



**ZONING BOARD OF APPEALS MEETING**  
**PLACE: HEARING ROOM 2, MARSHFIELD TOWN HALL**  
**JUNE 13, 2017 7:30 p.m. - AGENDA**

**I. CALL TO ORDER / ROLL CALL**

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

**III. NEW HEARINGS:**

- A. #17-23: 1619 Ocean Street Realty Trust/Stephen Forte, Trustee:** The Petitioner is seeking Site Plan approval under Article XII, Section 12.02 and a Special Permit in accordance with Article X, Section 10.12 and Article IX, Section 9.02.3 of the Marshfield Zoning Bylaws to construct an 8' x 10' addition for a walk-in refrigerated storage room on an existing single family dwelling with a Residential Business (florist) on the property located at **1619 Ocean Street**, which is further identified on the Assessors' Map as parcel I08-07-08 and is located in an RB zoning district.
- B. #17-35: David Smith:** The Petitioner is seeking a Special Permit in accordance with Article XIII, Section 13.02(3)(a) to raze the existing single family dwelling and construct a new single family dwelling above the base flood elevation within a Coastal Wetlands District and a Special Permit in accordance with Article IX, Section 9.02.(3) to reconstruct a single family dwelling within the nonconforming rear setback and not to exceed setbacks of the existing structure in accordance with the procedures established by Article X, Section 10.12; Petitioner proposes to relocate the proposed structure to conform to the side setback on the property located at **122 Bayberry Road**, which is further identified on the Assessors' Map as parcel I15-23-03 and is located in an R-3 zoning district.
- C. #17-36: Robert and Michele Brait:** The Petitioners are seeking a Special Permit in accordance with Article XI, Section 11.09 of the Marshfield Zoning Bylaws to create a Residential Accessory Apartment within the existing structure on the property located at **181 Hillcrest Road**, which is further identified on the Assessors' Maps as parcel C15-01-71 and is located in an R-1 zoning district.
- D. #17-37: Stephen Creed:** The Petitioner is seeking Special Permit in accordance with Article X, Section 10.12 of the Marshfield Zoning Bylaws for the extension of a Pre-existing, nonconforming single family home under Article IX, Section 9.02(3) to construct a 15' x 12' one story kitchen addition to the left side of the existing home and a 10' x 17' porch to the left rear side (proposed setback distances on the sidelines will be no closer than the pre-existing setbacks on the property located at **162 Careswell Street**, which is further identified on the Assessors' Maps as parcel M05-02-02 and is located in an R-3 zoning district.
- E. #17-38: Margaret Tufts:** The Petitioner is seeking a Special Permit in accordance with Article X, Section 10.12 of the Marshfield Zoning Bylaws to add a new 7' x 10' enclosed entry, a new 12' x 14' living room on the right side of the single family dwelling and a new 8' x 13' bathroom on the left side of the dwelling on the property located at **9 Shipyard Road**, which

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is further identified on the Assessors' Maps as parcel I15-20-08 and is located in an R-3 zoning district.

- F. #17-39: Mary Anne Brogan:** The Petitioner is seeking a Special Permit in accordance with Article X, Section 10.12 of the Marshfield Zoning Bylaws to construct a 2' x 13' garage extension on the first garage bay on the property located at **6 Jackson Street**, which is further identified on the Assessors' Maps as parcel K12-12-05 and is located in an R-3 zoning district.
- G. #17-40: Scott Rubeski and Kim Dalton:** The Petitioners are seeking a Special Permit in accordance with Article X, Section 10.12 of the Marshfield Zoning Bylaws to enclose a 12' x 14' portion of the existing deck to extend the kitchen on the existing single family dwelling on the property located at **17 Bay Point Path** which is further identified on the Assessors' Maps as parcel L04-01-21 and is located in an R-3 zoning district.
- H. #17-41: Carolyn Guarino:** The Petitioner is seeking an Appeal in accordance with Article X, Section 10.09 of the Marshfield Zoning Bylaws of the Building Commissioner's notice of May 5, 2017 to cease and desist the operation of an exercise boot camp class in the backyard of the property located at **56 Canal Street** which is listed on the Assessors' Map as parcel L05-22-01 and is located in an R-3 zoning district.

