehensive record of the proceedings at the meeting is posted on the town's website as soon as possible after the meeting.
5. Notices for public hearings will contain additional information about how the public may participate via electronic/technological means.
6. For executive session meetings, public access to the meeting will be limited to the open session portion(s) of the meeting only. Public access to any audio, video, internet or web-based broadcast of the meeting will be discontinued when the public body enters executive session.
7. Where individuals have a right, or are required, to attend a public meeting or hearing, including executive session meetings, they will be provided with information about how to participate in the meeting/hearing remotely.
8. Meeting notices will still be posted at least 48 hours in advance (not counting Saturdays, Sundays, or legal holidays), unless it is an emergency meeting as defined under the Open Meeting Law (in which event, the meeting notice will be posted with as much advanced notice as is possible in the circumstances). Minutes will still be taken.