

**Marshfield Zoning Board of Appeals**  
**870 Moraine Street, Marshfield, MA 02050**  
**August 11, 2020 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](http://www.marshfielddtv.org/streaming) or Channel 35 (Verizon) or Channel 15 (Comcast).*

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/82520560385?pwd=ZE9LQ09UNEhrT3NXb0x3OTJKdXlpZz09>**

**Meeting ID: 825 2056 0385      Passcode: 868465**

**One tap mobile**

**+13126266799,,82520560385# US (Chicago)**

**+16465588656,,82520560385# US (New York)**

**Dial by your location**

**+1 312 626 6799 US (Chicago)**

**+1 646 558 8656 US (New York)**

**Find your local number: <https://us02web.zoom.us/j/82520560385?pwd=ZE9LQ09UNEhrT3NXb0x3OTJKdXlpZz09>**

***Must have microphone or you will not be able to speak***

***Must have camera if you want to see video***

**AGENDA**

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

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

**III. NEW HEARINGS:**

**A. #20-48: James and Linda Starry:** The Petitioners are seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 4' x 18" addition/extension at the back of the dwelling on to the existing deck on the property located at **20 Dundee Drive** which is further identified on the Assessors' Maps as being on parcel M08-05-36 and is located in an R-3 zoning district.

**B. #20-49: Frozen 4, L.L.C.:** The Petitioner is seeking a Special Permit and Site Plan Approval in accordance with M.G.L. c. 40A §9, Marshfield Municipal Code Section §305-12.06 RECREATIONAL MARIJUANA, Section §305-10.10 SPECIAL PERMIT and Section §305-12.02 SITE PLAN APPROVAL for a recreational marijuana retail establishment to be located at **985 Plain Street** and further identified on the Marshfield Assessors' Map as parcel C10-02-05 lying within the I-1 Industrial Zoning District and such other further relief pursuant to the Marshfield Municipal Code as necessary.

**IV. CONTINUED HEARINGS TO DATE CERTAIN (08-11-2020 6:30 P.M.):**

**A. 275 Elm Street: Jeffrey DeLisi, Esquire:** Pursuant to Special Condition No. 5 of the Variance decision filed with the Town Clerk on November 23, 2004, Petitioner requests that the Board approve a modification to the approved 2004 variance plan, and accept the building permit plan drafted by Stenbeck and Taylor for the property located at 275 (Lot 169) Elm Street dated 02-25-2020. The 2020 Plan modifies the previously approved 2004 plan originally drafted by Keefe Associates dated June 21, 2002. The 2020 Plan is different than the 2004 plan because it incorporates the Special Conditions expressed in the Grant of Variance Decision dated November 9, 2004, the comments recently requested by Marshfield Town Engineering Department; and reduces the footprint of the home.

**B. #19-55: Health Circle, Inc.:** The Petitioner is seeking Site Plan approval under §305-12.02 and a Special Permit under §305-10.10 of the Marshfield Municipal Code to locate a recreational marijuana facility at the existing vacant 14,400 square foot industrial building on the property located at **120 Enterprise Drive** which is further identified on the Assessors' Maps as being on parcels D09-01-13B and is located in an I-1 zoning district. This is a Continued hearing that was re-advertised.

**C. #20-45: TAJ Family Trust/James Marathas:** The Petitioner is seeking a Special Permit in accordance with §305-10.12 of the Marshfield Municipal Code to construct a 30' dormer and a 10' dormer; a Variance in accordance with §305-10.11 for relief from §305-6.07 "Accessory Buildings" which requires accessory buildings be 10' from a principal building and a Special Permit in accordance with §305-10.12 to construct a 16' x 10' shed to replace the previous breezeway that was demolished on the property located at **50 Ocean Street** which is further identified on the Assessors' Maps as being on parcel N06-07-08 and is located in an R-3 zoning district.

**V. CONTINUED HEARINGS TO DATE CERTAIN (09-08-2020 6:30 P.M.):**

**A. #20-28: Michael Murphy:** The Petitioner is seeking a Special Permit in accordance with §305-10.10 and §13.02.C.1 of the Marshfield Municipal Code to extend the existing dock an additional 63 feet with a proposed 35 foot long gangway and retain the existing 20' x 10' float on the property located at **1213 Ferry Street** which is further identified on the Assessors' Maps as being on parcels I15-24-24 and I5-11-19A and is located in a B-4 zoning district. **Petitioner has requested to continue this hearing to the September 8th, 2020 meeting as they have not received Conservation approval as yet.**

**VI. CONTINUED HEARINGS TO DATE CERTAIN (09-22-2020 6:30 P.M.):**

**A. #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.

**VII. CLOSED HEARINGS/UNDER ADVISEMENT:**

**VIII. OTHER BUSINESS:**

**A. #15-72: Marshfield Yacht Club:** Request an extension of Special Permit #15-72 which was "conditioned upon the application and receipt of all appropriate licenses including without limitation the Chapter 91 Waterways Permit/License, any Orders of Conditions or Conservation Permits and Commonwealth of Massachusetts DEP Permits and Orders of Conditions". The Chapter 91 & Water Quality Certificate was issued October 30, 2019.

**IX. APPROVAL OF ANY MINUTES**

**X. 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.