**IV. CONTINUED HEARINGS:**

- A. #17-26: Daniel J. Quirk, Manager/James Francis, L.L.C:** The Petitioners are seeking a Variance in accordance with Article VI, Section 6.05 to extend the existing vehicle storage area to the rear of the property across the zoning district line separating the B-2 district from the R-1 district and proposes to carry the required 35 foot screening buffer to the rear of the proposed parking area rather than at the zoning district division line as required; the Petitioners are seeking a Variance in accordance with Article V, Section 5.04 to use that portion of the lot located within the R-1 zoning district as outside vehicle storage accessory to the dealership; the Petitioners are seeking Site Plan Approval pursuant to Article XII, Section 5.2 to add an additional 123 vehicle storage spaces; the Petitioners are seeking further relief from Article XIII, Section 5.2.i and requests a finding that or Variance from Article XIII, Section 5.02.i as it applies to a site/lot entirely within the WRPD, sections of which are located within the B-2 and R-1 zoning districts, that consideration of the site/lot in the aggregate for the purpose of impervious coverage and open space determination within the overlay district may be allowed on the property located at **830 Plain Street**, which is further identified on the Assessors' Map as parcel D10-01-07 and is located in a B-2 and R-1 zoning districts.
- B. #17-30: Nicholas Garafalo:** The Petitioner is seeking a Special Permit in accordance with Article XIII, Section 13.01.3.a to raze the existing single family dwelling and construct a new single family dwelling above the base flood elevation within an Inland Wetlands District and a Special Permit in accordance with Article IX, Section 9.02.3 to reconstruct a single family

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dwelling within the nonconforming front and right side property line setbacks and not to exceed setbacks of the existing structure on the property located at **65 Monitor Road**, which is further identified on the Assessors' Map as parcel K10-14-17 and is located in an R-3 zoning district.

**V. CONTINUED HEARINGS TO DATE CERTAIN (06-27-17):**

- A. #17-32: Municipal-Bay Holdings/T-Mobile Northeast:** The Petitioner is seeking a Variance from the terms of Article II, Definitions, Use, Principal, restricting principal uses to one upon a lot outside a Mixed-Use zoning district pursuant to Article X, Section 10.11; Site Plan Review pursuant to Article XI, Section 11.12.3 and Article XII, Section 12.02 and variances from the terms of Article XI, Sections 11.12(2)(a) and (c) pursuant to Article X, Section 10.11 and any and all necessary relief, to the extent required, pursuant to Massachusetts General Laws Ch. 40A as well as the Federal Telecommunications Act of 1996 to construct a 125' monopole-style tower, install twelve (12) panel antennas at the 121' antenna centerline mark above ground level (AGL) extending to 125' AGL, together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads and surge arrestors, with associated electronic equipment on a proposed equipment pad, with GPS antenna and an emergency backup power generator located within a compound enclosed by a chain link fence and an access driveway, and on the property located at **1204 Union Street**, which is further identified on the Assessors' Map as parcel B18-03-10 and is located in an R-1 zoning district.
- B. #17-33: Stephen and Elizabeth Howley:** The Petitioners are seeking a Special Permit in accordance with Article XIII, Section 13.02.3.a to raze the existing single family dwelling and construct a new single family dwelling above the base flood elevation within a Coastal Wetlands District, a Special Permit in accordance with Article IX, Section 9.02.3 to reconstruct a single family dwelling within the nonconforming side and rear property line setbacks and not to exceed setbacks of the existing structure and a Variance in accordance with Article X, Section 10.11 to extend the deadline recently granted for restoration of the property located at **225 Bay Avenue**, which is further identified on the Assessors' Map as parcel M05-10-37 and is located in an R-3 zoning district.
- C. #16-69: Marshfield Mews, LLC:** The Petitioner is seeking a Comprehensive Permit in accordance with M.G.L. Chapter 40B for the construction of eleven (11) townhouse buildings, three (3) four-story buildings and one (1) clubhouse building; this development will consist of eighty-four (84) one-bedroom units, one hundred and forty-eight (148) two-bedroom units and thirty-eight (38) three-bedroom units, which will total 270 units in all, sixty-eight (68) 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 22.2 acre site off of **Commerce Way** which is further identified on the Assessors' Maps as 08-01-06, 08-01-07, 08-01-08, 08-01-10A and is located in an I-1 zoning district and within a PMUD – Planned Mixed Use Overlay District.

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**VI. CLOSED HEARINGS/UNDER ADVISEMENT (06-15-17):**

- A. #16-50: Peter Armstrong, Matlin, LLC:** The Petitioner is seeking a Comprehensive Permit, in accordance with M.G.L. Chapter 40B, for the construction of nineteen (19) duplex buildings, two (2) single family homes and one (1) commercial/office building; this development will consist of twenty-eight (28) one-bedroom units, eight (8) two-bedroom units, and four (4) three-bedroom units, which will total 40 units in all, 10 of which will be considered affordable-according to the Boston Metropolitan Statistical Area Index, as determined by HUD, on the property located Ferry Street Rear, which is identified on the Assessors' Maps as G12-29-02 and is located in an R-1 zoning district and the Water Resource Protection District. A copy of the application and the plans may be viewed at the Board of Appeals office in Town Hall.

**VII. ANY OTHER BUSINESS NOT ANTICIPATED BY CHAIRMAN 48 HOURS IN ADVANCE:**

**Peter Bethanis for the business located at the former Have to Have It location, 839 Webster Street:** The Petitioner is seeking the Board's opinion as to whether Site Plan Approval would be required to replace two (2) 11' x 15' windows with two (2) 12' x 12' overhead doors.

**VIII. APPROVAL OF ANY MINUTES**

**IX. ADJOURNMENT**

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